

# NOTICE OF ORDER

WILDLIFE & COUNTRYSIDE ACT 1981 – SECTION 53  
SURREY COUNTY COUNCIL

Upgrading of Footpaths No. 129 Byfleet, 3 Wisley (part) and 566 Wisley  
to Bridleway Status Definitive Map 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 **05 December 2017**.

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

The Inquiry will be held at The Council Chamber, Woking Borough Council, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL on 22 May 2018 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:

i. Upgrading to Public Bridleway the Public Footpath (No.129 Byfleet) from Sanway Road, Byfleet (Grid ref 506260 160019) in a south-westerly direction for 76 metres to Public Footpath No.3 Wisley (Grid ref 506214 159969).

ii. Upgrading to Public Bridleway part of the Public Footpath (No.3 Wisley) from Public Footpath No.129 (Byfleet) (Grid ref 506214 159969) in a westerly and then southerly direction for 161 metres to Public Footpath No. 566 (Wisley) (Grid Ref 506078 159939).

iii. Upgrading to Public Bridleway the Public Footpath (No.566 Wisley) from Public Footpath No.3 (Wisley) (Grid Ref 506078 159939) in a south westerly direction for 440 metres to join Wisley Lane (Grid ref 505764 159646).

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](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number ROW/3182825 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 Whitebeam Lodge, Merrow Depot, Merrow Lane, Guildford, GU4 7BQ from Monday to Friday (excluding bank holidays). Council Tel. 0208541 9343.

## **Timetable for sending in statements of case and proofs of evidence**

### **Within 8 weeks of the start date by [by 30 January 2018]**

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 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 13 March 2018]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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).

### **4 weeks before the date of the inquiry [by 24 April 2018]**

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

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<sup>1</sup> 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.

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

**MODIFICATION ORDER**  
**WILDLIFE AND COUNTRYSIDE ACT 1981**  
**THE SURREY COUNTY COUNCIL REVISED RIGHTS OF WAY MAP IN DEFINITIVE**  
**FORM AND THE SURREY COUNTY COUNCIL PUBLIC RIGHTS OF WAY**  
**DEFINITIVE STATEMENT**  
**THE SURREY COUNTY COUNCIL UPGRADING OF FOOTPATHS NO.129 BYFLEET,**  
**3 WISLEY (PART) AND 566 WISLEY TO BRIDLEWAY STATUS DEFINITIVE MAP**  
**MODIFICATION ORDER 2016**

This Order is made by Surrey County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(ii), namely,

The discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows 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\_\_\_\_\_

The authority have consulted with every local authority whose area includes the land to which the Order relates;\_\_\_\_\_

The Surrey County Council hereby order that:-

- 1 FOR the purposes of this Order the relevant date is 20 July 2016.\_\_\_\_\_
- 2 THE Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order.\_\_\_\_\_
- 3 THIS Order shall take effect on the date it is confirmed and may be cited as the Surrey County Council Footpath No.129 Byfleet, 3 Wisley (part) and 566 (Wisley) Definitive Map Modification Order 2016.\_\_\_\_\_

SM

Executed as a Deed by affixing )  
the Common Seal of )  
SURREY COUNTY COUNCIL )  
on 20 JULY 2016 )  
in the presence of:- )



*Wanda D. Shelton*

Director of Legal, Democratic & Cultural Services/ Authorised Signatory

SCHEDULE

Part I

Modification of Definitive Map

Description of path to be upgraded

Footpath No. 129 (Byfleet) in the Borough of Woking, shown by a bold broken line with cross bars in the intervals on Drawing No. 3/1/75/H25a, commencing at point 'A' (Grid ref 506260 160019) on Sanway Road, Byfleet and proceeding in a south-westerly direction to join Public Footpath No.3 Wisley at point 'B' (Grid ref 506214 159969) to be upgraded to bridleway status. The total distance is 76 metres.

Footpath No.3 (Wisley) in the Borough of Guildford, shown by a bold broken line with cross bars in the intervals on Drawing No. 3/1/75/H25a, commencing at point 'B' (Grid ref 506214 159969) at the parish boundary and proceeding in a westerly direction for 64 metres to point C (Grid Ref 506155 159982) where the path passes under the M25 and continues for 41 metres to point 'D' (Grid ref 506115 159975) and then in a generally southerly direction for 56 metres to join Public Footpath No 566 (Wisley) at point E (Grid Ref 506078 159939) to be upgraded to bridleway status. The total distance is 161 metres.

Footpath No.566 (Wisley) in the Borough of Guildford, shown by a bold broken line with cross bars in the intervals on Drawing No. 3/1/75/H25a, commencing at point 'E' (Grid ref 506078 159939) at Public Footpath No.3 (Wisley) and proceeding in a south westerly direction for 440 metres to join Wisley Lane at point 'F' (Grid ref 505764 159646) to be upgraded to bridleway status..

The total distance is 677 metres, the width is as indicated in the Definitive Statement in part II of the Schedule.

WIMBORNE L AND SURREY COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981  
MAP MODIFICATION ORDER  
BOROUGH OF WOKING AND GUILDFORD  
WISLEY AND BYFLEET

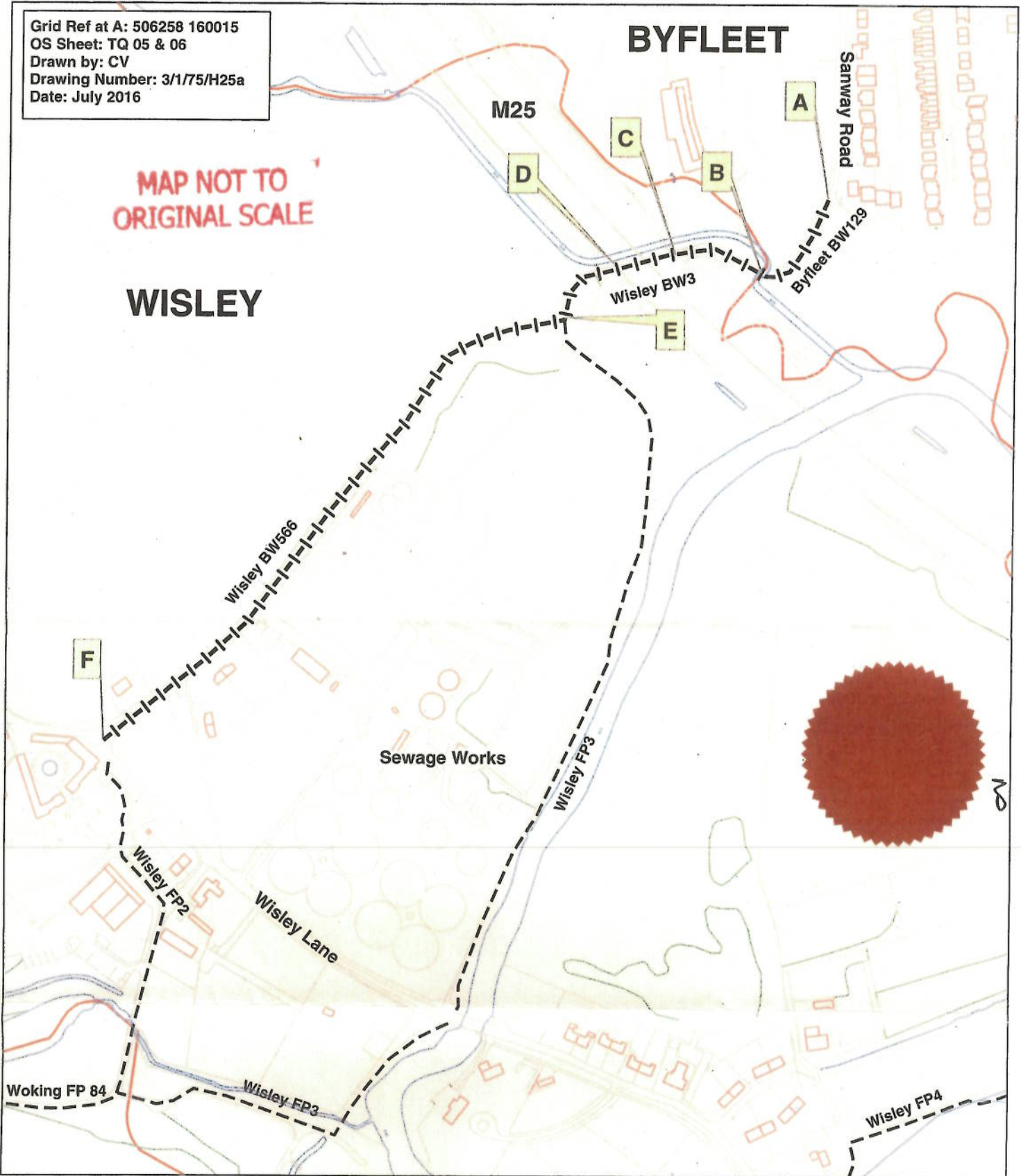


Grid Ref at A: 506258 160015  
OS Sheet: TQ 05 & 06  
Drawn by: CV  
Drawing Number: 3/1/75/H25a  
Date: July 2016

MAP NOT TO ORIGINAL SCALE

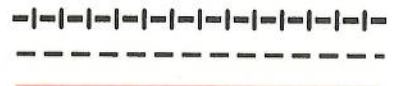
WISLEY

BYFLEET



1:2,500

Public Bridleway No 129 Byfleet, No 3 Wisley & No.566 Wisley  
Unaffected existing Public Footpaths  
District Boundary



Part II  
Modification of Definitive Statement  
Variation of particulars of path or way

Parish	R/W No	Status & Width Claimed	Description (Limitations shown in bold)	Width Fence to Fence	Condition or Surface	Remarks	Map No.
Byfleet	129	BW	FROM Sanway Road in a southerly direction:-				TQ06
			Occupation road Cart-bridge Occupation road  TO District boundary	15'0" 12'0"	10'0" metalled  10'0" metalled	Continues as R/W 3 in the Parish of Wisley	TQ05

Parish	R/W No	Status & Width Claimed	Description (Limitations shown in bold)	Width Fence to Fence	Condition or Surface	Remarks	Map No.
Wisley	3	FP	FROM Parish boundary west of Wisley Bridge in a north-easterly direction:-			Legal Event Order 1997	TQ 05
			Path Gap Obstruction		Earth	Single strand wire. Easily passable Stumps only	
			Stile Footbridge Path Crosses Wisley Road Path	1'6"	Broken Wood		
			Path Path	3'0"	Metalled	Passing Sewage Works	
			Path Path	2.5 – 3.5m 3'0"	1m Tarmac Metalled	Passing Sewage Works	
		BW	Junction with R/W 566				
		5m	Subway	5m	Rough Metal	Under the M25 motorway	
			TO Parish boundary south of "Sanway"			Continues as R/W 129 in the Parish of Byfleet	

Parish	R/W No	Status & Width Claimed	Description (Limitations shown in bold)	Width Fence to Fence	Condition or Surface	Remarks	Map No.
Wisley	566	<i>BW</i>	From Wisley Road opposite Church Farm in a north-easterly direction:-  Occupation road  To R/W 3	20'0"	8'-10' track		TQ 05

The text in italics will be added to the Surrey County Council Definitive Statement



DATED 20 JULY 2016

WILDLIFE AND COUNTRYSIDE ACT 1981  
SECTION 53

THE SURREY COUNTY COUNCIL  
REVISED RIGHTS OF WAY MAP  
AND STATEMENT IN DEFINITIVE FORM

THE SURREY COUNTY COUNCIL  
UPGRADING OF FOOTPATH 129  
(BYFLEET), 3 (WISLEY)(PART), 566  
WISLEY TO BRIDLEWAY STATUS  
DEFINITIVE MAP MODIFICATION ORDER  
2016

SM/CV/3/1/75

Surrey County Council

No. in sealing  
register

16212-16215

Ordered to  
be sealed

~~MEMBERS~~ PLANNING & REGULATORY  
COMMITTEE 8.6.16