

# NOTICE OF ORDER

**HIGHWAYS ACT 1980 SECTION 119  
& WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53  
(The Wiltshire Council City of Salisbury (Stratford sub Castle)  
Salisbury Footpath no. 6 Diversion Order 2016 and Definitive Map  
and Statement Modification Order 2016**

**&**

**HIGHWAYS ACT 1980 SECTION 118  
The Wiltshire Council Stratford sub castle Footpath Linking  
Salisbury 24 with Salisbury 6 – Extinguishment Order 2016)**

Notice is hereby given that the above referenced Orders have 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 Orders.

The **start date** for the above Orders is **4 August 2017**.

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

The Inquiry will be held at **The Reading Room, Stratford Road, Stratford Sub Castle, Salisbury, Wiltshire, SP1 3LL** on **Tuesday 23 January 2018** at 10.00am.

The effect of the first Order, if confirmed without modifications, will be to divert part of footpath Salisbury no. 6 at Stratford sub Castle from its existing line to the rear of residential properties (width 2 metres to 2.14 metres approx length 321 metres) to a path to the north east leading from OS Grid ref SU 1339 3223 to OS Grid ref SU 1320 3248 (width 3 metres approx length 326 metres) and to alter the City of Salisbury Area definitive map and statement dated 1953 accordingly.

The effect of the second Order, if confirmed without modifications, will be to extinguish the public footpath running from OS Grid ref SU1320 3248 to OS Grid ref SU 1338 3223 (linking Salisbury path no 6 with Salisbury path no 24) at Stratford sub Castle. Width 2 metres. Approx. length 323 metres.

Any queries relating to these Orders 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](mailto:helen.sparks@pins.gsi.gov.uk) Please quote reference numbers ROW/3174201 & ROW/3174202 on all correspondence.

Any person wishing to view the statements of case and other documents relating to these Orders may do so by appointment at the offices of Rights of Way and Countryside, Unit 9, Ascot Court, Aintree Avenue, White Horse

Business Park, Trowbridge, Wiltshire, BA14 0XA during normal office opening hours 09:00am – 17:00pm, Monday to Friday inclusive. 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 [by 29 September 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 Orders.

#### **Within 14 weeks of the start date [by 10 November 2017]**

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 Orders (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 Orders (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 22 December 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

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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.

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

**PUBLIC PATH EXTINGUISHMENT ORDER**

**HIGHWAYS ACT 1980**

**WILTSHIRE COUNCIL**

**The Wiltshire Council Stratford sub Castle footpath linking  
Salisbury 24 with Salisbury 6**

This order is made by Wiltshire Council ('the authority') under section 118 of the Highways Act 1980 because it appears to the authority that the footpath described in paragraph 1 below is not needed for public use.

Salisbury City Council have been consulted as required by section 120(2) of the 1980 Act.

**BY THIS ORDER**

1. The public right of way over the land situated at Stratford sub Castle and shown by a continuous bold line on the map from point A to Point B attached to this order and described in the Schedule to this order shall be extinguished after 1 day from the date of confirmation of this order.

**SCHEDULE**

Length of footpath shown as a bold black line leading from point A at OS Grid reference SU 1320 3248 to Point B at OS Grid reference SU 1338 3223 on the Order plan attached hereto.


Width 2metres

Approximate length 323 metres

THE COMMON SEAL of }  
WILTSHIRE COUNCIL was }  
hereunto affixed this 12th day }  
of December 2016 }



in the presence of:

  
S.W. SLATER

Team Leader (Legal)





**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

**HIGHWAYS ACT 1980**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**WILTSHIRE COUNCIL**

**The Wiltshire Council City of Salisbury (Stratford sub Castle) Salisbury footpath no. 6  
Diversion Order 2016 and Definitive Map and Statement Modification Order 2016**

This Order is made by Wiltshire Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the City of Salisbury Area definitive map and statement dated 1953 as modified under the Wildlife and Countryside Act 1981 require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

Salisbury City Council have been consulted as required by section 120(2) of the 1980 Act.

**BY THIS ORDER**

1. The public footpath over the land situate at Stratford sub Castle and shown by a bold continuous line on the map contained in this order and described in Part 1 of the Schedule to this order shall be stopped up after 7 days from the date of confirmation of this order, and thereupon the City of Salisbury area definitive map dated 1953 shall be modified by deleting from it that public right of way.
2. There shall be at the end of 7 days from the date of confirmation of this order be a public footpath over the land situate at Stratford sub Castle and as described in Part 2 of the Schedule and shown by a broken line on the map contained in this order, and thereupon the City of Salisbury area definitive map dated 1953 shall be modified by adding that path to it.
3. The City of Salisbury area definitive statement shall be modified as described in part 3 of the Schedule to this Order.

## **SCHEDULE**

### **PART 1**

#### **DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

Part of Salisbury path no. 6 leading from its junction with Salisbury path no. 24 at Dairy Cottage leading in a north westerly direction to OS Grid reference SU 1320 3248 and as shown by a bold black line leading from point B to point A on the plan attached hereto.

Width: 2 metres to 2.14 metres

Approximate length: 321 metres

### **PART 2**

#### **DESCRIPTION OF SITE OF NEW PATH OR WAY**

Path as shown by a black broken line on the plan attached hereto leading from point C at OS Grid reference SU 1339 3223 leading in a north westerly and north easterly direction to point A at OS Grid reference SU 1320 3248.

Width: 3 metres

Approximate length: 326 metres



**PART 3**

**MODIFICATION OF DEFINITIVE STATEMENT**


**VARIATION OF PARTICULARS OF PATH OR WAY**

Parish	Number	Details	Section
Salisbury	6	<u>FOOTPATH</u> From the Portway, path no. 3, south west of Portway Cottage, leading north – west past Parsonage Farm and across Grabbage Lane to road C.1, south of Dean's Farm.  Approximate length 1194 metres  Width 2 metres to 2.14 metres except from OS Grid reference. SU 1320 3248 to SU 1339 3223 where 3 metres	53(3)(a)(i)

**THE COMMON SEAL of** }  
**WILTSHIRE COUNCIL** }  
**was hereunto affixed this** }  
**12th day of December 2016** }



**In the presence of : -**

  
G.W. GATERS

Team Leader (Legal)

