

# NOTICE OF ORDER

## **HIGHWAYS ACT 1980 SECTION 119 & WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53**

The Hampshire (East Hampshire District No. 12) (Parish of Headley – Part of Bridleway No. 13) Public Path Diversion and Definitive Map and Statement Modification Order 2017

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 **12 June 2018**.

Consideration of the Order 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, will be to divert the public bridleway running south-easterly then south-westerly from a junction with Frensham Lane at SU 8385 3930 (Point A on the Order plan) to SU 8387 3912 (Point B), to a line running south-westerly then south-easterly from SU 8384 3930 (Point C) to SU 8387 3912 (Point B) via SU 8377 3925 (Point D) and SU 8378 3917 (Point E), as shown on the Order map.

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](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number ROW/3197985 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 Hampshire County Council, The Castle, Winchester, S023 8UJ between the hours of 9.00am and 4.00pm. Hampshire County Council Contact: Rohan Seeliger-Morley, Tel: 01962 846981.

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 26 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, the applicant and any other person who has written to us in respect of the Order.

#### **Within 8 weeks of the start date [by 07 August 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 [by 18 September 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

**HAMPSHIRE COUNTY COUNCIL**

**HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE HAMPSHIRE (EAST HAMPSHIRE DISTRICT NO. 12)  
(PARISH OF HEADLEY – PART OF BRIDLEWAY NO. 13)  
PUBLIC PATH DIVERSION AND  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2017**

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This Order is made by Hampshire County Council ("the authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the bridleway described in paragraph 1 of this order it is expedient that the line of the path 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 Hampshire Definitive Map and Statement of Public Rights of Way (dated 15<sup>th</sup> December 2007) require 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.

The owner has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new bridleway into a fit condition for use by the public.

East Hampshire District Council has been consulted as required by Section 120(2) of the 1980 Act.

**BY THIS ORDER:**

1. The public right of way over the land situated at Headley and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up when Hampshire County Council has certified that the work necessary to bring the site of the new bridleway, specified in paragraph 3 below, into a fit condition for use by the public has been carried out, and thereupon the Hampshire Definitive Map of Public Rights of Way (dated 15<sup>th</sup> December 2007) shall be modified by deleting from it that public right of way.
2. Notwithstanding this Order all Statutory Undertakers shall have the same rights over the land referred to in paragraph 1 as they have hitherto enjoyed.

- 3. There shall be from the date of confirmation of this Order a public bridleway over the land situate at Headley described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order, and thereupon the Hampshire Definitive Map of Public Rights of Way (dated 15<sup>th</sup> December 2007) shall be modified by adding that bridleway to it.
  
- 3A. The Hampshire Definitive Statement of Public Rights of Way (dated 15<sup>th</sup> December 2007) shall be modified as described in Part 4 of the Schedule to this Order.

**SCHEDULE**

**PART 1**

DESCRIPTION OF SITE OF EXISTING RIGHTS OF WAY

**From SU 8385 3930 to SU 8387 3912**

That part of Bridleway No.13 in the Parish of Headley, in the District of East Hampshire that commences at Point A on the map and proceeds south-easterly, then south-westerly to Point B.

A total length of 222 metres.

**PART 2**

DESCRIPTION OF SITE OF NEW RIGHT OF WAY

**From SU 8384 3930 to SU 8387 3912 (via SU 8377 3925 & SU 8378 3917)**

A Bridleway, 4 metres wide, in the Parish of Headley, in the District of East Hampshire, that commences at Point C on the map and proceeds generally south-westwards to Point D before curving south to Point E and continuing south-eastwards to Point B.

A total length of 277 metres.

**NOTE: ALL LENGTHS ARE APPROXIMATE**

**PART 3**  
**LIMITATIONS AND CONDITIONS**

None

**PART 4**  
**MODIFICATION OF DEFINITIVE STATEMENT**

Variation of particulars of path or way

Delete:

"The part of the path which ran between 8392 3921 and 8407 3941 has been diverted and now runs between 8392 3921 and 8385 3930

2.74 metres wide between 8385 3930 and 8392 3921"

Add:

"That part of Bridleway 13 which ran between 8385 3930 and 8387 3912 has been diverted and now runs between 8383 3930 and 8387 3912."

"6 metres wide between 8384 3930 and 8377 3925

4 metres wide between 8376 3925 and 8387 3912"

GIVEN this *15<sup>th</sup>* day of *September* 2017

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

Authorised Signatory



*26/8/17*