

# **NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53**

Lincolnshire County Council  
Addition of Public Footpath Numbers 1105 and 1106 Utterby  
Definitive Map Modification Order 2014

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 **26 April 2016**.

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

The Inquiry will be held at **The Chamber, Louth Town Hall, Eastgate, Louth, LN11 9NH** on **Tuesday 15 November 2016** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by adding to them that part of Public Footpath Number 1105 in the parish of Utterby running from the easternmost end of Grange Lane and the westernmost end of Public Footpath Number 1106 at Grid Reference (GR) TF 3116 9381 in a generally east-south-easterly direction then generally south-south-easterly direction for approximately 299 metres to meet Holywell Lane at GR TF 3135 9359 as shown between points A-B-C-D-E on Order drawing number 2013/012/DMMO/345/355/A4 AND Public Footpath Number 1106 running from the easternmost end of Grange Lane and the northernmost end of Public Footpath Number 1105 at GR TF 3116 9381 in a generally north-easterly direction for approximately 806 metres to a field boundary at GR TF 3170 9439 as shown between points A-F-G-H-I-J-K on Order drawing number 2013/012/DMMO/345/355/A4

Any queries relating to this Order should be referred to Clive Richards 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 5502. Email: [clive.richards@pins.gsi.gov.uk](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number FPS/Q2500/7/79 on all correspondence.

Any person wishing to view the statements of case and other documents relating to these Orders may do so by appointment at the offices of Lincolnshire County Council, Definitive Map Office, Unit 7, Witham Park House, Waterside South, Lincoln, LN5 7JN between 9am and 5pm on weekdays. Appointments can be made by phoning 01522 782070.

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

**Within 8 weeks of the start date [by 21 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 02 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 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 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 18 October 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

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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.

**WILDLIFE AND COUNTRYSIDE ACT 1981****LINCOLNSHIRE COUNTY COUNCIL****ADDITION OF PUBLIC FOOTPATH NUMBERS****1105 AND 1106 UTTERBY****DEFINITIVE MAP MODIFICATION ORDER 2014**

This Order is made by Lincolnshire County 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 area of the former Rural District of Louth require modification in consequence of the occurrence of an event specified in Section 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 such that the land over which the right subsists is a public path

The Authority has consulted with every local authority whose area includes the land to which the Order relates

Lincolnshire County Council hereby orders that:

1. For the purposes of this Order the relevant date is 30 January 2014
2. The Lincolnshire County Council Definitive Map and Statement for the area of the former Rural District of Louth shall be modified as

described in Part I and Part II of the Schedule and shown on the Drawing attached to the Order

3. This Order shall take effect on the date it is confirmed and may be cited as the Lincolnshire County Council, addition of Public Footpath Numbers 1105 and 1106 Utterby, Definitive Map Modification Order 2014

## SCHEDULE

### PART I

#### Modification of Definitive Map

##### Description of paths to be added

##### In the parish of Utterby

Public Footpath Number 1105 running from the easternmost end of Grange Lane and the westernmost end of Public Footpath Number 1106 at Grid Reference TF 3116 9381 in a generally east-south-easterly direction at a width of 2.3 metres for approximately 132 metres to Grid Reference TF 3128 9374 then continuing in a generally south-south-easterly direction at a width of 2.3 metres for approximately 13 metres to Grid Reference TF 3128 9373 then running in a generally south-south-easterly direction at a width gradually increasing from 2.3 metres to 3.0 metres for approximately 58 metres to Grid Reference TF 3131 9368 then continuing in a generally south-south-easterly direction at a width of 3.0 metres for approximately 96 metres to meet with Holywell Lane at Grid Reference TF 3135 9359. The total length of public

footpath to be added to be approximately 299 metres as shown between points A-B-C-D-E on annexed Drawing number 2013/012/DMMO/354/355/A4

Public Footpath Number 1106 running in a generally north-easterly direction from the easternmost end of Grange Lane and the northernmost end of Public Footpath Number 1105 at Grid Reference TF 3116 9381 at a width of 3.8 metres for approximately 128 metres to Grid Reference TF 3124 9390 then continuing at a width of 3.5 metres for approximately 220 metres to Grid Reference TF 3139 9406 then running at a width of 2.9 metres for approximately 20 metres to Grid Reference TF 3141 9408 then continuing at a width gradually increasing from 3.0 metres to 4.0 metres for approximately 140 metres to Grid Reference TF 3148 9419 then running at a width of 4.0 metres for approximately 175 metres to Grid Reference TF 3160 9432 then continuing at a width of 2.5 metres for approximately 123 metres to end at a ditch which demarcates a field boundary at Grid Reference TF 3170 9439. The total length of public footpath to be added to be approximately 806 metres as shown between points A-F-G-H-I-J-K on annexed Drawing number 2013/012/DMMO/354/355/A4

## PART II

### Modification of Definitive Statement

#### Variation of Particulars of Path or Way

The following details shall be added:-

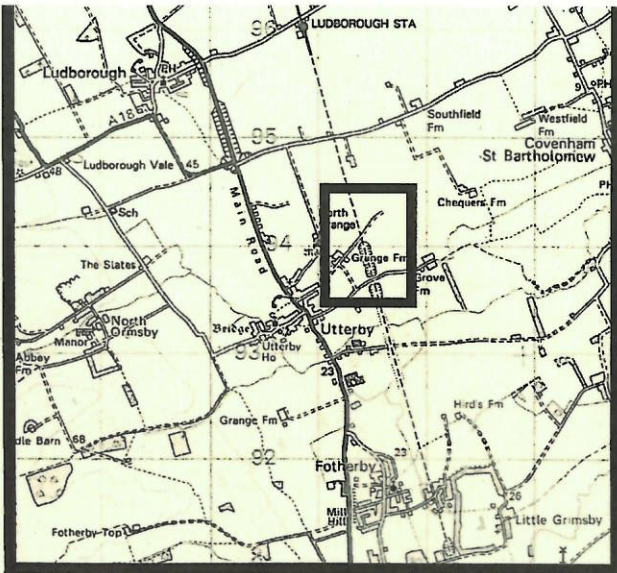
In the parish of Utterby

Public Footpath Number 1105

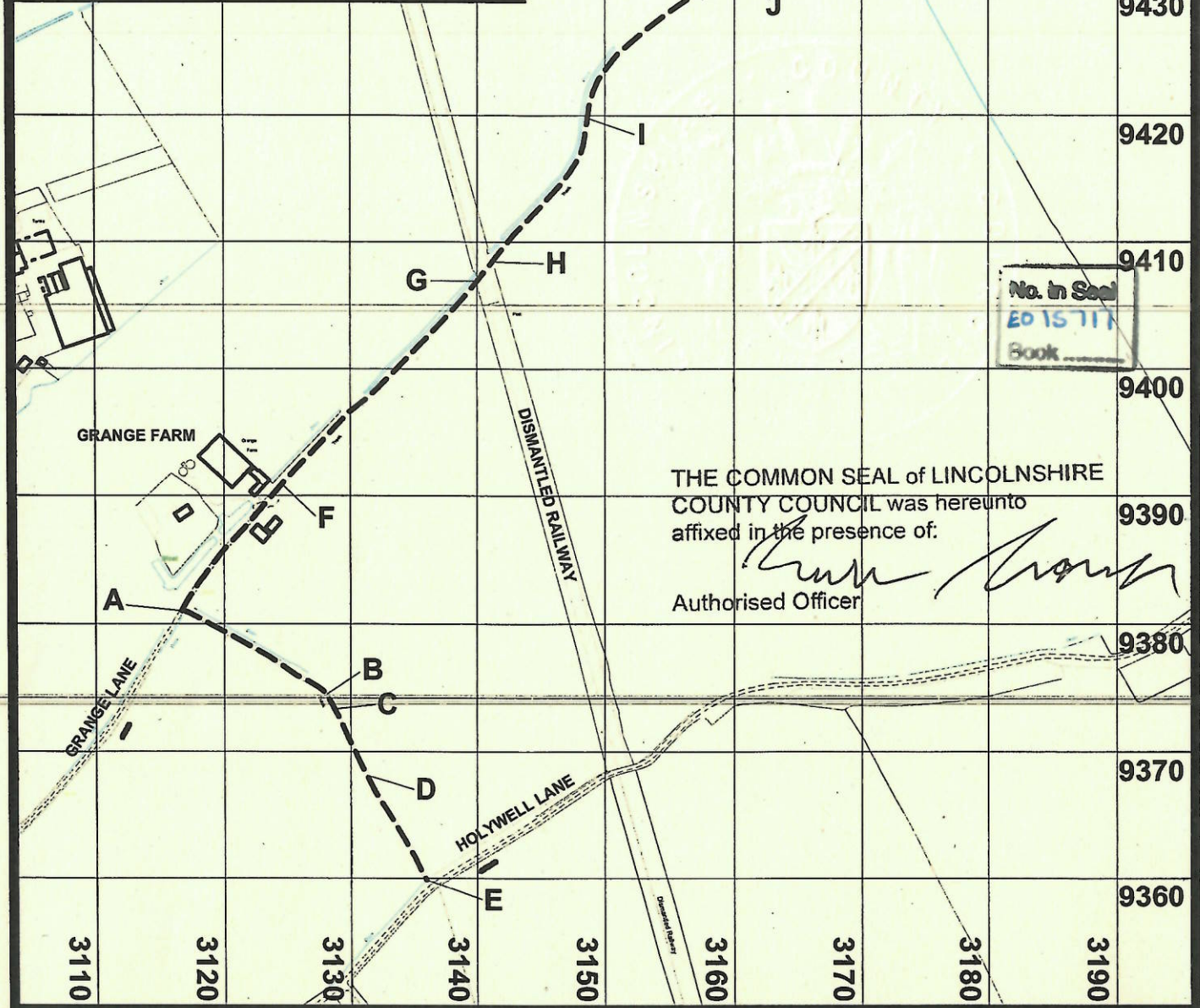
The public footpath runs from the easternmost end of Grange Lane and the westernmost end of Public Footpath Number 1106 at Grid Reference TF 3116 9381 in an east-south-easterly direction at a width of 2.3 metres for approximately 132 metres, and then continues in a south-south-easterly direction at a width of 2.3 metres for approximately 13 metres to Grid Reference TF 3128 9373. It then runs in a south-south-easterly direction at a width gradually increasing from 2.3 metres to 3.0 metres for approximately 58 metres to Grid Reference TF 3131 9368, and then continues in a south-south-easterly direction at a width of 3.0 metres for approximately 96 metres to meet with Holywell Lane at Grid Reference TF 3135 9359. The total length of the public footpath is approximately 299 metres

#### Public Footpath Number 1106

The public footpath runs in a generally north-easterly direction from the easternmost end of Grange Lane and the northernmost end of Public Footpath Number 1105 at Grid Reference TF 3116 9381 at a width of 3.8 metres for approximately 128 metres to Grid Reference TF 3124 9390, and then continues at a width of 3.5 metres for approximately 220 metres to Grid Reference TF 3139 9406. It then runs at a width of 2.9 metres for approximately 20 metres to Grid Reference TF 3141 9408, and then continues at a width gradually increasing from 3.0 metres to 4.0 metres for approximately 140 metres to Grid Reference TF 3148 9419. The public footpath then runs at a width of 4.0 metres for approximately 175 metres to Grid Reference TF 3160 9432, and then continues at a width of 2.5 metres for



MAP NOT TO ORIGINAL SCALE



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THE COMMON SEAL of LINCOLNSHIRE COUNTY COUNCIL was hereunto affixed in the presence of:  
*[Signature]*  
Authorised Officer

**Key:**  
 - A-B-C-D-E - Public Footpath No 1105  
 - A-F-G-H-I-J-K - Public Footpath No 1106

**Lincolnshire**  
 COUNTY COUNCIL  
 Drm. AP Date: 09.01.2014

**UTTERBY**  
 (Definitive Map Modification Order)  
 Public Footpath No 1105 between Grange Lane and Holywell Lane, and Public Footpath No 1106 from Grange Lane to the disused railway and beyond

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Public Rights of Way & Countryside Access

Scale: 1:5,000

approximately 123 metres to end at a field boundary at Grid Reference TF 3170 9439. The total length of public footpath is approximately 806 metres

Given under the Common Seal of Lincolnshire County Council this 30<sup>th</sup> day of  
JANUARY Two thousand and fourteen

THE COMMON SEAL of )  
LINCOLNSHIRE COUNTY COUNCIL )  
was hereunto affixed in the )  
presence of :- )

  
Authorised Officer 

No. in Seal  
£0 1577  
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DATED 30 JANUARY 2014

Duplicate

WILDLIFE AND COUNTRYSIDE ACT 1981  
LINCOLNSHIRE COUNTY COUNCIL  
ADDITION OF PUBLIC FOOTPATH NUMBERS  
1105 AND 1106 UTTERBY  
DEFINITIVE MAP MODIFICATION ORDER 2014

Legal Services Lincolnshire

Lincolnshire County Council

County Offices

Lincoln

LN1 1YS

(Ref:DEV024.232)