

# **NOTICE OF ORDER**

## **TOWN & COUNTRY PLANNING ACT - S257**

North Kesteven District Council  
North Kesteven (Off Newark Road, North Hykeham) (Footpath No. 3)  
Public Path Diversion 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 **13 June 2017**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert that part of Public Footpath No.3 in the Parish of North Hykeham running from Public Bridleway No.2 at Point E on the Order Map (grid reference: SK 9306 6562) in a northerly direction for 335 metres to a Kissing Gate on Newark Road (Point A on the Order Map (grid reference: SK 9304 6595)). The total length of footpath to be diverted to be approximately 335 metres AND TO create an alternative footpath in the parish of North Hykeham to be two metres in width, running from Public Bridleway No.2 at Point D (grid reference: SK 9307 6561) in a north-north-easterly direction for a distance of approximately 49 metres to Point C (grid reference: SK 9309 6567) and continuing in a generally northerly direction for approximately 275 metres to Point B (grid reference: SK 9307 6595). The footpath then turns in a north-north-westerly direction for approximately 33 metres to a Kissing Gate on Newark Road at Point A (grid reference: SK 9304 6595) where it joins the existing route of Footpath No.3. The total length of footpath to be added to be approximately 357 metres.

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](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number ROW/3174299 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 following locations:

- 1) North Kesteven District Council, Council Offices, Kesteven Street, Sleaford, Lincolnshire, NG34 7EF. Contact: Customer Services/Reception 01529 308560 or Amanda Clarke 01522 552526
- 2) North Hykeham Town Council, Civic Offices, Fen Lane, North Hykeham, Lincolnshire, LN6 8EY. Contact: Mrs Tracey Broughton – Town Clerk

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

### **Within 2 weeks of the start date [by 27 June 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 - 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 8 weeks of the start date [by 08 August 2017]**

Everyone who has made an objection or representation or any other written representation 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 full copies 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 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.

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, Secretary of State will send a full copy to the Authority. Copies 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).

### **Within 14 weeks of the start date [by 19 September 2017]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments 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. 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 w/r

**TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 257 AND PARAGRAPH 1 OF SCHEDULE 14**

**NORTH KESTEVEN DISTRICT COUNCIL**

**NORTH KESTEVEN (OFF NEWARK ROAD, NORTH HYKEHAM)  
(FOOTPATH NO. 3) PUBLIC PATH DIVERSION ORDER 2016**

**Legal Services Lincolnshire  
Sleaford Branch  
North Kesteven District Council Offices  
Kesteven Street  
SLEAFORD  
Lincs  
NG34 7EF**

## **PUBLIC PATH DIVERSION ORDER**

### **TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257**

#### **NORTH KESTEVEN (NEWARK ROAD, NORTH HYKEHAM) (FOOTPATH NO. 3) PUBLIC PATH DIVERSION ORDER 2016**

This order is made by North Kesteven District Council under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely, Phase 6 of development at Newark Road, North Hykeham.

#### **BY THIS ORDER**

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of the North Kesteven District Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold broken black line on the attached map.
3. The diversion of the footpath shall have effect on the date on which North Kesteven District Council certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule, namely provision shall be made for the new path within a 2 metre wide corridor.
5. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had. The order shall come into force when it is certified by the North Kesteven District Council that the said works have been completed.

## SCHEDULE

### PART 1

#### Description of site of existing path

That part of Public Footpath No. 3 in the Parish of North Hykeham running from Public Bridleway No. 2 at Point E on the Order Map (grid reference: SK 9306 6562) in a northerly direction for 335 metres to a Kissing Gate on Newark Road (Point A on the Order Map (grid reference: SK 9304 6595). The total length of footpath to be diverted to be approximately 335 metres as shown between points E-A on the annexed Order Map.

### PART 2

#### Description of site of alternative highway

A footpath in the parish of North Hykeham to be two metres in width, running from Public Bridleway No. 2 at Point D (grid reference: SK 9307 6561) in a north-north-easterly direction for a distance of approximately 49 metres to Point C (grid reference: SK 9309 6567) and continuing in a generally northerly direction for approximately 275 metres to Point B (grid reference: SK 9307 6595). The footpath then turns in a north-north-westerly direction for approximately 33 metres to a Kissing Gate on Newark Road at Point A (grid reference: SK 9304 6595) where it joins the existing route of Footpath No. 3. The total length of footpath to be added to be approximately 357 metres as shown between points D-C-B-A on the annexed Order Map.

THE COMMON SEAL OF NORTH )  
KESTEVEN DISTRICT COUNCIL )  
was hereunto affixed in the presence )  
of:

Authorised Officer

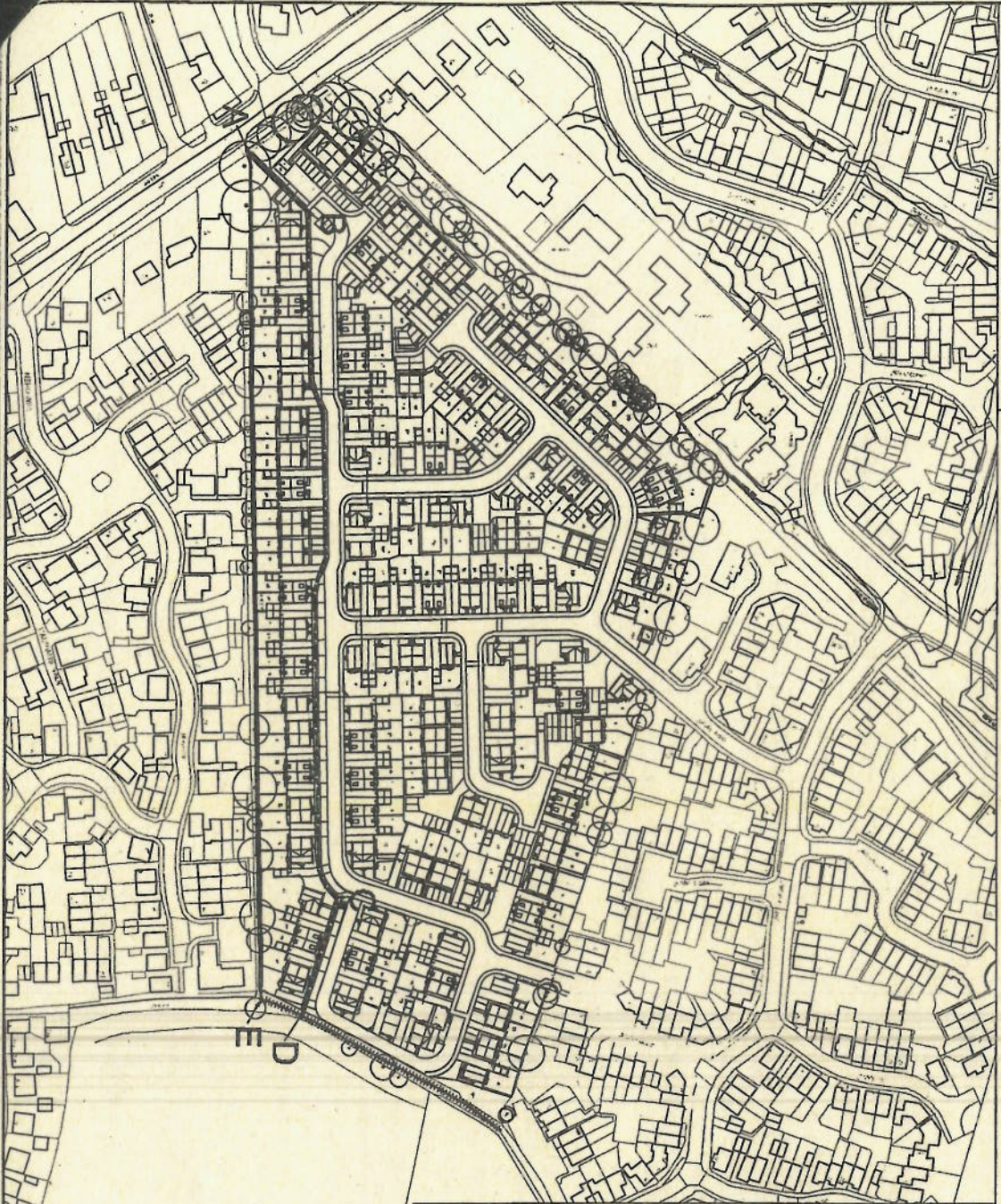


Designation

Chief Executive

3871

Dated this 8<sup>th</sup> day of December 2016



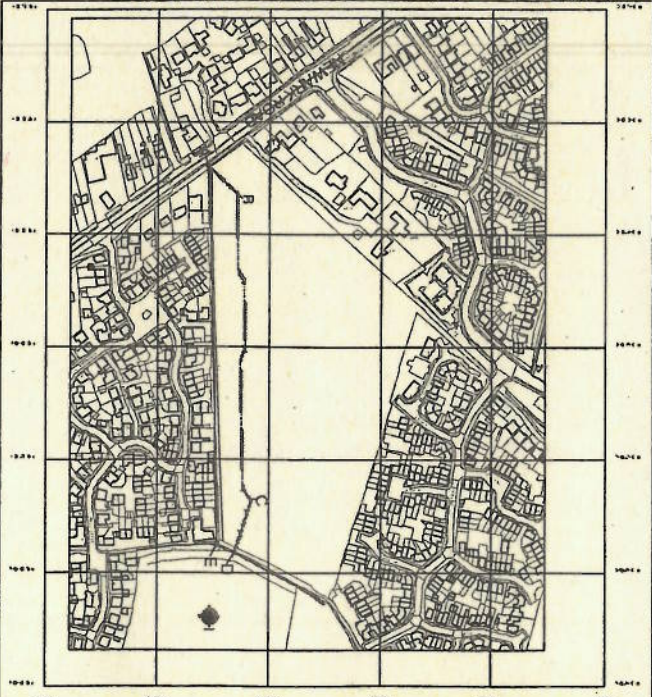
- Key**
- Existing Public Footpath A-E
  - Proposed Public Footpath Diversion A-B-C-D
  - - - Existing Brickway

**Site Address:**  
North Hykeham Phase 6, Newark Road, North Hykeham, LN6 9ST

**Description:**  
Proposed footpath diversion to start from Southern Entrance 'Letter D', and follow the line of the new road/walkway travelling North to rejoin existing footpath at Newark Road 'Letter A'

Public Footpath No. 3  
Ordnance Survey Map Reference - SK9365NW

- Grid Reference Points:**
- A - SK9304 6595
  - B - SK9307 6596
  - C - SK9309 6587
  - D - SK9307 6581
  - E - SK9306 6582



**MAP NOT TO ORIGINAL SCALE**



*Handwritten signature*

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Rev	Description	Initial	Date
4	Updated layout and annotation.	HO	28.05.16
3	Updates to site LPA's comments.	HO	10.08.16
2	Proposed to remove point 'F' and changed layout of fenced-in side yard attached to point 'E'.	ES	24.10.16

**district**  
PLANNING  
NORTH HYKEHAM PHASE 6

**BARRATT**  
ARCHITECTS

**PUBLIC FOOTPATH DIVERSION**

**NORTH HYKEHAM, PHASE 6**

Dwg No. **H6373/PFD1** Rev **C**  
Scale 1:2000 @ A1 Dwg. 10.05.16  
Drawn by HO Checked by HO

**NORTH MIDLANDS**  
PLANNING