

**NOTICE OF ORDER**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**SECTION 53**

Somerset County Council  
(No 1) Modification Order, 2015. Parish of High Ham

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 **6 February 2017**.

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

The Inquiry will be held at **Othery Village Hall, Fore Street, Othery, Somerset, TA7 0QU** on **Tuesday 18 July 2017** 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:

Deleting footpath L 12/33 which starts at the County Road known as Turn Hill Lane (point A as shown on the order plan) and runs in a generally south westerly direction for approximately 520 metres to the parish boundary at point B.

Any queries relating to this Order should be referred to Helen Sparks 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 5646. Email: [helen.sparks@pins.gsi.gov.uk](mailto:helen.sparks@pins.gsi.gov.uk) Please quote reference number FPS/G3300/7/97 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 Somerset County Council, Rights of Way Department, B2W, County Hall, Taunton, Somerset, TA1 4DY. To arrange a viewing, please contact Mr Stuart Lloyd on Telephone Number 01823 356944.

As the Authority has indicated that it will not be supporting the Order at the Inquiry, the case for the Order will be presented by Mrs M Masters. She will be expected to adhere to the following timetable as if she were the Authority.

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

**Within 8 weeks of the start date [by 3 April 2017]**

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 2017]**

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 20 June 2017]**

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 COUNTY OF SOMERSET DEFINITIVE  
MAP AND STATEMENT**

**The Somerset County Council  
(No. 1) Modification Order, 2015**

**Parish of High Ham**

This Order is made by the Somerset County Council under section 53(2) and schedule 15 of the Wildlife and Countryside Act 1981 ("the Act"), because the Secretary of State has directed under paragraph 4(2) of Schedule 14 to the Act that the County of Somerset Definitive Map and Statement require modification in the consequence of an event specified in Section 53(3)(c)(iii) namely the discovery of evidence which shows that there is no public right of way over land shown in the map and statement as a highway of any description or any other particulars contained in the map and statement.

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

The Somerset County Council hereby orders that:

- 1) For the purpose of this order the relevant date is 13<sup>th</sup> February 2015.
- 2) The County of Somerset Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the plan attached to the Order.
- 3) The Order shall take effect on the date it is confirmed and may be cited as The Somerset County Council (No. 1) Modification Order, 2015.

Dated 13<sup>th</sup> February 2015

THE COMMON SEAL of the  
COUNTY COUCIL OF SOMERSET  
Was hereunto affixed in  
The presence of:



*R. A. Hockey*  
Authorised Officer

Number in Register *26473*

## **SCHEDULE**

### **PART 1**

#### **MODIFICATION OF THE DEFINITIVE MAP**

##### **Description of path or way to be deleted**

Footpath L 12/33 starts at the County Road known as Turn Hill Lane (point A as shown on the order plan) and runs in a generally south westerly direction for approximately 520 metres to the parish boundary at point B.

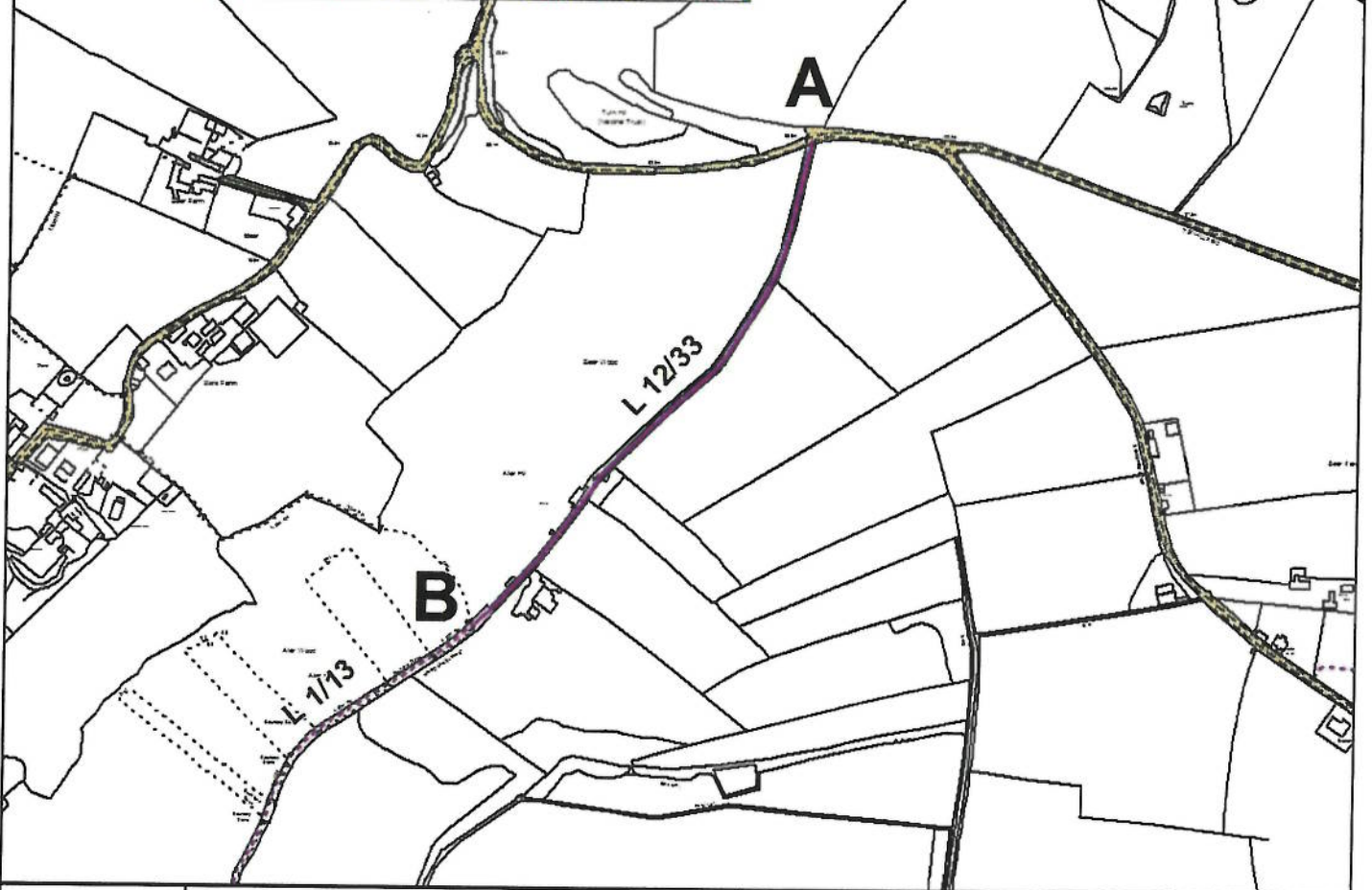
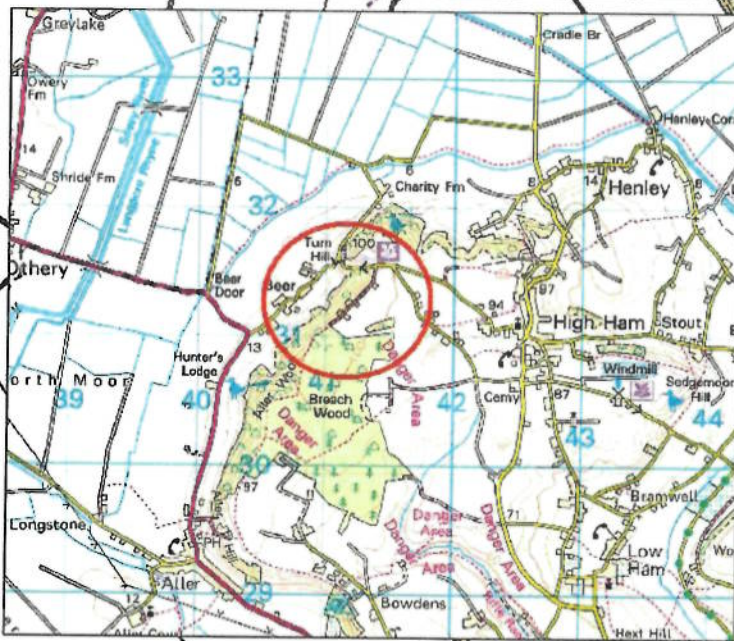
### **PART II**


#### **MODIFICATION OF THE DEFINITIVE STATEMENT**

##### **Description of path or way to be deleted**

Footpath L 12/33 starts at the County Road known as Turn Hill Lane and runs in a generally south westerly direction for approximately 520 metres to the parish boundary.





	<b>664M</b>	Wildlife and Countryside Act 1981 The Somerset County Council (No. 1) Modification Order, 2015 Parish of High Ham
	Parish: High Ham District: South Somerset Date: 10/02/2015 Drawing No: H008-2015 Drawn By: MHardwill Centre Grid Ref: ST 413 315 Scale: 1:1500	

The precise line of a Right of Way can only be determined by reference to the Definitive Map (1:10560 scale) and the attached plan has been produced by transposing the Rights of Way Definitive Map onto a larger scale. The County Council can accept no responsibility for any error or inaccuracy which may arise from the transposition of the Rights of Way Definitive Map to a different scale.

DATED 13<sup>th</sup> February 2015

WILDLIFE AND COUNTRYSIDE ACT 1981

THE SOMERSET COUNTY COUNCIL

(NO. 1) MODIFICATION ORDER, 2015

PARISH OF HIGH HAM