

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Hampshire County Council
The Hampshire (Winchester District (No. 57) (City of Winchester))
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 earlier exchange of written representations, the Inspector appointed to determine the Order issued a letter in which she 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 **07 March 2018**.

Consideration of the Order will take the form of a hearing. It is being held so that the Inspector can hear evidence in respect of the Inspector's proposed modifications only.

The Hearing will be held at **The Mitchell Room, Ashburton Court, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UJ** on **03 July 2018** at 10.00am.

The effect of the above Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding a bridleway as follows:

From grid reference SY 4951 3032 to grid reference SU 4979 3056.
Adding a bridleway varying between 1.6 metres and 2.5 metres wide running from the footway next to the roundabout outside Tesco superstore (point A), proceeding in a northerly then easterly direction for 170 metres to a subway under the Junction 9 roundabout (point B), north-eastwards through the subway for 15 metres (point C), then eastwards along footway on southern over-bridge of junction 9 for 115 metres (C-D-E), then northwards and north-eastwards along metalled path and through subway to junction with Bridleway 502 (E-F-G), as shown by a continuous green line on the Order map.
A total length of 460 metres.

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

In Part I of the Schedule;

- in the first line of the description, delete the words 'grid reference' and the first grid reference, and substitute '*Point E*';
- In the first line of the description insert '*(Point G)*' after the word 'to' and put brackets round the reference to the second grid reference;

- In the first line of the body of the description delete the reference to the width being 2.5 metres and substitute '3.0';
- In the body of the description delete the description from and including the words at the end of the first line ('on the') up to and including the word 'footway' in the fifth line and substitute the words '*at Point E*';
- In the body of the description in the fifth line, after the words 'Junction 9' delete the words 'for 115 metres (C-D-E)';
- In the last line of the description delete the reference to '460' metres and substitute the figure '160';

In Part II of the Schedule;

- Insert at the beginning of the body of the description of the route the words '*A bridleway*' and substitute a lower case 'v' at the beginning of the word 'Varying';
- In the first line of the body of the description amend the reference to the maximum width from '3.3' metres to '3.0' metres;
- In the first line of the body of the description delete the grid reference 'SU 4951 3032' and substitute the words '*Point E*';
- In the first line of the body of the description after the word 'and' insert the words '*Point G*' and insert brackets round the grid reference 'SU 4979 3056';
- Delete the body of the description from and including the words 'on footway' in the second line, to and including the word 'footway' in the fourth line, substituting the words '*at Point E*';
- Delete the whole of the first entry relating to the width of the path;
- In the second entry relating to the width of the path delete the first grid reference and substitute the words '*Point E*';
- In the second entry relating to the width of the path after the word 'and' insert the words '*Point F*' and insert brackets round the grid reference 'SU 4978 3054';
- In the last entry relating to the width of the path delete the words and figures 'SU 4962 3040 and SU 4963 4963(*sic*) 3042 and between';
- In the last entry relating to the width of the path after the remaining word 'between' insert '*Point F*' and put brackets round the ensuing grid reference;
- In the last entry relating to the width of the path after the word 'and' insert the word '*Point G*' and put brackets round the ensuing grid reference;

On the Order plan:

- Delete the bridleway to be added between Point A and Point E.

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/Q1770/7/85M 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 Hampshire County Council, Countryside Access Team, Castle Avenue, Winchester, Hampshire SO23 8UL, between the hours of 9:00am and 4:00pm. Council Contact: Ms Rohan Seeliger-Morley, tel: 01962 846981.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 02 May 2018]

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modifications 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 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 modifications, the applicant and anyone else who has previously written to us in respect of the Order.

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

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.

HAMPSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE HAMPSHIRE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
(DATED 15TH DECEMBER 2007)**

**THE HAMPSHIRE (WINCHESTER DISTRICT No. 57)
(CITY OF WINCHESTER)
DEFINITIVE MAP MODIFICATION ORDER 2015**

This Order is made by Hampshire 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 of Public Rights of Way (Dated 15th December 2007) requires modification in consequence of the occurrence of an event specified in Section 53(3) c(i) of the Act namely:-

c) 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 such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic;

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

Hampshire County Council hereby orders that:

1. For the purposes of the Order the relevant date is 21 October 2015.
2. The Hampshire Definitive Map and Statement of Public Rights of Way (Dated 15th December 2007) shall be modified as described in Part I and Part II of the Schedule as shown on the map/s attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Hampshire (Winchester District No. 57)(City of Winchester) Definitive Map Modification Order 2015.

GIVEN this *19th* day of *November* 2015

THE COMMON SEAL of)
HAMPSHIRE COUNTY COUNCIL)
Was hereunto affixed in)
The presence of:-)

Authorised Signatory *J. Kutuy*



SCHEDULE

PART I

Modification of Definitive Map Description of path or way to be added

From grid reference SU 4951 3032 to grid reference SU 4979 3056

A new bridleway varying between 1.6 metres and 2.5 metres wide which commences on the footway next to the roundabout outside Tesco superstore (point A), proceeding in a northerly then easterly direction for 170 metres to a subway under the Junction 9 roundabout (point B), north-eastwards through subway for 15 metres (point C), then eastwards along footway on southern over-bridge of Junction 9 for 115 metres (C-D-E), then northwards and north-eastwards along metalled path and through subway to junction with Bridleway 502 (E-F-G), as shown by a continuous green line on the Order map.

A total length of 460 metres.

PART II

Modification of Definitive Statement Variation of particulars of path or way

The following addition shall be added to the Definitive Statement for the Parish of Winchester:

Winchester 518

Varying between 1.6 metres and 3.3 metres in width between SU 4951 3032 and SU 4979 3056, commencing on footway next to superstore roundabout, proceeding in a northerly then easterly direction to south-western subway under Junction 9 roundabout, through subway, then eastwards along footway on southern over-bridge of Junction 9, then northwards and north-eastwards along metalled path, through north-eastern subway to junction with Bridleway 502.

Varying between 1.7 metres and 3.3 metres wide between SU 4951 3032 and SU 4962 3040.

Varying between 1.6 metres and 2.0 metres between SU 4963 3042 and SU 4978 3054.

3.0 metres wide between SU 4962 3040 and SU 4963 4963 3042 and between SU 4978 3054 and SU 4979 3056.

NOTE: ALL LENGTHS ARE APPROXIMATE

HAMPSHIRE COUNTY COUNCIL

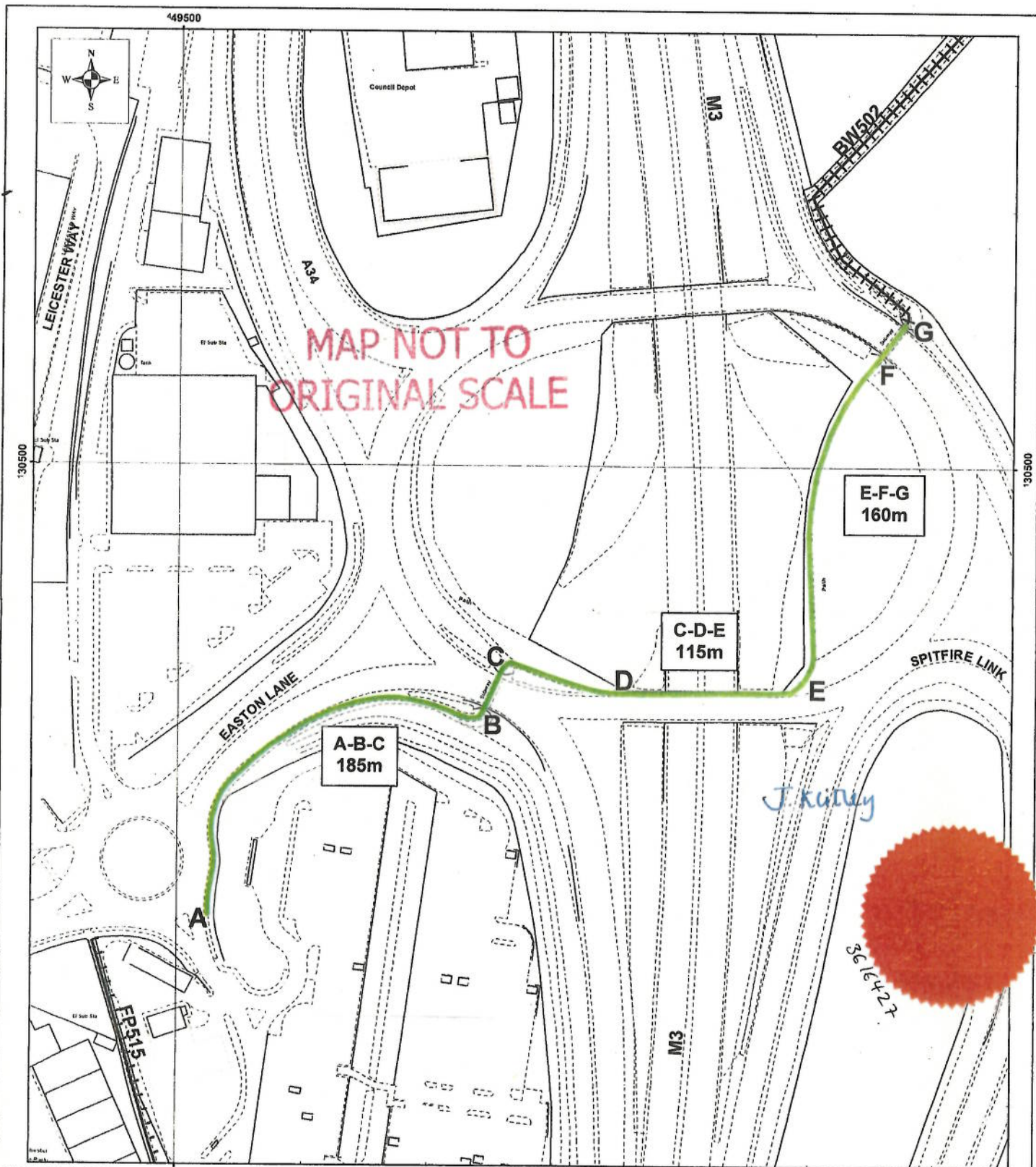
WILDLIFE AND COUNTRYSIDE ACT 1981

MAP REFERRED TO IN

THE HAMPSHIRE (WINCHESTER DISTRICT No. 57)

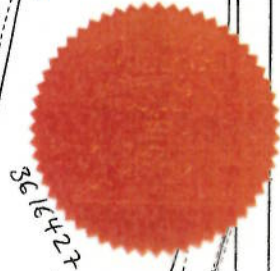
(CITY OF WINCHESTER)

DEFINITIVE MAP MODIFICATION ORDER 2015



MAP NOT TO ORIGINAL SCALE

J. Kiley



SCALE 1:1500

LEGEND

BRIDLEWAY TO BE ADDED TO THE MAP:-



EXISTING FOOTPATH TO BE RETAINED:-



EXISTING BRIDLEWAY TO BE RETAINED:-



MAP No. 454 PRODUCED FROM DIGITAL DATA SUPPLIED BY ORDNANCE SURVEY

THE COMMON SEAL OF HAMPSHIRE COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:-

..... AUTHORISED SIGNATORY

DATE 19th November 2015

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KAREN MURRAY,
DIRECTOR OF CULTURE, COMMUNITIES AND BUSINESS SERVICES, WINCHESTER