

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Wiltshire Council

The Wiltshire Council (Parish of Holt) Path No. 73 Definitive Map and
Statement 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 **15 November 2017**.

Consideration of the Order will take the form of a hearing.

The Hearing will be held at **Holt Village Hall (1st Floor Room), The Street, Holt, Trowbridge, Wiltshire, BA14 6QH** on **Wednesday 14 March 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 adding to them the footpath from OS Grid Reference ST 8573- 6171, at its junction with Leigh Road, Holt, leading in a south-westerly direction for approximately 6 metres and then west-south-west for approximately 59 metres, along a track to the rear of properties in Leigh Road, to OS Grid Reference ST 8566-6169, before leading generally north-west through the adjoining field for approximately 90 metres to its junction with Footpath no.31 Holt, at OS Grid Reference ST 8559-6174, having a width varying between 0.85 metres and 2 metres on that section between OS Grid Reference ST 8573-6171 and ST 8566-6169, as shown shaded purple on the order plan and a width of 1.6 metres on that section between OS Grid Reference ST 8566-6169 and ST 8559-6174.

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/3178505 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment from 9:00am to 5:00pm on Monday to Friday at the office of the Rights of Way and Countryside Team, Waste and Environment, Wiltshire Council, Unit 9, Ascot Court, White Horse Business Park, Trowbridge, Wiltshire, BA14 0XA. To arrange a viewing, please contact Ms Janice Green on Telephone Number 01225 713345.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 10 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, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

Within 12 weeks of the start date [by 7 February 2018]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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).

All parties must keep to the timetable set out above and ensure that statements of case 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 hearing

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 hearing.

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE DEFINITIVE MAP AND STATEMENT FOR THE BRADFORD AND
MELKSHAM RURAL DISTRICT COUNCIL AREA DATED 1952**

**THE WILTSHIRE COUNCIL (PARISH OF HOLT) PATH NO.73 DEFINITIVE MAP
AND STATEMENT 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 Bradford and Melksham Rural District Council Area definitive map and statement dated 1952 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 have 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 5th July 2016.
2. The Bradford and Melksham Rural District Council Area definitive map and statement shall be modified as described in Part I and Part 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 Holt) Path no.73 Definitive Map and Statement Modification Order 2016.

SCHEDULE

PART I

Modification of Definitive Map

Description of path or way to be added

That length of footpath as shown by purple shading and a continuous purple line on the attached plan, leading from point A at OS Grid Reference ST 8573-6171, at its junction with Leigh Road, Holt, in a south-westerly direction for approximately 6 metres and then west-south-west for approximately 59 metres to point B at OS Grid Reference ST 8566-6169, before leading generally north-west for approximately 90 metres to its junction with Footpath no.31 Holt at point C, at OS Grid Reference ST8559-6174, having a width varying between 0.85 metres and 2 metres, as shown shaded purple on the attached plan, on that section between OS Grid Reference ST 8573-6171 and ST 8566-6169 and a width of 1.6 metres on that section between OS Grid Reference ST 8566-6169 and ST 8559-6174.

PART II

Modification of Definitive Statement

Variation of particulars of path or way

<u>Parish</u>	<u>Path No.</u>	<u>Modified Statement to read:-</u>	<u>Modified under Section 53(3) as specified</u>
Holt	73	<u>FOOTPATH.</u> From its junction with Leigh Road at OS Grid Reference ST 8573-6171, leading in a south-westerly direction for approximately 6 metres and then west-south-west for approximately 59 metres, along a track to the rear of properties in Leigh Road, before entering the adjoining field and then leading generally north-west for approximately 90 metres to its junction with Footpath no.31 Holt at OS Grid Reference ST 8559-6174.	53(3)(c)(i)

Approximate length: 155 metres.

Width: Varying between 0.85 metres and 2 metres on that section between OS Grid Reference ST 8573-6171 and OS Grid Reference ST 8566-6169, as shown shaded purple on the order plan.

1.6 metres on that section between OS Grid Reference ST 8566-6169 and OS Grid Reference ST 8559-6174.

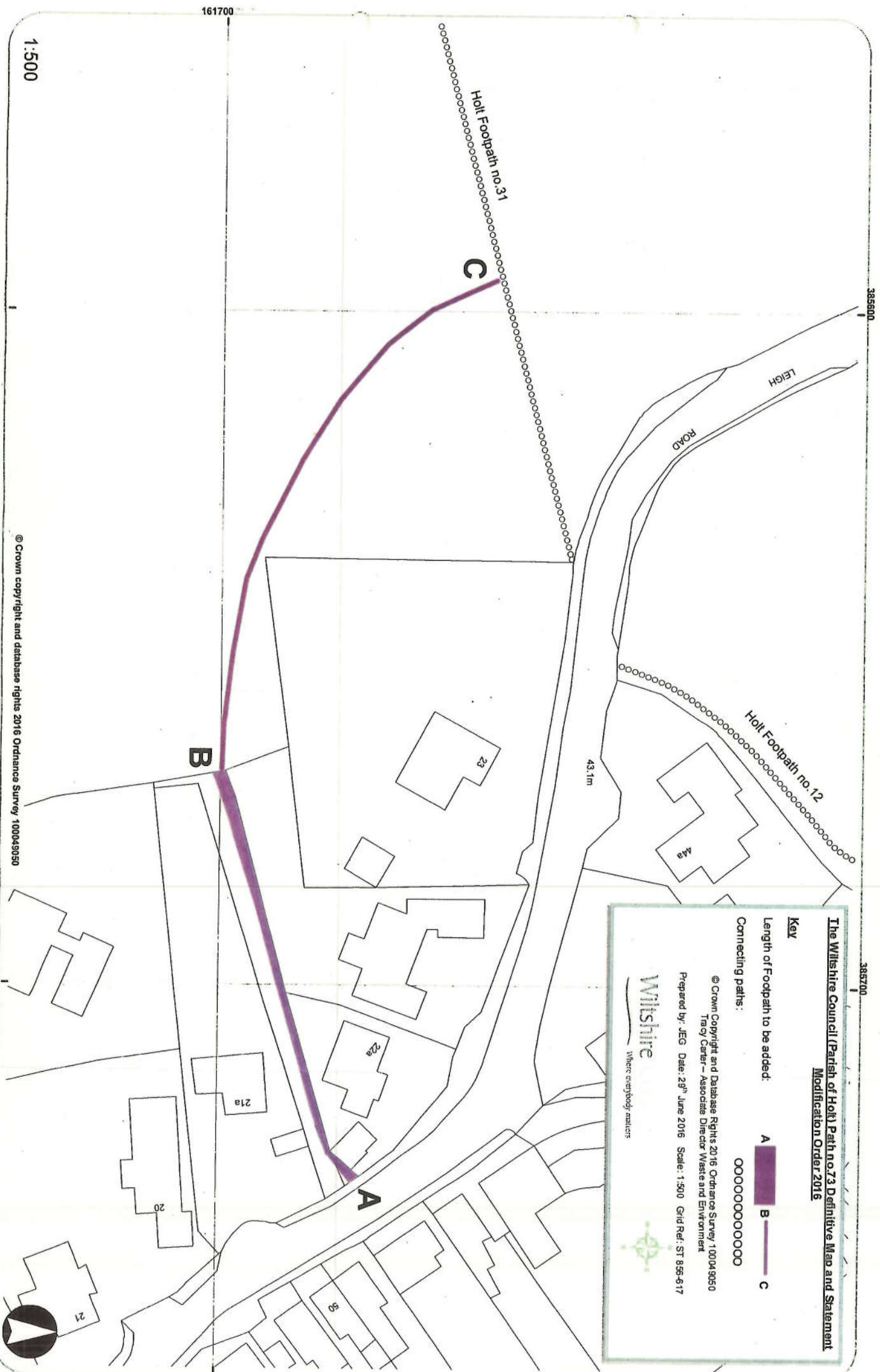
THE COMMON SEAL OF }
THE WILTSHIRE COUNCIL }
was hereunto affixed this }
5th day of July 2016 }
in the presence of:

M. E. Yecker

Team Leader (Legal)



638096



The Wiltshire Council (Parish of Holt) Path no.73 Definitive Map and Statement Modification Order 2016

Key

Length of Footpath to be added: **A** **B** **C**

Connecting paths:

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Trig Centre - Associate Director Waste and Environment
Prepared by: JEG Date: 29th June 2016 Scale: 1:500 Grid Ref: ST 856-517

Wiltshire
Where everybody matters

1:500

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