

NOTICE OF ORDER

Highways Act 1980 – Section 119 Wildlife and Countryside Act 1981 – Section 53

Gloucestershire County Council
Public Path Diversion and Definitive Map and Statement Modification
Order Public Bridleway ASM25 – Southam Parish
Diversion Order 2017

Notice is hereby given that the above referenced Order(s) has/have 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(s).

The **start date** for the above Order(s) is 27 November 2017.

Consideration of the Order(s) 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 is explained in the Schedule below:

Part 1 – description of site of existing path or way. A length of public bridleway numbered ASM25 that commences at the junction with Southam Road (B4632 road) and Bentley Lane at Ordnance Survey Grid Reference (OSGR) SO9734/2542 extends in a south south easterly direction for approximately 13 metres then continues in an easterly direction for approximately 120 metres to re-join Bentley Lane at OSGR SO9747/2539.

Part 2 – description of site of new path or way. A length of public bridleway numbered ASM25 that commences at the junction with Southam Road (B4632 road) extends in an easterly direction along Bentley Lane for approximately 130 metres.

Any queries relating to this Order should be referred to Tara Davies 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 5779. Email: tara.davies@pins.gsi.gov.uk. Please quote reference number ROW/3184388 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 Gloucestershire County Council, Highways Records, Shire Hall, Gloucester, GL1 2TH. Tel: 01452 328981 during normal office hours.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date 11 December 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 22 January 2018

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 5 March 2018

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

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER
S119 HIGHWAYS ACT 1980/ S53 WILDLIFE AND COUNTRYSIDE ACT 1981
GLOUCESTERSHIRE COUNTY COUNCIL
PUBLIC BRIDLEWAY ASM25 – SOUTHAM PARISH
DIVERSION ORDER 2017**

This Order is made by Gloucestershire County Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that it is in the interests of the public that the line of the path described in paragraph 1 of this Order should be diverted.

This Order is also made under section 53A (2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the Definitive Map and Statement of Public Rights of Way in Gloucestershire requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

Tewkesbury Borough Council has been consulted and has consented to the making of the Order as required by section 120(2) of the 1980 Act;

BY THIS ORDER:

1. The public right of way over the land situate at Bentley Lane in Southam Parish and shown by a bold continuous line on the plan contained in this Order (the "Order Plan") and described in Part 1 of the Schedule to this Order (the "Schedule") shall be stopped up from the date of confirmation of this Order, and thereupon the Definitive Map of Public Rights of Way for Gloucestershire shall be modified by deleting from it that public right of way.
2. Notwithstanding this Order, Statutory Undertakers whose apparatus is under, in, upon, over, along or across the path or way shall have the same powers and rights in respect of their apparatus as if the Order authorising the path or way to be diverted had not been made.
3. There shall from the date of confirmation of this Order be a public bridleway over the land situate at Bentley Lane in Southam Parish, and described in Part 2 of the Schedule and shown by a bold broken line on the Order Plan and thereupon the Definitive Map of Public Rights of Way for Gloucestershire shall be modified by adding that path to it.

3A The Definitive Statement of Public Rights of Way for Gloucestershire shall be modified as described in Part 4 of the Schedule to this Order.

4. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

SCHEDULE

Part 1 - Description of Site of Existing Path or Way

That length of public bridleway numbered ASM25 on the Definitive Map for Southam Parish, that commences at the junction with Southam Road (B4632 road) and Bentley Lane shown as point A on the said Plan at Ordnance Survey Grid Reference (OSGR) SO9734/ 2542 extends in a south south easterly direction for approximately 13 metres then continues in an easterly direction for approximately 120 metres to re-join Bentley Lane at a point marked B on the said plan at OSGR SO9747/2539 and being shown by a bold continuous line and of an undefined width

Part 2 - Description of Site of New Path or Way

That length of public bridleway numbered ASM25 on the Definitive Map for Southam Parish, that commences at the junction with Southam Road (B4632 road) shown as the said point A extends in an easterly direction along Bentley Lane for approximately 130 metres to the said point B and being shown by a bold broken line and having a width of 9 metres between points A B

Part 3

Limitations and Conditions

None

PART 4

**Modification of Definitive Statement
Variation of particulars of path or way**

MAP NUMBER	CLASS & RIGHT OF WAY	FROM			TO			PARTICULARS AS TO POSITION, WIDTH LIMITATIONS OR CONDITIONS AS IN THE OPINION OF THE AUTHORITY IT IS EXPEDIENT TO RECORD
		COUNTY ROAD OR RIGHT OF WAY	LOCATION	GENERAL DIRECTION	COUNTY ROAD OR RIGHT OF WAY	LOCATION	VIA OS PARCEL NOS. (EDITION 1921/23 UNLESS OTHERWISE STATED)	
DELETE THE FOLLOWING ENTRY:								
15	BR ASM25	A46	SOUTHAM DE-LA-BERE LODGE	EAST	FP ASM26	Cleeve Hill Common boundary south of Nutterswood	52, 83	Submitted by Parish Council. Not shown as bridle road on Glos. O.S. No 20, 1924 Edition. Part on Common land.
ADD THE FOLLOWING ENTRY:								
15	BR ASM25	B4632	Opposite Ellenborough Park Hotel	EAST	FP ASM74	Cleeve Hill Common boundary west south west of Nutterswood	52, 83	Public bridleway diverted by Public Path Diversion and Definitive Map and Statement Modification Order. S119 Highways Act 1980/ S53 Wildlife and Countryside Act 1981 Gloucestershire County Council. Public Bridleway ASM25 - Southam Parish Diversion Order 2017. Width: 9 metres between points A-B. Limitations/ conditions: None. Ref:573/11/200(5)

**BENTLEY LANE,
SOUTHAM -
PUBLIC
BRIDLEWAY
ASM25**

**PUBLIC PATH
DIVERSION AND
DEFINITIVE MAP
& STATEMENT
MODIFICATION
ORDER 2017**

Key:-

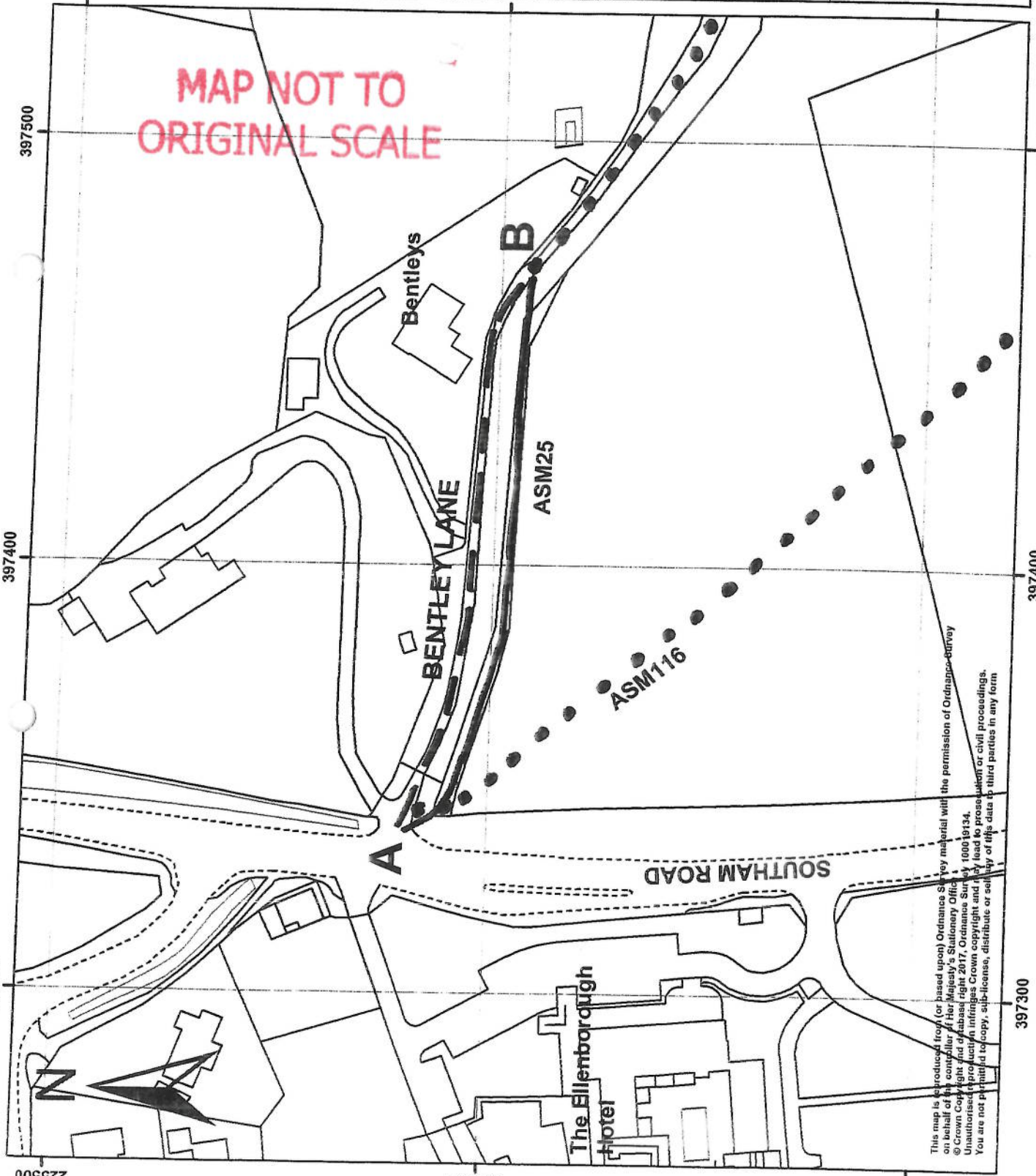
- Bridleway to be extinguished
- Bridleway to be created
- Unaffected paths

Highway Records

Shire Hall, Westgate Street,
Gloucester GL1 2TG
Tel: 01452 328981
www.gloucestershire.gov.uk

Drawn by: J Harris
SCALE: 1:1,250
DATE: 24 March 2017

MAP NOT TO ORIGINAL SCALE



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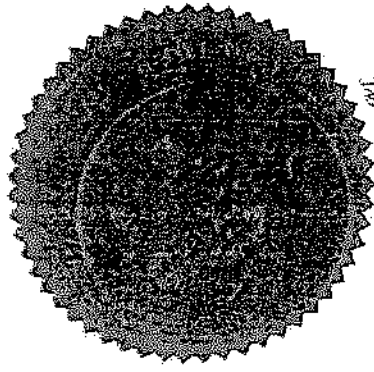
IN WITNESS WHEREOF the Gloucestershire County Council have caused their Common Seal to be hereunto affixed the 17 day of April two thousand and seventeen.

THE COMMON SEAL of


GLOUCESTERSHIRE COUNTY COUNCIL

was hereunto affixed

in the presence of:-



6845 JCF
6898


Head of Legal Services