PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

THE DISTRICT COUNCIL OF ADUR

RESTRICTED BYWAY 3157 (SHOREHAM FLOOD DEFENCE WALL AND FLOOD GATE) DIVERSION ORDER 2021

This Order is made by the District Council of Adur under section 257 of the Town and Country Planning Act 1990 ("TCPA 1990") because they are satisfied that it is necessary to divert the restricted byway to which this Order relates in order to enable the development described in Part 1 of the Schedule to this Order to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 by the District Council of Adur to the District Council of Adur of Town Hall, Chapel Road, Worthing BN11 1HA on 7 March 2019 under reference AWDM/1695/18.

BY THIS ORDER

1. The highway over the land shown by a dotted red line on the attached Order Plan between points A - B and described in Part 2 of the Schedule to this order shall be stopped up.

2. There shall be created to the reasonable satisfaction of the District Council of Adur and West Sussex County Council an alternative highway for use as a replacement shown by a dashed blue line on the attached Order Plan between points C – H and described in Part 3 of the Schedule.

3. This Order shall come into force on the date on which notice that it has been confirmed is first published in accordance with Part II of Schedule 14 to the TCPA 1990 or the date on which the District Council of Adur certifies that the terms of Article 2 of this Order have been complied with, whichever is the later.

4. The District Council of Adur is required to pay the cost of carrying out the necessary works. For the avoidance of doubt, the District Council of Adur is the Applicant registered by the Local Planning Authority (the District Council of Adur) against Planning Application AWDM/1695/18.

5. The alternative highway shall be waymarked by West Sussex County Council with the cost of this to be paid by the District Council of Adur.

6. Where immediately before the date on which the highway is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

DESCRIPTION OF THE DEVELOPMENT UNDER PLANNING APPLICATION REFERENCE AWDM/1695/18

Details of Development

Construction of flood defence wall, and flood gate across former Tarmount Hard, provision of pedestrian and cycle path and public realm improvements following demolition of yacht club (subject of separate application).

Location of development

85-89 Brighton Road, Shoreham-by-Sea, West Sussex BN43 6RF

PART 2

DESCRIPTION OF SITES OF EXISTING PATHS

The entire width and length of Restricted Byway No. 3157 which commences to the East of the clubhouse to be demolished of the Sussex Yacht Club at Shoreham-by-Sea, West Sussex BN43 6RF at Point A running in a southerly direction for approximately 35 metres to Point B shown by the dotted red line on the attached Plan.

Length: Approximately 35 metres at points A to B.

PART 3

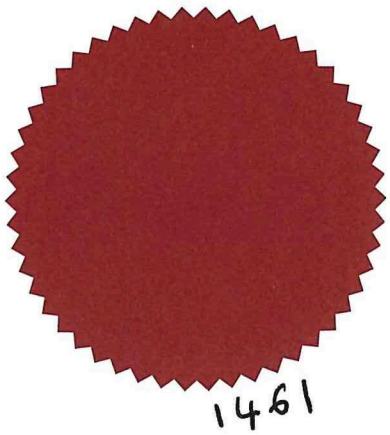
DESCRIPTION OF SITES OF ALTERNATIVE HIGHWAYS

The proposed diverted Restricted Byway 3157 which commences at Point C and continues through the proposed flood gate under Planning Application AWDM/1695/18 as shown on the attached Plan and continues in a southerly direction for approximately 5 metres to Point D and then turns and tracks eastwards from Point D for approximately 5 metres to Point E and then turns and tracks southwards from Point E for approximately 7 metres to Point F and then turns and tracks eastwards from Point F for approximately 52 metres at Point G and then turns and tracks southwards for approximately 30 metres and stopping at Point H.

Width:

Points A to H	**3 metres save for the pedestrian entrance through the main flood gate which is 1 metre.**

THE COMMON SEAL OF THE DISTRICT)
COUNCIL OF ADUR was hereunto affixed)
this 8th day of March)
2021 in the presence of:-)



[redacted]

Sally Drury-Smith

Authorised signatory by delegation

[redacted]

WITNESS

Name (sign)

Name (PRINT) SARAH HILL

Address WORTHING TOWN HALL

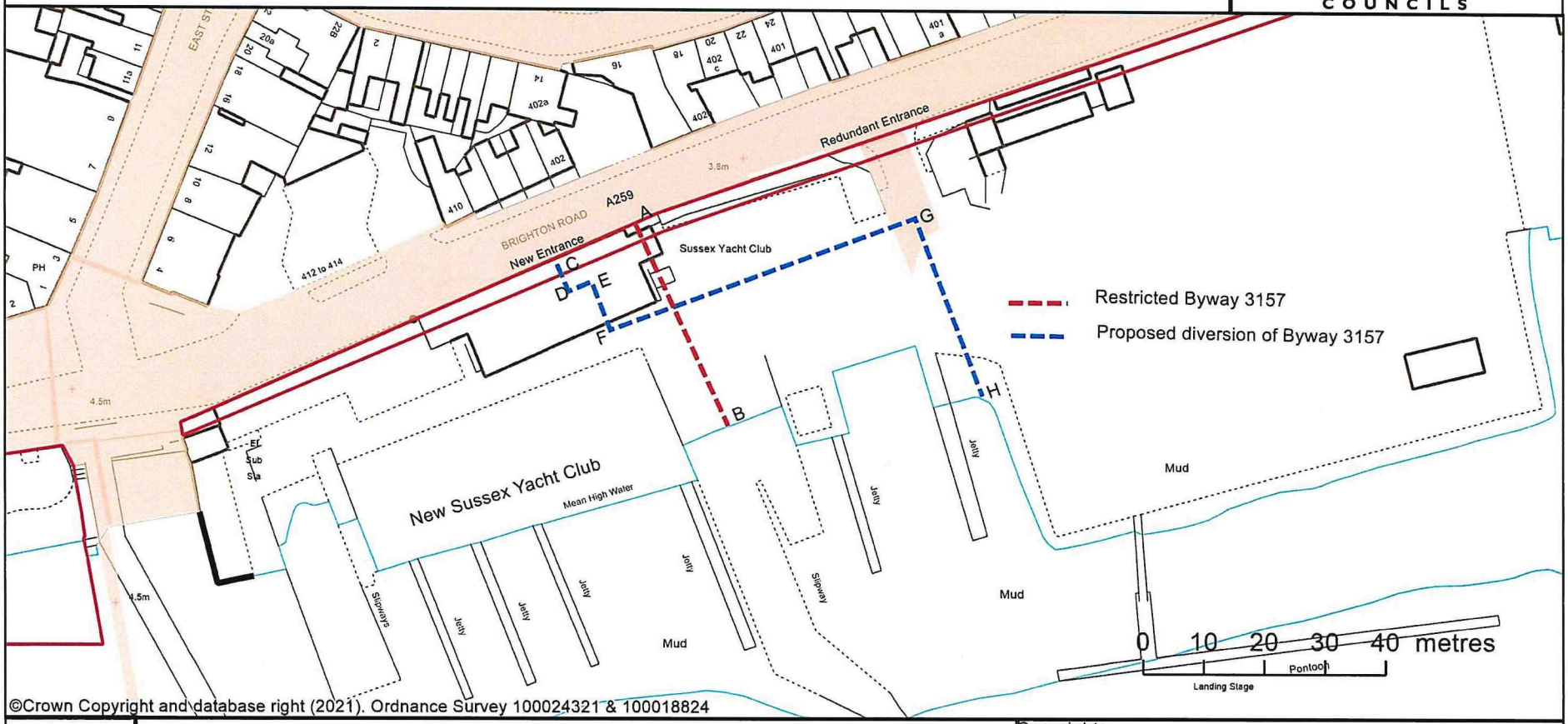
Occupation

****

Sussex Yacht Club - Proposed Byway

04 February 2021

ADUR & WORTHING COUNCILS



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