

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Herefordshire County Council  
Addition of Footpaths FWB12, FWB13, FWB14 and FWB15 Fownhope  
Modification Order 2009  
and  
Addition of Footpaths in the Parish of Fownhope (to be known as FWB12,  
FWB13, FWB14 and FWB15 ) Modification Order 2002

Notice is hereby given that the above referenced Orders have been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Orders.

The **start date** for the above Orders is 19 Feb 2016.

Consideration of the Order(s) will take the form of a public local inquiry.

The Inquiry will be held at **Gardner Hall, Royal National College for the Blind, Venns Lane, Hereford HR1 1DT** on Tuesday 16 Aug 2016 at 10.00am.

Please note: Order 2002 and 2009 are identical. Council took a decision to make a new Order in 2009 due to the amount of time elapsed.

The effect of the Orders, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by adding to them footpaths listed below:

Footpath to be known as FWB12 in the Parish of Fownhope commences at the junction with footpath FWB1A Grid Reference SO 5779 3552 (point A on the Order plan) and proceeds in a north-westerly direction for approximately 243 metres to join footpath FWB6A Grid Reference SO 5761 3566 (point B on the Order plan). The path has a length of approximately 243 metres and a width of 2 metres.

Footpath to be known as FWB13 in the Parish of Fownhope commences at the junction with footpath FWB10 Grid Reference SO 3744 3521 (point C on the Order plan) and proceeds in a north-easterly direction for approximately 360 metres to join footpath FWB6A Grid Reference SO 5765 3547 (point D on the Order plan). The path has a length of approximately 360 metres and a width of 2 metres.

Footpath to be known as FWB14 in the Parish of Fownhope commences at the junction with C1295 County Road Grid Reference SO 5780 3471

(point H on the Order plan) and proceeds generally north-easterly for approximately 145 metres Grid Reference SO 5790 3480 (point E on the Order plan) and thence a south-easterly for approximately 177 metres to join footpath FWA11 at Grid Reference SO 5802 3468 (point J on the Order plan). The path has a length of approximately 322 metres and a width of 3 metres.

Footpath to be known as FWB15 in the Parish of Fownhope commences at the junction with FWB14 Grid Reference SO 5795 3476 (point F on the Order plan) and proceeds in a south-easterly direction for approximately 36 metres to Grid Reference SO 5797 3474 (point G on the Order plan). The path has a length of approximately 36 metres and a width of 2 metres.

Any queries relating to this Order should be referred to Bart Bartkowiak at The Planning Inspectorate, Rights of Way Section, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5223. Email: bart.bartkowiak@pins.gsi.gov.uk. Please quote reference number FPS/W1850/7/12 & 7/13 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at Balfour Beatty Living Places, Unit 3, Thorn Business Park, Rotherwas Industrial Estate, Hereford HR2 6JT, Monday to Friday from 9.00am till 3.30pm.

### **Timetable for sending in statements of case and proofs of evidence**

#### **Within 8 weeks of the start date [by 15 Apr 2016]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

#### **Within 14 weeks of the start date [by 27 May 2016]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding

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<sup>1</sup> If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

copies of any supporting documents, although these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

#### **4 weeks before the date of the inquiry [by 19 July 2016]**

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

**MODIFICATION ORDER**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF HEREFORDSHIRE**

**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL  
ADDITION OF FOOTPATHS FWB12, FWB13, FWB14 AND FWB15 FOWNHOPE**

**MODIFICATION ORDER 2009**

This Order is made by the County of Herefordshire District Council ("the Council") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Council that the Definitive Map and Statement for the County of Herefordshire requires modification in consequence of the occurrence of an event specified in section 53(3)(c)(i), namely, the discovery of evidence that a right of way subsists or is reasonably alleged to subsist.

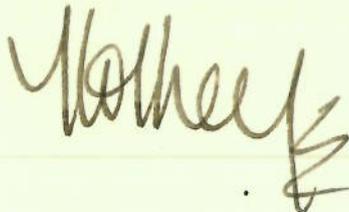
The Council hereby orders that:

1. For the purposes of this Order the relevant date is 11<sup>th</sup> March 2009
2. The Definitive Map and Statement for the County of Herefordshire shall be modified as described in Part I and Part II of the Schedule and shown on the plan attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the County of Herefordshire District Council addition of Footpaths FWB12, FWB13, FWB14 and FWB15 Modification Order 2009.

Dated 11<sup>th</sup> March 2009

**THE COMMON SEAL** of the County of )  
Herefordshire District Council was affixed )  
**BY ORDER** )

Authorised Officer



## **SCHEDULE**

### **PART I**

#### **Modification of Definitive Map**

##### **Description of path or way to be added**

###### **Path A – B**

Footpath to be known as FWB12 in the Parish of Fownhope commences at the junction with footpath FWB1A Grid Reference SO 5779 3552 (point A on the Order plan) and proceeds in a north-westerly direction for approximately 243 metres to join footpath FWB6A Grid Reference SO 5761 3566 (point B on the Order plan). The path has a length of approximately 243 metres and a width of 2 metres.

###### **Path C-D**

Footpath to be known as FWB13 in the Parish of Fownhope commences at the junction with footpath FWB10 Grid Reference SO 3744 3521 (point C on the Order plan) and proceeds in a north-easterly direction for approximately 360 metres to join footpath FWB6A Grid Reference SO 5765 3547 (point D on the Order plan). The path has a length of approximately 360 metres and a width of 2 metres.

###### **Path H-E-F-I-J**

Footpath to be known as FWB14 in the Parish of Fownhope commences at the junction with C1295 County Road Grid Reference SO 5780 3471 (point H on the Order plan) and proceeds generally north-easterly for approximately 145 metres to Grid Reference SO 5790 3480 (point E on the Order plan) and thence south-easterly for approximately 177 metres to join footpath FWA11 at Grid Reference SO 5802 3468 (point J on the Order plan). The path has a length of approximately 322 metres and a width of 3 metres.

###### **Path F-G**

Footpath to be known as FWB15 in the Parish of Fownhope commences at the junction with FWB14 at Grid Reference SO 5795 3476 (point F on the Order plan) and proceeds in a south-easterly direction for approximately 36 metres to Grid Reference SO 5797 3474 (point G on the Order plan). The path has a length of approximately 36 metres and a width of 2 metres.

### **PART II**

#### **Modification of Definitive Statement**

##### **Variation of particulars of path or way**

###### **Parish of Fownhope Public Footpath FWB12**

Commences from footpath FWB1A at Grid Reference SO 5779 3552 and proceeds in a north-westerly direction for approximately 243 metres to join footpath FWB6A at Grid Reference SO 5761 3566. The total length of FWB12 is approximately 243 metres. FWB12 has a minimum width of 2 metres.

###### **Parish of Fownhope Public Footpath FWB13**

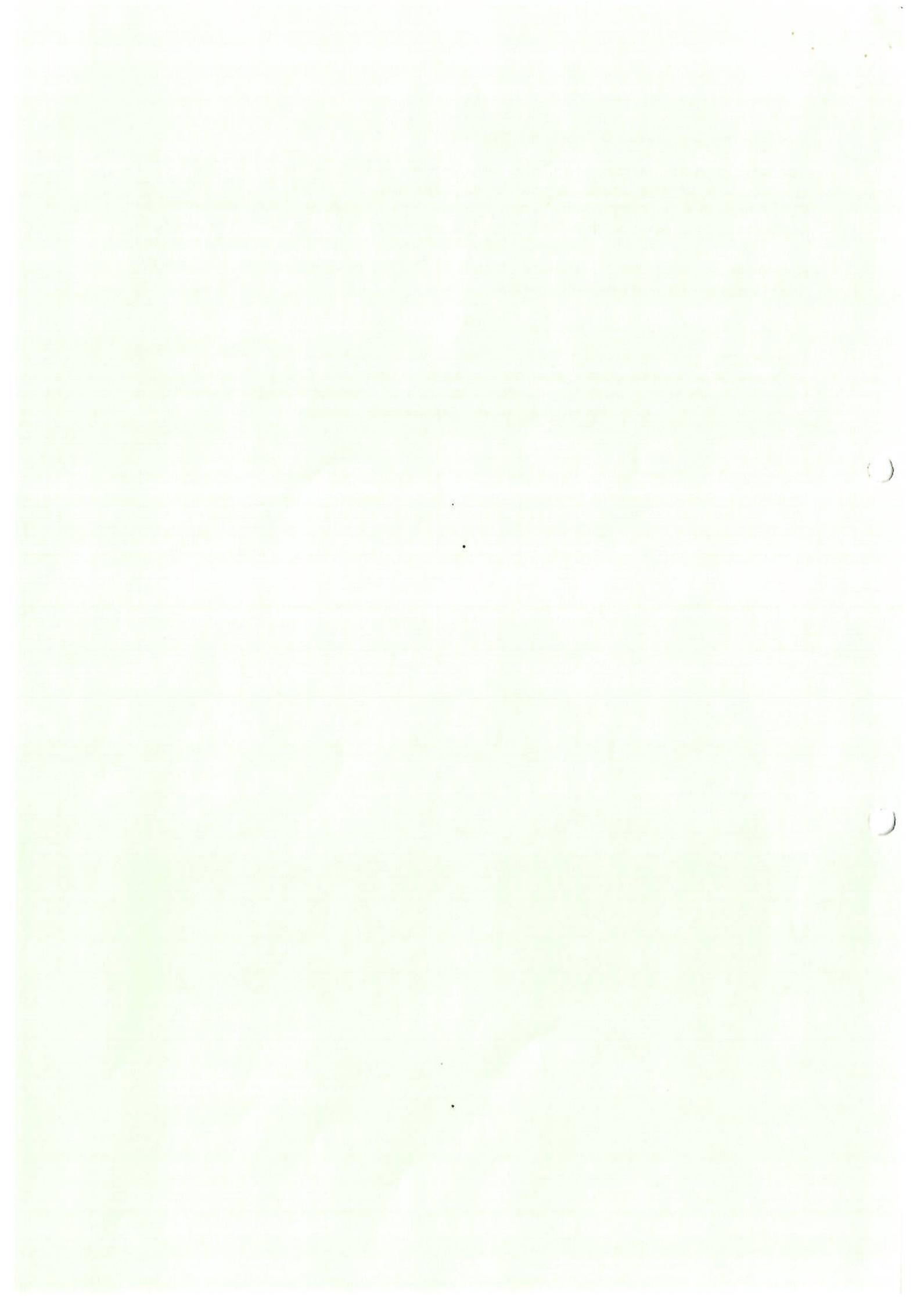
Commences from footpath FWB10 at Grid Reference SO 5744 3521 and proceeds in a north-easterly direction for approximately 360 metres to join footpath FWB6A at Grid Reference SO 5765 3547. The total length of FWB13 is approximately 360 metres. FWB13 has a minimum width of 2 metres.

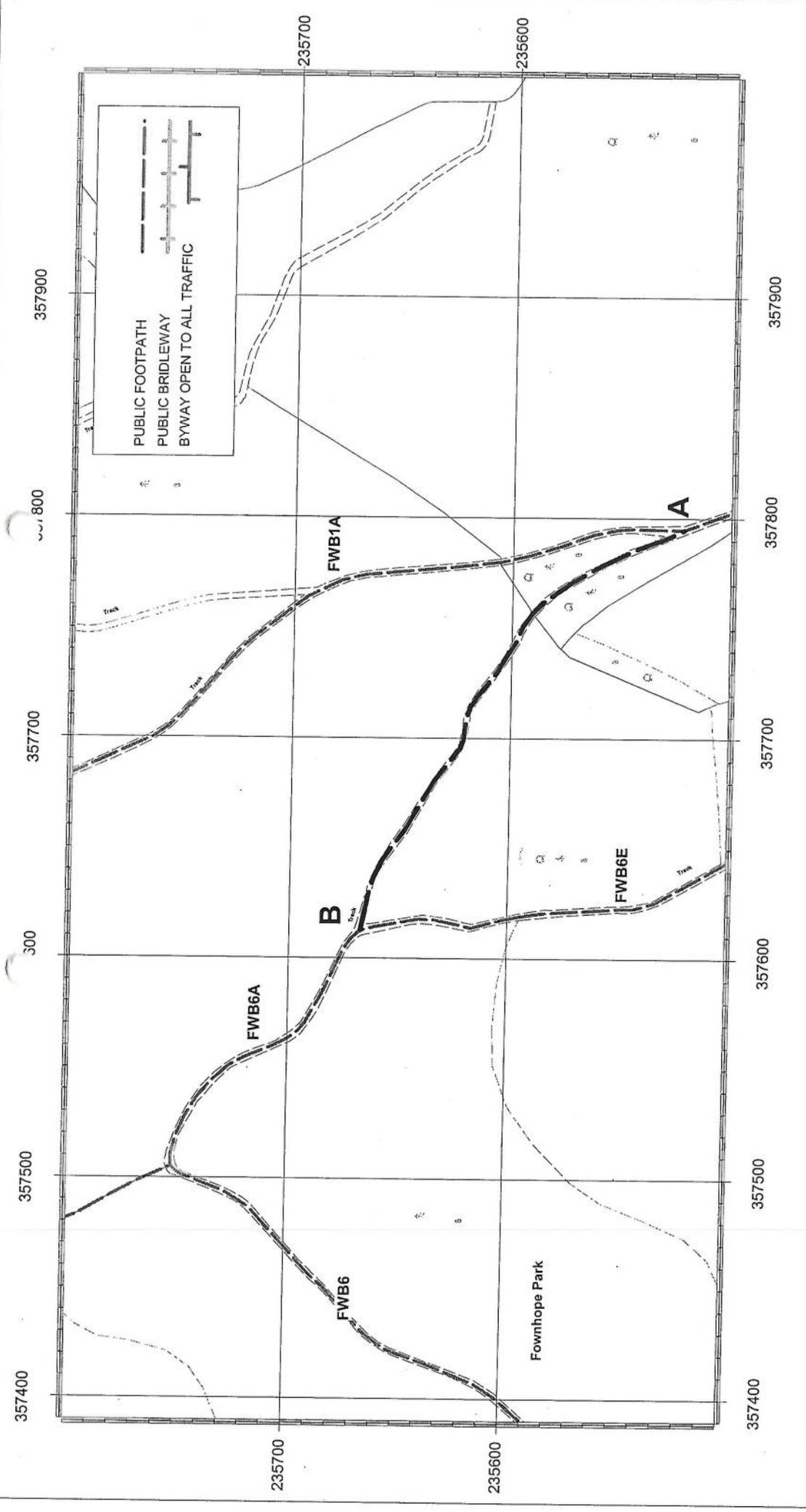
**Parish of Fownhope Public Footpath FWB14**

Commences at the junction with C1295 County Road at Grid Reference SO 5780 3471 and proceeds generally north-easterly for approximately 145 metres to Grid Reference SO 5790 3480 then proceeds in a generally south-easterly direction for approximately 62 metres to junction with footpath FWB15 at Grid Reference SO 5795 3476. Continuing in this south-easterly direction for approximately 114 metres to join footpath FWA11 at Grid Reference SO 5802 3468. The total length of FWB14 is approximately 322 metres. FWB14 has a minimum width of 3 metres.

**Parish of Fownhope Public Footpath FWB15**

Commences from its junction with FWB14 at Grid Reference SO 5795 3476 and proceeds in a south-easterly direction for approximately 36 metres to junction with Footpath FWA11 at Grid Reference SO 5797 3474. The total length of FWB15 is approximately 36 metres. FWB15 has a minimum width of 2 metres.





**PARISH OF FOWNHOPE. MODIFICATION ORDER  
 PROPOSED ADDITION OF FOOTPATH  
 DWG No. M111/149-GEN  
 SCALE 1:2500**

**PROPOSED ADDITION OF FOOTPATH A ——— B**

Herefordshire Council  
 Public Rights of Way  
 PO Box 41  
 Leominster  
 HR6 0ZA  
 Tel.: (01432) 260000  
 Fax.: (01432) 261983

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357400

357500

357600

357700

Fownhope Park

FWB6

D

FWB6E

C

FWB10

Cherry Hill

Fort

PUBLIC FOOTPATH	
PUBLIC BRIDLEWAY	
BYWAY OPEN TO ALL TRAFFIC	
PROPOSED ADDITION C	
PROPOSED ADDITION D	

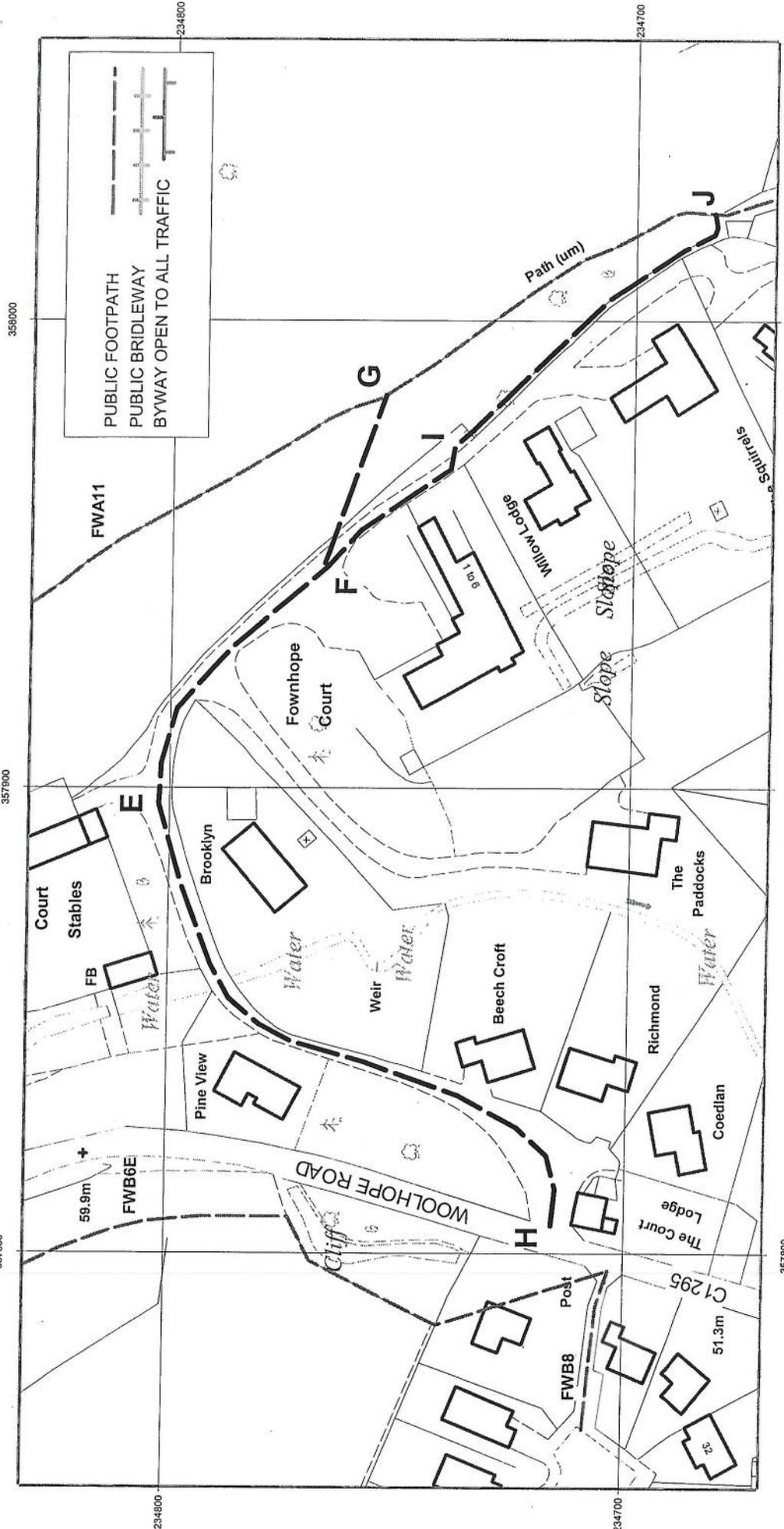


PARISH OF FOWNHOPE.  
 MODIFICATION ORDER. PROPOSED  
 ADDITION OF FOOTPATH  
 DWG No. M112/149-GEN  
 SCALE 1:2500

Herefordshire Council  
 Public Rights of Way  
 PO Box 41  
 Leominster  
 HR6 0ZA  
 Tel.: (01432) 260000  
 Fax.: (01432) 260526

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**PARISH OF FOWNHOPE: MODIFICATION ORDER  
 PROPOSED ADDITION OF FOOTPATHS  
 DWG No. M117/149-GEN  
 SCALE 1:1250**



PROPOSED ADDITION OF FOOTPATHS

F ——— F ——— G ———  
 H ——— E ——— F ——— I ——— J ———

Herefordshire Council  
 Public Rights of Way  
 PO Box 41  
 Hereford  
 HR6 0ZA  
 Tel.: (01432) 260000  
 Fax.: (01432) 260526

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# WILDLIFE AND COUNTRYSIDE ACT 1981

## THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL WILDLIFE AND COUNTRYSIDE ACT 1981 ADDITION OF FOOTPATHS IN THE PARISH OF FOWNHOPE (TO BE KNOWN AS FOWNHOPE FWB12, FOWNHOPE FWB13, FOWNHOPE FWB14 AND FOWNHOPE FWB15) MODIFICATION ORDER 2002

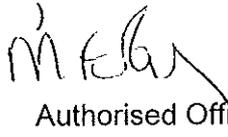
This Order is made by The County of Herefordshire District Council ("the Authority") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Authority that the Definitive Map and Statement for the County of Herefordshire requires modification in consequence of the occurrence of events specified in Sections 53(3)(c)(i) of the Act, namely the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way to which this part applies.

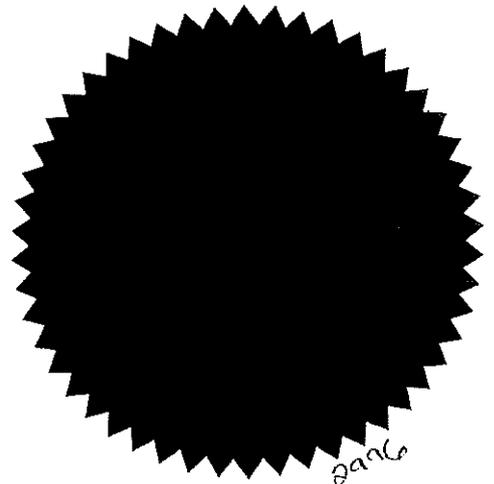
The Authority has consulted with every local authority whose area includes the land to which the Order relates. The County of Herefordshire District Council hereby Order that:-

1. For the purposes of this Order the relevant date is 30<sup>th</sup> April 2002.
2. The Definitive Map and Statement for the County of Herefordshire shall be modified as described in Part I and Part II of the Schedule and shown on the plan attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the County of Herefordshire District Council Wildlife and Countryside Act 1981 Addition of Footpaths in The Parish of Fownhope (To Be Known as Fownhope FWB12, Fownhope FWB13, Fownhope FWB14 and Fownhope FWB15) Modification Order 2002.

Dated 30<sup>th</sup> April 2002

THE COMMON SEAL of the County of )  
Herefordshire District Council was affixed )  
BY ORDER

  
Authorised Officer



## SCHEDULE

### PART I

#### Modification of Definitive Map Description of Public Rights of Way to be Added

##### Path A – B

Footpath to be known as FWB12 in the Parish of Fownhope commences at the junction with footpath FWB1A Grid Reference SO 5779 3552 (point A on the Order plan) and proceeds in a north westerly direction for approximately 243 metres to join footpath FWB6A Grid Reference SO 5761 3566 (point B on the Order plan). Length of approximately 243 metres and of a width of 2 metres.

##### C-D

Footpath to be known as FWB13 in the Parish of Fownhope commences at the junction with footpath FWB10 Grid Reference SO 3744 3521 (point C on the Order plan) and proceeds in a north easterly direction for approximately 360 metres to join footpath FWB6A Grid Reference SO 5765 3547 (point D on the Order plan). Length of approximately 360 metres and of a width of 2 metres.

##### H-E-F-I-J

Footpath to be known as FWB14 in the Parish of Fownhope commences at the junction with C1295 County Road Grid Reference SO 5780 3471 (point H on the Order plan) and proceeds generally north easterly for approximately 145 metres to Grid Reference SO 5790 3480 (point E on the Order plan) and thence south easterly for approximately 177 metres to join footpath FWA11 at Grid Reference SO 5802 3468 (point J on the Order plan). Length of approximately 322 metres and of a width of 3 metres.

##### F-G

Footpath to be known as FWB15 in the Parish of Fownhope commences at the junction with FWB14 at Grid Reference SO 5795 3476 (point F on the Order plan) and proceeds in a south easterly direction for approximately 36 metres to Grid Reference SO 5797 3474 (point G on the Order plan). Length of approximately 36 metres and a width of 2 metres.

### PART II

#### Modification of the Definitive Statement Variation of Particulars of Ways

##### Addition to Definitive Statement of: Footpath Fownhope FWB12

Commences from footpath FWB1A at Grid Reference SO 5779 3552 and proceeds in a north westerly direction for approximately 243 metres to join footpath FWB6A at Grid Reference SO 5761 3566. The total length of FWB12 is approximately 243 metres. FWB12 has a minimum width of approximately 2 metres.

**Footpath Fownhope FWB13**

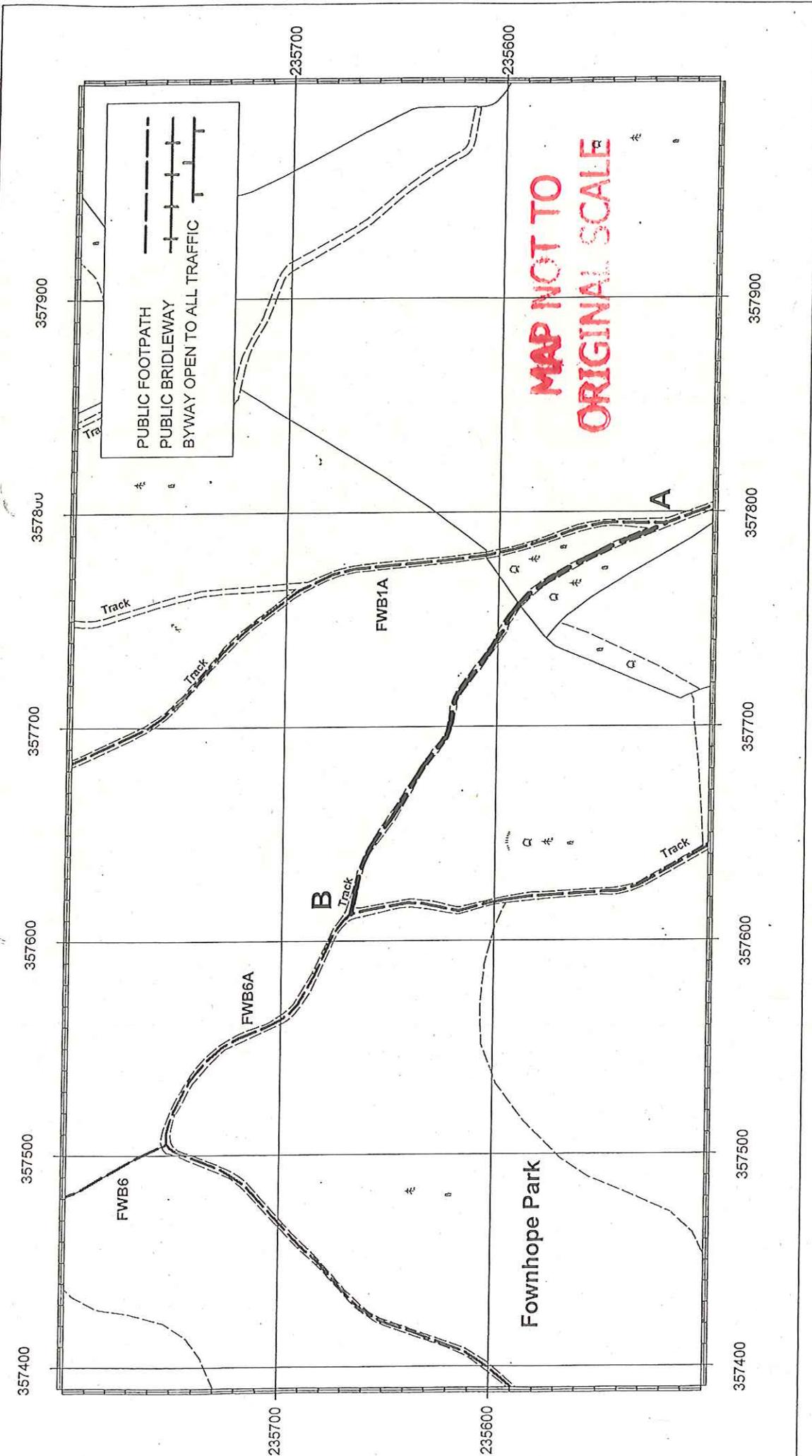
Commences from footpath FWB10 at Grid Reference SO 5744 3521 and proceeds in a north easterly direction for approximately 360 metres to join footpath FWB6A at Grid Reference SO 5765 3547. The total length of FWB13 is approximately 360 metres. FWB13 has a minimum width of approximately 2 metres.

**Footpath Fownhope FWB14**

Commences at the junction with C1295 County Road at Grid Reference SO 5780 3471 and proceeds generally north easterly for approximately 145 metres to Grid Reference SO 5790 3480 and proceeding in a generally south easterly direction for approximately 62 metres to junction with footpath FWB15 at Grid Reference SO 5795 3476. Continuing in this south easterly direction for approximately 114 metres to join footpath FWA11 at Grid Reference SO 5802 3468. The total length of FWB14 is approximately 322 metres. FWB14 has a minimum width of approximately 3 metres.

**Footpath Fownhope FWB15**

Commences from it junction with FWB14 at Grid Reference SO 5795 3476 and proceeds in a south easterly direction for approximately 36 metres to junction with Footpath FWA11 at Grid Reference SO 5797 3474. The total length of FWB15 is approximately 36metres. FWB15 has a minimum width of approximately 2 metres.



**PARISH OF FOWNHOPE. MODIFICATION ORDER**  
**PROPOSED ADDITION OF FOOTPATH**  
 DWG No. M111/149-GEN  
 SCALE 1:2500



**NORTH**

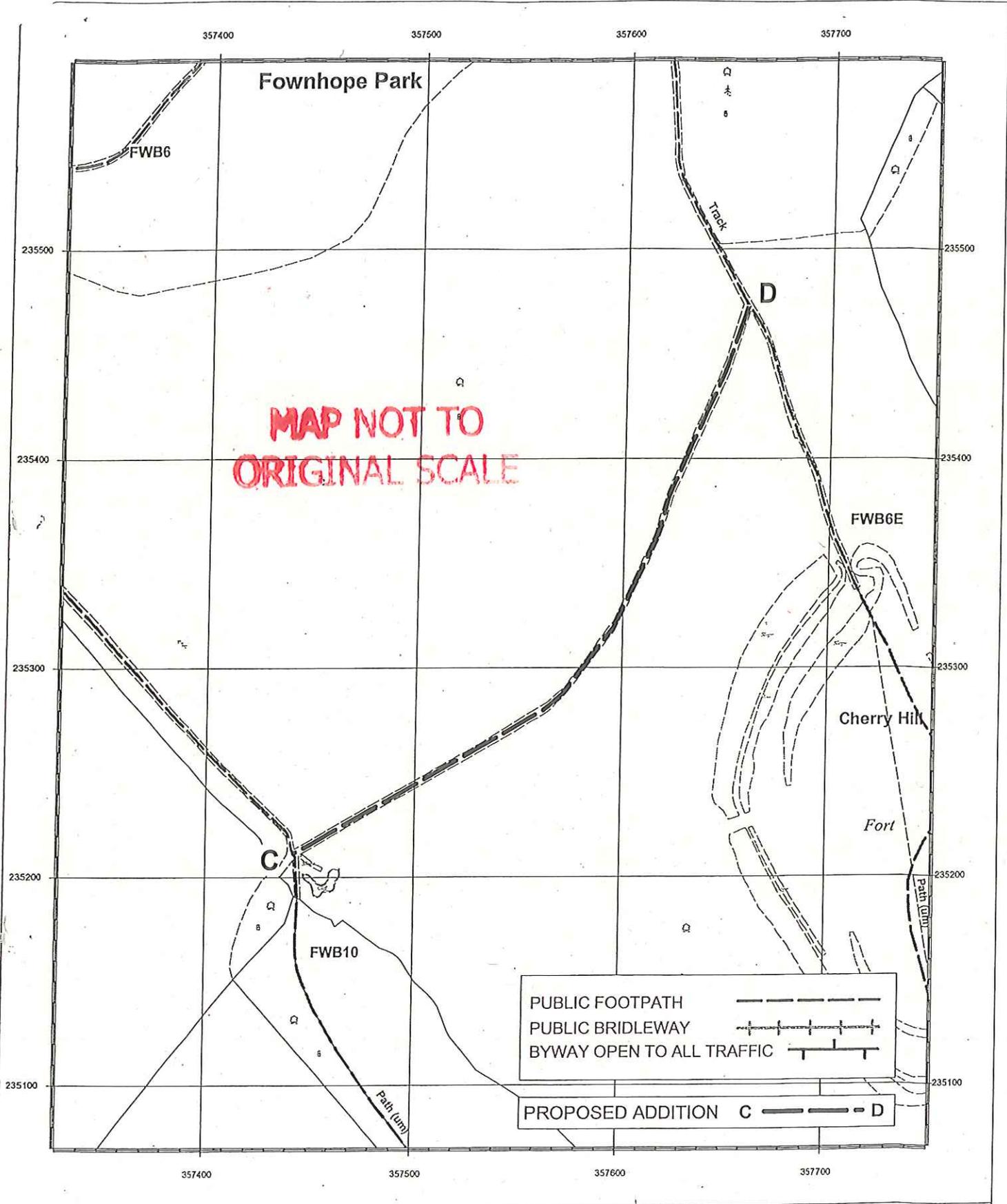


HEREFORDSHIRE COUNCIL

PROPOSED ADDITION OF FOOTPATH    A ——— B

Herefordshire Council  
 Directorate of Environment  
 Engineering Services  
 PO Box 234  
 Hereford  
 HR1 2ZD  
 Tel.: (01432) 260000  
 Fax.: (01432) 261983

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**MAP NOT TO ORIGINAL SCALE**

PUBLIC FOOTPATH	
PUBLIC BRIDLEWAY	
BYWAY OPEN TO ALL TRAFFIC	
PROPOSED ADDITION C	
PROPOSED ADDITION D	

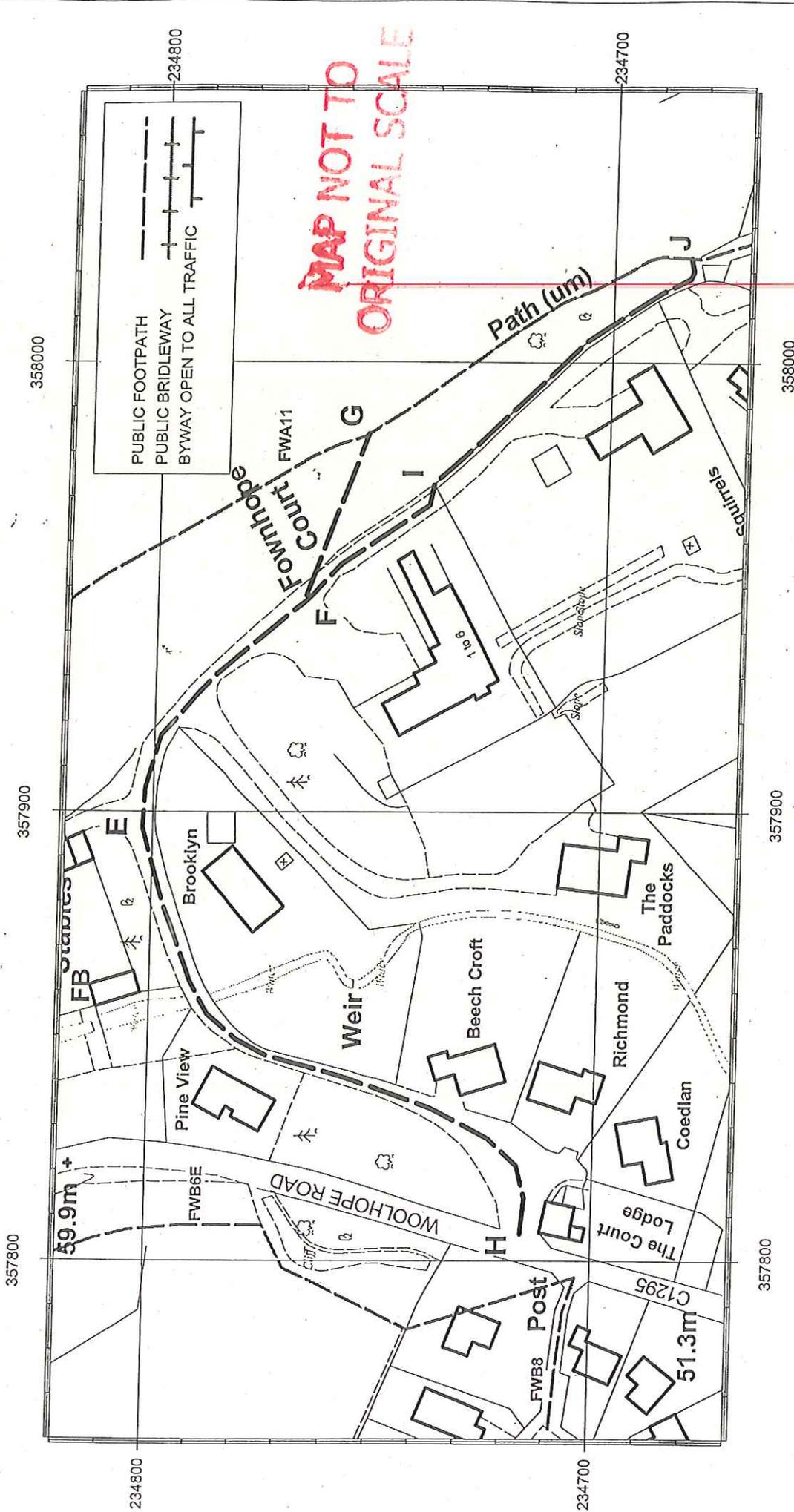
**NORTH**



**PARISH OF FOWNHOPE.  
MODIFICATION ORDER. PROPOSED  
ADDITION OF FOOTPATH  
DWG No. M112/149-GEN  
SCALE 1:2500**

Herefordshire Council  
Directorate of Environment  
Engineering Services  
PO Box 234  
Hereford  
HR1 2ZD  
Tel.: (01432) 260000  
Fax.: (01432) 261983

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**MAP NOT TO ORIGINAL SCALE**

PUBLIC FOOTPATH  
 PUBLIC BRIDLEWAY  
 BYWAY OPEN TO ALL TRAFFIC

**PARISH OF FOWNHOPE. MODIFICATION ORDER**  
**PROPOSED ADDITION OF FOOTPATHS**  
 DWG No. M117149-GEN  
 SCALE 1:1250

PROPOSED ADDITION OF FOOTPATHS  
 F ——— G  
 H ——— I ——— J

Herefordshire Council  
 Directorate of Environment  
 Engineering Services  
 PO Box 234  
 Hereford  
 HR1 2ZD  
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 Fax.: (01432) 261983

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