

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Norfolk County Council  
(Great Witchingham) 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 10 August 2018

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

The Inquiry will be held at **Great Witchingham Village Hall, Hubbards Loke, Great Witchingham, Norwich, Norfolk NR9 5AZ** on **Wednesday 16 January 2019** 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 a footpath from footpath Great Witchingham FP2 at grid reference TG0996 1853 and proceeding in a north easterly direction for 8 metres at a width of 3 metres to grid reference TG0996 1853, the path then proceeds through a pedestrian gate at a width of 1 metre at grid reference TG0996 1853 and then along a track between fishing lakes for 190 metres at a width of 3 metres to grid reference TG1006 1870 and then continues through a pedestrian gate at a width of 1 metre at grid reference TG1006 1870 and then proceeds in a north easterly direction for 62 metres at a width of 2 metres to grid reference TG1009 1875 and then proceeds through a pedestrian gate at grid reference TG1009 1875 for a further 11 metres at a width of 1.5 metres to join the Norfolk Trail known as Marriott's Way at grid reference TG1010 1876. Pedestrian Gates at grid reference TG0996 1853, TG1006 1870 and TG1009 1875.

Any queries relating to this Order should be referred to Jean McEntee at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5437. Email: [jean.mcentee@pins.gsi.gov.uk](mailto:jean.mcentee@pins.gsi.gov.uk) . Please quote reference number ROW/3199994 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 Norfolk County Council, County Hall, Martineau Lane, Norwich NR1 2DH during normal office hours. Telephone: 01603 224253.

As Norfolk County Council has indicated that they will not be supporting the order at Inquiry, the case for the Order will be presented by Mrs Linda Banes, Mrs P Brown and Mrs Elizabeth Wright. They will be expected to adhere to the following timetable as if they were the Council

#### **Timetable for sending in statements of case and proofs of evidence**

**Within 8 weeks of the start date by [by 5 October 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 16 November 2018]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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 19 December 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

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<sup>1</sup> 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**

**NORFOLK COUNTY COUNCIL - DEFINITIVE MAP AND STATEMENT**

**NORFOLK COUNTY COUNCIL (GREAT WITCHINGHAM)**

**MODIFICATION ORDER 2017**

This Order is made by Norfolk County Council ("the Authority") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because the Secretary of State for the Environment Food and Rural Affairs, under the powers contained in paragraph 4 (2) of Schedule 14 to the Act has directed the Authority to make such an Order because it appears to the Secretary of State for Environment Food and Rural Affairs that the Definitive Map and Statement of Public Rights of Way for the County of Norfolk ("the Definitive Map and Statement") require modification in consequence of the occurrence of events specified in Section 53 (3) (c) (i) of the Act, namely;

Section 53(3)(c)(i) - 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 such that the land over which the right subsists is a public path or a restricted byway.

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

In accordance with the direction of the Secretary of State for the Environment, Food and Rural Affairs the Norfolk County Council hereby orders that:-

1. For the purposes of this Order the relevant date is 1 July 2017
2. The Definitive Map and Statement of Public Rights of Way for the County of Norfolk shall be modified as described in Part I and Part II of the Schedule and shown on the map contained in this Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Norfolk County Council (Great Witchingham) Modification Order 2017.

## SCHEDULE

### PART I

#### Modification of the Definitive Map

##### Description of path or way to be added

Footpath (Footpath Great Witchingham FP2 to Marriott's Way) Starts from footpath Great Witchingham FP2 at grid reference TG0996 1853 (point A as shown on the map contained in this Order) and proceeds in a north easterly direction for 8 metres at a width of 3 metres to grid reference TG0996 1854 (point B as shown on the map contained in this Order) the path then proceeds through a pedestrian gate at a width of 1 metre at grid reference TG0996 1854 (point B as shown on the map contained in this Order) and then along a track between fishing lakes for 190 metres at a width of 3 metres to grid reference TG1006 1870 (point C as shown on the map contained in this Order) and then continues through a pedestrian gate at a width of 1 metres at grid reference TG1006 1870 (point C as shown on the map contained in this Order) and then proceeds in a north easterly direction for 62 metres at a width of 2 metres to grid reference TG1009 1875 (point D as shown on the map contained in this Order) and then proceeds through a pedestrian gate at grid reference TG1009 1875 (point D as shown on the map contained in this Order) for a further 11 metres at a width of 1.5 metres to join the Norfolk Trail known as Marriott's Way at grid reference TG1010 1876 (point E as shown on the map contained in this Order).

##### Limitations and Conditions:-

Pedestrian Gate at grid reference TG0996 1854 (point B as shown on the map contained in this Order)

Pedestrian Gate at grid reference TG1006 1870 (point C as shown on the map contained in this Order)

Pedestrian Gate at grid reference TG1009 1875 (point D as shown on the map contained in this Order)

## PART II

### Modification of Definitive Statement

Footpath (Footpath Great Witchingham FP2 to Marriott's Way) Starts from footpath Great Witchingham FP2 at grid reference TG0996 1853 and proceeds in a north easterly direction for 8 metres at a width of 3 metres to grid reference TG0996 1854 the path then proceeds through a pedestrian gate at a width of 1 metre at grid reference TG0996 1854 and then along a track between fishing lakes for 190 metres at a width of 3 metres to grid reference TG1006 1870 and then continues through a pedestrian gate at a width of 1 metres at grid reference TG1006 1870 and then proceeds in a north easterly direction for 62 metres at a width of 2 metres to grid reference TG1009 1875 and then proceeds through a pedestrian gate at grid reference TG1009 1875 for a further 11 metres at a width of 1.5 metres to join the Norfolk Trail known as Marriott's Way at grid reference TG1010 1876.

#### Limitations and Conditions:-

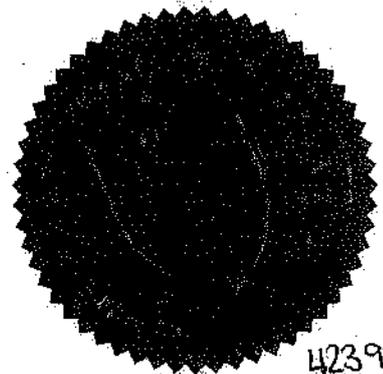
Pedestrian Gate at grid reference TG0996 1854

Pedestrian Gate at grid reference TG1006 1870

Pedestrian Gate at grid reference TG1009 1875

GIVEN under the Common Seal of Norfolk County Council on this  
*2nd* day of *August* Two Thousand and Seventeen

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



Chief Legal Officer

42396

*CWANT*

authorised to sign on behalf of Chief Legal Officer nplaw

Norfolk County Council (Great Witchingham)  
Modification Order 2017

Norfolk County Council  
County Hall  
Martineau Lane  
Norwich  
NR1 2SG



Order route Footpath (A-B-C-D-E) - - - - -

Unaffected Route - - - - -

Scale 1:2,000

MAP NOT TO  
ORIGINAL SCALE

