

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Wiltshire Council
The Wiltshire Council (Parish of Idmiston) Path No. 9 Definitive Map and
Statement 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 **2 May 2018**

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

The Inquiry will be held at **Idmiston Parish Memorial Hall, Idmiston Road, Porton, Salisbury, Wiltshire SP4 0LB** on **Wednesday 24 October 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 adding to them the footpath from OS Grid Reference SU 1875-3655, at its junction with High Street, Porton, leading north-north-west for approximately 28 metres and then leading generally north-west through Bourne Close for approximately 76 metres to OS Grid Reference SU 1870-3664, at its junction with the recreation ground, having a width of 1.46 metres on that section between OS Grid Reference SU 1875-3655 and OS Grid Reference SU 1872-3661 and 3.15 metres on that section between OS Grid Reference SU 1872-3661 and OS Grid Reference SU 1870-3664.

Any queries relating to this Order should be referred to Helen Sparks 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 5646. Email: helen.sparks@pins.gsi.gov.uk Please quote reference number ROW/3193877 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 Rights of Way and Countryside Team, Wiltshire Council, Unit 9, Ascot Court, White Horse Business Park, Trowbridge, Wiltshire BA14 0XA. To arrange a viewing, please contact Ms Janice Green on Telephone Number (01225) 713345 or e-mail address janice.green@wiltshire.gov.uk

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 27 June 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 Order.

Within 14 weeks of the start date [by 08 August 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 26 September 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 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

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.

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE DEFINITIVE MAP AND STATEMENT FOR THE AMESBURY RURAL
DISTRICT COUNCIL AREA DATED 1952**

**THE WILTSHIRE COUNCIL (PARISH OF IDMISTON) PATH NO.9 DEFINITIVE
MAP AND STATEMENT MODIFICATION ORDER 2016**

This Order is made by Wiltshire Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Amesbury Rural District Council Area definitive map and statement dated 1952 require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) of the Act, namely 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 have consulted with every local authority whose area includes the land to which the order relates. The Wiltshire Council hereby order that:

1. For the purposes of this order the relevant date is 28th November 2016.
2. The Amesbury Rural District Council Area definitive map and statement dated 1952 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 Wiltshire Council (Parish of Idmiston) Path no.9 Definitive Map and Statement Modification Order 2016.

SCHEDULE

PART I

Modification of Definitive Map

Description of path or way to be added

That length of footpath as shown by a broken black line with short intervals on the attached plan, leading from point A at OS Grid Reference SU 1875-3655, at its junction with High Street, Porton, in a north-north-westerly direction for approximately 28 metres, to point B at OS Grid Reference SU 1874-3658 and then leading generally north-west through Bourne Close for approximately 76 metres to point C at OS Grid Reference SU 1870-3664, at its junction with the recreation ground, having a width of 1.46 metres on that section between OS Grid Reference SU 1875-3655 and OS Grid Reference SU 1872-3661 and 3.15 metres on that section between OS Grid Reference SU 1872-3661 and OS Grid Reference SU 1870-3664 .

PART II

Modification of Definitive Statement

Variation of particulars of path or way

<u>Parish</u>	<u>Path No.</u>	<u>Modified Statement to read:-</u>	<u>Modified under Section 53(3) as specified</u>
Idmiston	9	<u>FOOTPATH.</u> From its junction with High Street, Porton at OS Grid Reference SU 1875-3655, leading north-north-west for approximately 28 metres and then generally north-west through Bourne Close for approximately 76 metres, to the recreation ground entrance at OS Grid Reference SU 1870-3664. Approximate length: 104 metres Width: 1.46 metres on that section between OS Grid Reference SU 1875-3655 and OS Grid Reference	53(3)(c)(i)

SU 1872-3661.
3.15 metres on that section between
OS Grid Reference SU 1872-3661
and OS Grid Reference SU 1870-
3664.

THE COMMON SEAL OF
THE WILTSHIRE COUNCIL
was hereunto affixed this
28th day of November 2016
in the presence of:

}
}
}
}
Ellen Conly.
Senior Solicitor



84578

The Wiltshire Council (Parish of Idmiston) Path no.9 Definitive Map and Statement Modification Order 2016

418700

418800

The Wiltshire Council (Parish of Idmiston) Path no.9 Definitive Map and Statement Modification Order 2016

Key

Length of footpath to be added: A - - - - B - - - - C

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Tracy Carter – Associate Director Waste and Environment

Prepared by: JEG Date: 25th November 2016 Scale: 1:1,000 Grid Ref: SU 187-366

Wiltshire Council
Where everybody matters



136700

136700

MAP NOT TO ORIGINAL SCALE

136600

136600

136500

136500

418700

418800

1:1,000

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