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## Order Decision

Site visit made on 8 November 2016

**by Alan Beckett BA MSc MIPROW**

**an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs**

**Decision date: 12 May 2017**

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### **Order Ref: FPS/E1855/3/7M**

- This Order is made under Section 118 of the Highways Act 1980 (the 1980 Act) and is known as the Worcestershire County Council Footpath SP-536, Formerly Footpath 28, in the Parish of Stoke Prior Public Path Extinguishment and Definitive Map Modification Order 2014.
- Worcestershire County Council submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- The Order is dated 13 November 2014. The Order was the subject of an interim decision dated 6 December 2016 in which I proposed to confirm the Order subject to modifications which required advertisement.

**Summary of Decision: The Order is confirmed subject to the modifications set out in the Formal Decision.**

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### **Procedural Matters**

1. The effect of the Order, if confirmed with the modifications that I previously proposed would be to extinguish the length and entire width of a footpath in the parish of Stoke Prior which commences at the junction with footpath SP-530 at point X on the modified Order plan and proceeds in a generally south-easterly direction for approximately 24 metres crossing the railway line to its termination at the junction with footpath SP-537 at point Y on the modified Order plan.
2. In my interim decision of 6 December 2016, I proposed to confirm the Order subject to the modifications described in paragraph 1 above. Since the modifications proposed in my interim decision would affect land not affected by the Order as originally made I was required by virtue of paragraph 2 (3) of Schedule 6 to the 1980 Act to give notice of my proposal to modify the Order.
3. No duly made representations or objections were received following advertisement of the notice and deposit of the associated documents relating to the proposed modifications.

### **Conclusions**

4. Bearing in mind the above, I conclude that the Order should be confirmed subject to the modifications set out in paragraph 75 of my interim decision dated 6 December 2017 and the modification of the order plan to include points X and Y.

### **Formal Decision**

5. I confirm the Order subject to the following modifications:
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in the Schedule Part 1 under 'description of public right of way to be extinguished' insert: "The length and entire width of that footpath in the parish of Stoke Prior to be extinguished commences at point X on the Order plan at the junction with footpath SP-530 and proceeds in a generally south easterly direction for approximately 24 metres crossing the railway line to point Y on the Order plan where it terminates at the junction with footpath SP-537. The total distance of footpath to be extinguished is approximately 24 metres";

in the Order plan insert 'X' and 'Y'.

*Alan Beckett*

Inspector

