

NOTICE OF ORDER

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

East Hertfordshire District Council
Buntingford No. 12 Diversion 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 17 May 2016.

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

The Inquiry will be held at **Buntingford Manor House, 21 High Street, Buntingford SG9 9AB** on **Tuesday 18 October 2016** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to divert Buntingford Footpath 12 from TL 3658 2959 running generally south east to Hare Street Road at TL 3678 2942 to a new alignment commencing at a junction with Buntingford Footpath 12 at TL 3658 2959 and running generally east north east for approximately 10 metres to TL 3659 2959 then running generally south then east, along the southern footway of the new estate road for approximately 60 metres to TL 3663 2958. Then continuing generally south through the open space adjacent to the playground for approximately 100 metres to TL 3666 2951. Then crossing the new estate road and running generally south east along the north eastern footway for approximately 120 metres to TL 3676 2945 then crossing the new estate road and continuing generally south east, south and south west for approximately 50 metres to a junction with Hare Street Road at TL 3677 2941 as shown on the Order Plan.

Any queries relating to this Order should be referred to Jean McEntee 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 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number FPS/J1915/5/1 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 East Herts District Council, Wallfields, Pegs Lane, Hertford, Herts SG13 8EQ between the hours of 9am and 5pm. Telephone: 01279 655261 ext. 2172.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 12 July 2016]

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, although 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 23 August 2016]

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 copies to the Authority, 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, although 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 copy to the Authority, 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, although these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 20 September 2016]

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

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.

PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
EAST HERTFORDSHIRE DISTRICT COUNCIL
BUNTINGFORD No. 12
DIVERSION ORDER 2015

This Order is made by East Hertfordshire District Council ('the authority') under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely:

Reference APP/J1915/A/13/2205581: the erection of up to 160 dwellings with associated garages, car parking, public open space, children's play area, landscaping, diversion of footpath, pumping station with associated works and new vehicular, pedestrian and cyclist accesses; and the provision of allotments and the change of use of land for a cemetery with associated accesses, car parking and landscaping.

BY THIS ORDER

1. The footpath over the land shown by a bold black line on the attached plan ('the Order Plan') and described in Part 1 of the Schedule to this Order ('the Schedule') shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of East Hertfordshire District Council an alternative highway for the use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached Order Plan.
3. The diversion of the footpath shall have effect on the date on which East Hertfordshire District Council certify that the terms of Article 2 have been complied with.
4. Where immediately before the date on which the Buntingford No. 12 Footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of site of existing path or way

The full width of that part of Buntingford Footpath 12 commencing at TL 3658 2959 (Point A on the Order Plan) and running generally south east for approximately 275 metres to a junction with Hare Street Road at TL 3678 2942 (Point B on the Order Plan).

PART 2

Description of site of alternative highway

A public Footpath commencing at a junction with Buntingford Footpath 12 at TL 3658 2959 (Point A on the Order Plan) and running generally east north east for approximately 10 metres to TL 3659 2959 (Point C on the Order Plan) then running generally south then east, along the southern footway of the new estate road for approximately 60 metres to TL 3663 2958 (Point D on the Order Plan). Then continuing generally south through the open space adjacent to the playground for approximately 100 metres to TL 3666 2951 (Point E on the Order Plan). Then crossing the new estate road and running generally south east along the north eastern footway for approximately 120 metres to TL 3676 2945 (Point F on the Order Plan) then crossing the new estate road and continuing generally south east, south and south west for approximately 50 metres to a junction with Hare Street Road at TL 3677 2941 (Point G on the Order Plan).

Width: 2 metres between TL 3658 2959 (Point A on the Order Plan) and TL 3663 2958 (Point D on the Order Plan)
4 metres between TL 3663 2958 (Point D on the Order Plan) and TL 3666 2951 (Point E on the Order Plan)
2 metres between TL 3666 2951 (Point E on the Order Plan) and TL 3677 2941 (Point G on the Order Plan)

Limitations: None

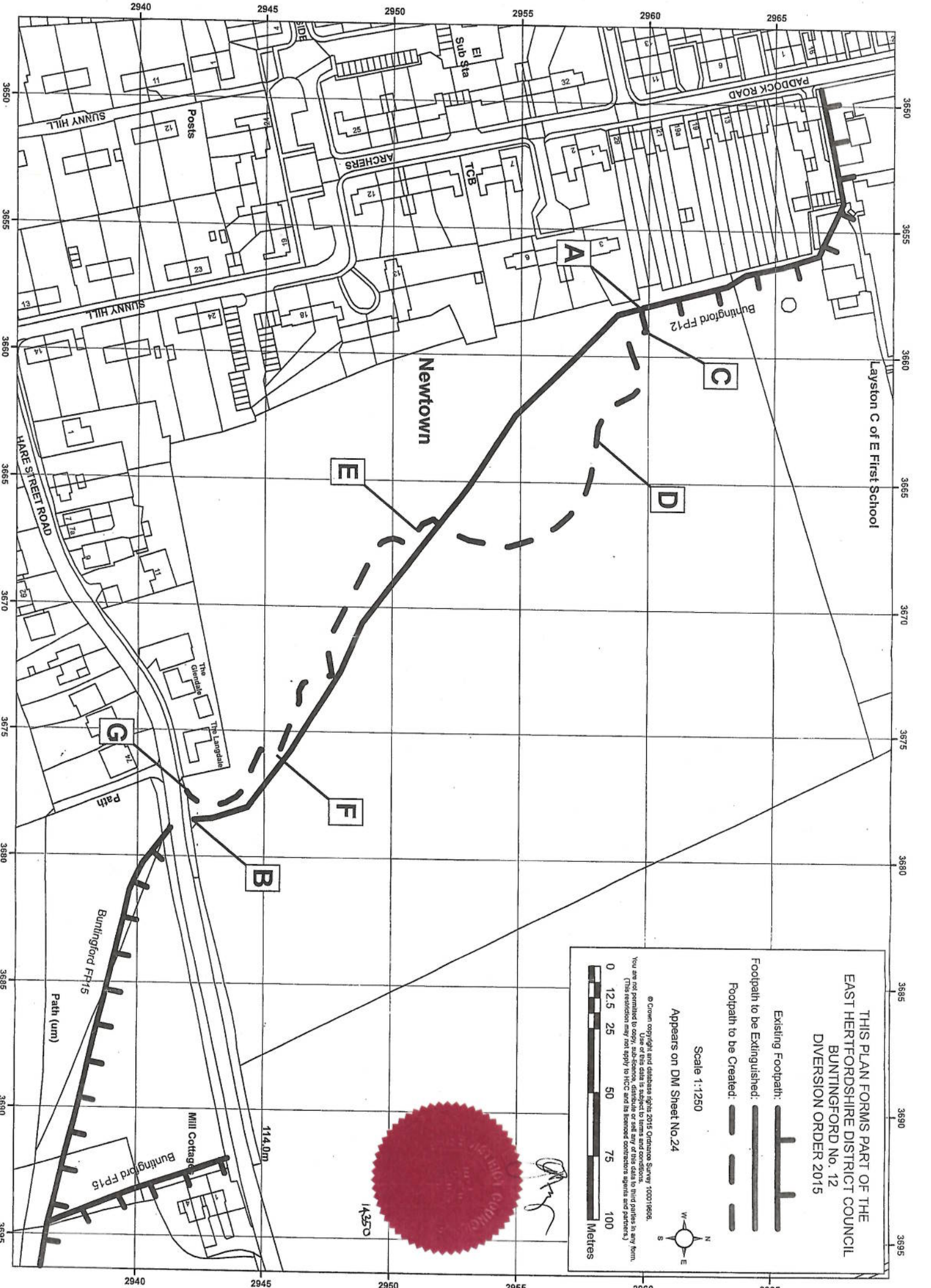
IN WITNESS whereof the COMMON SEAL of EAST HERTFORDSHIRE DISTRICT COUNCIL was hereunto affixed this 26 day of NOVEMBER 2015

The Common Seal of
EAST
HERTFORDSHIRE
DISTRICT COUNCIL
was hereunto affixed
in the presence of:-



Jeff Hughes
Head of Democratic and Legal Support Services





THIS PLAN FORMS PART OF THE
 EAST HERTFORDSHIRE DISTRICT COUNCIL
 BUNTINGFORD No. 12
 DIVERSION ORDER 2015

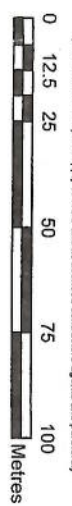
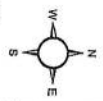
Existing Footpath:

Footpath to be Extinguished:

Footpath to be Created:

Scale 1:1250

Appears on DM Sheet No 24



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[Handwritten signature]
 14,350

114.0m

Mill Cottage
 Buntingsford FP15

Buntingsford FP15

Path (um)

Path

Newtown

Layston C of E First School

Buntingsford FP12

C

D

E

F

B

G

The Langdale
 The Glendale

HARE STREET ROAD

SUNNY HILL

ARCHERS

Sub Sta

PADDOCK ROAD

