

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Hertfordshire County Council
(Barkway 5, 27 and Reed 24) 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 4 November 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 modify the Definitive Map and Statement for the area by:-

Adding a bridleway commencing at a junction with Reed BR 9 at TL 3714 3567 (point D of the Order Plan) running generally west for approximately 15 metres to TL 3713 3568 (point E on the Order Plan) then north for approximately 270 metres through Bush Wood to a junction with Barkway BOAT 2 and Reed 10 at TL 3709 3595 (point F on the Order Plan), and

Adding to the particulars relating to the Barkway bridleway 5 from points A to C and Reed bridleway 9 from points C to D of the Order Plan by defining the width as varying between 4m and 9m between TL 3783 3540 and TL 3714 3567 as shown in the Hertfordshire County Council (Barkway 5, 27 and Reed 24) Modification Order 2016.

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/M1900/7/84 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, 2pm–4pm Monday to Friday (excluding Bank Holidays). Telephone: 01992 556464.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 18 November 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 30 December 2016]

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 10 February 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
(Barkway 5, 27 and Reed 24)
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) & (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; and
(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 5 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 (Barkway 5, 27 and Reed 24) Modification Order 2016.

SCHEDULE
PART I

Modification of Definitive Map

DESCRIPTION OF PATH OR WAY TO BE ADDED

A bridleway commencing at a junction with Reed BR 9 at TL 3714 3567 (point D of the order plan) running generally west for approximately 15 metres to TL 3713 3568 (point E of the order plan) then north along the parish boundary for approximately 270 metres through Bush Wood to a junction with Barkway BOAT 2 and Reed BOAT 10 at TL 3709 3595 (point F of the order plan).

Width: Varies between 7 – 18 metres between TL 3714 3567 (Point D of the order plan) and TL 3709 3595 (Point F of the order plan) as shown excluded

from hereditaments on the 1910 Finance Act map and shown shaded grey on the order plan.

Limitations: None

PART II
Modification of Definitive Statement

VARIATION OF PARTICULARS OF PATH OR WAY

The Statement for Barkway 2 shall be amended as follows:

Path No	Status	HCC Map Ref
002	BOAT	HCC 008
Commences from Barkway-Royston Road at right-angled bend S of council houses thence W past FP1 along northern edge of Rokey Wood to parish boundary at northern tip of Bush Wood and a junction with Reed 10, Barkway 27 and Reed 24 at TL 3709 3595.		

Width

Limitations

The Statement for Barkway 4 shall be amended as follows:

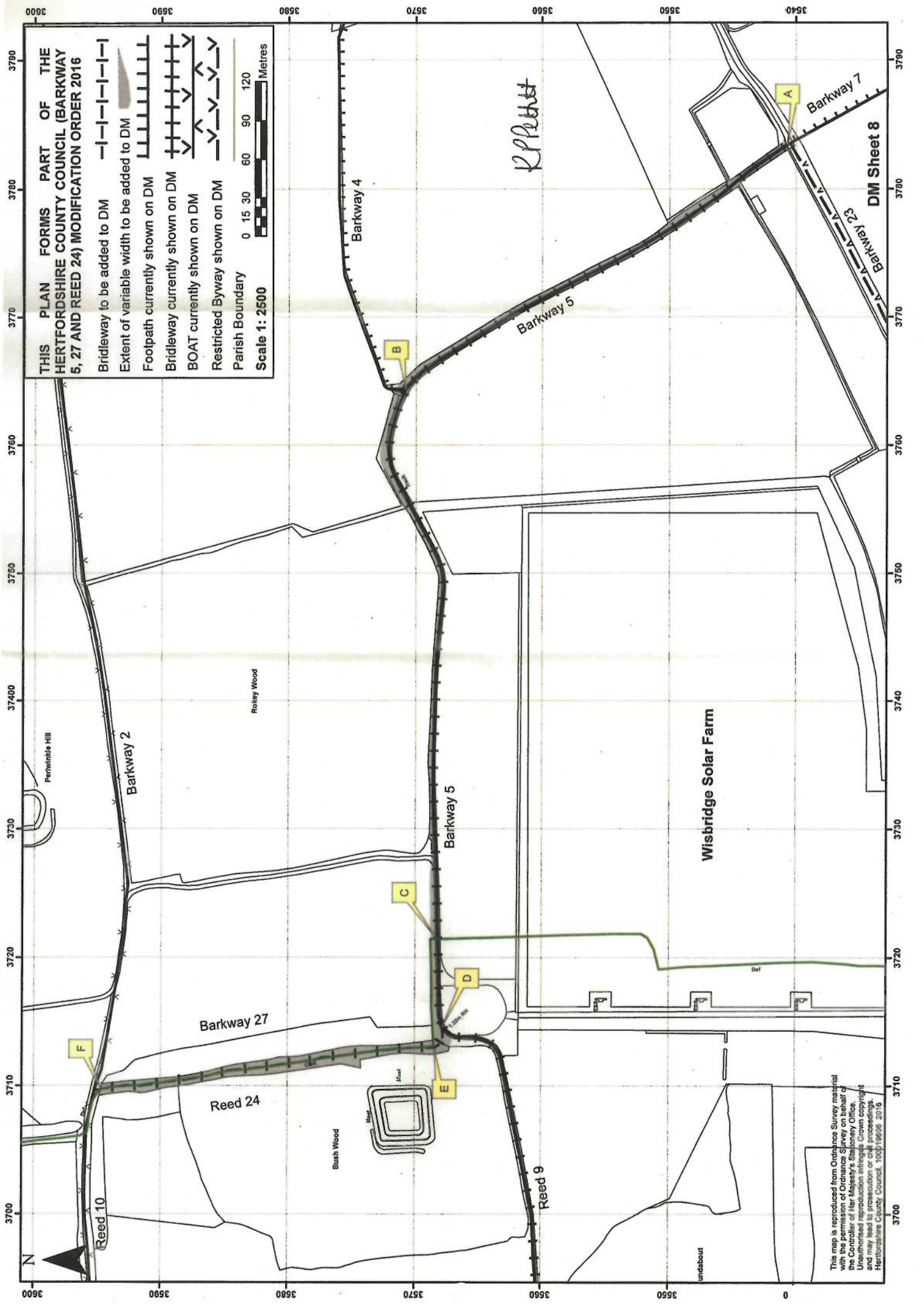
Path No	Status	HCC Map Ref
004	FP	HCC 008
Commences from FP3 at NW corner of Churchyard thence NW and W to join BR5 E of SE corner of Rokey Wood at TL 3764 3571.		

Width

Limitations

The Statement for Barkway 5 shall be amended as follows:

Path No	Status	HCC Map Ref
005	BR	HCC 008
Commences from end of county road opposite allotment gardens at TL 3783 3540 thence NW to junction with FP4 at TL 3764 3571 thence W along southern edge of Rokey Wood to parish boundary and a junction with Reed 9 opposite Bush Wood at TL 3721 3568.		



**THIS PLAN FORMS PART OF THE
HERTFORDSHIRE COUNTY COUNCIL (BARKWAY
5, 27 AND REED 24) MODIFICATION ORDER 2016**

- Bridleway to be added to DM
- Extent of variable width to be added to DM
- Footpath currently shown on DM
- Bridleway currently shown on DM
- BOAT currently shown on DM
- Restricted Byway shown on DM

Parish Boundary

Scale 1: 2500

0 15 30 60 90 120 Metres

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Width Varying between 4m and 9 m between TL 3783 3540 and TL 3721 3568 as shown in the Hertfordshire County Council (Barkway 5, 27 and Reed 24) Modification Order 2016.

Limitations None

The Statement for Barkway 7 shall be amended as follows:

Path No	Status	HCC Map Ref
007	FP	HCC 008
Commences from Church Lane at junction of Restricted Byway 23 and BR5 at TL 3783 3540 thence SE through allotment gardens to join FP6 thence SW to junction with FP8.		

Width

Limitations

The Statement for Barkway 23 shall be amended as follows:

Path No	Status	HCC Map Ref
023	RB	HCC 008
Commences from junction of BR5, FP7 and Church Lane at TL 3783 3540 thence SW and W along lane and northern edge of Strawberry Grove to parish boundary.		

Width

Limitations

A New Statement for Barkway 27 shall be recorded as follows:

Path No	Status	HCC Map Ref
027	BR	HCC 008
Commences parallel with Reed BR 24 at TL 3713 3568 running N. along the Parish boundary for approx. 270m to a junction with Barkway BOAT 2 and Reed BOAT 10 at TL 3709 3595.		

Width Varying between 7m and 18m between TL 3713 3568 and TL 3709 3595 being the Barkway moiety of the route as shown in the Hertfordshire County Council (Barkway 5, 27 and Reed 24) Modification Order 2016.

Limitations None

The Statement for Reed 9 shall be amended as follows:

Path No	Status	HCC Map Ref
009	BR	HCC 008
Commences from FP20 S of moat thence E along S edge of plantation thence S and SE along edge of stream and across same to SW corner of Bush Wood. Thence E along southern edge of same thence N to a junction with Reed 24 at TL 3714 3567, thence E to join BR5 (Barkway) at parish boundary at TL 3721 3568.		

Width Varying between 8m and 11m between TL 3714 3567 and TL 3721 3568

Limitations

The statement for Reed 10 shall be amended as follows:

Path No	Status	HCC Map Ref
010	BOAT	HCC 008
Commences from FP20 approx. 150 yards S of "Cabinet" P.H. thence E past Fiddlers Green and FP6 and 11 to S of Billingsgate to join BOAT 2 (Barkway) at N edge of Bush Wood on parish boundary and a junction with Barkway 27 and Reed 24 at TL 3709 3595.		

Width

Limitations

A new statement for Reed 24 shall be recorded as follows:

Path No	Status	HCC Map Ref
024	BR	HCC 008
Commences from a junction with Reed BR 9 at TL 3714 3567 running W. into Bush		

Wood for approx. 15m to TL 3713 3568 then N. running parallel with Barkway 27 along the Parish boundary for approx. 270m to a junction with Barkway BOAT 2 and Reed 10 at TL 3709 3595.


Width Varying between 7m and 18m between TL 3714 3567 and TL 3709 3595 being the Reed moiety of the route as shown in the Hertfordshire County Council (Barkway 5, 27 and Reed 24) Modification Order 2016.

Limitations None

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 19th day of February 2016

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

Chief Legal Officer

167/16

Kathryn Pettitt
Chief Legal Officer



