

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Hertfordshire County Council
(Little Gaddesden 2,3 & 27) Modification Order 2014

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 10 January 2018.

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

The Inquiry will be held at **Great Gaddesden Village Hall, Dagnall Road, Great Gaddesden, Hemel Hempstead HP1 3BW** on **Wednesday 13 June 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:-

Deleting from them; that part of Little Gaddesden Footpath 2 commencing at a junction with Ringshall Road opposite Beacon Road at SP 9846 1424 and running generally south east for approximately 85 metres to SP 9851 1417 and that part of Little Gaddesden Footpath 3 commencing at a junction with Little Gaddesden Footpath 2 at SP 9848 1421 and running generally south for approximately 310 metres to SP 9850 1390.

Adding to them; a public Footpath commencing at SP 9850 1403 and running generally north east for approximately 150 metres to a junction with Little Gaddesden Footpath 2 at SP 9861 1414

A public Footpath commencing at a junction with the Ringshall Road at SP 9846 1420 and running generally south east for approximately 55 metres to SP 9851 1417

A public Footpath commencing at a junction with Little Gaddesden Footpath 2 at SP 9851 1417 and running generally south for approximately 265 metres to a junction with Little Gaddesden Footpath 3 at SP 9850 1390.

Any queries relating to this Order should be referred to Jean McEntee 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 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number ROW/3184705 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 Hertfordshire County Council, County Hall, Pegs Lane, Hertford SG13 8DN between 10am – 12pm, 2 – 4pm Monday to Friday (excluding Bank Holidays. Telephone: 01992 555279.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 7 March 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 18 April 2018]

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 16 May 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

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.

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

WILDLIFE AND COUNTRYSIDE ACT 1981
The Definitive Map and Statement of Public Rights of Way in
Hertfordshire

Hertfordshire County Council
(Little Gaddesden 2, 3 & 27)
Modification Order 2014

This Order is made by Hertfordshire County 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 of Public Rights of Way in Hertfordshire require modification in consequence of the occurrence of an event specified in Section 53(3)(b), (c)(i) and (iii) of the Act, namely –

(b) 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 the presumption that the way has been dedicated as a public path or restricted byway.

(c) 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

(iii) that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority has consulted with every local authority whose area includes the land to which the Order relates. Hertfordshire County Council hereby order that:

1. For the purposes of this Order the relevant date is 1st March 2014.
2. The Definitive Map and Statement of Public Rights of Way in Hertfordshire shall be modified as described in Part I and Part II of the Schedule and shown on Part 1 and Part 2 of the plan attached to the Order ("the Order Plan").
3. This Order shall take effect on the date it is confirmed and may be cited as the Hertfordshire County Council (Little Gaddesden 2, 3 & 27) Modification Order 2014.

SCHEDULE
PART I

Modification of Definitive Map

Description of path or way to be deleted

That part of Little Gaddesden Footpath 2 commencing at a junction with Ringshall Road opposite Beacon Road at SP 9846 1424 (Point A on the Order Plan) and running generally south east for approximately 85 metres to SP 9851 1417 (Point B on the Order Plan).

That part of Little Gaddesden Footpath 3 commencing at a junction with Little Gaddesden Footpath 2 at SP 9848 1421 (Point C on the Order Plan) and running generally south for approximately 310 metres to SP 9850 1390 (Point D on the Order Plan).

Description of path or way to be added

A public Footpath commencing at SP 9850 1403 (Point E on the Order Plan) and running generally north east for approximately 150 metres to a junction with Little Gaddesden Footpath 2 at SP 9861 1414 (Point F on the Order Plan).

Width: 2 metres
 Limitations: None

A public Footpath commencing at a junction with the Ringshall Road at SP 9846 1420 (Point G on the Order Plan) and running generally south east for approximately 55 metres to SP 9851 1417 (Point B on the Order Plan).

Width: 4.21 metres
 Limitations: Gate at SP 9846 1420 (Point G on the Order Plan)

A public Footpath commencing at a junction with Little Gaddesden Footpath 2 at SP 9851 1417 (Point B on the Order Plan) and running generally south for approximately 265 metres to a junction with Little Gaddesden Footpath 3 at SP 9850 1390 (Point D on the Order Plan).

Width: 3 metres between SP 9851 1417 (Point B on the Order Plan) and SP 9850 1403 (Point E on the Order Plan)
 Varying from 1 metre to 1.45 metres between SP 9850 1403 (Point E on the Order Plan) and SP 9850 1390 (Point D on the Order Plan) as shown shaded on Part 2 of the Order Plan.
 Limitations: None

PART II

Modification of Definitive Statement

Variation of particulars of path or way

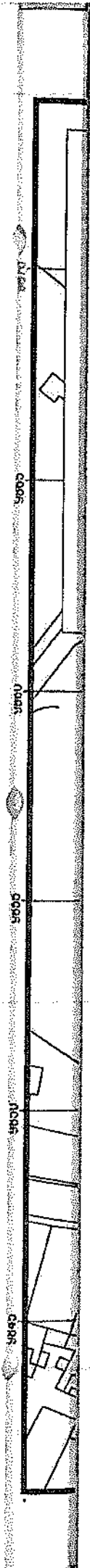
A new Statement shall be recorded for Little Gaddesden 027 as follows:

Path No	Status	HCC Map Ref
027	FP	HCC 52

Commencing at a junction with Little Gaddesden FP3 at SP 9850 1403 and running generally NE for approx. 150m to a junction with Little Gaddesden FP2 at SP 9861 1414.


Width 2m


Limitations None




THIS PLAN FORMS PART OF THE
HERTFORDSHIRE COUNTY COUNCIL
(LITTLE GADDESSEN 2, 3 & 27)
MODIFICATION ORDER 2014

PART 1

Existing Footpath: 

Footpath to be Deleted: 

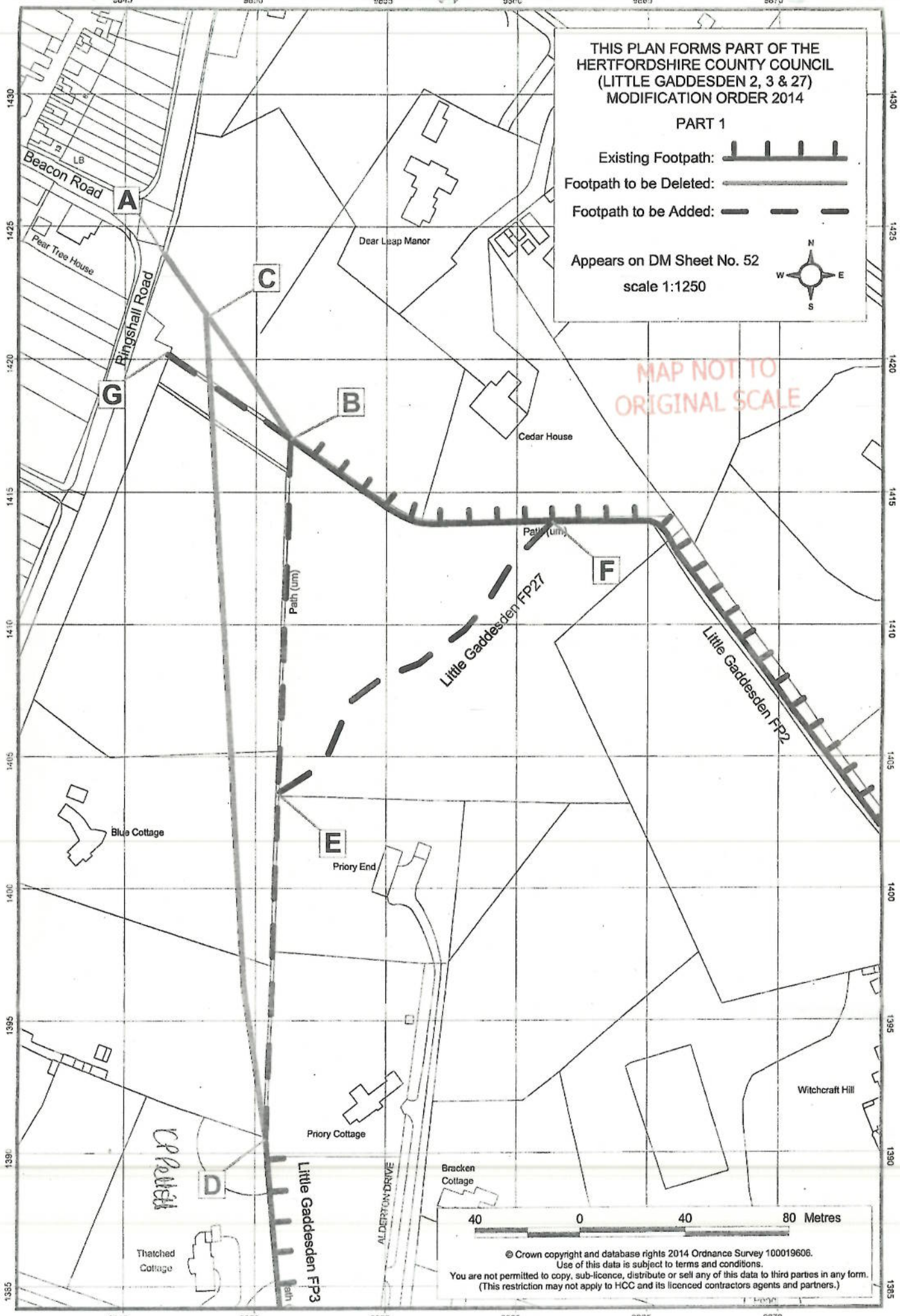
Footpath to be Added: 

Appears on DM Sheet No. 52

scale 1:1250



MAP NOT TO
ORIGINAL SCALE




40 0 40 80 Metres

© Crown copyright and database rights 2014 Ordnance Survey 100019606.
Use of this data is subject to terms and conditions.
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.
(This restriction may not apply to HCC and its licenced contractors agents and partners.)

THIS PLAN FORMS PART OF THE
HERTFORDSHIRE COUNTY COUNCIL
(LITTLE GADDESSEN 2, 3 & 27)
MODIFICATION ORDER 2014

PART 2

Depiction of variable width: 

Appears on DM Sheet No. 52

Not to scale



MAP NOT TO
ORIGINAL SCALE

Priory End

Little Gaddesden FP3

Priory Cottage

CPattist

RIVE

Br
Co

The Statement for Little Gaddesden 002 shall be amended as follows:

Path No	Status	HCC Map Ref
002	FP	HCC 52

Commences at junction with Ringshall Road at SP 9846 1420 and runs generally SE for approx. 55m to a junction with Little Gaddesden FP3 at SP 9851 1417 then continues generally SE and E to a junction with Little Gaddesden FP27 at SP 9861 1414. Continues SE through Ashridge Park across FP5 at Witchcraft Bottom thence SE and then NE to junction with county road opposite Memorial Lodge at Little Gaddesden.

Width 4.21m between SP 9846 1420 and SP 9851 1417

Limitations Gate at SP 9846 1420

The Statement for Little Gaddesden 003 shall be amended as follows:

Path No	Status	HCC Map Ref
003	FP	HCC 52

Commences at junction with Little Gaddesden FP2 at SP 9851 1417 and runs generally S for approx. 130m to a junction with Little Gaddesden FP27 at SP 9850 1403 then continues generally S for approx. 135m to SP 9850 1390 then SE through Ashridge Park to junction with FP5. Recommences from FP5 approx 170m SW of previous junction thence SE then S to west end of Ashridge House thence SW and SE along eastern boundary of Hardings Rookery to join Park Road at Berkhamsted Lodge.

Width 3 metres between SP 9851 1417 and SP 9850 1403
Varying from 1 metre to 1.45 metres between SP 9850 1403 and SP 9850 1390 as shown shaded on the Order Plan attached to the Hertfordshire County Council (Little Gaddesden 2, 3 & 27) Modification Order 2014

Limitations None between SP 9851 1417 and SP 9850 1390

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 11 day of April 2014

The Common Seal of
HERTFORDSHIRE
COUNTY COUNCIL
was hereunto affixed
in the presence of:-

Chief Legal Officer

K. Pettitt
Kathryn Pettitt
Chief Legal Officer

