
Order Decision

Site visit made on 15 July 2015

by Alan Beckett BA MSc MIPROW

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 27 October 2015

Order Ref: FPS/L3055/7/83M

- This Order is made under Section 53 (2) (b) of the Wildlife and Countryside Act 1981 (the 1981 Act) and is known as Nottinghamshire County Council (East Markham Footpath No. 35) Modification Order 2012.
- Nottinghamshire County Council submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- The Order is dated 27 January 2012. The Order was the subject of an interim decision dated 5 August 2015 in which I proposed to confirm the Order subject to a modification which required advertisement.

Summary of Decision: The Order is confirmed subject to the modification set out in the Formal Decision.

Procedural Matters

1. The effect of the Order, if confirmed with the modification that I previously proposed, would be to modify the Definitive Map and Statement for the area by recording footpath 35 as having a width of 1.5 metres throughout its length.
2. In my interim decision of 5 August 2015, I proposed to confirm the Order subject to the modification described in paragraph 1 above. Since this modification would affect land not affected by the Order as originally made I was required by virtue of Paragraph 8 (2) of Schedule 15 to the 1981 Act to give notice of my proposal to modify the Order.
3. One representation was received following advertisement of the notice and deposit of the associated documents relating to the proposed modification. In his representation Mr G B Hardy stated that he had no objection to the proposal to record footpath 35 as having a width of 1.5 metres.

Conclusions

4. Bearing in mind the above, I conclude that the Order should be confirmed subject to the modification set out in paragraph 47 of my interim decision dated 5 August 2015.

Formal Decision

5. I confirm the Order subject to the modification previously proposed, namely:
in the schedule Part II amend line 5 to record the width of the path as being 1.5 metres throughout its length.

Alan Beckett

Inspector