

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Wiltshire Council

Parish of Box – Paths 107A, 107B & 107C Rights of Way 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 **14 June 2017**.

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

The Inquiry will be held at **Box Multi Sport, Youth & Community Pavilion, Valens Terrace, Box, Wiltshire, SN13 8NT** on **Tuesday 5 December 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 adding 3 lengths of footpaths at Leafy Lane Playing Fields, Box. Path 107 A leads from Boxfields Road along the western edge of the playing field site to the woodland where it turns north east to Leafy Lane width 2 metres approx. length 730 metres. Path 107B leads from Leafy Lane north of Rudloe House in a broadly western direction to join path 107A (width 2 metres approx length 215 metres) and path 107C leads from Leafy Lane South of Rudloe House in a northerly direction to join path 107 A just west of its junction with Leafy Lane (width 2 metres approx. length 175 metres) and as shown on the Order plan.

Any queries relating to this Order should be referred to Helen Sparks 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 5646. Email: helen.sparks@pins.gsi.gov.uk Please quote reference number ROW/3172081 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 office of Rights of Way and Countryside, Unit 9, Ascot Court, Aintree Avenue, White Horse Business Park, Trowbridge, Wiltshire, BA14 0XA. To arrange a viewing, please contact Ms Sally Madgwick on Telephone Number 01225 713392.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 9 August 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 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 20 September 2017]

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 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 7 November 2017]

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.

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.

Notice of order for inquiry

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE DEFINITIVE MAP AND STATEMENT FOR THE CALNE AND CHIPPENHAM
RURAL DISTRICT COUNCIL AREA DATED 1953 AS MODIFIED UNDER THE
PROVISIONS OF THE WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE WILTSHIRE COUNCIL PARISH OF BOX PATHS 107 A, 107 B and 107 C RIGHTS
OF WAY MODIFICATION ORDER 2016**

This order is made by Wiltshire 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 for the Calne and Chippenham Rural District Council Area dated 1953 as modified under the provisions of the Wildlife and Countryside Act 1981 require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) 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;

The Authority has consulted with every local authority whose area includes the land to which the order relates.

The Wiltshire Council hereby order that:

1. For the purposes of this Order the relevant date is the 25th August 2016
2. The Definitive Map and Statement for the Calne and Chippenham Rural District Council Area dated 1953 as modified under the provisions of the Wildlife and Countryside Act 1981 shall be modified as described in Parts I and 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 Wiltshire Council Parish of Box Paths 107 A, 107 B and 107 C Rights of Way Modification Order 2016

THE COMMON SEAL of
WILTSHIRE COUNCIL was
hereunto affixed this 1st day
of September 2016 in the
presence of:

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}
}

Kanarise

Senior Solicitor



84232

SCHEDULE

PART I

MODIFICATION OF THE DEFINITIVE MAP

Parish	Path No	Description of footpath to be added	Modified under Section 53(3) as Specified
Box	107 A	Length of footpath as shown by a broken black line marked A to B on the plan annexed hereto. Width 2 metres Approximate length 730 m	53(3)(c)(i)
Box	107 B	Length of footpath as shown by a broken black line marked C to E on the plan annexed hereto. Width 2 metres Approximate length 215 m	53(3)(c)(i)
Box	107 C	Length of footpath as shown by a broken black line marked D to F on the plan annexed hereto. Width 2 metres Approximate length 175 m	53(3)(c)(i)

PART 2

MODIFICATION OF THE DEFINITIVE STATEMENT

Parish	Path No	Description of footpath to be added	Modified under Section 53(3) as Specified
Box	107 A	<u>FOOTPATH</u> leading from Boxfields Road at OS Grid ref. ST 8418 6939 in a generally north north westerly direction along the field edge to the woodland where generally north east to Leafy Lane at OS Grid ref. ST 8442 6987. Width 2 metres Approximate length 730 metres	53(3)(c)(i)

Limitations and Conditions: Squeeze gap at ST 8418 6939 Stile at ST 8442 6987

Box	107 B	<u>FOOTPATH</u> leading from Leafy Lane at OS Grid ref. ST 8443 6978 leading in a generally westerly direction to its junction with path 107 A at OS Grid ref. ST 8424 6976. Width 2 metres Approximate length 215 metres	53(3)(c)(i)
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Box	107 C	<u>FOOTPATH</u> leading from Leafy Lane at OS Grid ref ST 8441 6969 leading in a northerly direction to its junction with path 107 A at OS Grid ref. ST 8440 6986. Width 2 metres Approximate length 175 metres	53(3)(c)(i)
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BOX 107 A, B and C ORDER PLAN

- Footpath to be added BOX 107 A A - - - - - B
- Footpath to be added BOX 107 B C - - - - - E
- Footpath to be added BOX 107 C D - - - - - F
- Unaffected footpath X - X - X - X - X - X - X - X -

MAP NOT TO ORIGINAL SCALE
Date: 16/02/2016

