

NOTICE OF ORDER

Highways Act 1980 – Section 118A

Moor Lane (Footpath 18 Spelthorne) Rail Crossing Extinguishment Order 2019

Notice is hereby given that the above referenced Order has been made by the Secretary of State for Environment, Food and Rural Affairs and is for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **18 August 2020**

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

The Inquiry will be on Tuesday 19 January 2021 at 10.00am.

The effect of the Order, if confirmed without modifications, will be to extinguish public footpath 18 Parish of Staines commencing at its junction with public footpaths 17 and 19 south east of Cambridge Kennels at grid reference X:502727.58477, Y:172886.25964 and proceeding in a generally south-south-easterly direction on the eastern side of the railway grid reference X:502752.72024, Y:172791.67091 then crossing the railway in a south-south-westerly direction on the western side of the railway grid reference X:502745.44418, Y:172770.50420, then proceeding in a south-south-westerly then south-south-easterly direction opposite 'The Swan' public house on Moor Lane grid reference X:502742.79834, Y:172695.75926. The length of public footpath 18, Parish of Staines is 187 metres.

Any queries relating to this Order should be referred to Yvonne Oddy 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 5463. Email: yvonne.oddy@planninginspectorate.gov.uk. Please quote reference number ROW/3207992 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so Monday to Friday at the Countryside Access Office, Surrey County Council, Merrow Depot, Merrow Lane, Guildford, GU4 7BQ (by appointment Tel: 0300 200 1003).

As this Order has been made by the Secretary of State, the case for the Order will be presented by Network Rail. They will be expected to adhere

to the following timetable as if they were Surrey County Council (the Authority).

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by 13 October 2020

Network Rail and Surrey County Council 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 Surrey County Council's offices) to everyone who has made an objection or representation and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date 24 November 2020

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 Network Rail and Surrey County Council, 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 Surrey County Council's offices).

4 weeks before the date of the inquiry 22 December 2020

Network Rail and Surrey County Council, everyone who has made an objection or representation, 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) Network Rail and Surrey County Council's proof of evidence to everyone who has made an objection or representation and anyone who has submitted a statement of case (including copies of any supporting documents - although none should be submitted with a proof of evidence);
- ii) all other proofs of evidence to Network Rail and Surrey County Council, everyone who has made an objection or representation and anyone else who has submitted a statement of case (including copies of any supporting documents - although none should not be submitted with a proof of evidence).

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.

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 inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry

HIGHWAYS ACT 1980, SECTIONS 118A AND 120(3)
(FOOTPATH 18, PARISH OF STAINES) BOROUGH OF SPELTHORNE,
SURREY RAIL CROSSING EXTINGUISHMENT ORDER 2019

This Order is made by the Secretary of State for Environment, Food and Rural Affairs ("the Secretary of State") under sections 118A and 120(3) of the Highways Act 1980.

The footpath described in paragraph 1 of this Order crosses a railway otherwise than by a tunnel or bridge.

It appears to the Secretary of State that it is expedient in the interests of the safety of members of the public using, or likely to use, the said footpath that it should be stopped up.

All local authorities have been consulted as required by section 120(2) of the 1980 Act.

The Secretary of State has required the operator of the railway to enter into an agreement with the highway authority to defray any expenses which are incurred in the erection or maintenance of barriers and signs.

The map attached to the order shows alternative highways by dashed black lines.

BY THIS ORDER:

The public right of way over the land situate, in the Parish of Staines, in the Borough of Spelthorne in the County of Surrey shown by a bold continuous line on the map attached to this Order and described in the Schedule hereto shall be extinguished after 28 days from the date of confirmation of this Order.

SCHEDULE

DESCRIPTION OF SITE OF RIGHT OF WAY TO BE EXTINGUISHED

The entirety of the length and width of public Footpath 18, Parish of Staines commencing at point D at its junction with public Footpaths 17 and 19 south east of Cambridge Kennels at grid reference X: 502727.58477

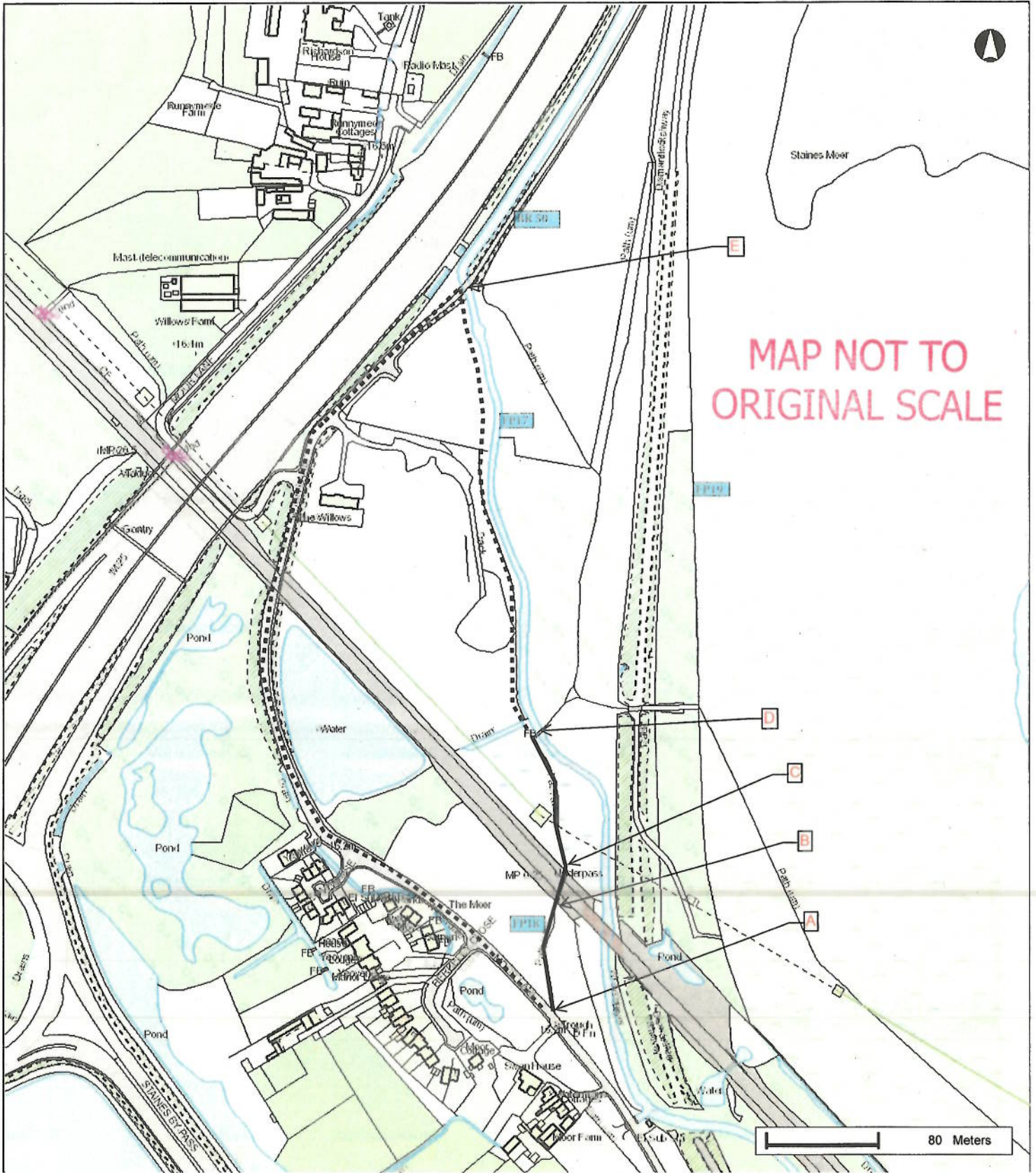
Y: 172886.25964 and proceeding in a generally south-south-easterly direction to point C on the eastern side of the railway grid reference X:502752.72024, Y:172791.67091 then crossing the railway in a south-south-westerly direction to point B on the western side of the railway grid reference X: 502745.44418, Y: 172770.50420, then proceeding in a south-south-westerly then south-south-easterly direction to point A opposite 'The Swan' public house on Moor Lane grid

reference X: 502742.79834, Y: 172695.75926. The length of public Footpath 18, Parish of Staines, is 187 metres.

Dated the day of 2019

Stuart Reid

An official in the Planning Inspectorate



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Scale 1 : 2,500

Legend

- **BLACK BOLD LINE** - path to be extinguished
- - **BLACK DASHED LINE** - alternative route

A:	B:	C:	D:	E:
Junction of Moor Lane and Footpath 18 X: 502742.79834 Y: 172695.75926	X: 502745.44418 Y: 172770.50420	X: 502752.72024 Y: 172791.67091	Junction of Footpath 17 and Footpath 18/ Footpath 19 X: 502727.58477 Y: 172886.25964	Junction of Bridleway 50 and Footpath 17

Footpath 18 Staines/Moor Lane level crossing Order Plan

A copy of the Order and Order map may be seen free of charge at the Countryside Access Office, Surrey County Council, Merrow Depot, Merrow Lane, Guildford GU4 7BQ (by appointment Tel 0300 2001003)