

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

North East Lincolnshire Council
Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2015
&
Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2012

Notice is hereby given that the above referenced Orders have 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 Orders.

The **start date** for the above Orders is **10 May 2016**.

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

The Inquiry will be held at **Grimsby Town Hall, Town Hall Square, Grimsby, DN31 1HX** on **Tuesday 15 November 2016** at 10.00am.

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

1) 2015 Order (made as a replacement for the 2012 Order)
- adding to them the Public Footpath commencing on Suggitts Lane at Grid Reference 529980 409740 (Point A on the Plan attached to that Order), crossing the railway over to Grid Reference 529994 409753 (Point B on the Plan attached to that Order) for a distance of approximately 16 metres, where it then turns west and follows a generally westerly direction between the toe of the flood embankment and scrubland immediately adjoining the boundary fencing of the railway for a distance of approximately 491 metres to Grid Reference 529594 410034 (Point C on the Plan attached to that Order), where it then crosses over an earth bund and continues in a north westerly direction for a distance of approximately 57 metres to Grid Reference 529559 410078 (Point D on the Plan attached to that Order). The Public Footpath then passes through a fenceline and continues in a generally north westerly direction for approximately a further 748 metres to terminate at a point to the north of Salvesen Road at Grid Reference 529072 410633 (Point E on the Plan attached to that Order), being a total path length of approximately 1312 metres.

& 2012 Order (Submitted for non-confirmation)
- adding to them the Public Footpath commencing on Harrington Street at Grid Reference 529673 409954 (Point A on the Plan attached to that Order), crossing a footbridge known locally as Fuller Street Bridge to Grid Reference 529675 409988 (Point B on the Plan attached to that Order), where it then turns west and follows a generally north westerly direction for a distance of approximately 175 metres to Grid Reference 529591

410137 (Point C on the Plan attached to that Order), where it then continues in a generally north-westerly direction alongside the sea wall for approximately 717 metres to terminate at a point to the north of Salvesen Road at Grid Reference 529074 410636 (Point D on the Plan attached to that Order).

Any queries relating to this Order should be referred to Clive Richards 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 5502. Email: clive.richards@pins.gsi.gov.uk. Please quote reference number FPS/B2002/7/1 & 7/2 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 the Municipal Offices, Town Hall Square, Grimsby, North East Lincolnshire between the hours of 9am and 5pm, Monday to Friday. Council Contact: Nicola Hardy on 01472 313131.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 05 July 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 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 16 August 2016]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry 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 copies to the Authority, 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, although 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 copy to the Authority, 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, although these will be available to view at the Authority's offices).

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 inquiry.

4 weeks before the date of the inquiry [by 18 October 2016]

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

**DEFINITIVE MAP MODIFICATION ORDER
WILDLIFE AND COUNTRYSIDE ACT 1981**

North East Lincolnshire Council

**The Humberside County Council
Borough of Cleethorpes Definitive Map of Public Rights of Way**

**The North East Lincolnshire Council
Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2012**

This Order is made by North East Lincolnshire Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that The Humberside County Council Borough of Cleethorpes Definitive Map of Public Rights of Way requires modification in consequence of the occurrence of events specified in section 53(3)(c)(iii), namely the discovery of evidence which, when considered with all other relevant evidence, shows that there is no public right of way over land shown in the map and statement as a highway of any description; and, section 53(3)(b) namely, the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path.

The authority has consulted with every local authority whose area includes the land to which the order relates. The North East Lincolnshire Council hereby orders that:

1. For the purposes of this order the relevant date is 1st August 2012.
2. The Humberside County Council Borough of Cleethorpes Definitive Map of Public Rights of Way shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This order shall take effect on the date it is confirmed and may be cited as The North East Lincolnshire Council Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2012

SCHEDULE

PART I

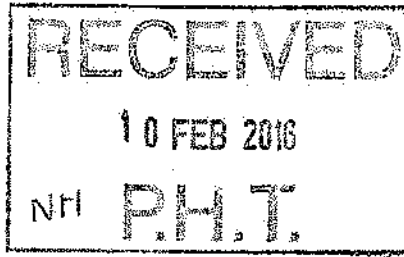
Modification of Definitive Map

Public Footpath commencing on Harrington Street at Grid Reference 529673 409954 (Point A on the Plan), crossing a footbridge known locally as Fuller Street Bridge to Grid Reference 529675 409988 (Point B on the Plan), where it then turns west and follows a generally north westerly direction for a distance of approximately 175 metres to Grid Reference 529591 410137 (Point C on the Plan) where it then continues in a generally north-westerly direction alongside the sea wall for approximately 717 metres to terminate at a point to the north of Salvesen Road at Grid Reference 529074 410636 (Point D on the Plan).

PART II

Modification of Definitive Statement

Public Footpath commencing on Harrington Street at Grid Reference 529673 409954, crossing a footbridge known locally as Fuller Street Bridge to Grid Reference 529675 409988, where it then turns west and follows a generally north westerly direction for a distance of approximately 175 metres to Grid Reference 529591 410137, where it then continues in a generally north-westerly direction alongside the sea wall for approximately 717 metres to terminate at a point to the north of Salvesen Road at Grid Reference 529074 410636.
Width: 2 metres



**DEFINITIVE MAP MODIFICATION ORDER
WILDLIFE AND COUNTRYSIDE ACT 1981**

North East Lincolnshire Council

**The Humberside County Council
Borough of Cleethorpes
Definitive Map of Public Rights of Way**

**The North East Lincolnshire Council
Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2012**

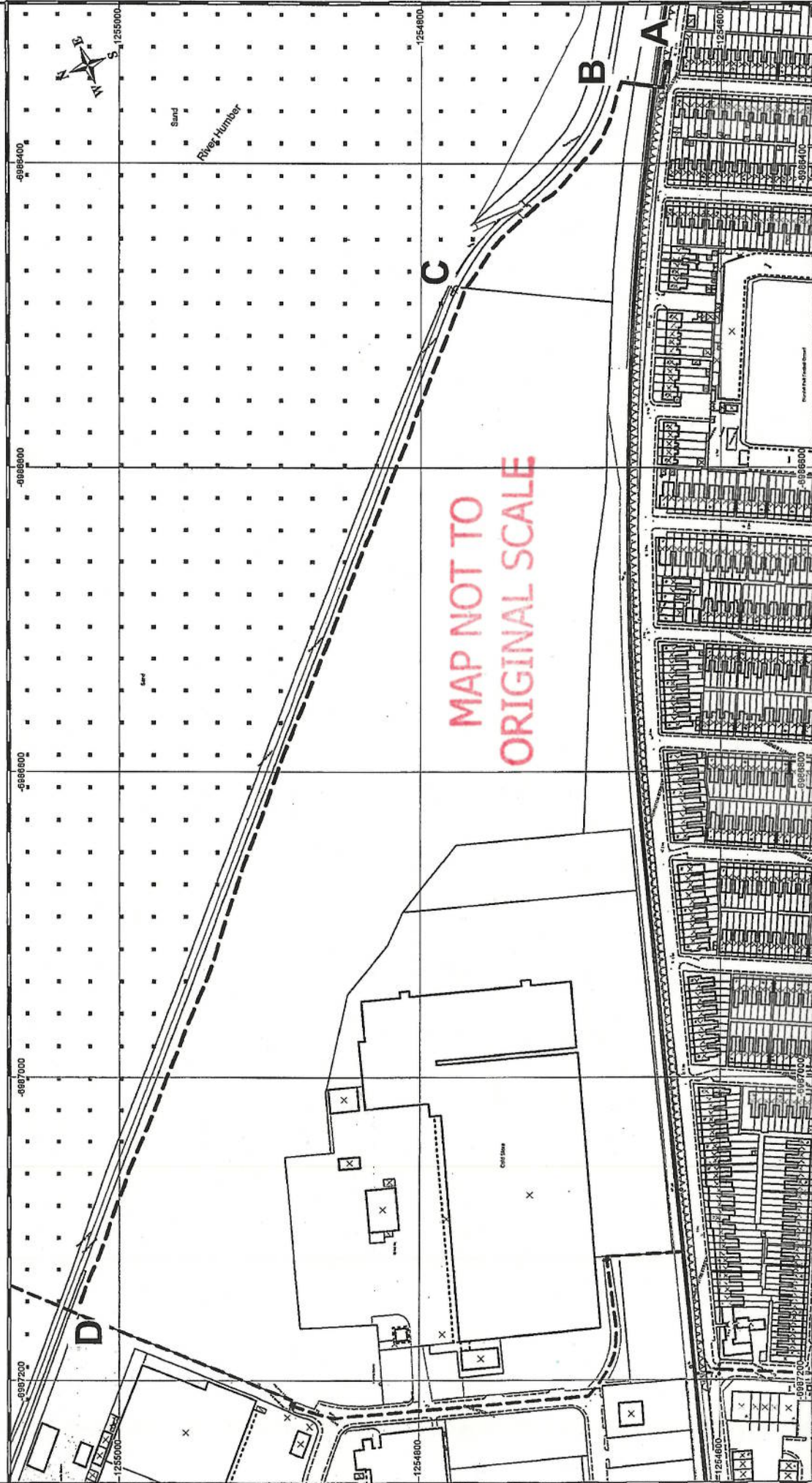
THE COMMON SEAL of the)
North East Lincolnshire Council was)
hereunto affixed this 25th day)
of SEPTEMBER 2012)
in the presence of:)




.....
an Authorised Officer

No. in Seal Register: 5567.....

Claimed Route of Cleethorpes FP5



<p>Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF www.aalimited.co.uk</p>	<p>NORTH EAST LONDON FIRE AUTHORITY www.nelfire.gov.uk</p>	<p>This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of HMSO. © Crown Copyright 2008. All rights reserved. Licence number 100020759</p>	<p>Details Plotting in MapInfo made easier</p>	<p>Rev No.</p>
			<p>Drawn By hardyn</p>	<p>Date 10/08/2012</p>
<p>Scale 1:2500</p>		<p>File / Pathname / Project / Drawing No.</p>		

**DEFINITIVE MAP MODIFICATION ORDER
WILDLIFE AND COUNTRYSIDE ACT 1981**

North East Lincolnshire Council

**The Humberside County Council
Borough of Cleethorpes
Definitive Map of Public Rights of Way**

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Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2015**

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WILDLIFE AND COUNTRYSIDE ACT 1981**

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**The Humberside County Council
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**The North East Lincolnshire Council
Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2015**

This Order is made by North East Lincolnshire Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that The Humberside County Council Borough of Cleethorpes Definitive Map of Public Rights of Way requires modification in consequence of the occurrence of events specified in section 53(3)(c)(i), namely 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; and, section 53(3)(b) namely, the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path.

The authority has consulted with every local authority whose area includes the land to which the order relates. The North East Lincolnshire Council hereby orders that:

1. For the purposes of this order the relevant date is 6th November 2015.
2. The Humberside County Council Borough of Cleethorpes Definitive Map of Public Rights of Way shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This order shall take effect on the date it is confirmed and may be cited as the The North East Lincolnshire Council Public Footpath, Cleethorpes No 5 Definitive Map Modification Order 2015

SCHEDULE

PART I

Modification of Definitive Map

Description of path or way to be added (A - E)

Public Footpath commencing on Suggitts Lane at Grid Reference 529980 409740 (Point A on the Plan), crossing the railway over to Grid Reference 529994 409753 (Point B on the Plan) for a distance of approximately 16 metres, where it then turns west and follows a generally westerly direction between the toe of the flood embankment and scrubland immediately adjoining the boundary fencing of the railway for a distance of approximately 491 metres to Grid Reference 529594 410034 (Point C on the Plan), where it then crosses over an earth bund and continues in a north westerly direction for a distance of approximately 57 metres to Grid Reference 529559 410078 (Point D on the Plan). The Public Footpath then passes through a fenceline and continues in a generally north westerly direction for approximately a further 748 metres to terminate at a point to the north of Salvesen Road at Grid Reference 529072 410633 (Point E on the Plan), being a total path length of approximately 1312 metres.

PART II

Modification of Definitive Statement

Particulars to be added

Public Footpath commencing on Suggitts Lane at Grid Reference 529980 409740, crossing the railway over to Grid Reference 529994 409753 for a distance of approximately 16 metres, where it then turns west and follows a generally westerly direction between the toe of the flood embankment and scrubland immediately adjoining the boundary fencing of the railway for a distance of approximately 491 metres to Grid Reference 529594 410034, where it then crosses over an earth bund and continues in a north westerly direction for a distance of approximately 57 metres to Grid Reference 529559 410078. The Public Footpath then passes through a fenceline and continues in a generally north westerly direction for approximately a further 748 metres to terminate at a point to the north of Salvesen Road at Grid Reference 529072 410633, being a total path length of approximately 1312 metres.

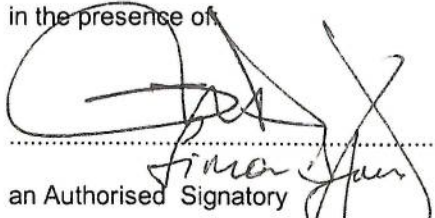
Width: Surfaced crossing area of 3.6 metres between Points A and B

Varying between 2 metres and 6 metres between Points B and C

2 metres between Points C and E on the Plan

Limitations: Pedestrian gate at Grid Reference 529980 409740 and 529994 409753.

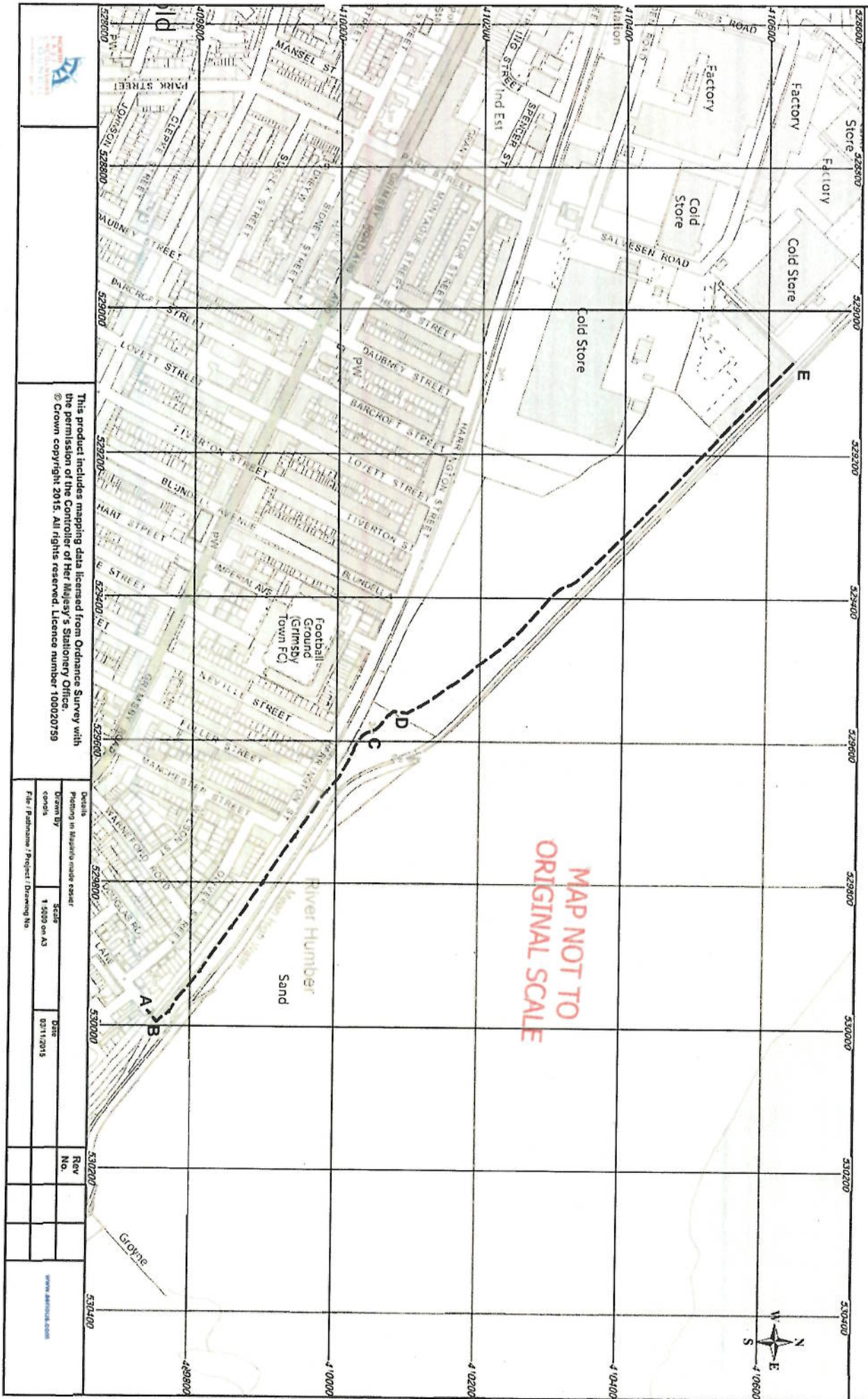
THE COMMON SEAL of the)
North East Lincolnshire Council was)
hereunto affixed this ^{6th}..... day)
of November 2015)
in the presence of)


.....
an Authorised Signatory

No. in Seal Register: 6489.....



Cleethorpes No 5 Definitive map Modification Order 2015



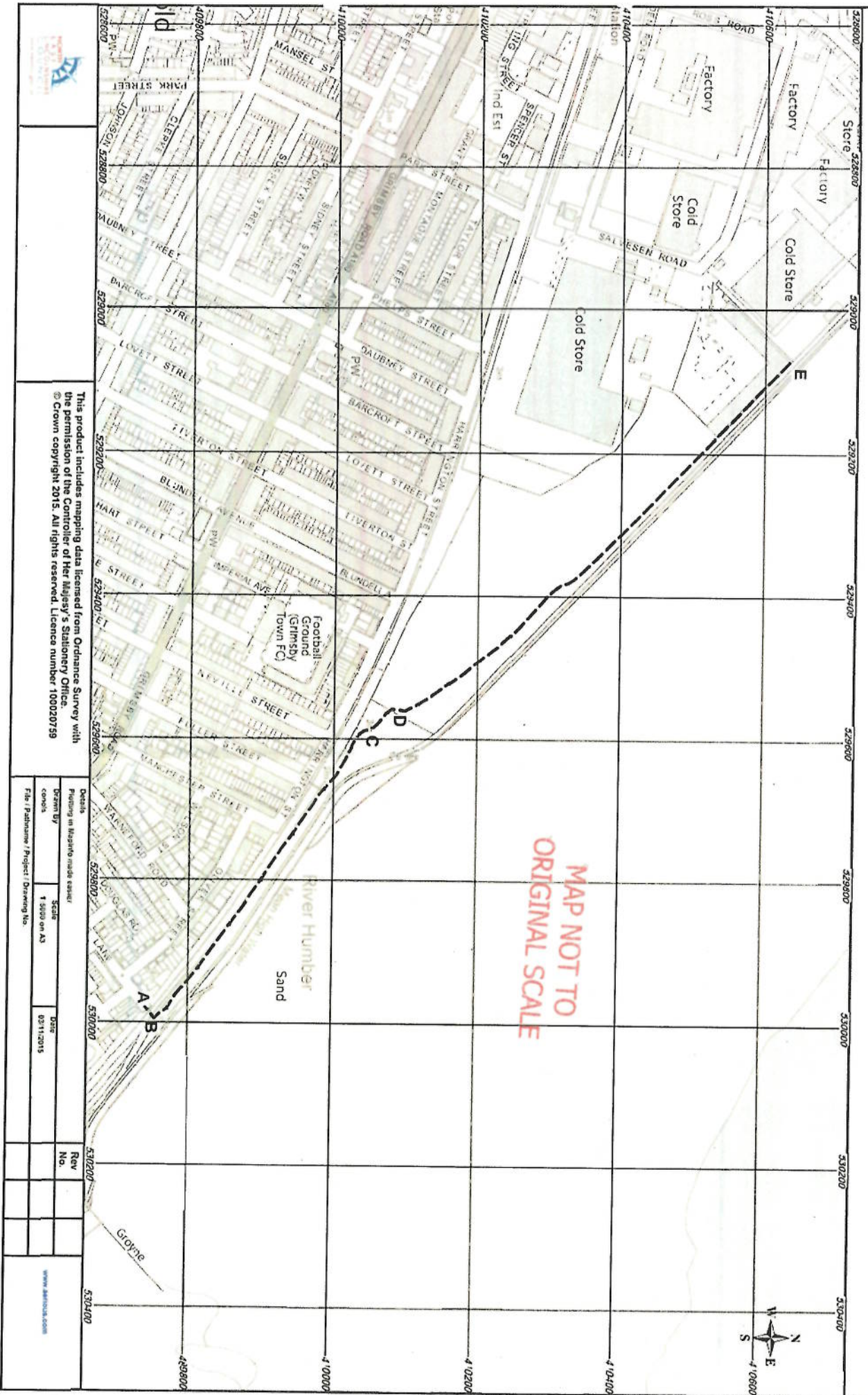
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Date	02/11/2015		
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www.lincolnshire.gov.uk

Cleethorpes No 5 Definitive map Modification Order 2015



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Producing in MapInfo inside esri	Scale	No.	
Drawn By	1:5000 on A3	Date	
09/11/2015			
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		www.esri.com	