

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Surrey County Council
Restricted Byway No. 41 (Walton and Weybridge)
Definitive Map 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 **26 June 2018**.

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

The Inquiry will be held at The Council Chamber, Woking Brough Council, Civic Offices, Gloucester Square, Woking, Surrey GU21 6YL on Tuesday 04 December 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 a public restricted byway from Burwood Road (Grid Ref. 510548 163701) proceeding along Turners Lane in a south-easterly direction to Burhill Road (Grid Ref. 510862 163017) for 753 metres, where it turns in a generally north-easterly direction along Burhill Road for 738 metres to its junction with the Access Road to Southwood Manor Farm (Grid Ref. 511422 163422).

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 ROW/3194376 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 Countryside Access, Surrey County Council, Merrow Depot, Merrow Lane, Guildford, GU4 7BQ from Monday to Friday (excluding bank holidays). Council Tel. 020 8541 9245.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 21 August 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 02 October 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 06 November 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.

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.

MODIFICATION ORDER
WILDLIFE AND COUNTRYSIDE ACT 1981
THE SURREY COUNTY COUNCIL REVISED RIGHTS OF WAY MAP IN DEFINITIVE FORM
AND THE SURREY COUNTY COUNCIL PUBLIC RIGHTS OF WAY DEFINITIVE
STATEMENT
THE SURREY COUNTY COUNCIL RESTRICTED BYWAY NO. 41 (WALTON AND
WEYBRIDGE) DEFINITIVE MAP MODIFICATION ORDER 2016

This Order is made by Surrey County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i), namely;

The discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows – 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 to which this part applies;

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

Surrey County Council hereby order that:-

- 1 FOR the purposes of this Order the relevant date is 17 March 2016 _____

- 2 THE Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order _____

- 3 THE Order shall take effect on the date it is confirmed and may be cited as the Surrey County Council Restricted Byway No. 41 (Walton and Weybridge) Definitive Map Modification Order 2016. _____

Janna Makin
SM EXECUTED AS A DEED by)
affixing THE COMMON SEAL of)
SURREY COUNTY COUNCIL in)
the presence of and attested by)
on 17 March 2016 in the presence of :-)



~~Director of Legal, Democratic and Cultural Services/~~ Authorised Signatory

SCHEDULE

Part I

Modification of Definitive Map

Description of path or way to be added

Restricted Byway No. 41 (Walton and Weybridge) in the Borough of Elmbridge, shown as a broken line and small arrowheads on Drawing No. 3/1/78/H22, commencing at point 'A' (Grid Ref. 510548 163701), its junction with Burwood Road and proceeding along Turners Lane in a generally south-easterly direction past point 'B' (Grid Ref. 510695 163376) to point 'C' (Grid ref. 510862 163017) for 753 metres, where it turns in a generally north-easterly direction along Burhill Road past point 'Ci' (Grid. Ref 511090 163084) to point 'D' (Grid Ref. 511422 163422) for 738 metres. The total distance 'A'-'D' is 1491m with a width varying between 'A' and 'B' of 5.0-14.4m, between 'B' and 'C' of 4.2-5.6m, between 'C' and 'Ci' of 4.5-5.0m and between 'Ci' and 'D' of 5.0-9.5m .

Part II

Modification of Definitive Statement

Variation of particulars of path or way

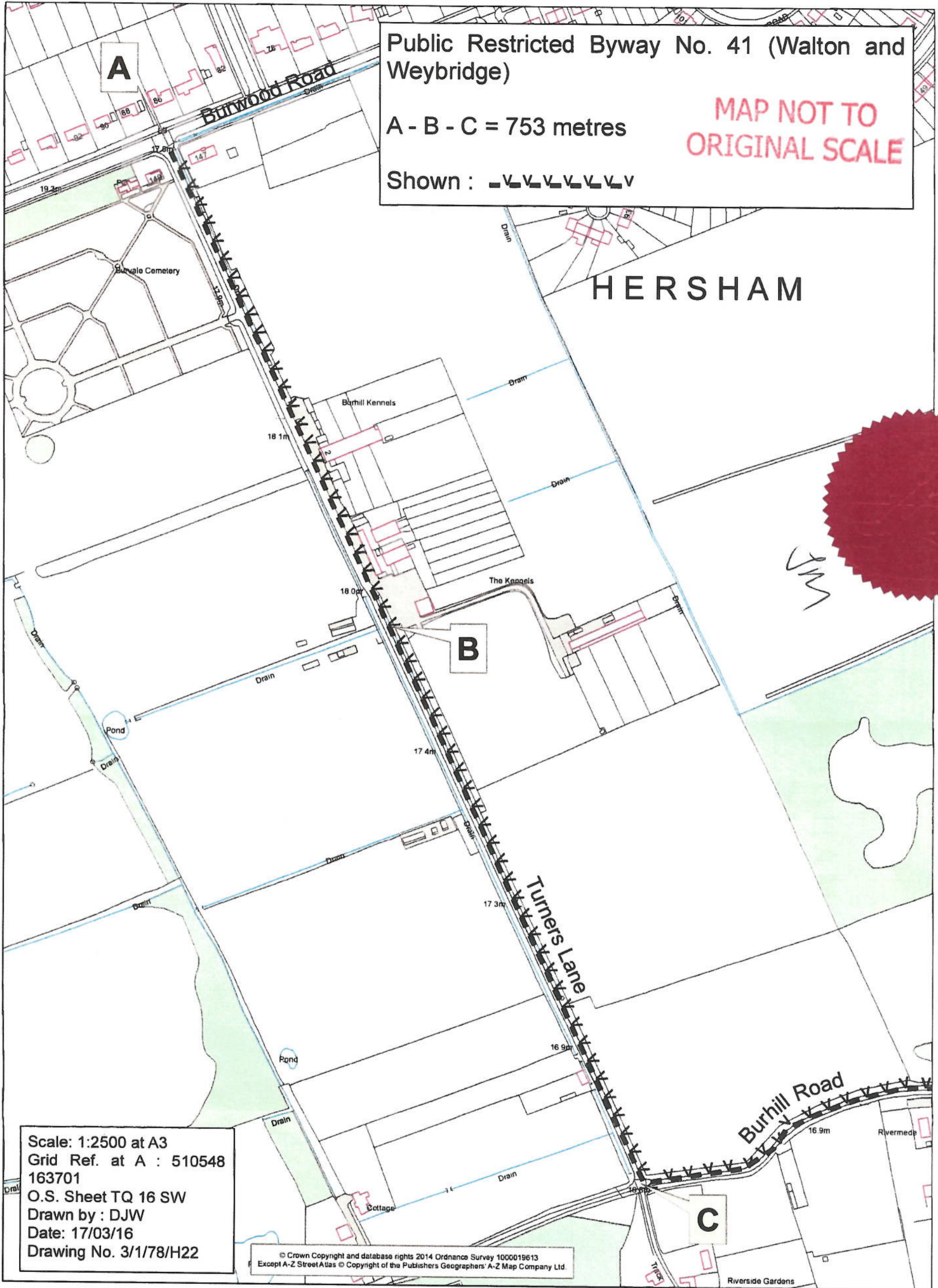
R/W No.	Status and Width	Description (Limitations in bold)	Width Fence to Fence	Condition or Surface	Remarks	Map No.
41	RB	FROM Burwood Road opposite no. 86 in a south-easterly direction:-			Map Modification Order 2016	TQ 16
	5.0-14.4m	Occupation road	5.0-14.4m	Concrete/Earth/Grass	Known as Turners Lane	
	4.2-5.6m	Occupation road	4.2-5.6m	Rough metal /Earth/Grass		
		Turns in north-easterly direction				
	4.5m-5.0m	Occupation road	4.5m-5.0m	Rough metal/Grass	Known as Burhill Road	
	5.0m-9.5m	Occupation road	5.0m-9.5m	Metalled/Grass		
		To its junction with the Access Road to Southwood Manor Farm.				

Public Restricted Byway No. 41 (Walton and Weybridge)

A - B - C = 753 metres

Shown : 

MAP NOT TO ORIGINAL SCALE



Scale: 1:2500 at A3
Grid Ref. at A : 510548
163701
O.S. Sheet TQ 16 SW
Drawn by : DJW
Date: 17/03/16
Drawing No. 3/1/78/H22

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WILDLIFE AND COUNTRYSIDE ACT 1981
MAP MODIFICATION ORDER
BOROUGH OF ELMBRIDGE
WALTON AND WEYBRIDGE



**Public Restricted Byway No. 41
(Walton and Weybridge)**

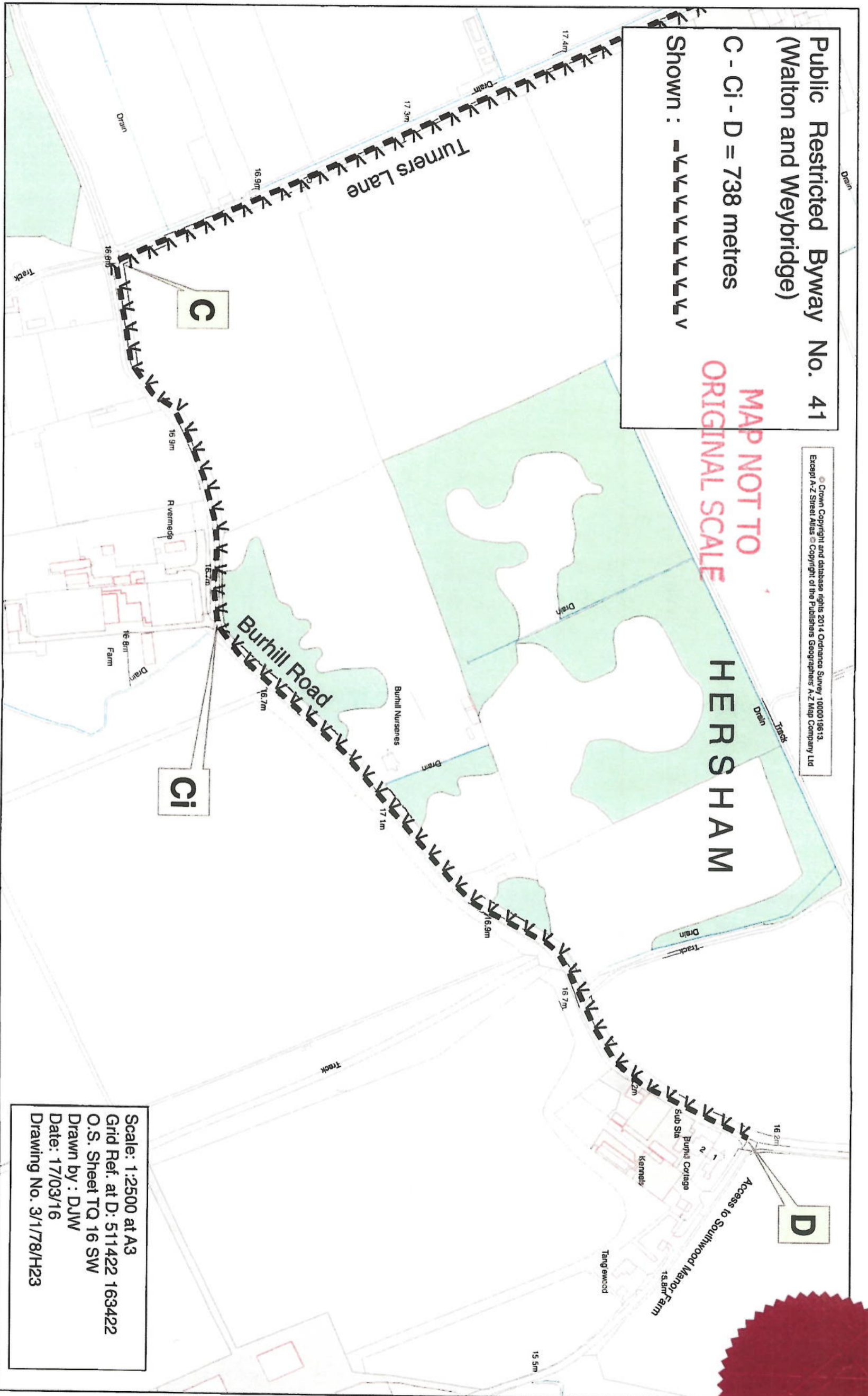
C - Ci - D = 738 metres

Shown : 

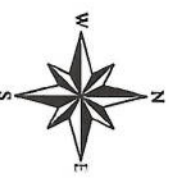
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**MAP NOT TO
ORIGINAL SCALE**

HERSHAM



Scale: 1:2500 at A3
Grid Ref. at D: 511422 163422
O.S. Sheet TQ 16 SW
Drawn by : DJW
Date: 17/03/16
Drawing No. 3/1/78/H23



**WILDLIFE AND COUNTRYSIDE ACT 1981
MAP MODIFICATION ORDER
BOROUGH OF ELMBRIDGE
WALTON AND WEYBRIDGE**



DATED 17 MARCH 2016

WILDLIFE AND COUNTRYSIDE ACT 1981
SECTION 53

THE SURREY COUNTY COUNCIL
REVISED RIGHTS OF WAY MAP
AND STATEMENT IN DEFINITIVE FORM

THE SURREY COUNTY COUNCIL
RESTRICTED BYWAY NO. 41
(WALTON AND WEYBRIDGE)
DEFINITIVE MAP MODIFICATION
ORDER 2016

SM/DW/CP549

No. in sealing
register

15290 - 15295

Ordered to
be sealed

ELM BRIDGE LOCAL COMMITTEE
7 DECEMBER 2015.

Surrey County Council