

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Hertfordshire County Council  
(Much Hadham 41 and 60) Modification Order 2016

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 December 2016.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by:-

Adding a Restricted Byway commencing at a junction with Bucklers Hall Road (public road) at TL 4418 1774 (point A on the order plan) running generally east south east for approximately 210 metres to a junction with Much Hadham BOAT 46 and Much Hadham 41 at TL 4436 1767 (point B on the order plan), and

Adding a Restricted Byway commencing at a junction with Much Hadham BOAT 46 and Much Hadham 41 at TL 4436 1767 (point B on the order plan) running generally north and east along the track around the edge of a field for approximately 105 metres to a junction with Much Hadham BOAT 45 and Much Hadham footpath 41 at TL 4441 1779 (point C on the order plan), and

Deleting the full width of that part of Much Hadham footpath 41 commencing at a junction with Much Hadham BOAT 46 and Much Hadham RB 60 at TL 4436 1767 (point B on the order plan) running generally north east across a field for approximately 90 metres to a junction with Much Hadham BOAT 45 at TL 441 1773 (point C 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](mailto:jean.mcentee@pins.gsi.gov.uk). Please quote reference number FPS/M1900/7/85 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 Hertfordshire County Council, County Hall, Pegs Lane, Hertford, Hertfordshire SG13 8DN between 10am – 12pm, 2 – 4pm Monday to Friday. Please telephone 01992 555279.

## **Timetable for sending in statements of case and comments**

### **Within 2 weeks of the start date [by 20 December 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 - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

### **Within 8 weeks of the start date [by 31 January 2017]**

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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, Secretary of State will send a full copy to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

### **Within 14 weeks of the start date [by 14 March 2017]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

**In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received 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**

## **The Definitive Map and Statement of Public Rights of Way in Hertfordshire**

### **Hertfordshire County Council (Much Hadham 41 and 60) Modification Order 2016**

This Order is made by Hertfordshire County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement of Public Rights of Way in Hertfordshire require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i),(ii) and (iii) of the Act, namely (c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:

- (i) 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 path, a restricted byway or, subject to section 54A, a byway open to all traffic
- (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description; or
- (iii) 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 require modification.

The authority has consulted with every local authority whose area includes the land to which the Order relates. Hertfordshire County Council hereby order that:

1. For the purposes of this Order the relevant date is 16 February 2016.
2. The Definitive Map and Statement of Public Rights of Way in Hertfordshire shall be modified as described in Part I and Part II of the Schedule and shown on the plan forming part of this Order ("the Order Plan").
3. This Order shall take effect on the date it is confirmed and may be cited as the Hertfordshire County Council (Much Hadham 41 and 60) Modification Order 2016.

#### **SCHEDULE**

#### **PART I**

#### **Modification of Definitive Map**

#### **DESCRIPTION OF PATH OR WAY TO BE DELETED**

The full width of that part of Much Hadham footpath 41 commencing at a junction with Much Hadham BOAT 46 and Much Hadham RB 60 at TL 4436 1767 (point B on the order plan) running generally north east across a field for approximately 90 metres to a junction with Much Hadham BOAT 45 at TL 4441 1773 (point C on the order plan).

## DESCRIPTION OF PATH OR WAY TO BE ADDED

A restricted byway commencing at a junction with Bucklers Hall Road (public road) at TL 4418 1774 (point A on the order plan) running generally east south east for approximately 210 metres to a junction with Much Hadham BOAT 46 and Much Hadham 41 at TL 4436 1767 (point B on the order plan).

**Width:** Varies between 5 and 17 metres as shown shaded grey on the order plan between TL 4418 1774 (point A on the order plan) and TL 4436 1767 (point B on the order plan).

**Limitations:** None

A restricted byway commencing at a junction with Much Hadham BOAT 46 and Much Hadham 41 at TL 4436 1767 (point B on the order plan) running generally north and east along the track around the edge of a field for approximately 105 metres to a junction with Much Hadham BOAT 45 and Much Hadham footpath 41 at TL 4441 1773 (point C on the order plan).

**Width:** 9.1 metres (30 feet) as shown shaded grey on the order plan between TL 4436 1767 (point B on the order plan) and TL 4441 1773 (point C on the order plan).

**Limitations:** None

## PART II Modification of Definitive Statement

### VARIATION OF PARTICULARS OF PATH OR WAY

The Statement for Much Hadham 41 shall be amended as follows:

Path No	Status	HCC Map Ref
041	FP RB	HCC 047

Commences at junction with county road at Perry Green thence generally NE to a junction with Much Hadham BOAT 46 and Much Hadham RB 60 at TL 4436 1767. Then N and E as a RB along the track on the east side of Bucklers Hall Farm for approx. 105m to a junction with Much Hadham BOAT 45 at TL 4441 1773. Then continuing as a FP NE to a junction with Restricted Byway 42 S of Green Tye.

**Width** 9.1m (30 feet) between TL 4436 1767 and TL 4441 1773 as shown shaded grey in the Hertfordshire County Council (Much Hadham 41 and 60) Modification Order 2016

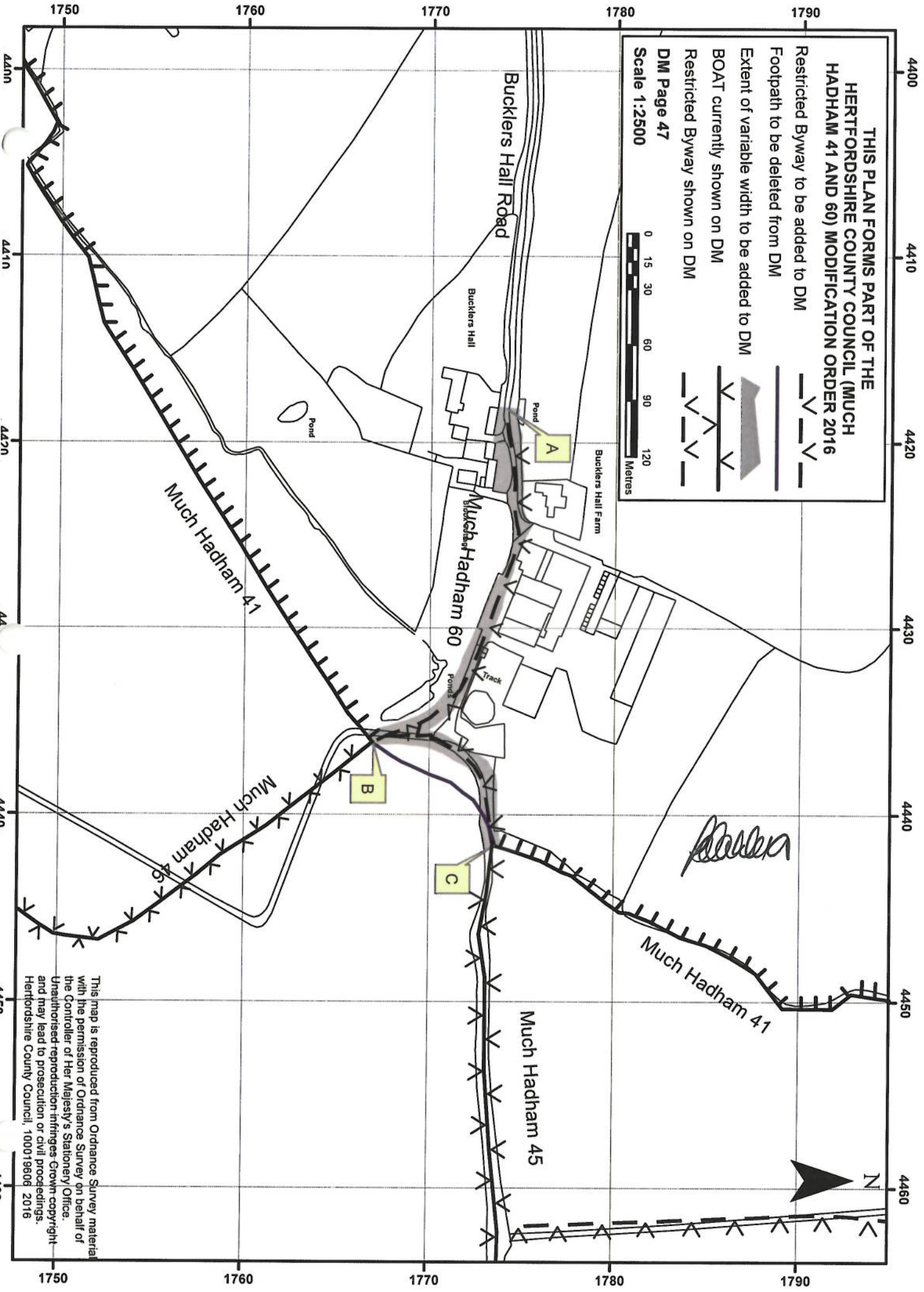
**Limitations** None between TL 4436 1767 and 4441 1773



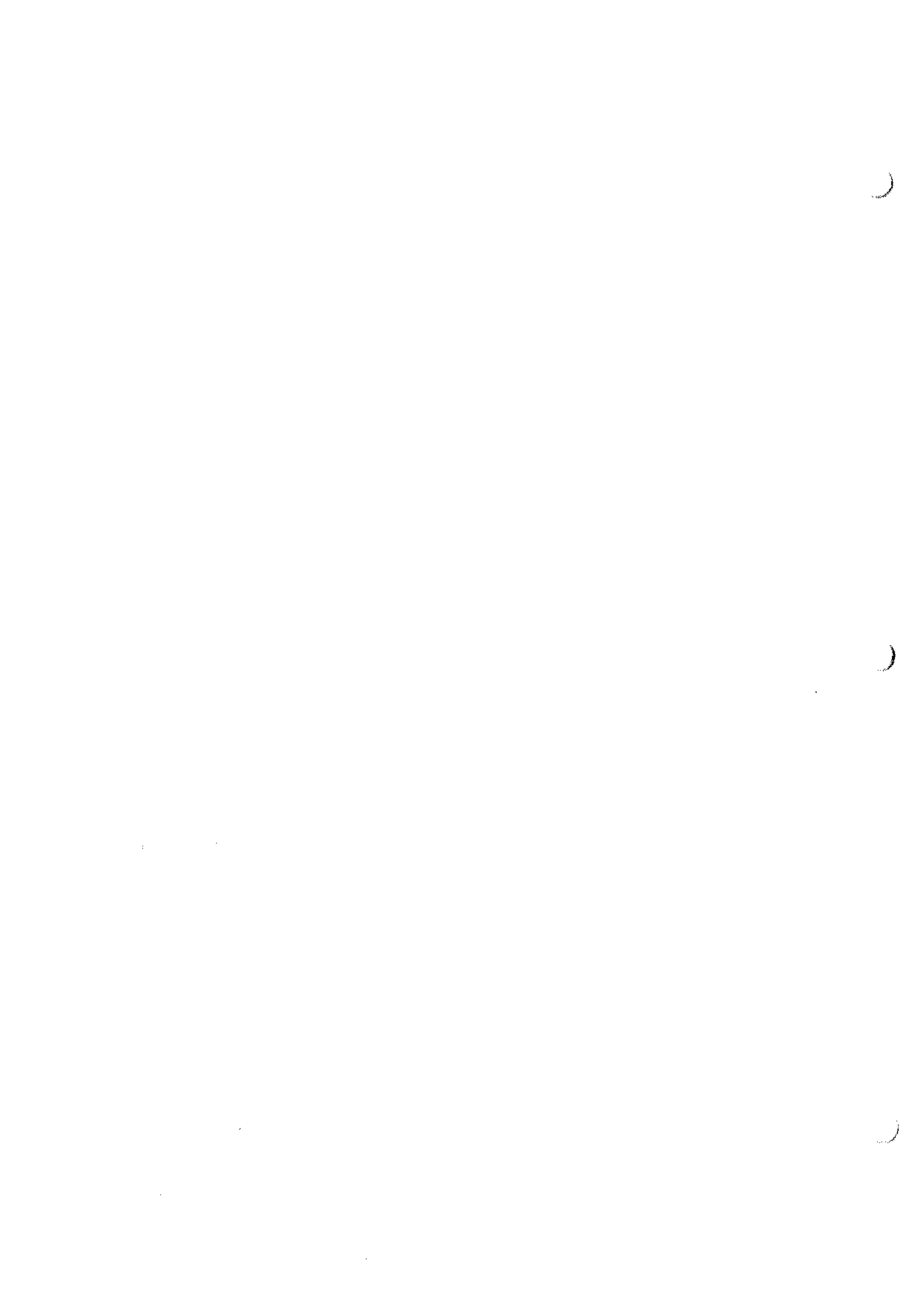
THIS PLAN FORMS PART OF THE  
 HERTFORDSHIRE COUNTY COUNCIL (MUCH  
 HADHAM 41 AND 60) MODIFICATION ORDER 2016

Restricted Byway to be added to DM  
 Footpath to be deleted from DM  
 Extent of variable width to be added to DM  
 BOAT currently shown on DM  
 Restricted Byway shown on DM

DM Page 47  
 Scale 1:2500



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The Statement for Much Hadham 45 shall be amended as follows:

Path No	Status	HCC Map Ref
045	BOAT	HCC 047

Commences at junction with Much Hadham FP/RB 41 at TL 4441 1773 thence E along Brook Lane to parish boundary W of Sacombs Ash.

**Width**

**Limitations**

The Statement for Much Hadham 46 shall be amended as follows:

Path No	Status	HCC Map Ref
046	BOAT	HCC 047

Commences at junction with county road NW of Old Park thence NE and NW along Brook Lane to junction with Much Hadham FP/RB 41 and Much Hadham RB 60 at TL 4436 1767.

**Width**

**Limitations**

A new Statement shall be recorded for Much Hadham 60 as follows:

Path No	Status	HCC Map Ref
060	RB	HCC 047

Commences from a junction with Bucklers Hall Road (public road) at TL 4418 1774 in an E and SE. direction on the S side of Bucklers Hall Farm buildings for approx. 210m to a junction with Much Hadham FP/RB 41 and Much Hadham BOAT 46 at TL 4436 1767.

**Width** 5m to 17m between TL4418 17774 and TL 4436 1767 as shown shaded grey on the Hertfordshire County Council (Much Hadham 41 and 60) Modification Order.

**Limitations** None

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 1 day of April 2016

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

~~Chief Legal Officer~~



John Oakley  
Head of  
Commercial Law



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