

## **NOTICE OF ORDER**

### **WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53**

Essex County Council  
Definitive Map Modification No. 617  
Footpath 59 Nazeing (Epping Forest District) Order 2016

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 6 December 2016.

Consideration of the Order will take the form of a hearing.

The Hearing will be held at **The offices of Epping Forest District Council, Civic Centre, High Street, Epping CM16 4BZ on Tuesday 4 April 2017** at 10.00am.

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

1. Adding a length of Footpath 59 Nazeing, from Waltham Road (Nazeing Long Green) at the western boundary of the property known as "Selways" in a north-north-westerly direction for a distance of 70 metres then turning north-east for a distance of 55 metres to join the unaffected part of the route. The width of the added section is four feet (1.22 metres)
2. Deleting a length of Footpath 59 Nazeing from a point D on the order plan in a south-south-easterly direction for a distance of 70 metres to meet Waltham Road at Point A.

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](mailto:jean.mcentee@pins.gsi.gov.uk). Please quote reference number FPS/Z1585/7/86 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 Offices of Essex Legal Services, Seax House, Victoria Road South, Chelmsford CM1 1QH Monday to Friday between 9:30am and 5:00pm. Telephone: 0333 013 9679.

## **Timetable for sending in statements of case**

### **Within 8 weeks of the start date [by 31 January 2017]**

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, the applicant and any other person who has written to us in respect of the Order.

### **Within 12 weeks of the start date [by 28 February 2017]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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 full copies to the Authority. Copies will also be sent to 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 - 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 full copy to the Authority. A copy will also be sent to 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 - these will be available to view at the Authority's offices).

**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.

Notice of order for hearing

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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 hearing.

**Wildlife and Countryside Act 1981**

**The Definitive Map and Statement for the County of Essex**

**The Essex County Council Definitive Map Modification No. 617**  
**Footpath 59 Nazeing (Epping Forest District) Order 2016**

This Order is made by Essex County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 "the Act" because it appears to that authority that the Definitive Map and Statement for the County of Essex requires modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) & (iii) namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows (i) 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 and (iii) 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 contained 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. The Essex County Council hereby order that:

For the purpose of this order the relevant date is 1 February 2016.

The Definitive Map and Statement for the County of Essex shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.

This order shall take effect on the date it is confirmed and may be cited as the Essex County Council Definitive Map Modification No. 617 Footpath 59 Nazeing (Epping Forest District) Order 2016.

Given under the Common Seal of the Essex County Council this 15 day of February in the year Two Thousand and Sixteen .

The COMMON SEAL of the ESSEX )  
 COUNTY COUNCIL was hereunto )  
 Affixed in the presence of: )

**Attesting Officer**




35177

## SCHEDULE

### PART I

#### Modification of Definitive Map

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

A length of Footpath 59 Nazeing, from Waltham Road (Nazeing Long Green) at the western boundary of the property known as "Selways" in a north north westerly direction for a distance of 70 metres then turning north east for a distance of 55 metres to join the unaffected part of the route. The width of the added section is four feet (1.22 metres)

**Description of path or way to be deleted:**

A length of Footpath 59 Nazeing from a point D on the order plan in a south-south- easterly direction for a distance of 70 metres to meet the Waltham Road at Point A.

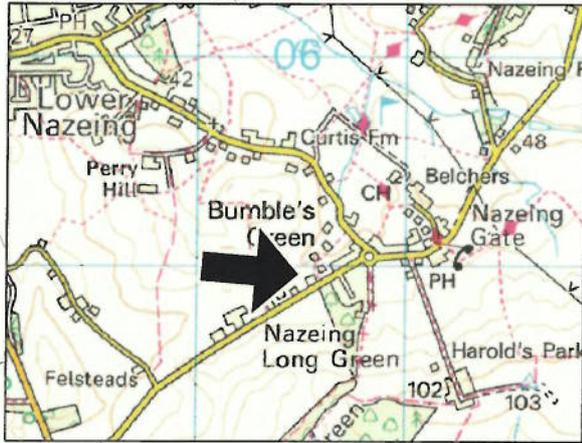
### PART II

#### Modifications of Definitive Statement

##### Variations of particulars of path or way

The statement for the parish of Nazeing shall be amended to read as follows:

OS Sheet No.	Path No.	Classification	Position and Description
40 NW, SW 4005- 4004	59	FP	<p>From Middle Street and the access track to the dwellings of Bumbles Green Farm leading south –westwards adjacent to and on the north side of the ditch to a culvert where it deviates around a large tree over the culvert. Then immediately re-joining the north side of the ditch to a point opposite the property known as Jamesmead, approximately 220 mt south-west of Middle Road. Up to this point the path has a width of 1.5 mt and shall be no less than 1 metre from the brow of the ditch.</p> <p>Then continuing in the same direction to a point approximately 226 metres south-west of Middle Street . This section has a width of 1.5 mt and shall be no less than 2mt from the brow of the ditch, on the north side of the ditch.</p> <p>Then continuing, at a width of 1.22 metres in a south westerly direction for a distance of 35 metres, before crossing the boundary on to Selways where it continues in the same direction for 20 metres. It then turns south-south- east along the western boundary of Selways for a distance of 70 metres to meet the Waltham Road.</p>



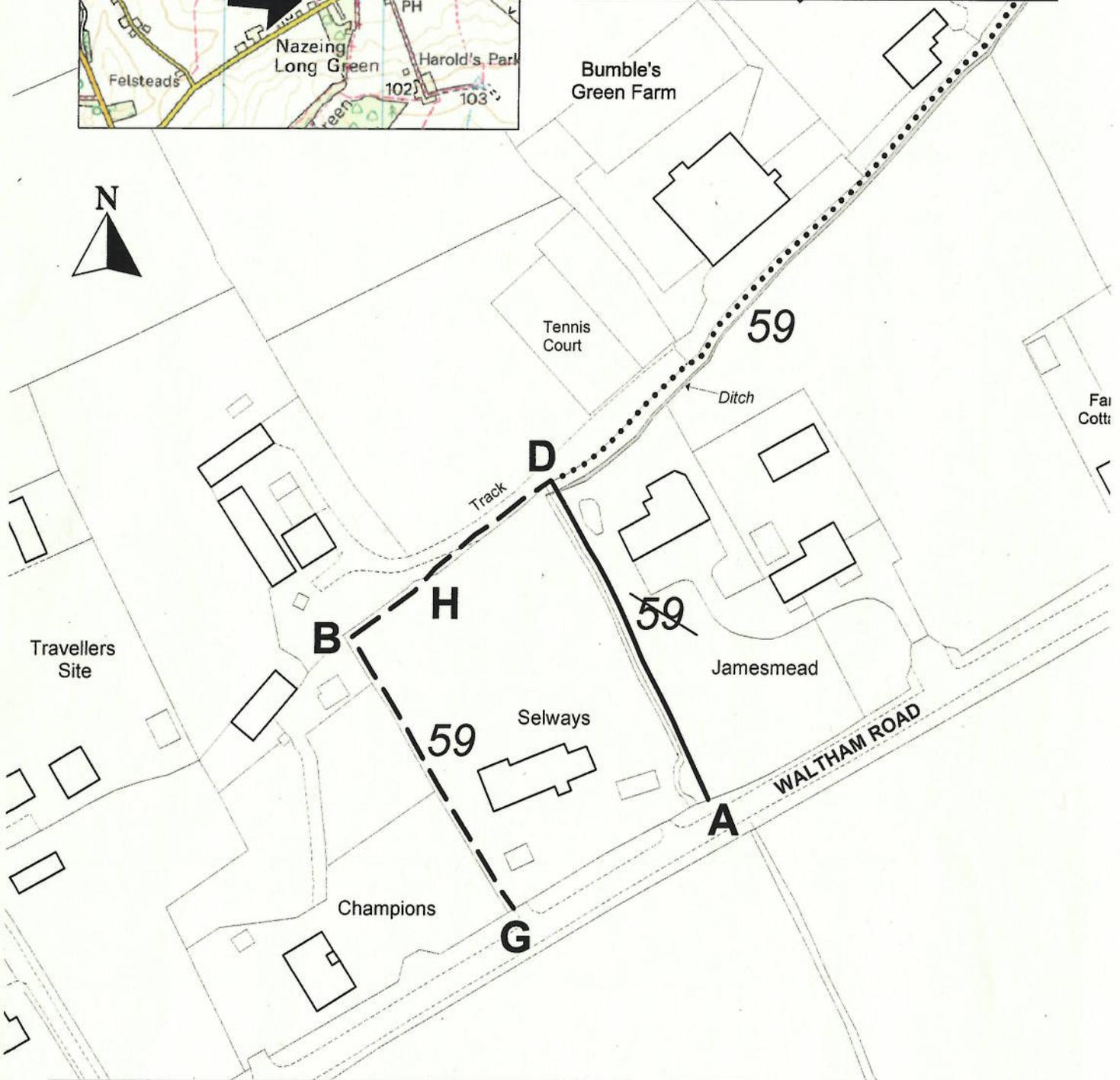
**Key**

**Footpath 59 Nazeing**

Delete Route A - D

Add Route G - B - H - D

Unaffected Route



**The Essex County Council Definitive Map Modification No. 617 (Footpath 59 Nazeing, Epping Forest District) Order 2016**

Definitive Map Sheet TL40SW Scale 1:1250  
Grid Ref TL406,049 or 5406,2049



**Essex County Council**

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