

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Lincolnshire County Council
Urban District of Woodhall Spa Restricted Byway No. 1125
Definitive Map Modification 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 **16 September 2016**.

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

The Inquiry will be held at Coronation Hall, Spa Road, Woodhall Spa, Lincolnshire LN10 6PZ on 22 February 2017 at 10.00am.

The effect of the above Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding to them Restricted Byway 1125 in the parish of Woodhall Spa. The way commences on the western side of the former railway on the river Witham's eastern bank at Ordnance Survey Grid Reference TF 1750 6239 (Point A on the Order Drawing), running in a generally east north easterly or north easterly direction over a grass field, track and across the property 59 Mill Lane for approximately 285 metres to meet the public highway Mill Lane at OSGR TF 1776 6250 (Point E). The total length of restricted byway to be added is approximately 282 metres and is shown to run between Points A-B-C-D-E on Order Drawing 2015/011/DMMO193/RB1125/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. Please quote reference number FPS/Q2500/7/84 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the Definitive Map Office, Environment & Economy Directorate, Lincolnshire County Council, Unit 7, Witham Park House, Waterside South, Lincoln, LN5 7JN between 9am and 5pm weekdays. Council Contact: Catherine Beeby on 01522 782070.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 11 November 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 23 December 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 25 January 2017]

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.

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.

CN024 30

WILDLIFE AND COUNTRYSIDE ACT 1981

LINDSEY COUNTY COUNCIL

URBAN DISTRICT OF WOODHALL SPA

DEFINITIVE MAP AND STATEMENT

LINCOLNSHIRE COUNTY COUNCIL

URBAN DISTRICT OF WOODHALL SPA

RESTRICTED BYWAY NO. 1125

DEFINITIVE MAP MODIFICATION ORDER 2015

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 Lindsey County Council (Urban District of Woodhall Spa) 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, a restricted byway or, subject to section 54A, a byway open to all traffic.

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 9 December 2015
2. The Lindsey County Council Definitive Map and Statement for the area of the Urban District of Woodhall Spa shall be modified as described in Part I and Part II of the Schedule and shown on the Drawing Number 2015/011/DMMO193/RB1125/A4 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 (Woodhall Spa) Definitive Map Modification Order 2015

SCHEDULE

PART 1

Modification of Definitive Map

Description of Path or Way to be added in the parish of Woodhall Spa

Restricted Byway 1125

The way commences on the western side of the former railway on the river Witham's eastern bank at Ordnance Survey Grid Reference TF 1750 6239 (Point A on the Order Drawing), running in a generally east north easterly direction over a grass field for approximately 30 metres to OSGR TF 1753 6241 (Point B). Here it turns in a generally north easterly direction for approximately 53 metres to OSGR TF 1756 6245 (Point C). Here it joins a track on the northern side of the ditch, along which it continues in a generally east north easterly direction for approximately 157 metres to Point D (OSGR TF 1772 6249). The way then crosses the property 59 Mill Lane in a generally east north easterly direction for approximately 42 metres until it meets the public highway Mill Lane at OSGR TF 1776 6250 (Point E).

The total length of restricted byway to be added is approximately 282 metres and is shown to run between Points A-B-C-D-E on the attached Order Drawing 2015/011/DMMO193/RB1125/A4.

PART II

Modification of Definitive Statement

Variation of Particulars of Path or Way

Description of Public path to be added in the parish of Woodhall Spa

Restricted Byway 1125

The way commences on the western side of the former railway on the river Witham's eastern bank at Ordnance Survey Grid Reference TF 1750 6239, running in a generally east north easterly direction over a grass field for approximately 30 metres to OSGR TF 1753 6241. Here it turns in a generally north easterly direction for approximately 53 metres to OSGR TF 1756 6245. Here it joins a track on the northern side of the ditch, along which it continues in a generally east north easterly direction for approximately 157 metres to OSGR TF 1772 6249. The way then crosses the property 59 Mill Lane in a generally east north easterly direction for approximately 42 metres until it meets the public highway Mill Lane at OSGR TF 1776 6250.



MAP NOT TO ORIGINAL SCALE

A (Ordnance Survey Grid Reference TF17506239)

B (OSGR TF17536241)

C (OSGR TF17566245)

D (OSGR TF17726249)

E (OSGR TF17766250)

River Witham

No. In Sale
£018961
Book

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

Authorised Officer
LEIGH MIDDLETON

Key: Restricted Byway 1125
Unaffected Public Footpath 149

Lincolnshire COUNTY COUNCIL

Definitive Map Modification Order Application:
Woodhall Spa
Restricted Byway 1125 between Mill Lane and river Witham bank

Date 09.10.2015

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Public Rights of Way & Countryside Access
R A Wills
Executive Director for Environment & Economy
County Offices, Newland, Lincoln, LN1 1YL

Scale: 1:2300

Plan Ref: 2015/011/DMMO193/RB1125/A4

The total length of restricted byway to be added is approximately 282 metres and the width of the way is 9 metres.

Given under the Common Seal of Lincolnshire County Council this ^{9th} day
of December Two thousand and fifteen

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


Authorised Officer

LEIGH MIDDLETON

