

Statutory Document No. 2023/0065



*Highways Act 1986*

## HIGHWAY DIVERSION (PUBLIC RIGHT OF WAY NO.423, GRENABY) ORDER 2023

*Approved by Tynwald: 17 May 2023*  
*Coming into operation: in accordance with article 2*

The Department of Infrastructure, having complied with the requirements of paragraphs 1 to 7 of Schedule 3 to the Highways Act 1986, makes the following Order under section 33(2) of that Act.

### **1 Title**

This Order is the Highway Diversion (Public Right of Way No.423, Grenaby) Order 2023.

### **2 Commencement**

If approved by Tynwald, this Order comes into operation on the date on which the notice required by paragraph 8 of Schedule 3 to the Highways Act 1986 is first published<sup>1</sup>.

### **3 Interpretation**

In this Order, “**the Order map**” means the map in the Schedule.

### **4 Diversion of highway**

(1) On the date on which this Order takes effect, the highway designated “Public Right of Way No.423, Grenaby” shall be—

- (a) extinguished from a point at GR 226581E 472275N, running in a north-easterly direction for approximately 21 metres, turning to run in a south-easterly direction for approximately 109 metres,

<sup>1</sup> Section 33(3) of the Highways Act 1986 requires a highway diversion order to be approved by Tynwald before it can have effect; and paragraph 8 of Part 1 of Schedule 3 to that Act requires the Department to publish a notice stating that the order has been made and naming the place at which the order may be inspected. Paragraph 10(1) of Schedule 3 to the Act provides that a highway diversion order takes effect on the date on which such notice is published or first published, or on such later date, if any, specified in the order.

turning to run in a north-easterly direction for approximately 65 metres, turning to run almost northerly for 34 metres to 226781E 472306N, shown as a broken black line on the Order map; and

- (b) created from a point at GR 226549E 472329, running in an easterly direction for approximately 58 metres, turning to run in a south-easterly direction for approximately 36 metres, turning to run in a easterly direction for approximately 159 metres, turning to run in a northerly direction for approximately 14 metres joining Public Right of Way No.423 at 226783E 472306N, shown as a solid blue line on the Order map.

- (2) The width of that part of the highway created under paragraph (1)(b) shall be 1 metre.

## 5 Revocation

The Highway Diversion (PROW No.423, Grenaby) Order 2022 is revoked<sup>2</sup>.

**MADE 28 FEBRUARY 2023**

**C C THOMAS**

*Minister for Infrastructure*

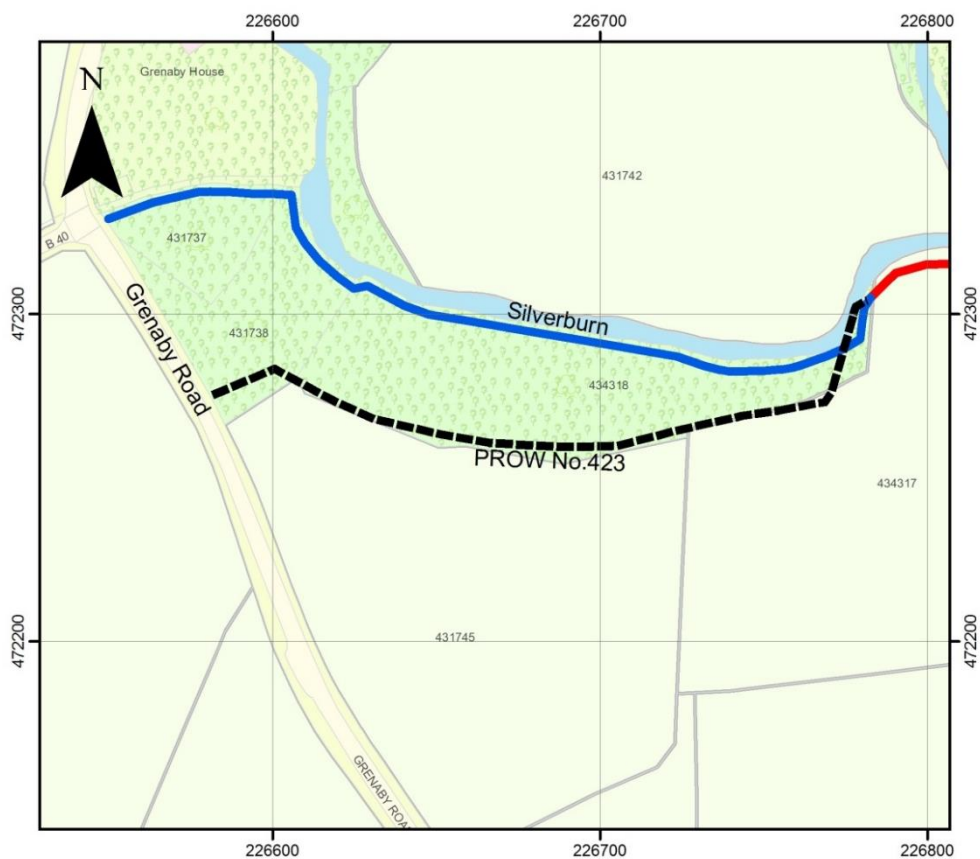
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<sup>2</sup> SD 2022/0032.

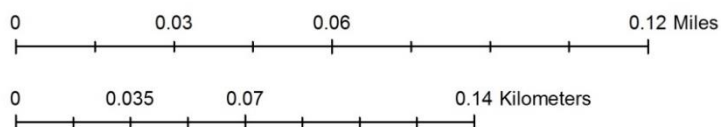
### SCHEDULE

[Article 3]

Map referred to in Highway Diversion (Public Right of Way No.423, Grenaby) Order 2023



- Existing Highway
- Highway to be Extinguished
- Highway to be Created



*EXPLANATORY NOTE*

*(This note is not part of the Order)*

This Order diverts a length of the Public Right of Way No.423, near the Silverburn, Grenaby by extinguishing part of the existing highway (see article 4(1)(a)) and creating a new length of highway (see article 4(1)(b)).

This Order is made because the Department of Infrastructure is satisfied that it is expedient that a part of the existing highway should be diverted for the purpose of providing a more commodious route for traffic entitled to use the highway as a result of (a) a tree fall and land slippage making the current route narrow and unsafe and (b) erosion of the river bank at the eastern end of the highway.

This Order also revokes the Highway Diversion (PROW No.423, Grenaby) Order 2022 (SD 2022/0032).