

NOTICE OF ORDER

HIGHWAYS ACT 1980 SECTION 119

Hertfordshire County Council
(Shenley 23b) Diversion Order 2015

Notice is hereby given that the above referenced Order has 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 Order.

The **start date** for the above Order is **28 April 2016**.

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

The Inquiry will be held at the **Douglas Hicks Room, The Radlett Centre, Aldenham Avenue, Radlett, Hertfordshire WD7 8HL** on **Tuesday 27 September 2016** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to divert the public footpath 23b as shown on the Order Plan:

From TL 2047 0099 running generally south west on the north west side of the Catharine Bourne for approximately 205 metres to join Mimms Lane (public road) at TL 2034 0084.

The new footpath will run from a junction with Ridge Footpath 20 at TL 2048 0099 on the south east side of the Catharine Bourne and the parish boundary and will run south east and then south west for approximately 25 metres to TL 2047 0097, continuing generally south west along the south east side of the Catharine Bourne at the top of the bank for approximately 70 metres to TL 2043 0091 and then turning to run south east on the east side of the hedge for approximately 80 metres to join Mimms Lane (public road) at TL 2049 0085.

Any queries relating to this Order should be referred to Jean McEntee at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5437. Email: jean.mcentee@pins.gsi.gov.uk Please quote reference number FPS/M1900/4/21 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment between 10am–12pm, 2pm–4pm Monday to Friday (excluding Bank Holidays) at Hertfordshire County Council, County Hall, Pegs Lane, Hertford, Hertfordshire, SG13 8DN. To arrange a viewing, phone on 01992 555279.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 23 June 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 4 August 2016]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ 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 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 30 August 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.

Notice of order for inquiry

¹ 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.

PUBLIC PATH DIVERSION ORDER

**HIGHWAYS ACT 1980
HERTFORDSHIRE COUNTY COUNCIL**

**Hertfordshire County Council (Shenley 23b)
Diversion Order 2015**

This Order is made by Hertfordshire 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 owners of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

David Mark Wernick and Lucy Elizabeth Wernick have 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 path into a fit condition for use by the public.

Hertsmere Borough Council has been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

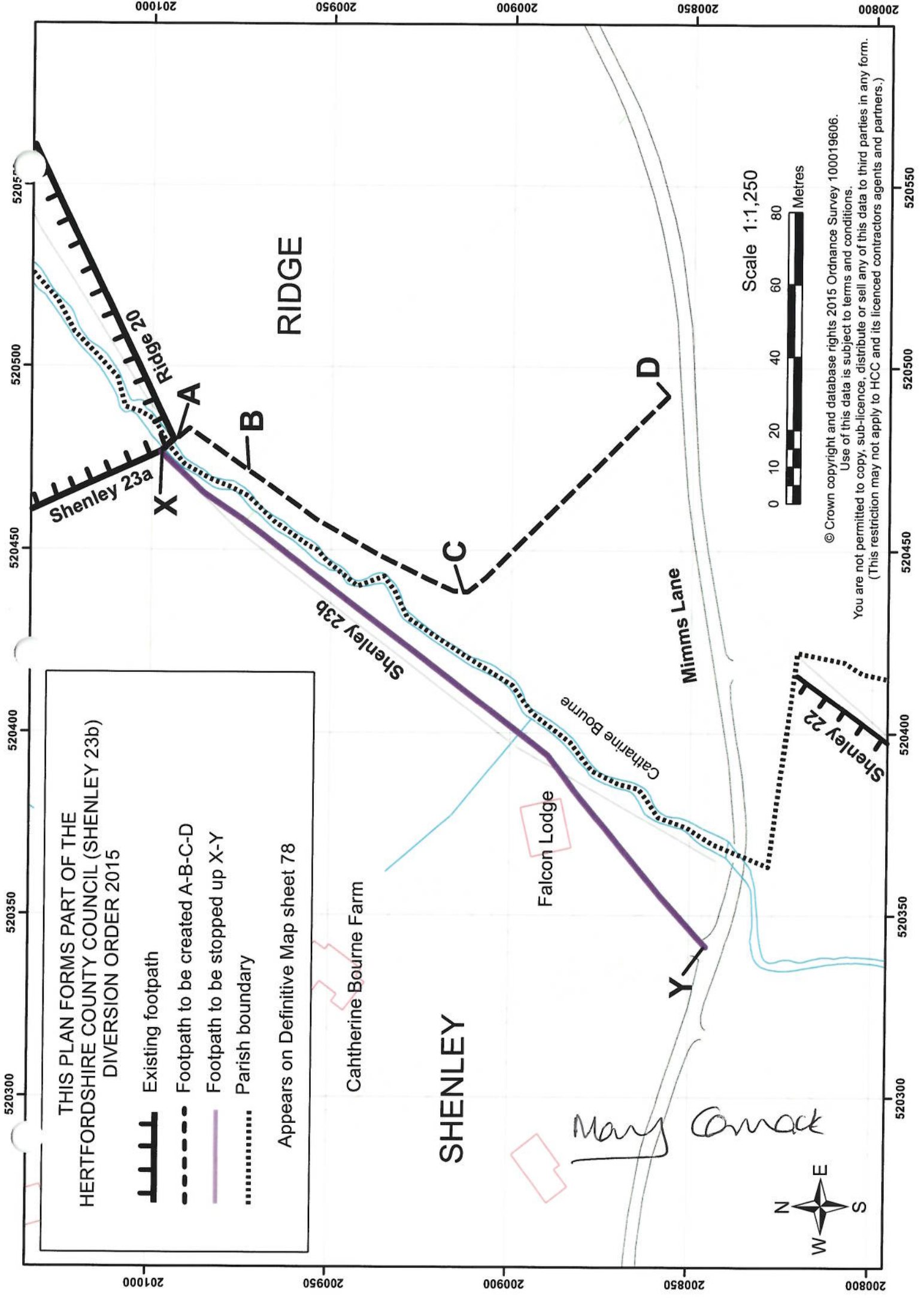
1. The public right of way over the land situate to the east of Catherine Bourne Farm, Mimms Lane in the Parish of Shenley and shown by a bold continuous line on the plan contained in this Order ("the Order Plan") and described in Part 1 of the Schedule to this Order shall be stopped up on the date on which the authority certifies that the public footpath described in paragraph 2 below is in a fit condition for use by the public such date not being earlier than 72 days from the date of confirmation of this Order.
2. There shall at the end of 72 days from the date of confirmation of this Order be a public footpath over the land situate to the east of Catherine Bourne Farm, Mimms Lane in the Parish of Ridge described in Part 2 of the Schedule and shown by a bold broken line on the Order Plan.
3. 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.

SCHEDULE





PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

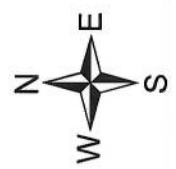
The full width of Shenley Footpath 23b commencing at TL 2047 0099 (Point X on the Order Plan) and running generally south west on the north west side of the Catharine Bourne for approximately 205 metres to join Mimms Lane (public road) at TL 2034 0084 (Point Y on the Order Plan).




THIS PLAN FORMS PART OF THE
 HERTFORDSHIRE COUNTY COUNCIL (SHENLEY 23b)
 DIVERSION ORDER 2015

-  Existing footpath
-  Footpath to be created A-B-C-D
-  Footpath to be stopped up X-Y
-  Parish boundary

Appears on Definitive Map sheet 78



Scale 1:1,250



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Mary Conack

PART 2
DESCRIPTION OF SITE OF NEW PATH OR WAY

A footpath commencing from a junction with Ridge Footpath 20 at TL 2048 0099 (Point A on the Order Plan) on the south east side of the Catharine Bourne and the parish boundary and running south east and then south west for approximately 25 metres to TL 2047 0097 (Point B on the Order Plan), continuing generally south west along the south east side of the Catharine Bourne at the top of the bank for approximately 70 metres to TL 2043 0091 (Point C on the Order Plan) and then turning to run south east on the east side of the hedge for approximately 80 metres to join Mimms Lane (public road) at TL 2049 0085 (Point D on the Order Plan).

Width: 2 metres between TL 2048 0099 (Point A on the Order Plan) and
 TL 2047 0097 (Point B on the Order Plan)

 4 metres between TL 2047 0097 (Point B on the Order Plan) and
 TL 2049 0085 (Point D on the Order Plan)

PART 3
LIMITATIONS AND CONDITIONS

A gap to BS 5709 of 2 metres at TL 2049 0085 (Point D on the Order Plan)

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL
was hereunto affixed this *30th* day of *January* 2015

The Common Seal of
HERTFORDSHIRE
COUNTY COUNCIL
was hereunto affixed
in the presence of:-

Mary Cormack

Chief Legal Officer

Mary Cormack
Asst Chief Legal Officer

