

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Hertfordshire County Council
(Great Gaddesden 35, 37, 39, 83 and 84) 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 3 March 2017.

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

The Hearing will be held at **Great Gaddesden Village Hall, Dagnall Road, Great Gaddesden, Hemel Hempstead, HP1 3BW** on **Tuesday 4 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 part of Great Gaddesden Bridleway 39 from Cupid Green Lane at TL 0630 1137 then NE for 390m to Gaddesden Lane at TL 0657 1166.

Adding a footpath from Red Lion Lane at TL 0446 1121 then SE through the field for 215m to Great Gaddesden 37 at TL 0460 1105.

Adding a byway open to all traffic from Great Gaddesden 35 and 37 at TL 0465 1105 then ESE on the S side of the field boundary for 305m to the NW corner of Millhill Gorse at TL 0494 1097, then SW for 575m along the NW boundary of Millhill Gorse and W side of Chalkpit Dell to Great Gaddesden 39 at TL 0479 1047.

Upgrade Great Gaddesden Bridleway 37 and Great Gaddesden Footpath 35 to byway open to all traffic, from Red Lion Lane at TL 0436 1110 then E and NE along the track (Rolph's Lane) for 2,005m (past Great Gaddesden Footpath 83 at TL 0460 1105 and and Great Gaddesden Byway Open to all Traffic 84 at TL 0465 1105) to Gaddesden Row at TL 0586 1221.

Upgrade part of Great Gaddesden 39 to byway open to all traffic, from Red Lion Lane at TL 0414 1030 then NE along the track (Garmer Lane) on the S side of the boundary for 430m to Great Gaddesden Footpath 38 at TL 0455 1029, then on the N side of the boundary for 470m, past Great Gaddesden Byway Open to all Traffic 84 at TL 0478 1046, to Garmer Spring and Great Gaddesden Footpath 56 at TL 0492 1055. Continuing along the track along the NW side of Garmer Spring and then on the S side of the boundary for 1,645m, past Great Gaddesden Bridleway 47 at TL 0556 1090, to Cupid Green Lane at TL 0630 1137.

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/M1900/7/86 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 (excluding Bank Holidays). Telephone: 01992 555279.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 28 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, 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 26 May 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. 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).

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.

WILDLIFE AND COUNTRYSIDE ACT 1981

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

Hertfordshire County Council (Great Gaddesden 35, 37, 39, 83 and 84) 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 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 1st March 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 Parts 1 and 2 of the plan attached to the 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 (Great Gaddesden 35, 37, 39, 83 and 84) Modification Order 2016.

SCHEDULE

PART I Modification of Definitive Map

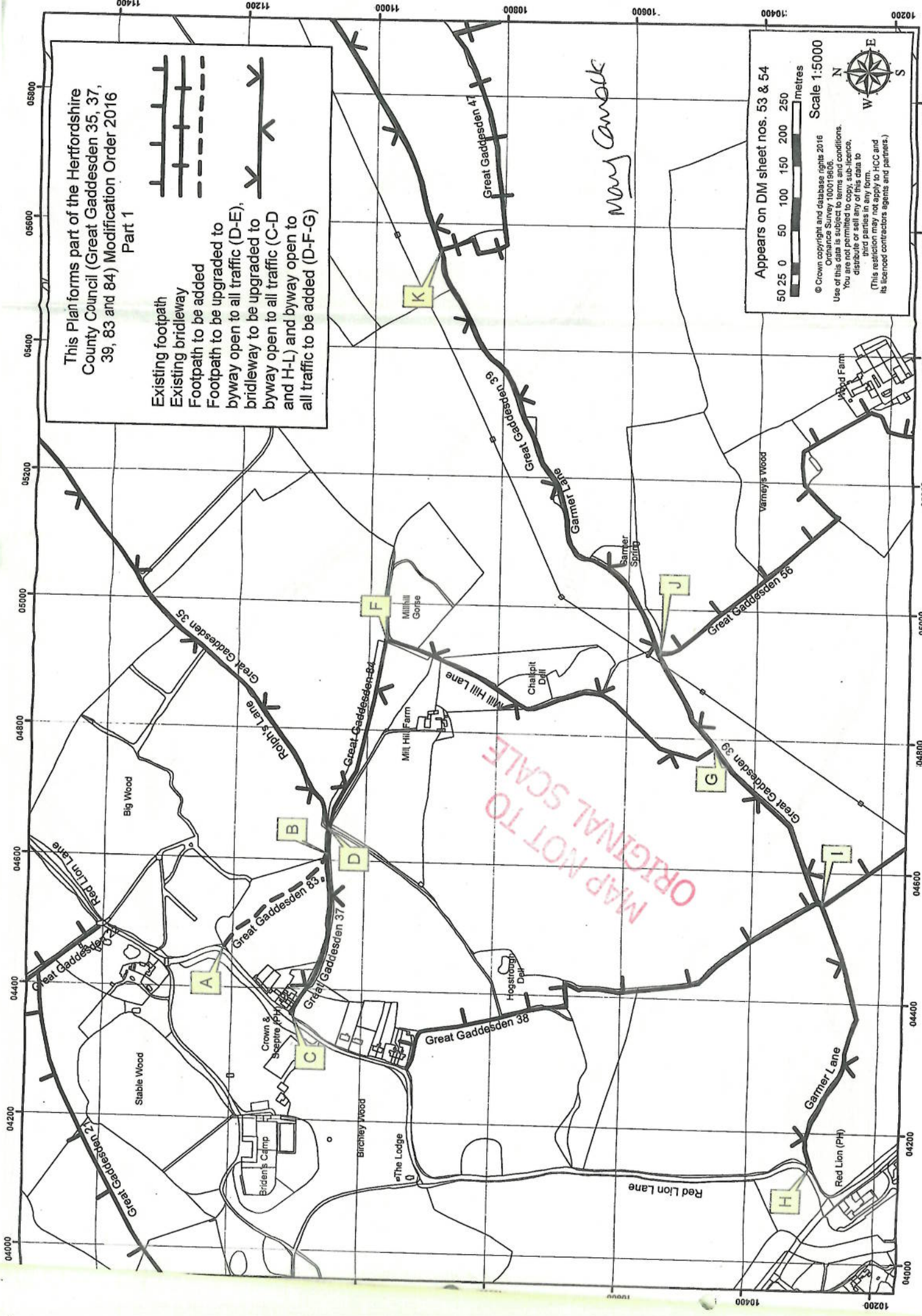
Description of path or way to be deleted

The full width of part of Great Gaddesden Bridleway 39 from its junction with Cupid Green Lane at TL 0630 1137 (point L on Part 2 of the Order Plan) and continuing in a generally north easterly direction for approximately 390 metres to the junction with Gaddesden Lane at TL 0657 1166 (point M on Part 2 of the Order Plan).

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This Plan forms part of the Hertfordshire County Council (Great Gaddesden 35, 37, 39, 83 and 84) Modification Order 2016
Part 1

Existing footpath
Existing bridleway
Footpath to be added
Footpath to be upgraded to byway open to all traffic (D-E),
bridleway to be upgraded to byway open to all traffic (C-D and H-L) and byway open to all traffic to be added (D-F-G)

Appears on DM sheet nos. 53 & 54

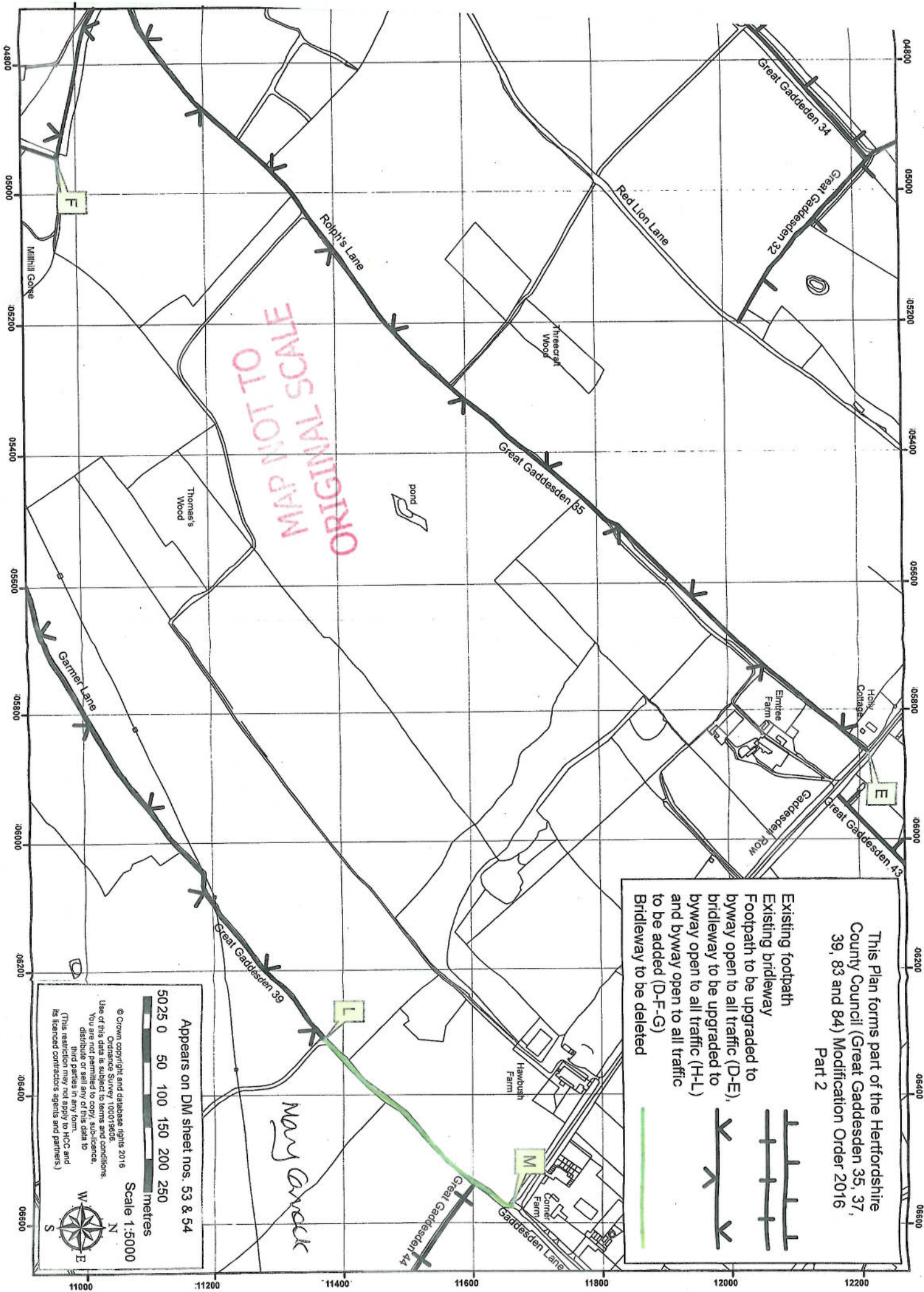
Scale 1:5000

0 50 100 150 200 250 Metres

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MAP NOT TO ORIGINAL SCALE

Mary Canole



MAP NOT TO ORIGINAL SCALE

This Plan forms part of the Hertfordshire County Council (Great Gaddesden 35, 37, 39, 83 and 84) Modification Order 2016 Part 2

Existing footpath
Existing bridleway
Footpath to be upgraded to byway open to all traffic (D-E),
Bridleway to be upgraded to byway open to all traffic (H-L) and byway open to all traffic to be added (D-F-G)
Bridleway to be deleted

Appears on DM sheet nos. 53 & 54

Scale 1:5000

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New track

Description of path or way to be added

A public footpath commencing at the junction with Red Lion Lane (public road) at TL 0446 1121 (point A on Part 1 of the Order Plan) and continuing in a generally south easterly direction through the field for approximately 215 metres to the junction with Great Gaddesden 37 at TL 0460 1105 (point B on Part 1 of the Order Plan).

Width: 2 metres
Limitations: None

A public byway open to all traffic commencing at the junction with Great Gaddesden 35 and 37 at TL 0465 1105 (point D on Part 1 of the Order Plan) and continuing in a generally east south easterly direction on the southern side of the field boundary for approximately 305 metres to the north west corner of Millhill Gorse at TL 0494 1097 (point F on Part 1 of the Order Plan), then continuing in a generally south westerly direction for approximately 575 metres along the north west boundary of Millhill Gorse and west side of Chalkpit Dell to join Great Gaddesden 39 at TL 0479 1046 ^{MPK} (point G on Part 1 of the Order Plan).

Width: 5 metres
Limitations: None

Description of path or way to be upgraded

Upgrade Great Gaddesden Bridleway 37 and Great Gaddesden Footpath 35 to byway open to all traffic, commencing at the junction with Red Lion Lane (public road) south west of the Crown & Sceptre public house at TL 0436 1110 (point C on Part 1 of the Order Plan) and continuing in a generally easterly and north easterly direction along the track historically known as Rolph's Lane for approximately 2,005 metres (past the junctions with Great Gaddesden Footpath 83 at TL 0460 1105 (point B on Part 1 of the Order Plan) and Great Gaddesden Byway Open to all Traffic 84 at TL 0465 1105 (point D on Part 1 of the Order Plan)) to join Gaddesden Row (public road) between Holly Cottage and Elmtree Farm at TL 0586 1221 (point E on Part 2 of the Order Plan).

Width: 5 metres
Limitations: None

Upgrade part of Great Gaddesden Bridleway 39 to byway open to all traffic, commencing at the junction with Red Lion Lane (public road) at TL 0414 1030 (point H on Part 1 of the Order Plan) and continuing on the south side of the boundary in a generally north easterly direction along the track historically known as Garmer Lane for approximately 430 metres to the junction with Great Gaddesden Footpath 38 at TL 0455 1029 (point I on Part 1 of the Order Plan), then continuing along the track on the north side of the boundary for approximately 470 metres, past the junction with Great Gaddesden Byway Open to all Traffic 84 at TL 0478 1046 (point G on Part 1 of the Order Plan), to Garmer Spring and the junction with Great Gaddesden Footpath 56 at TL 0492 1055 (point J on Part 1 of the Order Plan). Continuing along the track along the north west side of Garmer Spring and then on the south side of the boundary for approximately 1,645 metres, past the junction with Great Gaddesden



Bridleway 47 at TL 0556 1090 (point K on Part 1 of the Order Plan), to join Cupid Green Lane (public road) at TL 0630 1137 (point L on Part 2 of the Order Plan).

Width: 5 metres
Limitations: None

PART II
Modification of Definitive Statement

Variation of particulars of path or way

A new Statement shall be recorded for Great Gaddesden 83 as follows:

Path No	Status	HCC Map Ref
083	FP	HCC 053

Commencing at the junction with Red Lion Lane (public road) at TL 0446 1121 and continuing SE through the field for approx. 215m to join BOAT 37 at TL 0460 1105.

Width 2m
Limitations None

A new Statement shall be recorded for Great Gaddesden 84 as follows:

Path No	Status	HCC Map Ref
084	BOAT	HCC 053

Millhill Lane. Commencing at the junction with BOATs 35 and 37 at TL 0465 1105 and continuing ESE along the S side of the field boundary for approx. 305m to the NW corner of Millhill Gorse at TL 0494 1097, then continuing SW for approx. 575m along the NW boundary of Millhill Gorse and W boundary of Chalkpit Dell to join BOAT 39 at TL 0478 1047.

Width 5m
Limitations None

The Statement for Great Gaddesden 35 shall be amended as follows:

Path No	Status	HCC Map Ref
035	BOAT	HCC 053 & 54

Rolph's Lane. Commences at junction with Gaddesden Row (public road) N of Elmtree Farm at TL 0586 1220 thence SW for approx. 1,705m, passing S of Three Craft Wood and skirting SE boundary of Big Wood to junction with BOATs 37 and 84 S of Big Wood at TL 0465 1105.

Width 5m
Limitations None

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The Statement for Great Gaddesden 37 shall be amended as follows:

Path No	Status	HCC Map Ref
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037	BOAT	HCC 053
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Rolph's Lane. Commences at junction with Red Lion Lane (public road) SW of the Crown & Sceptre public house E of Bridens Camp at TL 0436 1110 thence generally E for approx. 300m to junction with BOAT 35 S of Big Wood at TL 0465 1105.

Width 5m

Limitations None

The Statement for Great Gaddesden 38 shall be amended as follows:

Path No	Status	HCC Map Ref
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038	FP	HCC 053 & 65
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Commences at junction with county road opposite Birchley Wood thence E and S, passing Hogstrough Dell and crossing BOAT 39 at TL 0455 1029, to NE corner of Thrift Wood thence SW along N side of wood to junction with county road opposite BOAT 58.

Width

Limitations

The Statement for Great Gaddesden 39 shall be amended as follows:

Path No	Status	HCC Map Ref
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039	BOAT	HCC 053 & 54
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Garmer Lane. Commences at the junction with Red Lion Lane (public road) at TL 0414 1030 and continues generally NE along the track on the S side of the field boundary for approx. 430m to junction with Great Gaddesden FP 38 at TL 0455 1029, then continues along the track on the N side of the field boundary for approx. 470m, past the junction with Great Gaddesden BOAT 84 at TL 0478 1046, to Garmer Spring and the junction with Great Gaddesden FP 56 at TL 0492 1055. Continues along the track along the NW side of Garmer Spring and then on the S side of the field boundary for approx. 1,645m, past the junction with Great Gaddesden BR 47 at TL 0556 1090, to join Cupid Green Lane (public road) at TL 0630 1137.

Width 5m

Limitations None



The Statement for Great Gaddesden 47 shall be amended as follows:

Path No	Status	HCC Map Ref
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047	BR	HCC 054
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Commences at junction with county road N of Holtsmere End Farm thence W to junction with BR 44 S of Hay Wood thence SW across county Road NW of Eastbrook Hay thence SW past BR 51 thence generally NW and SW thence NW around W side of trees to join BOAT 39 at TL 0556 1090.

Width

Limitations

The Statement for Great Gaddesden 56 shall be amended as follows:

Path No	Status	HCC Map Ref
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056	FP	HCC 053 & 54
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Commences at junction with BOAT 39 S of Chalkpit Dell at TL 0492 1055 thence SE skirting SW and SE boundary of Varneys Wood to Wood Farm.

Width

Limitations

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 4th day of March 2016

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

~~Chief Legal Officer~~

Mary Cormack

Mary Cormack
Asst Chief Legal Officer





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