

NOTICE OF ORDER

Wildlife and Countryside Act 1981 Section 53

North Lincolnshire Council
County of Lincoln – Parts of Lindsey (Glanford Brigg) Definitive Map
& Statement
Definitive Map Modification (Byway Open to All Traffic 1, South
Ferriby & Horkstow) Order 2016 (1)

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(s) is 7 November 2017.

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 1,900-metre-long byway open to all traffic leading south along the track known as Middlegate Lane from the A1077 in South Ferriby at grid reference SE98902106 to Horkstow Road in the parish of Horkstow at grid reference SE98961919.

Any queries relating to this Order should be referred to Tara Davies 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. Email: tara.davies@pins.gsi.gov.uk. Please quote reference number ROW/3180961 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 North Lincolnshire Councils offices situated Church Street House, 30 - 40 High Street, Scunthorpe, DN15 6NL and will be available via www.northlincs.gov.uk by searching on 'Public Rights of Way' and then clicking 'Notices'.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date 21 November 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 - 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 2 January 2018

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 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).

Within 14 weeks of the start date 13 February 2018

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(s) 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.

Notice of order for w/r

**Wildlife and Countryside Act 1981
Section 53**

**County of Lincoln – Parts of Lindsey
(Glanford Brigg) Definitive Map and
Statement**

**Definitive Map Modification (Byway Open
to All Traffic 1, South Ferriby and
Horkstow) Order 2016(1)**



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Wildlife and Countryside Act 1981

County of Lincoln, Parts of Lindsey (Glanford Brigg), Definitive Map and Statement

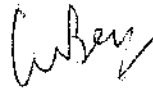
"Definitive Map Modification (Byway Open to All Traffic 1, South Ferriby and Horkstow) Order 2016(1)"

This order is made by North Lincolnshire Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the "County of Lincoln, Parts of Lindsey (Glanford Brigg)" definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) – namely, the discovery by the authority of evidence that (when considered with all other relevant evidence available to them) shows that a right of way that 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 a byway open to all traffic – of the Act.

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

1. For the purposes of this order the relevant date is 25 February 2016.
2. The "County of Lincoln, Parts of Lindsey (Glanford Brigg)" definitive map and statement 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 "Definitive Map Modification (Byway Open to All Traffic 1, South Ferriby and Horkstow) Order 2016(1)".

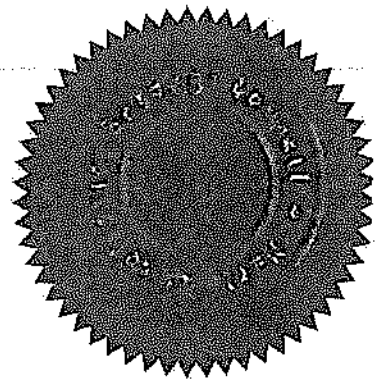
The COMMON SEAL of
NORTH LINCOLNSHIRE COUNCIL
was hereunto affixed
in the presence of:



(authorised signatory)

Dated: 17th May 2016

Seal Number: 8181





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SCHEDULE

PART 1

Modification of Definitive Map

Description of path or way to be added

A – B, as indicated on the map: a 1,450-metre-long byway open to all traffic of a width of 12.2 metres (or forty feet, as awarded) commencing on the A1077 opposite the western end of Public Footpath 32 from Barton-upon-Humber at grid reference SE98902106 and proceeding in a southerly direction, initially uphill along a surfaced road known as Middlegate Lane bound largely by hedges, thence past the rear of St Nicholas's churchyard and thence to the entrance to a quarry; thence continuing southwards along the same road, only less well surfaced, being mud-coated crushed stone, to the quarry perimeter's southwest corner; thence continuing southwards, still along Middlegate Lane, now with a natural surface, to the Horkstow parish boundary at grid reference SE99011964.

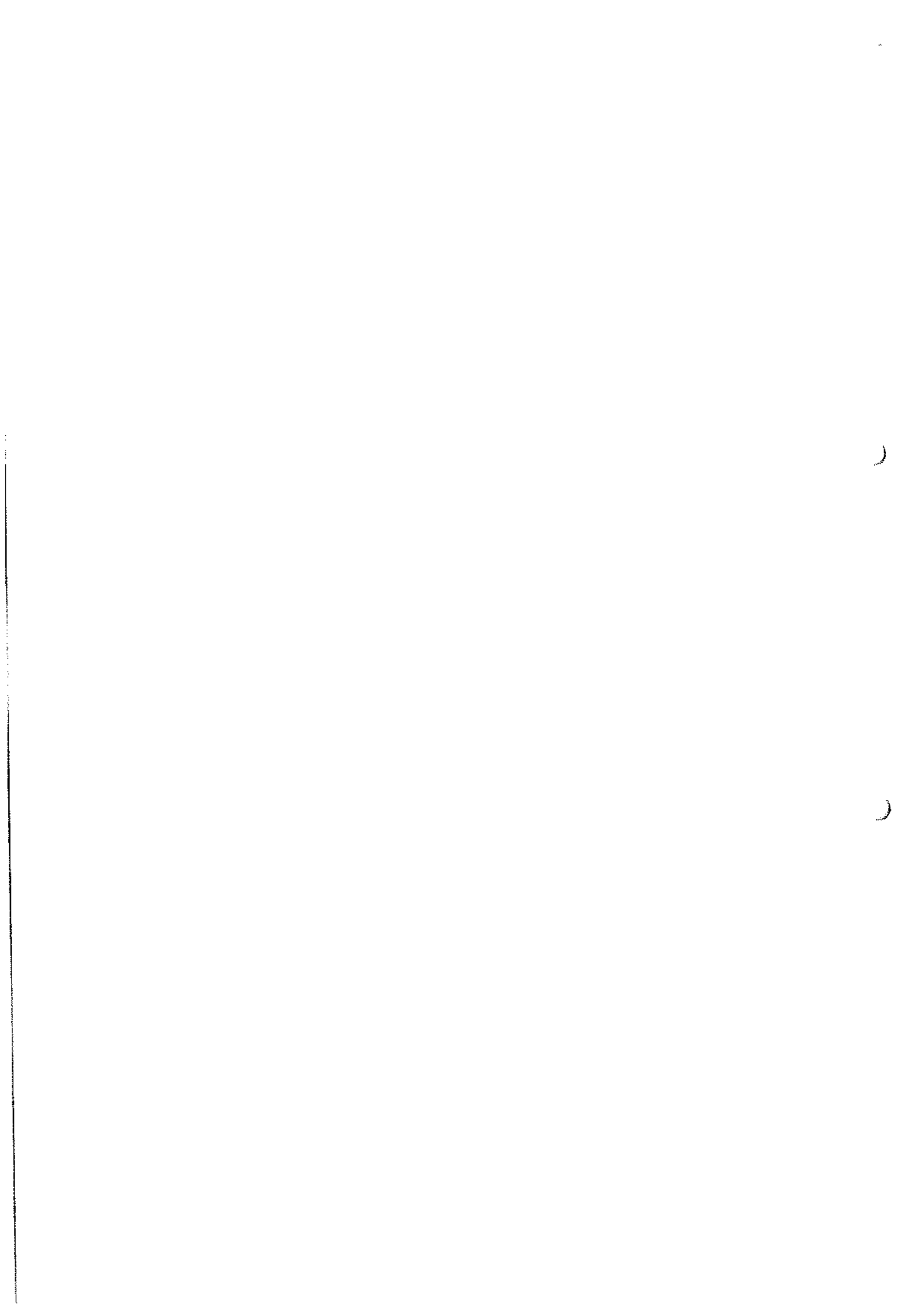
B – C, as indicated on the map: a 450-metre-long byway open to all traffic of a width of 8.5 metres commencing along Middlegate Lane at the South Ferriby parish boundary at SE99011964 and proceeding southwards over a track along an arable field's western perimeter to its junction with Horkstow Road opposite Middlegate Lane's continuation as a tarmacked road at grid reference SE98961919.

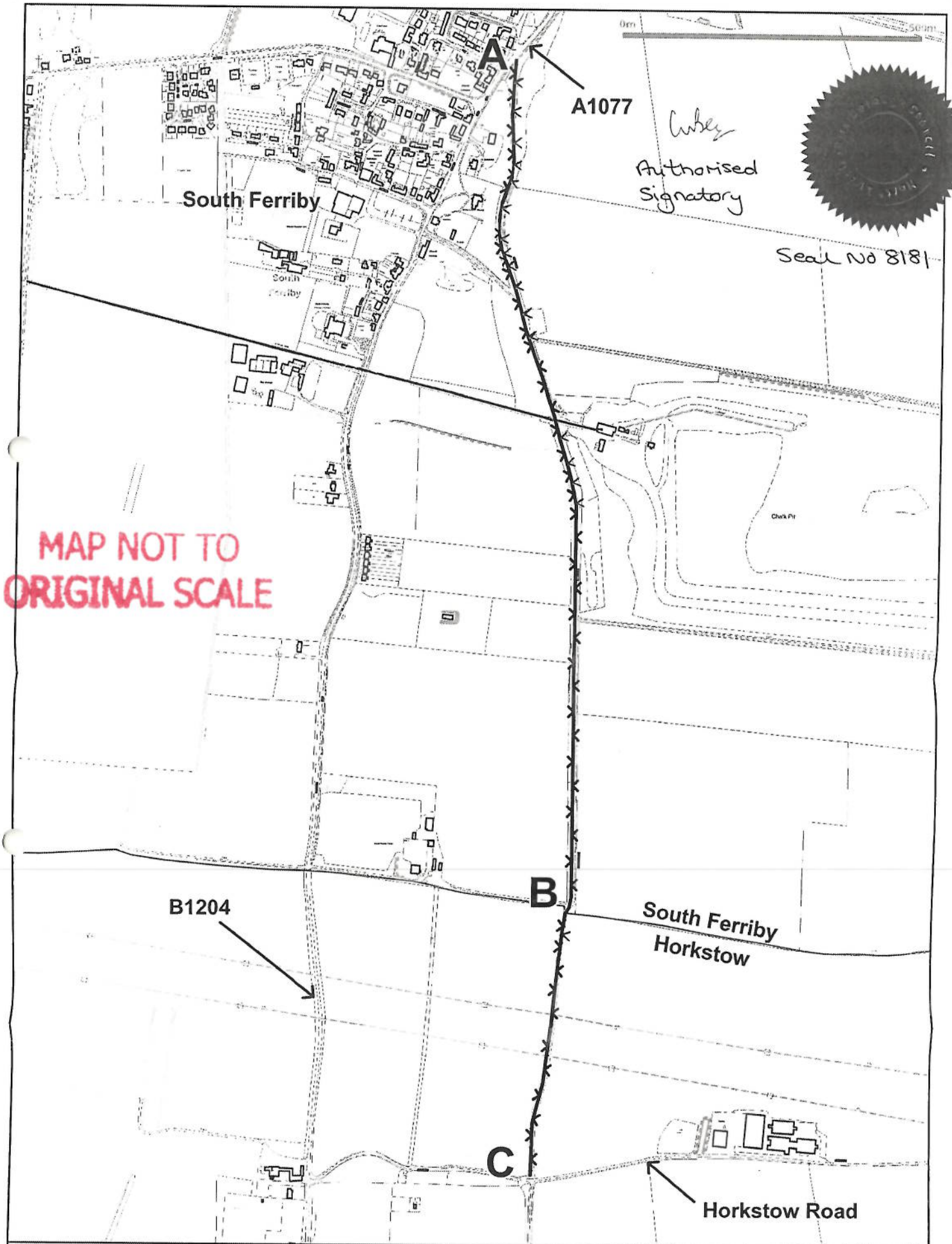
PART 2

Modification of Definitive Statement

Variation of particulars of path or way

A 1,900-metre-long byway open to all traffic of a width of 12.2 metres (or forty feet, as awarded) in South Ferriby and 8.5 metres in Horkstow commencing on the A1077 opposite the western end of Public Footpath 32 from Barton-upon-Humber at grid reference SE98902106 and proceeding in a southerly direction, initially uphill along a surfaced road known as Middlegate Lane bound largely by hedges, thence past the rear of St Nicholas's churchyard and thence to the entrance to a quarry; thence continuing southwards along the same road, only less well surfaced, being mud-coated crushed stone, to the quarry perimeter's southwest corner; thence continuing southwards, still along Middlegate Lane, now with a natural surface, to the Horkstow parish boundary at grid reference SE99011964; and thence southwards over a track along an arable field's western perimeter to its junction with Horkstow Road opposite Middlegate Lane's continuation as a tarmacked road at grid reference SE98961919.





Cubley
 Authorised
 Signatory



**MAP NOT TO
 ORIGINAL SCALE**

B1204

B

South Ferriby
 Horkstow

C

Horkstow Road



Title:	
Drawing No:	Version: 1
Drawn by:	Date: 24/02/2016
Scale @A3 1:5580	



Director of Places
 Peter Williams
 BSc,DMS,CEng,MEI,MCI,AMIMechE

