

# NOTICE OF ORDER

## WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Wiltshire Council  
(Parish of Urchfont) Path No. 51 Definitive Map and Statement  
Modification Order 2015

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 **24 October 2018**.

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

The Inquiry will be held at **Urchfont Village Hall, Church Lane, Urchfont, Wiltshire, SN10 4QT** on **Wednesday 24 April 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 the footpath from OS Grid Reference SU0371-5708 at its junction with road C253 at The Top Green Urchfont leading generally west for 54 metres then continuing in a general north westerly direction to OS Grid Reference SU0362-5712 in the recreation field having a width of 1.5 metres from road C253 leading westerly for approximately 54 metres continuing with a width of 2 metres to OS Grid Reference SU0362-5712 with the limitation or condition of gates at OS Grid References SU0371-5708 and SU0366-5707.

Any queries relating to this Order should be referred to Helen Sparks 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 5646. Email: [helen.sparks@pins.gsi.gov.uk](mailto:helen.sparks@pins.gsi.gov.uk). Please quote reference number ROW/3201717 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, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, BA14 8JN (9.30hrs – 17.00hrs weekdays). To arrange a viewing, please contact Ms Sally Madgwick on Telephone Number 01225 713392.

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

#### **Within 8 weeks of the start date by [by 19 December 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 30 January 2019]**

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 27 March 2019]**

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**

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

**THE WILTSHIRE COUNCIL (PARISH OF URCHFONT) PATH NO.51 DEFINITIVE  
MAP AND STATEMENT MODIFICATION ORDER 2015**

This Order is made by the Wiltshire Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Devizes 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)(b) of the Act, namely the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path or restricted byway.

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 6<sup>th</sup> October 2015.
- 2) The Devizes 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 Urchfont) Path no.51 Definitive Map and Statement Modification Order 2015.

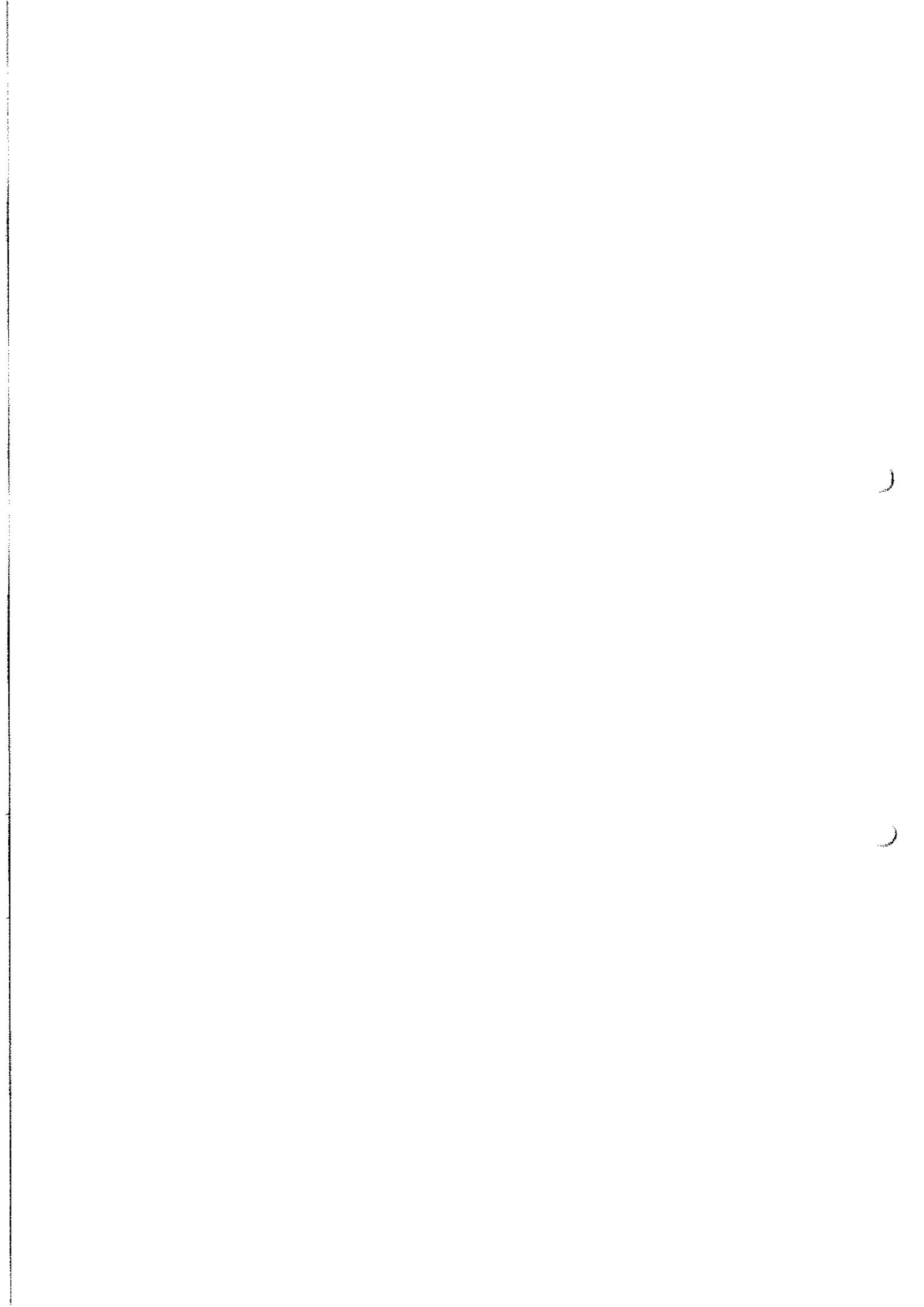
**SCHEDULE**

**PART I**

**Modification of Definitive Map**

**Description of footpath to be added**

That length of footpath as shown by a broken black line on the attached plan, leading from point A at OS Grid Reference SU 0371-5708, at its junction with road C253 at the Top Green leading generally west for approximately 54 metres to point B at OS Grid Reference SU 0366-5707 continuing in a general north westerly direction for approximately 64 metres, to point C at OS Grid Reference SU 0362-5712 in the recreation field, having a width of 1.5 metres between points A and B and 2 metres between points B and C.



**PART II**  
**Modification of Definitive Statement**

**Variation of particulars of footpath**

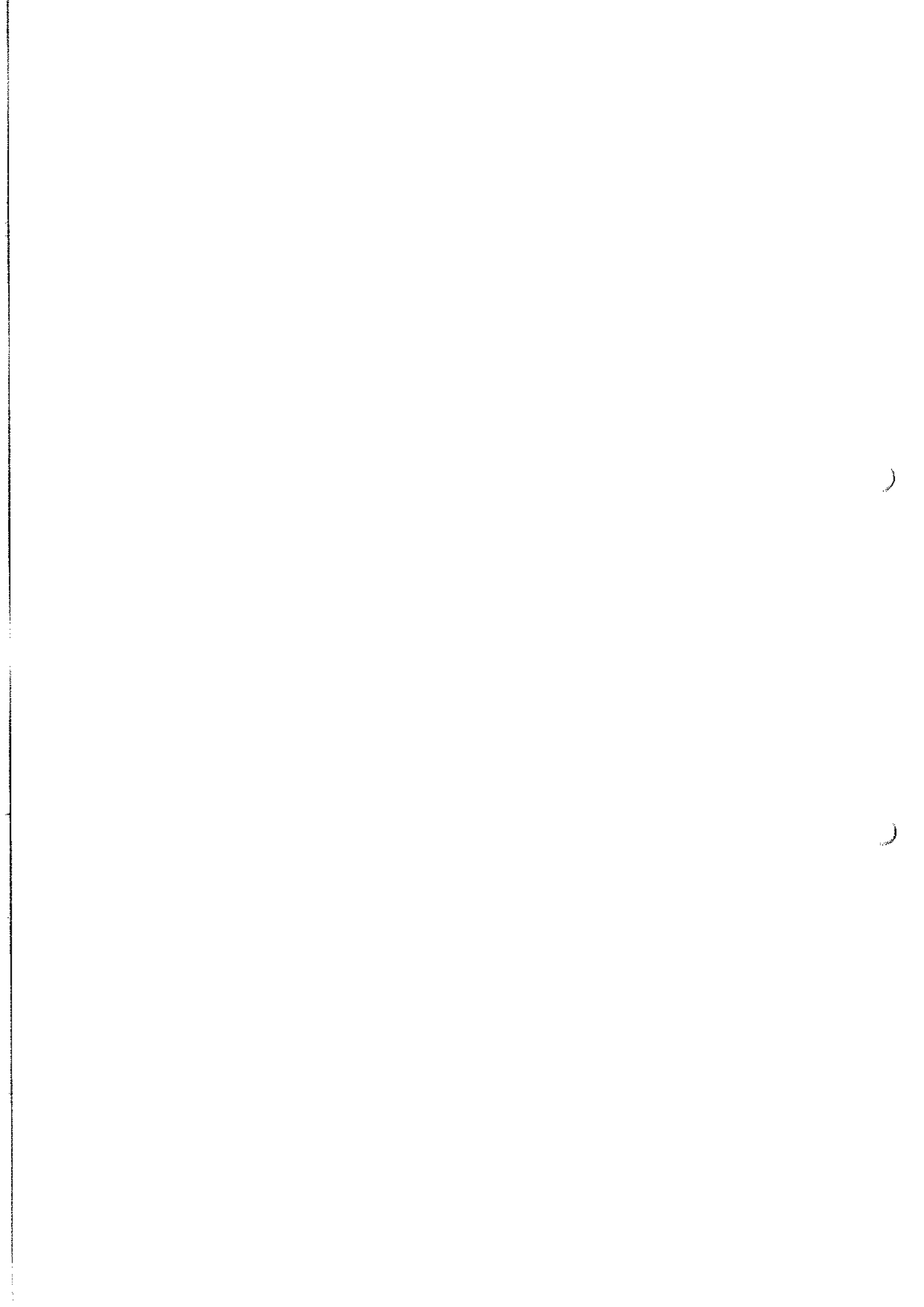
<u>Parish</u>	<u>Path No.</u>	<u>Modified Statement to read:-</u>	<u>Modified under Section 53(3) as specified</u>
Urchfont	51	<p><u>FOOTPATH.</u> From its junction with the C253 road at The Top Green at OS Grid Reference SU 0371-5708, leading generally west for approximately 54 metres, to OS Grid Reference SU 0366-5707, before leading generally north-west for approximately 64 metres to OS Grid Reference SU 0362-5712 in the recreation field</p> <p>Approximate length: 118 metres. Width: 1.5 metres between OS Grid Reference SU0371-5708 and SU0366-5707 and 2 metres between OS Grid Reference SU0366-5707 and SU0362-5712</p> <p>Limitation or condition affecting the right of way: Gates at OS Grid Reference SU0371-5708 and SU0366-5707.</p>	53(3)(b)

THE COMMON SEAL OF }  
THE WILTSHIRE COUNCIL }  
was hereunto affixed this }  
6<sup>th</sup> day of October 2015 }  
in the presence of:



*M. E. Jackson*

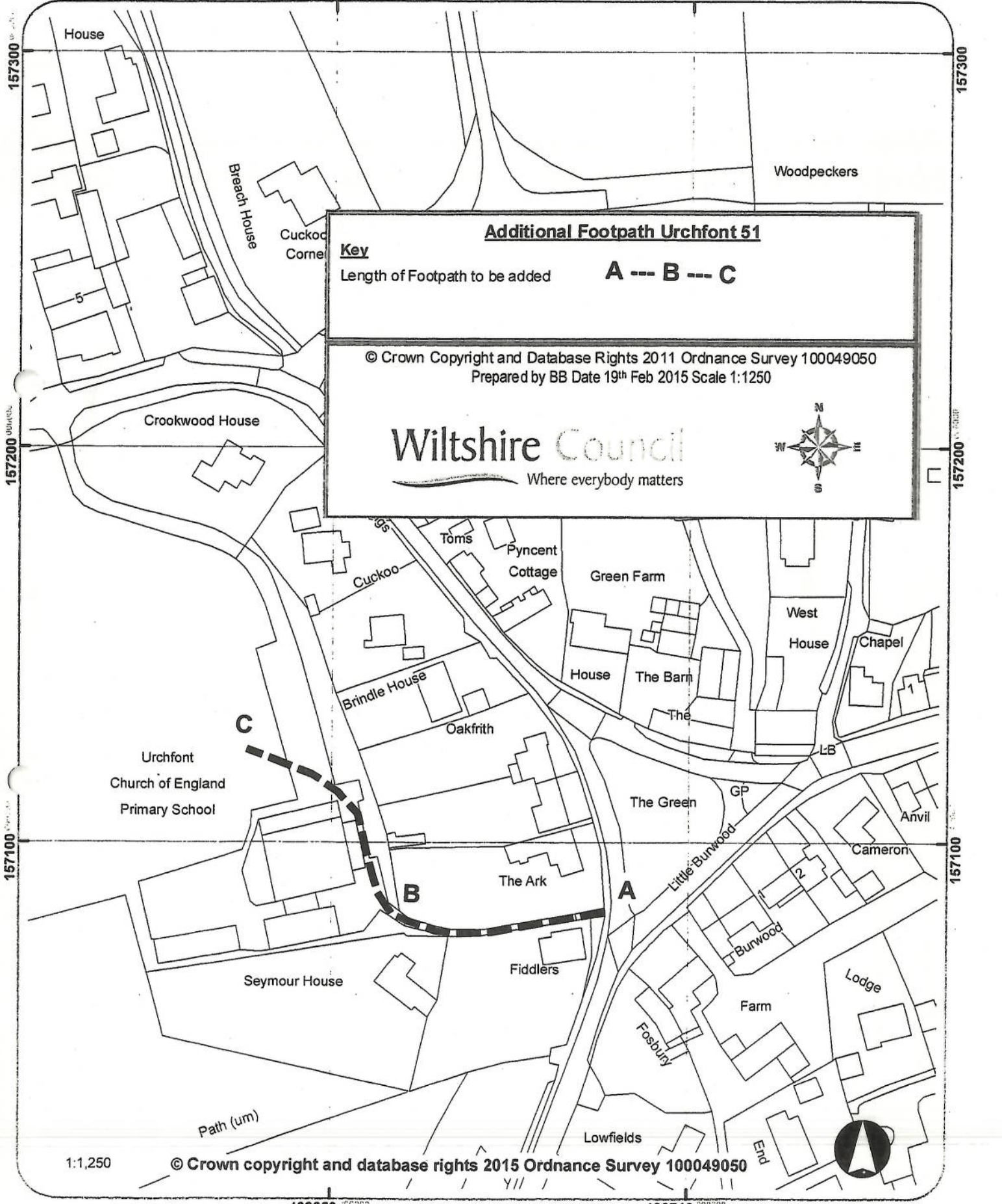
82105



MAP NOT TO  
ORIGINAL SCALE

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403740 000000



**Additional Footpath Urchfont 51**

**Key**  
Length of Footpath to be added     **A --- B --- C**

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Prepared by BB Date 19<sup>th</sup> Feb 2015 Scale 1:1250

**Wiltshire Council**  
Where everybody matters

1:1,250

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