

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Lincolnshire County Council
(Colsterworth Public Footpath Nos 14 & 1114 and Gunby & Stainby Public Footpath Nos 1 & 1114) 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. Following an exchange of written representations, the Inspector appointed to determine the Order issued a letter in which he proposed to make modifications to the Order as drafted. Following advertisement of those proposals objections/representations have been received.

The **start date** for the above Order is **02 November 2016**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case which contain evidence in respect of the modified part of the Order **and** new evidence in respect of the unmodified part of the Order.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by:

- Adding Public Footpath No 1114 in the Parish of Colsterworth which commences at Skillington Road at Ordnance Survey Grid Reference SK 9081 2361 and runs in a westerly direction for approximately 1040 metres where it meets Gunby & Stainby Footpath 1114 at SK 8980 2341. The path continues from Gunby & Stainby Footpath 1114 at SK 8966 2341 and runs in a generally west-south-westerly direction for approximately 780 metres where it meets Buckminster parish boundary at SK 8891 2319. The path runs for approximately 1820 metres between points F-G and H-I as shown on Order drawing number 2014/015/DMMO/259/A4.
- And adding Public Footpath No 1114 in the parish of Gunby & Stainby which commences at Colsterworth Footpath No 1114 at SK 8980 2341 and runs in a westerly direction for approximately 140 metres before re-joining Colsterworth Footpath No 1114 at SK 8966 2341. The total length of the path is approximately 140 metres as shown between points G-H on Order drawing number 2014/015/DMMO/259/A4.
- And deleting Public Footpath No 14 in the Parish of Colsterworth which runs from Water Lane, Woolsthorpe by Colsterworth at SK 9228 2429 in a southerly direction for approximately 277 metres to SK 9233 2401 before turning in a westerly direction and running for approximately 1060 metres before meeting Gunby & Stainby Footpath 1 at SK 9135 2365. The total length of the path to be deleted is approximately 1337 metres as shown between points A-B on Order drawing number 2014/016/DMMO/259/A4.

The effect of the proposed modifications would be to modify the Order by providing for the following modifications:

- In the title of the Order, delete 'Nos' and insert 'No'. Delete '& 1114'.
- In the preamble to the Order, delete '53(3)(c)(i) of the Act... and also Section'.
- In the preamble to the Order, delete '53(3)(c)(i) of the Act... and also Section'.
- In paragraph 2 of the Order, delete 'Schedules' and insert 'Schedule' in its place.
- In paragraph 3 of the Order, delete 'Nos' and insert 'No'. Delete '& 1114'.
- Delete the whole of Schedule 1.
- Delete the '2' in the heading 'Schedule 2'.

- In part 1 of the Schedule, in the description of Footpath No. 1, delete 'The path continues on the western side of Skillington Road... where it meets the Buckminster parish boundary at SK 8890 2318.' Delete '2568' and insert '530' in its place. Delete 'and D-E on attached drawing number 2014/015/DMMO/A4'
- In part 2 of the Schedule, add 'delete the entry 'before 'Buckminster – Woolsthorpe', and add 'insert "Buckminster – Skillington Road"'.
'
- Delete the first Order plan (drawing no. 2014/015/DMMO/259/A4).

Any queries relating to this Order should be referred to Clive Richards 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 5502. Email: clive.richards@pins.gsi.gov.uk. Please quote reference number FPS/Q2500/7/80 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 should be made by contacting Tim Jenks on 01522 782070 (ext 55179).

Timetable for sending in statements of case and comments

Within 8 weeks of the start date [by 28 December 2016]

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

Within 14 weeks of the start date [by 08 February 2017]

Everyone who has made an objection or representation following the proposed modification(s), the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the above date, the Secretary of State will send copies of the comments received to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order(s) must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time.

All parties must keep to the timetable set out above and ensure that statements of case 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.

PROPOSED MODIFICATIONS

WILDLIFE AND COUNTRYSIDE ACT 1981

LINCOLNSHIRE COUNTY COUNCIL

(COLSTERWORTH PUBLIC FOOTPATH Nos 14 & 1114 AND

GUNBY & STAINBY PUBLIC FOOTPATH Nos 1 & 1114)

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 Kesteven County Council (Rural District of West Kesteven) 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 it) shows that rights of way which are not shown on the map and statement subsist or are reasonably alleged to subsist over land in the area to which the map relates, being rights of way such that the land over which the rights subsist are public paths and also Section 53(3)(c)(iii) of the Act namely the discovery by the Authority of evidence which when considered with all other relevant evidence available shows that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars in the map and statement require modification.~~

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

1. For the purposes of this Order the relevant date is 16 April 2015
2. The Definitive Map and Statement for Kesteven County Council (Rural District of West Kesteven) shall be modified as described in Part I and Part II of the Schedules and shown on the drawings attached to the Order
3. This Order shall take effect on the date it is confirmed and may be cited as the Wildlife and Countryside Act 1981, Lincolnshire County Council (Colsterworth Public Footpath Nos 14 & 1114 and Gunby & Stainby Public Footpath Nos 1 & 1114) Definitive Map Modification Order 2015

CERTIFIED AS TRUE COPY OF THE ORIGINAL

SIGNED *Dr Coleman*

DATE *21.12.15*

SOLICITOR, LINCOLNSHIRE COUNTY COUNCIL

Schedule 1

Part 1

Modification of Definitive Map

Description of path to be added in the parish of Colsterworth

Footpath No. 1114

The path commences at Skillington Road at Ordnance Survey Grid Reference SK 9081 2361 and runs in a westerly direction for approximately 1040 metres where it meets Gunby & Stainby Footpath 1114 at SK 8980 2341. The path continues from Gunby & Stainby Footpath 1114 at SK 8966 2341 and runs in a generally west-south-westerly direction for approximately 780 metres where it meets Buckminster parish boundary at SK 8891 2319.

The path runs for approximately 1820 metres between points F-G and H-I and is shown on the attached plan 2014/015/DMMO/259/A4

Description of path to be added in the parish of Gunby & Stainby

Footpath No. 1114

The path commences at Colsterworth Footpath 1114 at SK 8980 2341 and runs in a westerly direction for approximately 140 metres before re-joining Colsterworth Footpath 114 at SK 8966 2341.

The total length of the path is approximately 140 metres and is shown between points G-H on the attached plan 2014/015/DMMO/259/A4.

Part 2

Modification of Definitive Statement

Variation of Particulars of path or way Description of path to be added in the parish of Colsterworth

Footpath No. 1114

The path commences at Skillington Road at Ordnance Survey Grid Reference SK 9081 2361 and runs in a westerly direction for approximately 1040 metres where it meets Gunby & Stainby Footpath 1114 at SK 8980 2341. The path continues from Gunby & Stainby Footpath 1114 at SK 8966 2341 and runs in

a generally west-south-westerly direction for approximately 780 metres where it meets Buckminster parish boundary at SK 8891 2319.

The total length of the path is approximately 1820 metres. The width of the path is 1.22 metres (4 feet).

Variation of Particulars of path or way

**Description of path to be added
in the parish of Gunby & Stainby**

Footpath No. 1114

The path commences at Colsterworth Footpath 1114 at SK 8980 2341 and runs in a westerly direction for approximately 140 metres before re-joining Colsterworth Footpath 114 at SK 8966 2341.

The total length of the path is approximately 140 metres. The width of the path is 1.22 metres (4 feet).

Schedule 2

Part 1

Modification of Definitive Map

**Description of path to be deleted
in the parish of Colsterworth**

Footpath No. 14

The path runs from Water Lane, Woolsthorpe by Colsterworth at SK 9228 2429 in a southerly direction for approximately 277 metres to SK 9233 2401 before turning in a westerly direction and running for approximately 1060 metres before meeting Gunby & Stainby Footpath 1 at SK 9135 2365.

The total length of the path to be deleted is approximately 1337 metres and is shown between points A-B on the attached drawing number 2014/016/DMMO/259/A4.

**Description of path to be deleted
in the parish of Gunby & Stainby**

Footpath No. 1

The path runs from Colsterworth Footpath 14 at SK 9135 2365 in a westerly direction for approximately 530 metres where the path meets Skillington Road at SK 9083 2360. ~~The path continues on the western side of Skillington Road at SK 9081 2360 and runs in a westerly direction for approximately 1005 metres to SK 8984 2336 where it turns in a north-westerly direction for approximately 130 metres to SK 8976 2344. The path then runs in a west-south-westerly direction for approximately 903 metres where it meets the Buckminster parish boundary at SK 8890 2318.~~

The total length of the path to be deleted is approximately ~~2568~~⁵³⁰ metres and is shown between points B-C on attached drawing number 2014/016/DMMO/259/A4, and ~~D-E on attached drawing number 2014/015/DMMO/A4.~~

Part 2

Modification of Definitive Statement

Variation of Particulars of Path or Way

**Description of path to be deleted
in the parish of Colsterworth**

Footpath No. 14

Skillington Road – Skillington Parish Boundary

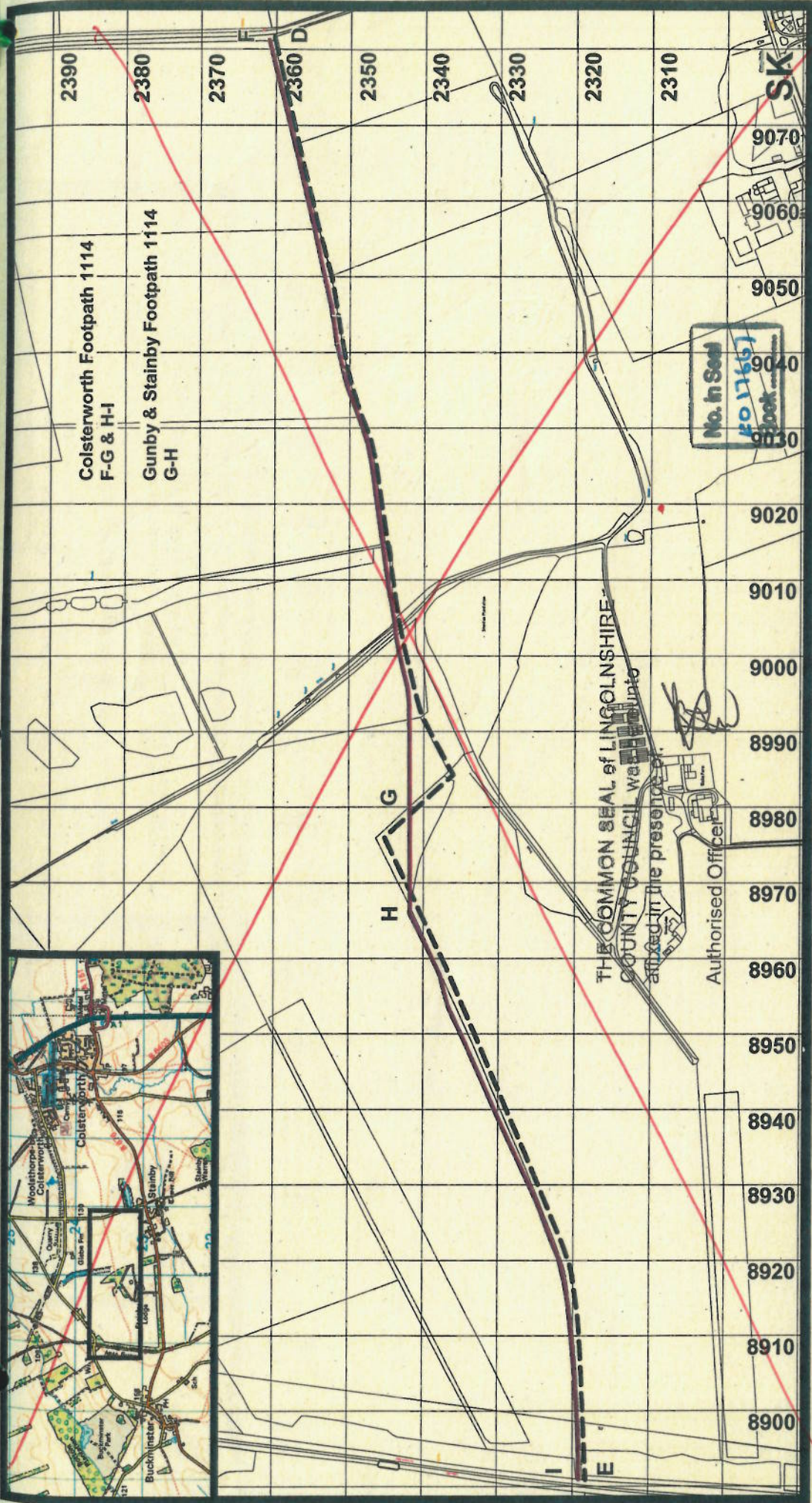
Variation of Particulars of Path or Way

**Description of path to be deleted
in the parish of Gunby & Stainby**

Footpath No. 1

delete the entry Buckminster - Woolsthorpe

insert the entry 'Buckminster - Skillington Road



Key:

- Colsterworth/Gunby & Stainby Public Footpath No. 1114
- Gunby & Stainby Public Footpath No. 14 (part)

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Lincolnshire
COUNTY COUNCIL

Dr. LD Date 17.03.2015

Public Rights of Way & Countryside Access
R A Willis
Executive Director for Environment and Economy
City Hall, Orchard Street, Lincoln, LN1 1DN.

COLSTERWORTH/GUNBY & STAINBY
(Definitive Map Modification Order)
Addition of Colsterworth/Gunby & Stainby Public Footpath 1114 and deletion of Colsterworth Public Footpath 14 and Gunby & Stainby Public Footpath No. 1

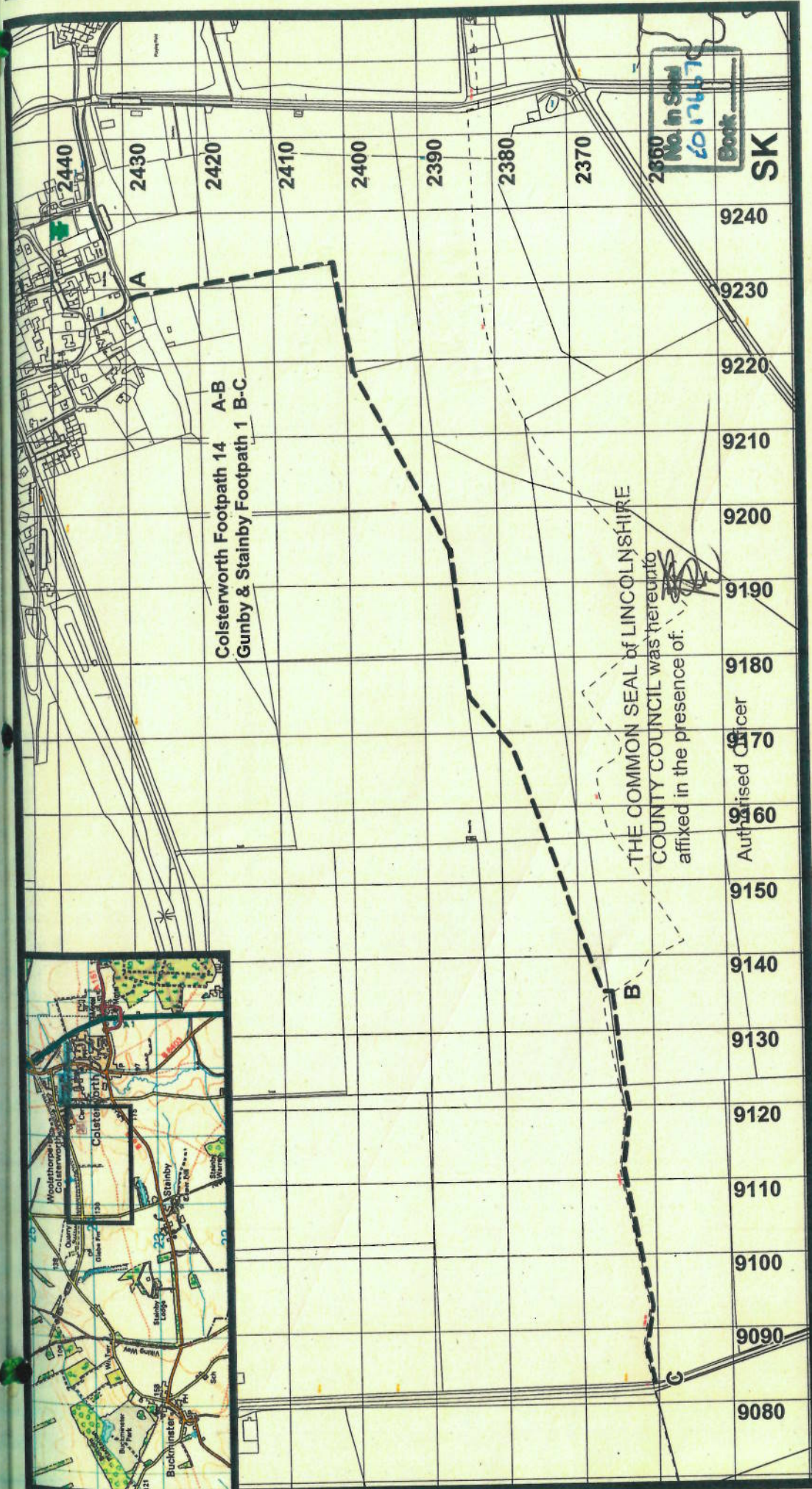
Scale: 1 : 7500

Drawing No: 2014/015/DMMO/259/A4

No. in Seal
4017667
Block

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

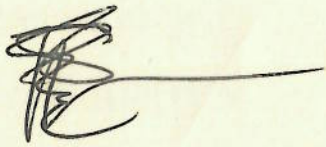
Authorised Officer



<p>Lincolnshire COUNTY COUNCIL</p>	<p>Dr. LD Date 26.01.2015</p>
	<p>Public Rights of Way & Countryside Access R A Willis Executive Director for Environment and Economy City Hall, Orchard Street, Lincoln, LN1 1DN.</p>
<p>COLSTERWORTH/GUNBY & STAINBY (Definitive Map Modification Order) Deletion of Colsterworth Public Footpath 14 (whole) and deletion of Gunby & Stainby Public Footpath No. 1 (part)</p>	
<p>Key: Deletion of Colsterworth Public Footpath 14 (whole) & Gunby & Stainby Public Footpath No. 1 (part)</p>	<p>Scale: 1 : 7500</p>
<p>Reproduced from Ordnance Survey with the permission of the Controller of HMSO © Crown Copyright. Licence number 100025370</p>	<p>Drawing No: 2014/016/DMMO/259/A4</p>

Given under the Common Seal of Lincolnshire County Council this 16th day of
APRIL Two thousand and fifteen

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

Authorised Officer 

No. in Seal
E01766)
Book

DATED 16 APRIL 2015

WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53
LINCOLNSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT
(COLSTERWORTH PUBLIC FOOTPATH Nos 14 & 1114 AND
GUNBY & STAINBY PUBLIC FOOTPATH No 1 & 1114)
DEFINITIVE MAP MODIFICATION ORDER 2015

Legal Services Lincolnshire

County Offices

Lincoln

(Ref:ENV024.11)