

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Norfolk County Council
(Martham Footpath No.1 (Part)) Modification 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 19 September 2017.

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

The Hearing will be held at Martham Village Hall, White Street, Martham, Great Yarmouth NR29 4PG on Tuesday 6 February 2018 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 varying part of footpath Martham FP1 by the deletion of the full width of the path from grid reference TG4393 1918 proceeding in a generally south westerly direction for approximately 54 metres to grid reference TG4391 1913 then westerly for approximately 43 metres to grid reference TG4386 1913 and the adding of a footpath from grid reference TG4393 1918 proceeding in a south westerly direction for a distance of approximately 24 metres at a width of 2.5 metres to grid reference TG4391 1916 and then continues to proceed south westerly for a distance of approximately 38 metres at a width of 2 metres to grid reference TG4388 1913 and then continues westwards for a distance of approximately 22 metres at a width of 6 metres increasing to 10 metres at grid reference TG4386 1913.

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. Please quote reference number ROW/3172526 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 Norfolk County Council, County Hall, Martineau Lane, Norwich NR1 2DH during normal office hours. Telephone: 01603 224253.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 14 November 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 12 December 2017]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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 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. 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).

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

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 hearing.

WILDLIFE AND COUNTRYSIDE ACT 1981

NORFOLK COUNTY COUNCIL - DEFINITIVE MAP AND STATEMENT

NORFOLK COUNTY COUNCIL (MARTHAM FOOTPATH NO. 1 (PART))

MODIFICATION ORDER 2016

This Order is made by Norfolk 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 of Public Rights of Way for the County of Norfolk ("the Definitive Map and Statement") require modification in consequence of the occurrence of an event specified in 53(3)(c)(i) and 53(3)(c)(iii) of the Act, namely the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:-

- (a) Section 53(3)(c)(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 such that the land over which the right subsists is a public path or a restricted byway
- (b) Section 53(3)(c)(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 have consulted with every local authority whose area includes the land to which the Order relates.

The Norfolk County Council hereby order that:-

1. For the purposes of this Order the relevant date is 1st August 2016
2. The Definitive Map and Statement of Public Rights of Way for the County of Norfolk shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Norfolk County Council (Martham Footpath No. 1 (part)) Modification Order 2016.

SCHEDULE

PART I

Modification of the Definitive Map

Description of path or way to be deleted

Footpath No. 1 (part) The full width of the path from grid reference TG4393 1918 (at point A on annexed map) proceeding in a generally south westerly direction for approximately 54 metres to grid reference TG4391 1913 (point B on annexed map) then westerly for approximately 43 metres to grid reference TG4386 1913 (at point C on annexed map)

Description of path to be added

Footpath No. 1 (part) Starts from grid reference TG4393 1918 (at point A on annexed map) proceeding in a south westerly direction for a distance of approximately 24 metres at a width of 2.5 metres to grid reference TG4391 1916 (at point D on annexed map) and then continues to proceed south westerly for a distance of approximately 38 metres at a width of 2 metres to grid reference TG4388 1913 (at point E on annexed map) and then continues westwards for a distance of approximately 22 metres at a width of 6 metres increasing to 10 metres at grid reference TG4386 1913 (at point C on annexed map)

PART II

Modification of Definitive Statement

The existing Statement reads as set out below:

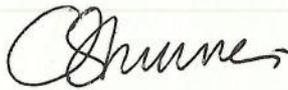
Footpath No. 1 (Ferrygate Lane to Parish Boundary). Starts from the north western end of Ferrygate Lane and runs north-westwards along the south western bank of a dyke to its junction with the River Thurne. The path then runs west south-westwards along the south bank of the river round the draining pump and then continues to the parish boundary where it joins Repps with Bastwick Footpath No.1.

The variation proposed by this Order if confirmed will result in the statement reading as follows:

Footpath No. 1 (Ferrygate Lane to Parish Boundary). Starts from the north western end of Ferrygate Lane and runs north-westwards along the south western bank of a dyke to its junction with the River Thurne. The path then runs west south-westwards along the south bank of the river to grid reference TG4393 1918 proceeding in a south westerly direction for a distance of approximately 24 metres at a width of 2.5 metres to grid reference TG4391 1916 and then continues to proceed south westerly for a distance of approximately 38 metres at a width of 2 metres to grid reference TG4388 1913 and then continues westwards for a distance of approximately 22 metres at a width of 6 metres increasing to 10 metres at grid reference TG4386 1913 and then continues to the parish boundary where it joins Repps with Bastwick Footpath No.1

GIVEN under the Common Seal of Norfolk County Council on this
8th day of August Two Thousand and Sixteen

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


authorised to sign
on behalf of: HEAD OF LAW

Head of Law



4:616.

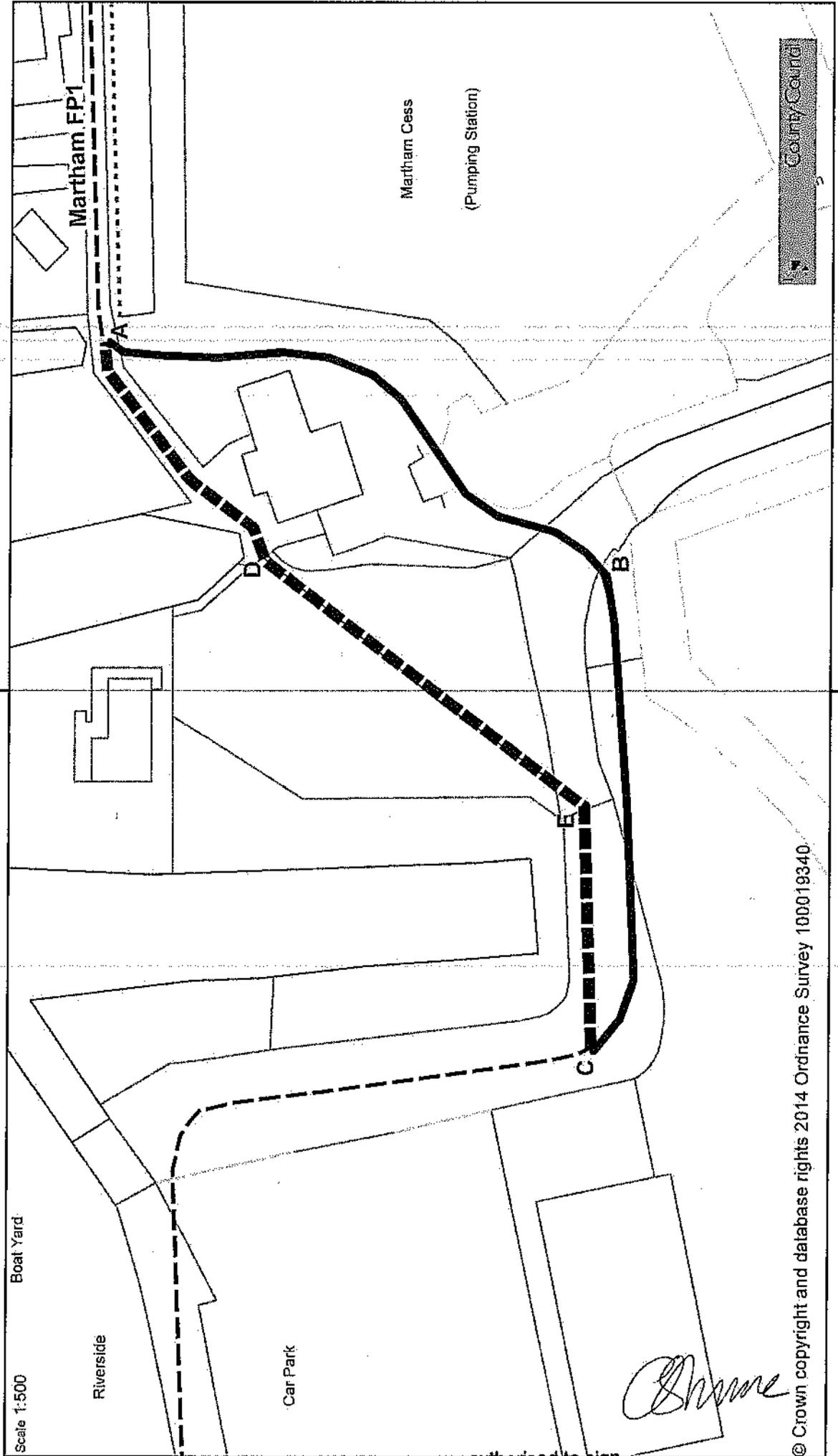
Norfolk County Council (Martham FP1 (part)) Modification Order 2016

Norfolk County Council
 County Hall
 Martineau Lane
 Norwich
 NR1 2SG
 Tel: 0344 800 8020



- Route to be extinguished (A-B-C)
- Route to be added (A-D-E-C)
- Unaffected Route

643900



Scale 1:500

Riverside

Car Park

Martham FP1

Martham Cess

(Pumping Station)



643900

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Shirley

authorised to sign
 on behalf of: HEAD OF LAW

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