

NOTICE OF ORDER

HIGHWAYS ACT 1980 SECTION 119

Herefordshire County Council
Footpath LR5 (Part) Ledbury Public Path Diversion 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 **26 October 2016**.

Consideration of the Order will take the form of a hearing.

The Hearing will be held at **Herefordshire Group Training Association, Holmer Road, Hereford, HR4 9SX** on **Tuesday 14 March 2017** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to divert that length of Footpath LR5 (Part) in the Parish of Ledbury Rural which commences at OS Grid Reference SO 7184, 3553 (point B on the order plan) and continues in a generally south westerly direction for approximately 86 metres through a plantation woodland then continuing through a compound for a further 30 metres, then a field for approximately 99 metres to the junction with footpath LR7 at OS Grid Reference SO 7171, 3537 (point D on the order plan). The total length of the existing said footpath is approximately 215 metres.

An alternative footpath will be created, being 2 metres in width, which commences at County Road A417 at OS Grid Reference SO 7185, 3553 (point A on the order plan) then continues in a generally westerly direction for approximately 12 metres to a field gate at OS Grid Reference SO 7184, 3553 (point B on the order plan) it then continues in a westerly direction through a small wooded area and a field for approximately 178 metres to join footpath LR7 at OS Grid Reference SO 7167, 3552 (point C on the order plan). The total length of the said proposed new footpath is approximately 190 metres.

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
Please quote reference number FPS/W1850/4/18 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment during normal opening

hours of Monday – Friday 9.30am – 3.30pm at Balfour Beatty, Unit 3, Thorn Business Park, Rotherwas Industrial Estate, Hereford, Herefordshire, HR2 6JT. To arrange a viewing, please contact Ms Susan White on Telephone Number 01432 349512.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 21 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, although 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 12 weeks of the start date [by 18 January 2017]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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 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. A copy 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).

All parties must keep to the timetable set out above and ensure that statements of case 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 hearing

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 hearing.

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980, SECTION 119

**HEREFORDSHIRE COUNCIL
FOOTPATH LR5 (PART) LEDBURY
PUBLIC PATH DIVERSION ORDER 2016**

This Order is made by the County of Herefordshire District Council (known as "Herefordshire Council") under section 119 of the Highways Act 1980 because it appears to Herefordshire Council that in the interests of the owner and occupier of the land crossed by the footpath described in Part 1 of the Schedule to this order it is expedient that part of the line of the path should be diverted.

Mr Simon Holden and Mr Michael Barber-Starkey, the said owners, trading as Euroheat, have agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and to pay any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situated to the rear of Parkway Garage in the Parish of Ledbury and shown by a bold continuous line on the plan contained in this order and described in Part 1 of the said Schedule shall be stopped up in accordance with the provisions of Article 3 below.
2. There shall be created to the reasonable satisfaction of Herefordshire Council and in accordance with Article 3 below an alternative public footpath over the land situated to the rear of Parkway Garage in the Parish of Ledbury described in Part 2 of the Schedule hereto and shown by a bold broken line on the said plan.
3. The said diversion of the footpath shall have effect on the date Herefordshire Council certifies that the terms of Article 2 and 4 herein have been satisfied.
4. The following works shall be carried out in relation to the new highway described in Part 2 of the Schedule hereto.
 - Waymarking as appropriate.
 - Installation of roadside signpost.
5. Where immediately before the date on which the said footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of their undertakings, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
6. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule hereto.

Dated

10th March

2016

THE COMMON SEAL of the County of
Herefordshire District Council was affixed
BY ORDER


Authorised Officer



SCHEDULE

PART 1

Description of Site of Existing Path or Way

The existing route of footpath LR5 commences at OS Grid Reference SO 7184, 3553 (point B on the order plan) and continues in a generally south westerly direction for approximately 86 metres through a plantation woodland then continuing through a compound for a further 30 metres, then a field for approximately 99 metres to the junction with footpath LR7 at OS Grid Reference SO 7171, 3537 (point D on the order plan).

The total length of the existing said footpath is approximately 215 metres.

PART 2

Description of Site of New Path or Way

The proposed new route of footpath LR5 being 2 metres in width commences at County Road A417 at OS Grid Reference SO 7185, 3553 (point A on the order plan) then continues in a generally westerly direction for approximately 12 metres to a field gate at OS Grid Reference SO 7184, 3553 (point B on the order plan) it then continues in a westerly direction through a small wooded area and a field for approximately 178 metres to join footpath LR7 at OS Grid Reference SO 7167, 3552 (point C on the order plan).

The total length of the said proposed new footpath is approximately 190 metres.

PART 3

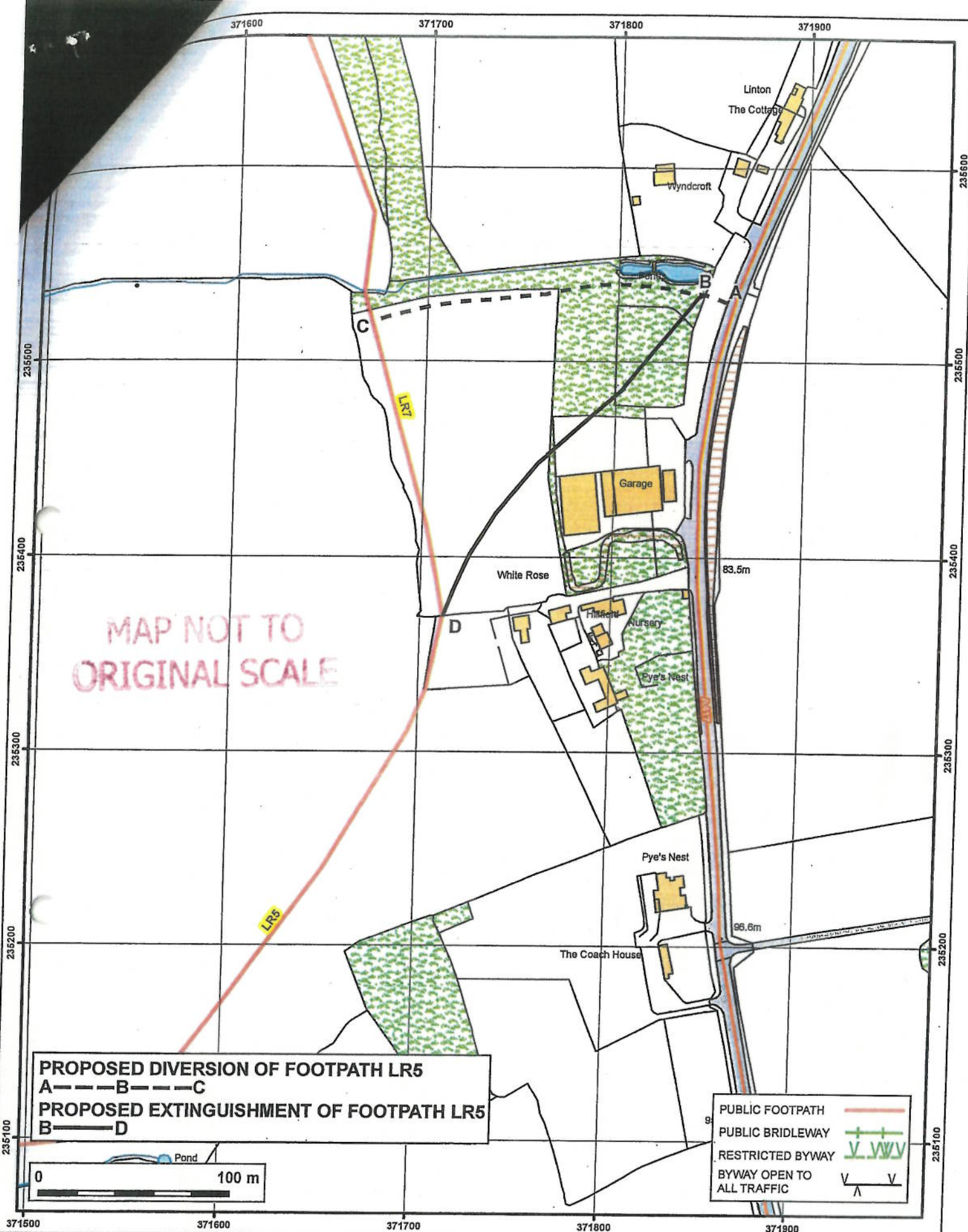
Limitations and Conditions

Position on Path to which Limitations and Conditions apply

Limitations and Conditions

OS Grid reference SO 7184, 3553
(point B on the order plan)

Field gate to BS5709:2006



MAP NOT TO ORIGINAL SCALE

PROPOSED DIVERSION OF FOOTPATH LR5
 A --- B --- C
PROPOSED EXTINGUISHMENT OF FOOTPATH LR5
 B --- D

PUBLIC FOOTPATH
 PUBLIC BRIDLEWAY
 RESTRICTED BYWAY
 BYWAY OPEN TO ALL TRAFFIC



Highways Act 1980, Section 119
 Herefordshire Council Public Footpath LR5 (part)
 Parish of Ledbury Rural
 Public Path Diversion Order 2016
 DWG No.: D457/221-5
 SCALE 1:2,500 @ A4

Balfour Beatty Living Places
 Unit 3, Thorn Business Park
 Rotherwas Industrial Estate
 Hereford
 HR2 6JT