

NOTICE OF ORDER

Highways Act 1980 Sections 26 & 118

Lincolnshire County Council
Public Path Creation Order 2017
Public Footpath No. 1108 Market Deeping & Deeping St James
and
Public Path Extinguishment Order 2017
Parts of Public Footpath Number 4 Market Deeping & Deeping St James

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 **20 March 2018**

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **The Oddfellows Hall, 57 Church Street, Market Deeping, Peterborough PE6 8AN** on **Tuesday 21 August 2018 at 10.00am**.

The effect of the first Order, if confirmed without modifications, will be to create a public footpath in the parish of Market Deeping following the demarcated footpaths within the Tesco Store site, a 3 metre wide footpath to be known as Market Deeping Public Footpath No 1108 running from OSGR TF 1399 1056 to OSGR TF 1401 1057 to OSGR TF 1405 1507 to OSGR TF 1411 1060 to OSGR TF 1412 1060 to OSGR TF 1415 1061. The total length of footpath to be added to be 173 metres as shown between points A-B-C-D-E-F on the Order drawing. Also a continuation of Market Deeping Public Footpath No 1108 running from an unaffected section of Market Deeping Public Footpath No 4 at OSGR TF 1421 1062 at a width of 2 metres to OSGR TF 1422 1062 and continuing at a width of 1.7 metres to OSGR TF 1425 1063 then running at a width of 2 metres to the parish boundary with Deeping St James at OSGR TF 1434 1070. The total length of footpath to be added to be 161 metres as shown between points G-H-I-J on the Order drawing. Also a public footpath in the parish of Deeping St James to be 2 metres wide and to be known as Deeping St James Public Footpath No 1108 running from the parish boundary with Market Deeping at OSGR TF 1434 1070 to OSGR TF 1446 1078. The total length of footpath to be added to be 142 metres as shown on the Order drawing.

The effect of the second Order, if confirmed without modifications, will be to extinguish that part of Market Deeping Public Footpath No 4 running from OSGR TF 1401 1053 to OSGR TF 1419 1061 to terminate at the parish boundary with Deeping St James at OSGR TF 1433 1072. The total length of footpath to be extinguished to be 378 metres as shown between points A-B-C on the Order drawing. Also that part of Market Deeping Public Footpath No 4 running from OSGR TF 1399 1055 to OSGR TF 1403 1057 to OSGR TF 1406 1057 to OSGR TF 1412 1060 to OSGR TF 1413 1060 to OSGR TF 1420 1063 to OSGR TF 1421 1062. The total length of footpath to be extinguished to be 247 metres as shown

between points E-F-G-H-I-J-K on the Order drawing. Also that part of Deeping St James Public Footpath No 4 running from the parish boundary with Market Deeping at OSGR TF 1433 1072 to OSGR TF 1446 1078. The total length of footpath to be extinguished to be 140 metres as shown between points C-D on the Order drawing.

Any queries relating to the Orders 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/3182291 & ROW/3182292 on all correspondence.

Any person wishing to view the statements of case and other documents relating to the Orders may do so by appointment at Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX. Telephone 01522 782070.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 15 May 2018]

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

Within 14 weeks of the start date [by 26 June 2018]

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

4 weeks before the date of the inquiry [by 24 July 2018]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by

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 inquiry.

the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence 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 inquiry

PUBLIC PATH EXTINGUISHMENT ORDER 2017

HIGHWAYS ACT 1980

LINCOLNSHIRE COUNTY COUNCIL

PARTS OF PUBLIC FOOTPATH NUMBER 4

MARKET DEEPING AND DEEPING ST JAMES

This Order is made by Lincolnshire County Council ("the authority") under section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that the footpath described in paragraph 1 below is not needed for public use

East Lindsey District Council has been consulted as required by section 120(2) the 1980 Act

BY THIS ORDER:

1. The public right of way over the land situate at Market Deeping and Deeping St James shown by bold continuous lines on the drawing attached to this Order and described in the Schedule to this Order shall be extinguished after 28 days from the date of confirmation of this Order

SCHEDULE

Description of path or way to be extinguished

In the Parish of Market Deeping

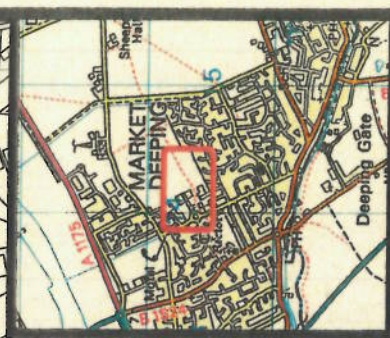
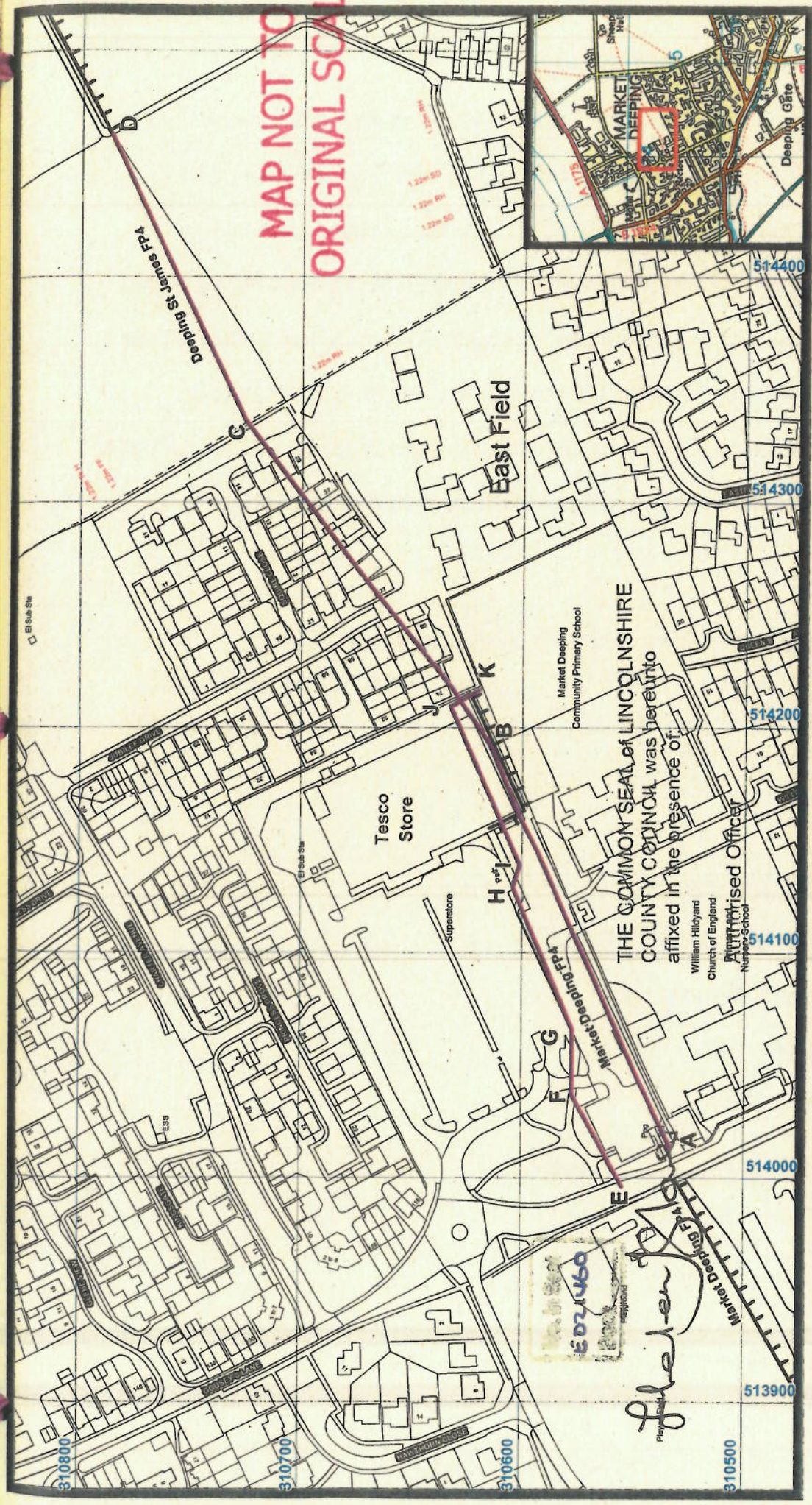
- (i) That part of Market Deeping Public Footpath No.4 running from Ordnance Survey Grid Reference TF 1401 1053 (A) in a generally east north easterly direction for approximately 197 metres to Ordnance

Survey Grid Reference TF 1419 1061 (B) then continuing in a generally north easterly direction for approximately 181 metres to terminate at the parish boundary with Deeping St James at Ordnance Survey Grid Reference TF 1433 1072 (C). The total length of footpath to be extinguished to be approximately 378 metres as shown between points A-B-C on annexed drawing numbered 2016/029/PPO329/A4.

- ii) That part of Market Deeping Public Footpath No.4 running from Godsey Lane at Ordnance Survey Grid Reference TF 1399 1055 (E) in a generally east north easterly direction for approximately 47 metres to Ordnance Survey Grid Reference TF 1403 1057 (F) and continuing in a generally easterly direction for approximately 29 metres to Ordnance Survey Grid Reference TF 1406 1057 (G) then running in a generally east north easterly direction for approximately 68 metres to Ordnance Survey Grid Reference TF 1412 1060 (H) then continuing in a generally east south easterly direction for approximately 11 metres to Ordnance Survey Grid Reference TF 1413 1060 (I) then running in a generally east north easterly direction for approximately 77 metres to Ordnance Survey Grid Reference TF 1420 1063 (J) then continuing in a generally south south easterly direction for approximately 15 metres to terminate at Ordnance Survey Grid Reference TF 1421 1062 (K). The total length of footpath to be extinguished to be approximately 247 metres as shown between points E-F-G-H-I-J-K on annexed drawing numbered 2016/029/PPO329/A4.



MAP NOT TO ORIGINAL SCALE



THE COMMON SEAL OF LINCOLNSHIRE COUNTY COUNCIL was hereunto affixed in the presence of

John Fletcher
Mayor

| | | |
|---|--|--|
|  <p>Lincolnshire COUNTY COUNCIL</p> | <p>HIGHWAYS ACT 1980 SECTION 118</p> <p>MARKET DEEPING & DEEPING ST JAMES - EXTINGUISHMENT OF PARTS OF PUBLIC FOOTPATH NO.4</p> | <p>Scale: 1 : 2,500</p> <p>Drawing No : 2016/029/PPO329/A4</p> |
| | <p>Dr. S.J. Date 20/12/16.</p> <p>Public Rights of Way & Countryside Access R A Wills Executive Director for Environment & Economy County Offices, Newland, Lincoln, LN1 1YL.</p> | <p>Scale: 1 : 2,500</p> <p>Drawing No : 2016/029/PPO329/A4</p> |
| <p>KEY</p> <p>Public Footpath to be Extinguished (A-B-C-D & E-F-G-H-I-J-K) </p> <p>Unaffected Public Footpath </p> | <p>Reproduced from Ordnance Survey with the permission of the Controller of HMSO © Crown Copyright. Licence number 100025370</p> | |

In the Parish of Deeping St James

- iii) That part of Deeping St James Public Footpath No.4 running from the parish boundary with Market Deeping at Ordnance Survey Grid Reference TF 1433 1072 (C) in a generally east north easterly direction for approximately 140 metres to meet an unaffected section of Deeping St James Public Footpath No.4 at Ordnance Survey Grid Reference TF 1446 1078 (D). The total length of footpath to be extinguished to be approximately 140 metres as shown between points C-D on annexed drawing numbered 2016/029/PPO329/A4.

GIVEN under the Common Seal of Lincolnshire County Council

this 19th day of APRIL Two thousand and seventeen

THE COMMON SEAL of)

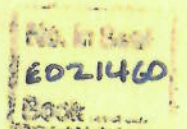
LINCOLNSHIRE COUNTY COUNCIL)

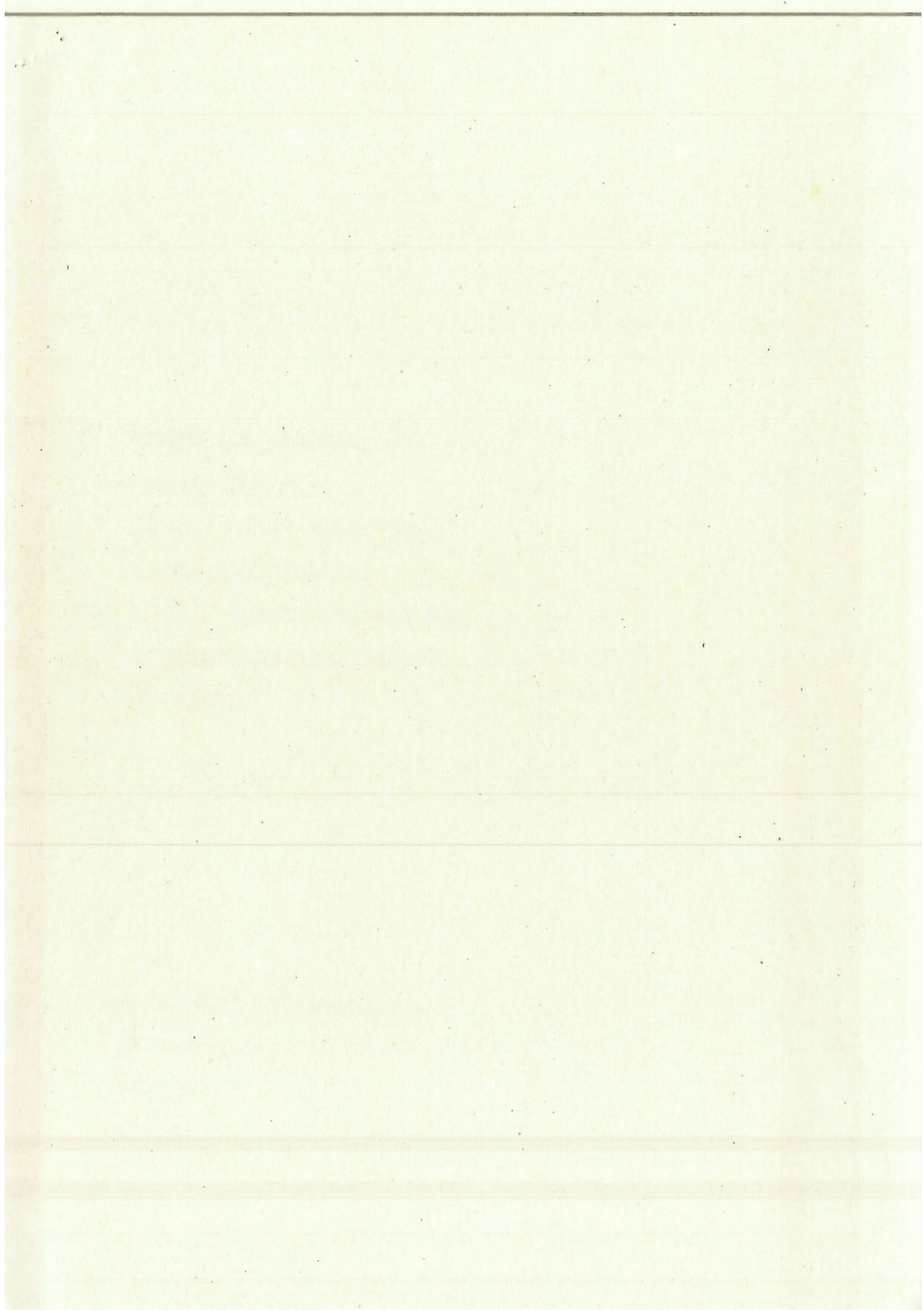
was hereunto affixed in the)

presence of:)

Authorised Officer

Heleen Glover





DATED 19 APRIL 2017

PUBLIC PATH EXTINGUISHMENT ORDER

HIGHWAYS ACT 1980

LINCOLNSHIRE COUNTY COUNCIL

PARTS OF PUBLIC FOOTPATH NUMBER 4

MARKET DEEPING & DEEPING ST JAMES

PUBLIC PATH EXTINGUISHMENT

ORDER 2017

LEGAL SERVICES LINCOLNSHIRE

45-49 NEWLAND

LINCOLN

LN1 1YS

PUBLIC PATH CREATION ORDER 2017

HIGHWAYS ACT 1980

LINCOLNSHIRE COUNTY COUNCIL

PUBLIC FOOTPATH NUMBER 1108 MARKET DEEPING

AND DEEPING ST JAMES

This Order is made by Lincolnshire County Council ("the authority") under Section 26 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that, having regards to the matters set out in section 26(1), there is a need for a public footpath over the land to which this Order relates, and that it is expedient that the path should be created

The South Kesteven District Council has been consulted as required by section 26(3) of the 1980 Act

BY THIS ORDER:

1. There shall be at the end of 28 days from the date of confirmation of this Order a public footpath over the land at Market Deeping and Deeping St James described in Part 1 of the Schedule to this Order and shown by a bold broken line on the drawing attached to this Order

SCHEDULE

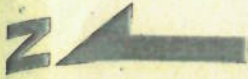
PART 1

Description of site new path/ way

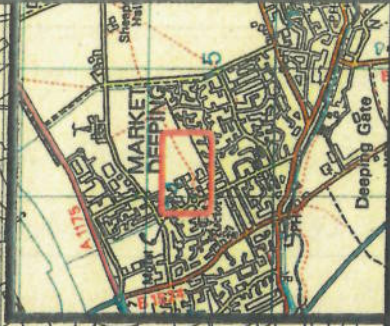
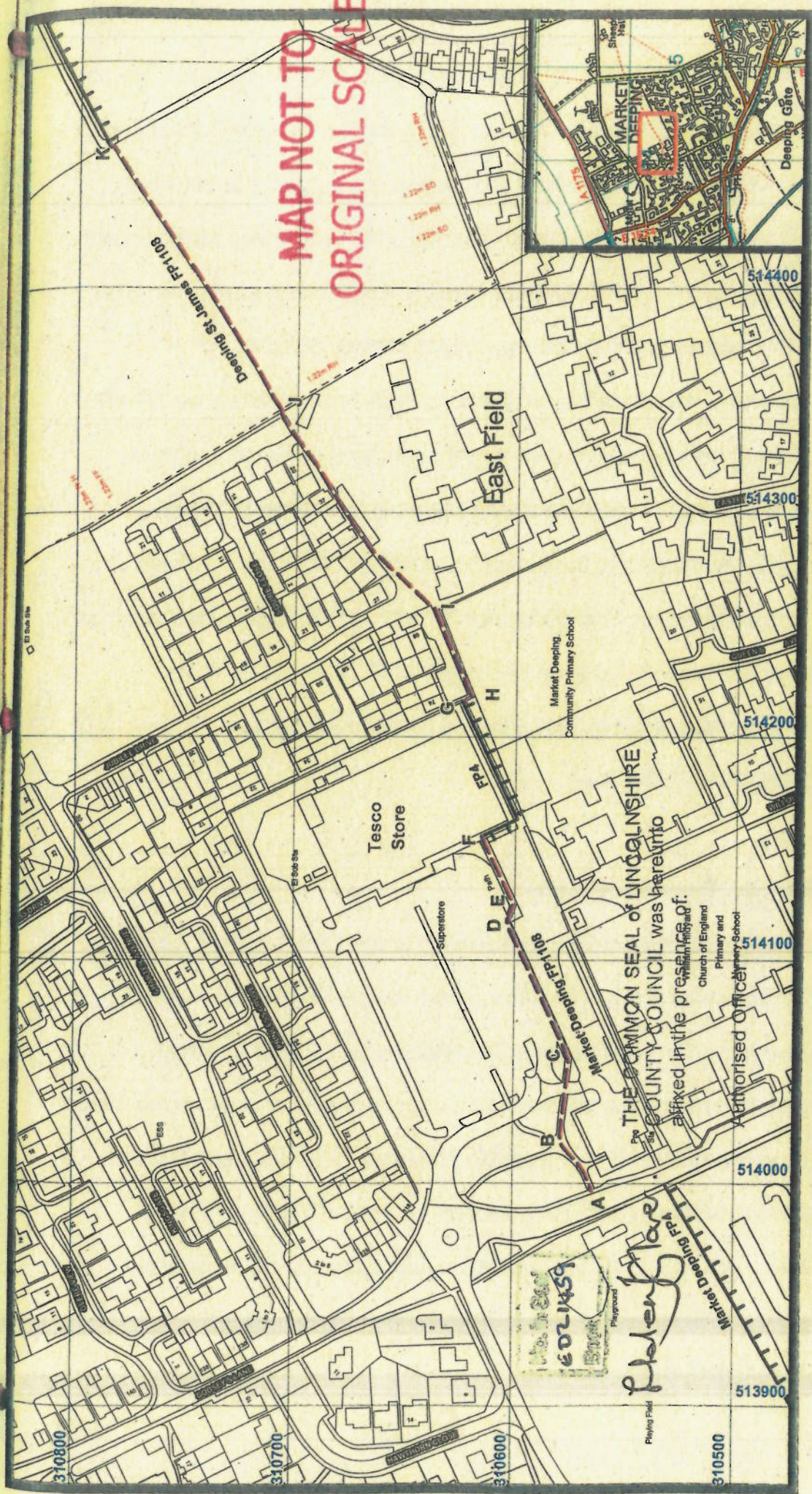
In the Parish of Market Deeping

- i) Following the demarcated footpaths within the Tesco Store site, a public footpath to be 3 metres wide and known as Market Deeping Public Footpath No.1108 running from Godsey Lane at Ordnance Survey Grid Reference TF 1399 1056 (A) in a generally east north easterly direction for approximately 26 metres to Ordnance Survey Grid Reference TF 1401 1057 (B) then continuing in a generally easterly direction for approximately 37 metres to Ordnance Survey Grid Reference TF 1405 1507 (C) then running in a generally east north easterly direction for approximately 66 metres to Ordnance Survey Grid Reference TF 1411 1060 (D) then continuing in a generally east south easterly direction for approximately 10 metres to Ordnance Survey Grid Reference TF 1412 1060 (E) then running in a generally east north easterly direction for approximately 34 metres to terminate at an unaffected section of Market Deeping Public Footpath No.4 at Ordnance Survey Grid Reference at TF 1415 1061 (F). The total length of footpath to be added to be approximately 173 metres as shown between points A-B-C-D-E-F on annexed drawing numbered 2016/030/PPO329/A4.

- ii) A continuation of the public footpath to be known as Market Deeping



MAP NOT TO ORIGINAL SCALE



HIGHWAYS ACT 1980 SECTION 26

MARKET DEEPING & DEEPING ST JAMES -
CREATION OF PUBLIC FOOTPATH NO.1108

Scale: 1 : 2,500

Drawing No : 2016/030/PPO329/A4



Dr. SJ Date 20/12/16

Public Rights of Way & Countryside Access
R A Willis
Executive Director for Environment & Economy
County Offices, Newland, Lincoln, LN1 1YL.

KEY

Public Footpath sections to be Created
(A-B-C-D-E-F & G-H-I-J-K)

Unaffected Public Footpath

Reproduced from Ordnance Survey with the permission
of the Controller of HMSO © Crown Copyright.
Licence number 100025370

THE COMMON SEAL OF LINCOLNSHIRE
COUNTY COUNCIL was hereunto
affixed in the presence of:

Richard Willis
Authorised Officer



Public Footpath No.1108 running from an unaffected section of Market Deeping Public Footpath No.4 at Ordnance Survey Grid Reference at TF 1421 1062 (G) at a width of 2 metres in a generally south south easterly direction for approximately 4 metres to Ordnance Survey Grid Reference TF 1422 1062 (H) where the footpath continues at a width of 1.7 metres in a generally east north easterly direction for approximately 45 metres to Ordnance Survey Grid Reference TF 1425 1063 (I) then running in a generally north easterly direction across Jubilee Drive for approximately 112 metres at a width of 2 metres before terminating at the parish boundary with Deeping St James at Ordnance Survey Grid Reference TF 1434 1070 (J). The total length of footpath to be added to be approximately 161 metres as shown between points G-H-I-J on annexed drawing numbered 2016/030/PPO329/A4.

In the Parish of Deeping St James

- iii) A public footpath to be 2 metres wide and to be known as Deeping St Public Footpath No.1108 running from the parish boundary with Market Deeping at Ordnance Survey Grid Reference TF 1434 1070 (J) in a generally north easterly direction for approximately 142 metres to meet an unaffected section of Deeping St James Public Footpath No.4 at Ordnance Survey Grid Reference at TF 1446 1078 (K). The total length of footpath to be added to be approximately 142 metres as shown between points J-K on annexed drawing numbered 2016/030/PPO329/A4.

GIVEN under the Common Seal of Lincolnshire County Council this 19th day

of APRIL Two thousand and seventeen

THE COMMON SEAL of)

LINCOLNSHIRE COUNTY COUNCIL)

was hereunto affixed in the presence of:-)

Helen Grove .
Authorised Officer

2021459

DATED 19 APRIL 2017

PUBLIC PATH CREATION ORDER 2017

HIGHWAYS ACT 1980

LINCOLNSHIRE COUNTY COUNCIL

PUBLIC FOOTPATH NO.1108 MARKET DEEPING

AND DEEPING ST JAMES

LEGAL SERVICES LINCOLNSHIRE

45-49 NEWLAND

LINCOLN

LN1 1YS