

# **NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53**

Lincolnshire County Council  
Amendment of Lindsey County Council (Rural District of Horncastle)  
Definitive Maps and Statement Addition of Coningsby Footpath No.1124,  
Definitive Map Modification Order 2016  
From School Lane / Laythorpe Gardens to Dogdyke Road in the Parish of  
Coningsby

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 **06 February 2018**.

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

The Inquiry will be held at **Coronation Hall, Spa Road, Woodhall Spa, Lincolnshire LN10 6PZ** on **25 July 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 to them that part of Public Footpath No. 1124 in the parish of Coningsby commencing at the junction of School Lane and Laythorpe Gardens at Ordnance Survey Grid Reference TF 2231 5781 (Point A) and running in a generally south westerly direction for approximately 30 metres and then in a generally south-south easterly direction for approximately 3.5 metres to reach a stile (limitation) at TF 2229 5778 (Point B). The path continues in a generally south-south easterly direction for a further 23 metres to TF 2230 5776 (Point C) where the path reaches Providence Place. The path then runs in a generally south-south westerly direction for approximately 36 metres to TF 2229 5772 (Point D), then turns and runs in a generally westerly direction for approximately 8 metres to TF 2228 5772 (Point E). The path then runs in a generally southerly direction for approximately 35 metres, crossing over the highway known as "Orchard Way", to TF 2229 5768 (Point F). The path then runs in a generally south-south westerly direction for a distance of approximately 31 metres to TF 2228 5765 (Point G), where the path enters the north east corner of a field. The path continues in a generally south-south westerly direction for a distance of approximately 34 metres to TF 2227 5762 (Point H), where the footpath passes through a narrow gap (1 metre wide) in a hedge. The path continues in a generally south-south westerly direction for a further 48.5 metres to TF 2225 5758 (Point I). The footpath then runs in a generally east south easterly direction for a distance of approximately 17.5 metres, ascending three steps to meet Dogdyke Road at TF 2227 5756 (Point J).

The total length of the footpath is approximately 266.5 metres and is shown between points "A-B-C-D-E-F-G-H-I-J" on drawing number 2015/012/DMMO/182/A4.

The footpath is 2 metres wide, with the following exceptions: 2.3 metres at Point B (stile); the path narrows to 1.25 metres at the south eastern corner of the property known as 14 Providence Place at Ordnance Survey Grid Reference TF 2229 5777; 1.3 metres between TF 2229 5773 and TF 2228 5772 (from Providence Place to the publicly maintainable highway Orchard Way); 1.8 metres between TF 2228 5770 and TF 2229 5768 (from the southern edge of Orchard Way to Point F); 1 metre at Point H (gap in hedge) and 1.5 metres between Points I and J. The footpath is subject to the limitation of a stile at TF 2229 5778.

Any queries relating to this Order should be referred to Tara Davies 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 4445779. Email: tara.davies@pins.gsi.gov.uk. Please quote reference number ROW/3174677 on all correspondence.

Any person wishing to view the statements of case and other documents relating to these Orders may do so by appointment at the Definitive Map Office, Rights of Way and Countryside Access, Lincolnshire County Council, Unit 7, Witham Park House, Waterside South, Lincoln, LN5 7JN during normal office hours. Appointments should be made to that office, Tel: 01522 782070.

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

#### **Within 8 weeks of the start date by [by 03 April 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 15 May 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

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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.

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 June 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.

WILDLIFE AND COUNTRYSIDE ACT 1981

LINCOLNSHIRE COUNTY COUNCIL

AMENDMENT OF LINDSEY COUNTY COUNCIL

(RURAL DISTRICT OF HORNCastle)

DEFINITIVE MAP AND STATEMENT

(ADDITION OF CONINGSBY PUBLIC FOOTPATH NUMBER 1124)

DEFINITIVE MAP MODIFICATION ORDER 2016

This Order is made by Lincolnshire County Council ('the Authority') under section 53(2)(b) of the Wildlife and Countryside Act 1981 ('the Act') because it appears to the Authority that the Definitive Map and Statement for Lindsey County Council (Rural District of Horncastle) require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) of the Act, namely the discovery of evidence which when considered with all other relevant evidence available 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 footpath.

The Authority has consulted with every Local Authority whose area includes the land to which this Order relates.

1. For the purpose of this Order the relevant date is 8 February 2016
2. The Lindsey County Council (Rural District of Horncastle) Definitive Map and Statement 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 Lincolnshire County Council, Amendment of Lindsey County Council (Rural District Of Horncastle) Definitive Map and Statement (Addition of Coningsby Public Footpath Number 1124) Definitive Map Modification Order 2016



## SCHEDULE

### PART I

#### Modification of Definitive Map

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

##### Coningsby - Public Footpath No.1124

In the parish of Coningsby, a public footpath commencing at the junction of School Lane and Laythorpe Gardens at Ordnance Survey Grid Reference TF 2231 5781 (Point A) and running in a generally south westerly direction for approximately 30 metres and then in a generally south south easterly direction for approximately 3.5 metres to reach a stile (limitation) at TF 2229 5778 (Point B). The path continues in a generally south south easterly direction for a further 23 metres to TF 2230 5776 (Point C) where the path reaches Providence Place. The path then runs in a generally south south westerly direction for approximately 36 metres to TF 2229 5772 (Point D), then turns and runs in a generally westerly direction for approximately 8 metres to TF 2228 5772 (Point E). The path then runs in a generally southerly direction for approximately 35 metres, crossing over the highway known as "Orchard Way", to TF 2229 5768 (Point F). The path then runs in a generally south south westerly direction for a distance of approximately 31 metres to TF 2228 5765 (Point G), where the path enters the north east corner of a field. The path continues in a generally south south westerly direction for a distance of approximately 34 metres to TF 2227 5762 (Point H), where the footpath passes through a narrow gap (1 metre wide) in a hedge. The path continues in a generally south south westerly direction for a further 48.5 metres to TF 2225 5758 (Point I). The footpath then runs in a generally east south easterly direction for a distance of approximately 17.5 metres, ascending three steps to meet Dogdyke Road at TF 2227 5756 (Point J). The total length of the footpath is approximately 266.5 metres and is shown between points "A-B-C-D-E-F-G-H-I-J" on drawing number 2015/012/DMMO/182/A4.

The footpath is 2 metres wide, with the following exceptions: 2.3 metres at Point B (stile); the path narrows to 1.25 metres at the south eastern corner of the property known as 14 Providence Place at Ordnance Survey Grid Reference TF 2229 5777; 1.3 metres between TF 2229 5773 and TF 2228 5772 (from Providence Place to the publicly maintainable highway Orchard Way); 1.8 metres between TF 2228 5770 and TF 2229 5768 (from the southern edge of Orchard Way to Point F); 1 metre at Point H (gap in hedge) and 1.5 metres between Points I and J.

The footpath is subject to the limitation of a stile at TF 2229 5778.

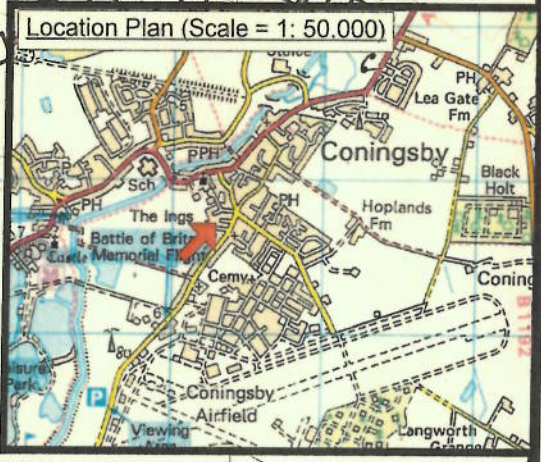






MAP NOT TO ORIGINAL SCALE

No. in Seal 2019275 Book

THE COMMON SEAL of LINCOLN COUNTY COUNCIL was hereunto annexed in the presence of:  
*Andrews*  
Authorised Officer



**Key:**  
Footpath to be added (A-B-C-D-E-F-G-H-I-J)   
Unaffected Public Footpath 

**Lincolnshire**  
COUNTY COUNCIL  
Drn. AHB Date 21/11/2015

**Coningsby Public Footpath No.1124**  
from School Lane / Laythorpe Gardens  
to Dogdyke Road

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Public Rights of Way & Countryside Access  
R A Wills  
Executive Director for Environment & Economy  
County Offices, Newland, Lincoln, LN1 1YL.

**Scale: 1 : 2,500**  
**Drawing No: 2015/012/DMMO/182/A4**



## PART II

### Modification of Definitive Statement

#### Particulars to be added to the Definitive Statement:

##### Coningsby - Public Footpath No. 1124

In the parish of Coningsby, a public footpath commencing at the junction of School Lane and Laythorpe Gardens at Ordnance Survey Grid Reference TF 2231 5781 and running in a generally south westerly direction for approximately 30 metres and then in a generally south south easterly direction for approximately 3.5 metres to reach a stile (limitation) at TF 2229 5778. The path continues in a generally south south easterly direction for a further 23 metres to TF 2230 5776 where the path reaches Providence Place. The path then runs in a generally south south westerly direction for approximately 36 metres to TF 2229 5772, then turns and runs in a generally westerly direction for approximately 8 metres to TF 2228 5772. The path then runs in a generally southerly direction for approximately 35 metres, crossing over the highway known as "Orchard Way", to TF 2229 5768. The path then runs in a generally south south westerly direction for a distance of approximately 31 metres to TF 2228 5765, where the path enters the north east corner of a field. The path continues in a generally south south westerly direction for a distance of approximately 34 metres to TF 2227 5762, where the footpath passes through a narrow gap (1 metre wide) in a hedge. The path continues in a generally south south westerly direction for a further 48.5 metres to TF 2225 5758. The footpath then runs in a generally east south easterly direction for a distance of approximately 17.5 metres, ascending three steps to meet Dogdyke Road at TF 2227 5756. The total length of the footpath is approximately 266.5 metres.

The footpath is 2 metres wide, with the following exceptions: 2.3 metres at Ordnance Survey Grid Reference TF 2229 5778 (stile); the path narrows to 1.25 metres at the south eastern corner of the property known as 14 Providence Place at TF 2229 5777; 1.3 metres between TF 2229 5773 and TF 2228 5772 (from Providence Place to the publicly maintainable highway Orchard Way); 1.8 metres between TF 2228 5770 and TF 2229 5768; 1 metre at TF 2227 5762 (gap in hedge) and 1.5 metres between TF 2225 5758 and TF 2227 5756.

The footpath is subject to the limitation of a stile at TF 2229 5778.

Given under the Common Seal of Lincolnshire County Council this <sup>th</sup> 8 day  
of February Two thousand and sixteen

THE COMMON SEAL of )  
LINCOLNSHIRE COUNTY COUNCIL )  
was hereunto affixed in the )  
presence of :- )  
*Andrews*  
Authorised Officer

No. in Seal  
2019275  
Book



DATED 8 February 2016

WILDLIFE AND COUNTRYSIDE ACT 1981  
LINCOLNSHIRE COUNTY COUNCIL  
AMENDMENT OF LINDSEY COUNTY COUNCIL  
(RURAL DISTRICT OF HORNCastle)  
DEFINITIVE MAP AND STATEMENT  
(ADDITION OF CONINGSBY PUBLIC FOOTPATH NUMBER 1124)  
DEFINITIVE MAP MODIFICATION ORDER 2016

Legal Services Lincolnshire

County Offices

Lincoln