

NOTICE OF MAKING AN ORDER

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

WORCESTERSHIRE COUNTY COUNCIL

DIVERSION OF FOOTPATH KP-509 (PART) IN KEMPSEY, PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2026

The above Order, made on 9 July 2026, under Section 119 of the Highways Act 1980, and Section 53A(2) of the Wildlife and Countryside Act 1981, will divert the public footpath, and modify the definitive map and statement for Worcestershire accordingly; From: Ordnance Survey Grid Reference (OSGR) SO 8510, 4993 (point A on the order plan), the footpath proceeds in a westerly direction for 31.8 metres (m) to OSGR SO 8513, 4994 (point B on the order plan) and in a southerly direction for 123.2m to OSGR SO 8518, 4982 (point C on the order plan). To: with a width of at least 2m from the corner of the field at SO 8510, 4993 (point A on the order plan) proceeding in a southeasterly direction for 21.6m, to the top of steps at OSGR SO 8512, 4992 (point F on the order plan) and then southerly down the steps for 18.3m to OSGR SO 8512, 4990 (point E on the order plan) and then south-southeasterly for 96.6m to the corner of The Grove at OSGR SO 8517, 4982 (point D on the order plan) and then easterly for 14.2m to join the original route at OSGR SO 8518, 4982 (point C on the order plan).

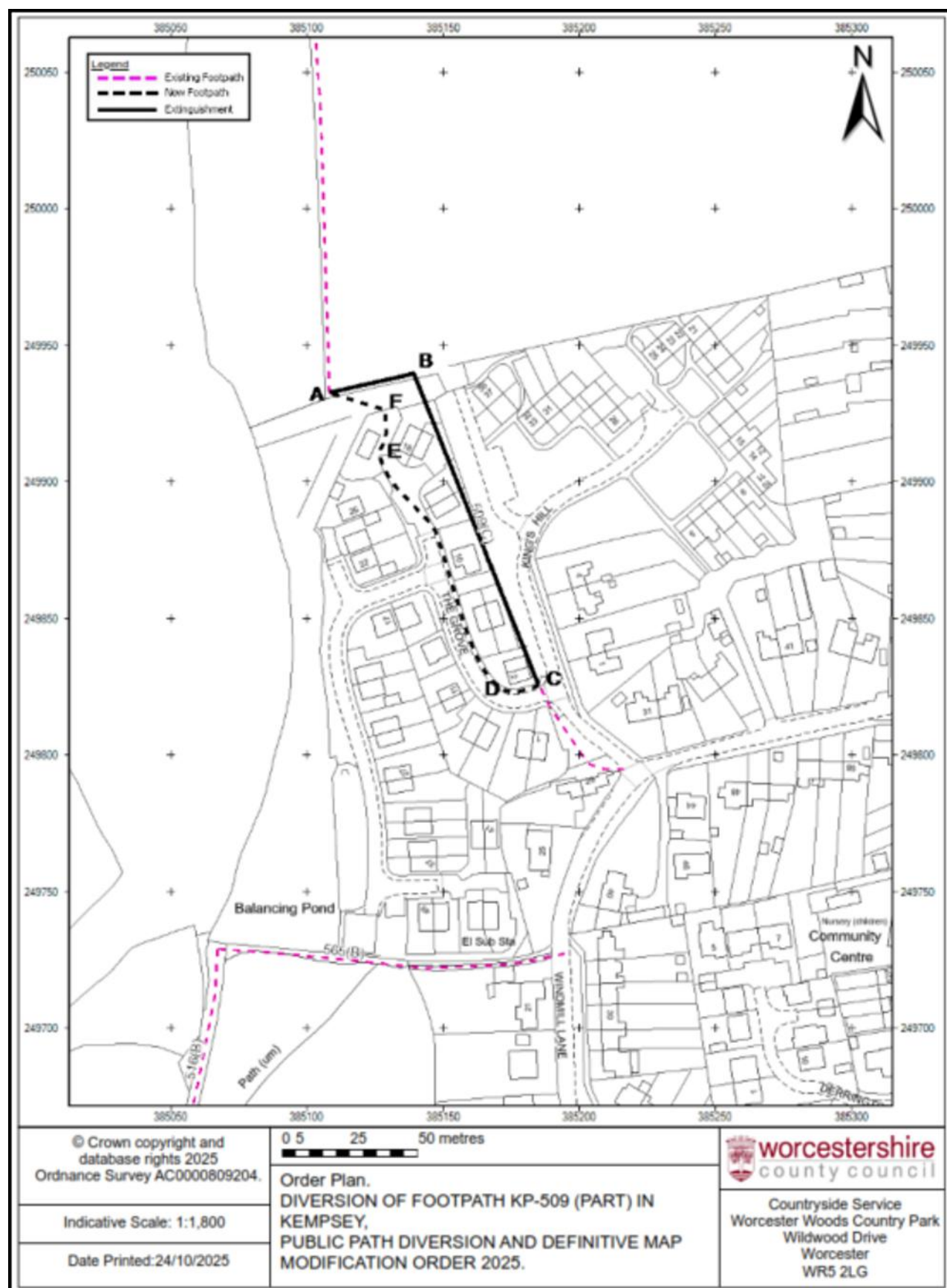
A copy of the order and the order map have been placed and may be seen free of charge at The Hive Sawmill CI, The Butts, Worcester, WR1 3PD, United Kingdom during normal opening hours. Library computer use can be prebooked on 01905 822722 or via the following email address: thehivelibrary@worcestershire.gov.uk (copies may be printed at the library; usual charges apply).

The documents can also be viewed online at the following link:
[Public rights of way order consultations | Worcestershire County Council](#)

Any representations about or objections to the order may be sent in writing to the **Mapping Manager, Public Rights of Way Mapping Team, Wildwood, Wildwood Drive, Worcester, WR5 2QT** or countryside@worcestershire.gov.uk. not later than 31 August 2026. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if made are subsequently withdrawn, the County Council may confirm the order as an unopposed order. If the order is sent to the Secretary of State for the Environment, Food and Rural Affairs for confirmation any representations and objections which have not been withdrawn will be sent with the order.

Dated 16 July 2026
THOMAS POLLOCK
Head of Commercial Law, Legal and Governance



PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

WORCESTERSHIRE COUNTY COUNCIL

DIVERSION OF FOOTPATH KP-509 (PART) IN KEMPSEY,

PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2026.

This Order is made by Worcestershire County Council ("the authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the occupiers and owners of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the footpath should be diverted.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the County of Worcestershire definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the footpaths into a fit condition for use by the public

Malvern Hills District Council have been consulted about the making of the Order as required by Section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situate at Kempsey and shown by a bold continuous line on the map contained in this Order and described in part 1 of the Schedule to this Order shall be stopped up on the date of confirmation of this order, and thereupon the County of Worcestershire definitive map and statement shall be modified accordingly.
2. Notwithstanding this Order any statutory undertaker as shall for the time being have statutory powers in that respect shall have the right to open up the land referred to in paragraph 1 to install, maintain or alter their apparatus.
3. There shall on the date of confirmation of this Order be a public footpath over the land situate at Kempsey described in Part 2 of the Schedule and shown by a bold broken

line on the map attached to this Order, and thereupon the County of Worcestershire definitive map and statement shall be modified accordingly.

4. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.
5. The County of Worcestershire definitive statement shall be modified as described in Part 4 of the schedule of this Order.

Dated

9 JULY 2026

The Common Seal of
Worcestershire County Council
was affixed hereto in the presence of:-


Andrew Ferry
Legal Property Manager



SCHEDULE

PART 1. Description of Site of Existing Footpaths

FOOTPATH KP-509 (PART) (FORMERLY FOOTPATH No. 3)

The length and entire width of KP-509 (part) in the parish of Kempsey, to be diverted, commences at Ordnance Survey Grid Reference (OSGR) SO 8510 4993 (point A on the order plan), the footpath proceeds in a westerly direction for 32 metres (m) to OSGR SO 8513 4994 (point B on the order plan) and in a southerly direction for 12 m to OSGR SO 8518 4982 (point C on the order plan).

The total distance of the section to be diverted is 155 metres.

PART 2. Description of Site of New Footpath

FOOTPATH KP-509 (PART) (FORMERLY FOOTPATH No. 3)

The diverted length of KP-509, in the parish of Kempsey, with a width of 2m from the corner of the field at SO 8510, 4993 (point A on the order plan) proceeding in a southeasterly direction for 22 m, to the top of steps at OSGR SO 8512 4992 (point F on the order plan) and then southerly down the steps for 18m to OSGR SO 8512, 4990 (point E on the order plan) and then south-southeasterly for 97m to the corner of The Grove at OSGR SO 8517 4982 (point D on the order plan) and then easterly for 14m to join the original route at OSGR SO 8518, 4982 (point C on the order plan).

The total distance of the new section is 151 metres.

NOTE: Rooftop Housing Group have pledged to maintain the steps.

PART 3. Limitations and Conditions

Position on path to which Limitations and Conditions apply.	Limitations and Conditions
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OSGR SO 8512 4992 to OSGR SO 8512 4990	Steps
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PART 4. Modification of Definitive Statement

Variations of Particulars of Paths

(Variations to definitive statement shown in bold, text to be removed is struck through)

PARISH OF Kempsey

DISTRICT OF Malvern Hills

NO. 509, 512, 516 formerly 3

Map Reference. 85SE & 84NE

CLASSIFICATION Footpath

MAP OR PLAN REF 33 SE

Definitive Map grid: 84-3

LENGTH 2486 2180.4 metres 2.49 2.18
kilometres

LOCATION

Commencing on the main Worcester - Tewkesbury Road, A38, 300 yards south of the Ketch Inn, path runs south between the drive to the Severn Motor Yacht Club and a British Road Services Station, and then through Kempsey Grove, continuing at O.S. Grid Ref: 8511 - 5019, 2 metres in width, proceeding in a southerly direction alongside a post and wire fence for 20 metres, then alongside an ornamental garden wall in a south-easterly and southerly direction for 70 metres, then in a west-south-westerly direction for 10 metres to O.S. Grid Ref: 8511 - 5010. Then continuing from O.S. Grid Ref: 8511 - 5009 in a west-south-westerly direction for 20 metres, then in a southerly direction alongside a post and wire fence for 180 metres, then ~~in an easterly direction alongside a post and wire fence for 40 metres to O.S. Grid Ref: 8511 - 5009,~~ proceeding in a southeasterly direction for 22 m, to the top of steps at OSGR SO 8512 4992 and then southerly down the steps for 18m to OSGR SO 8512 4990 and then south-southeasterly for 97m to the corner of The Grove at OSGR SO 8517 4982 and then easterly for 14m to OSGR SO 8518 4982 and continuing south to King's Hill.

Other portion arm runs south from west end of link of Footpath No 17 to meet the end of Lifts Lane at a point 400 yards north- east of the Church.

HA 1980, PPDO 1995

Dual Status LEMO 2002

Diverted under Highways act 1980 & Wildlife and countryside act 1981

**Worcestershire county council Diversion of footpath KP-509 (part) in Kempsey,
Public Path Diversion And Definitive Map Modification Order 2026.**

NOTE: Rooftop Housing Group have pledged to maintain the steps at Grid ref: 385129, 249919.

DESCRIPTION GENERAL

Narrow gap (A) beside drive gates, rather uncomfortable narrow track between hedge and fence, climbable fence (B), edge of pasture stile (C), pasture at top of bank, stile (D), through Kempsey Grove, behind open barn, point (E) ... **proceeds down the steps to The Grove and along the road to meet Windmill Lane at gap (J) beside old stile.**
Other portion commences at stile (G) and proceeds over a wide cart track between hedges to open junction with district road and Footpath No 18.

STILES, GATES

STREAM CROSSINGS

DIRECTION POSTS

NOTICES

REMARKS

Mr. Anstey who has built the new house 150 yards south of open barn mentioned in the description, intends to ask for a diversion over a new stile at (E) and along the cart track following the east side of the hedge, returning to the pasture over a second stile about 50 yards south of (F). This would appear to mean little inconvenience.

BY WHOM INSPECTED

MA Stone

DATE OF INSPECTION

28th April 1952