

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

Section 53

Swindon Borough Council
Highworth Rural District Definitive Map and Statement
The Swindon Borough Council
Footpath 30 Haydon Wick 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 6 June 2017.

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

The Inquiry will be held at Swindon Borough Council, Civic Offices, Committee Room 6, Euclid Street, Swindon, SN1 2JH on **28 November 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 to them the footpath which leads from Blackthorn Lane, Swindon, at OS grid reference SU14759 87268 to Bridleway 18 Haydon Wick at OS grid reference SU14664 87783.

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/3172296 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by prior appointment at The One Stop Shop, Beckhampton Street, Swindon, SN1 2JH between the hours of 9am and 5pm Monday to Friday. For more information please contact the Rights of Way Mapping Officer on 01793 466017 or by email at menright@swindon.gov.uk.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 1 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 12 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 31 October 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:

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.

- 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.

Notice of order for inquiry

WILDLIFE AND COUNTRYSIDE ACT 1981

SWINDON BOROUGH COUNCIL

HIGHWORTH RURAL DISTRICT DEFINITIVE MAP AND STATEMENT

THE SWINDON BOROUGH COUNCIL
FOOTPATH 30 HAYDON WICK MODIFICATION ORDER 2016

This Order is made by Swindon Borough Council ("the authority") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the Highworth Rural District Definitive Map and Statement require modification in consequence of the occurrence of events specified in section 53(3)(c)(i) of the 1981 Act, namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows 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.

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

Swindon Borough Council hereby orders that:

- 1 For the purposes of this Order the relevant date is 1 June 2016.
- 2 The Highworth Rural District 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 Swindon Borough Council Footpath 30 Haydon Wick Modification Order 2016.

THE COMMON SEAL of
THE SWINDON BOROUGH COUNCIL

was hereunto affixed this

22nd day of June 2016

in the presence of



863598
HEAD OF CONVEYANCING,
ENVIRONMENT AND CONTRACTS

SCHEDULE

PART I

MODIFICATION OF THE DEFINITIVE MAP

(References to lettered points in the following descriptions are references to letters on the attached maps showing the paths or ways being described. All distances are approximate. All descriptions are of "footpaths" unless otherwise stated)

Parish	Path no.	Description of path to be added	Modified under S.53(3) as specified
Haydon Wick	30	A length of path which commences at path 30 at OS grid reference SU14759 87268, at Blackthorn Lane, 62 metres NNW of Whitworth Road, and leads generally NNW for 540 metres to Bridleway 18 at OS grid reference SU14664 87783, having a width of 3.5 metres from point A to point B, a width of 2 metres from point B to point C, a width of 5 metres from point C to point D being a footbridge, a width of 2 metres from point D to point E, and a width of 4 metres from point E to point F, as shown on the Order Map.	53(3)(c)(i)

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH

Parish	Path no.	Statement
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Haydon Wick	30	The new description of this path shall be:
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FOOTPATH: From Whitworth Road, leading NNW for 62m with an unrecorded width along Blackthorn Lane (a private road) and continuing NNW for 202m, with a width of 3.5m along the track between the western boundary of Whitworth Road cemetery and the rear of Kennet Avenue. At the NW corner of the cemetery, the path continues NNW over grassland on the E side of Kennet Avenue for 140m, with a width of 2m, turning ENE to cross a bridge over a ditch having a width of 5m, and leading generally N over grassland for 190m, having a width of 2m, on the "Old Events Field", crossing the footbridge over the stream and continuing NNE for 8m, having a width of 4m, to join Bridleway 18 Haydon Wick, on the southern edge of the Seven Fields local nature reserve. A short spur leads WSW for 30m with an unrecorded width from the end of Blackthorn Lane to Kennet Avenue, between nos.18A and 20.

Length: 602m + 30m spur

Width: 2m-5m

Whereas the making of the Swindon Borough Council Footpath 30 Haydon Wick Modification Order 2016 was duly advertised and no objections were received, the Swindon Borough Council hereby confirms the Order.

**THE COMMON SEAL of
THE SWINDON BOROUGH COUNCIL**

was hereto affixed this

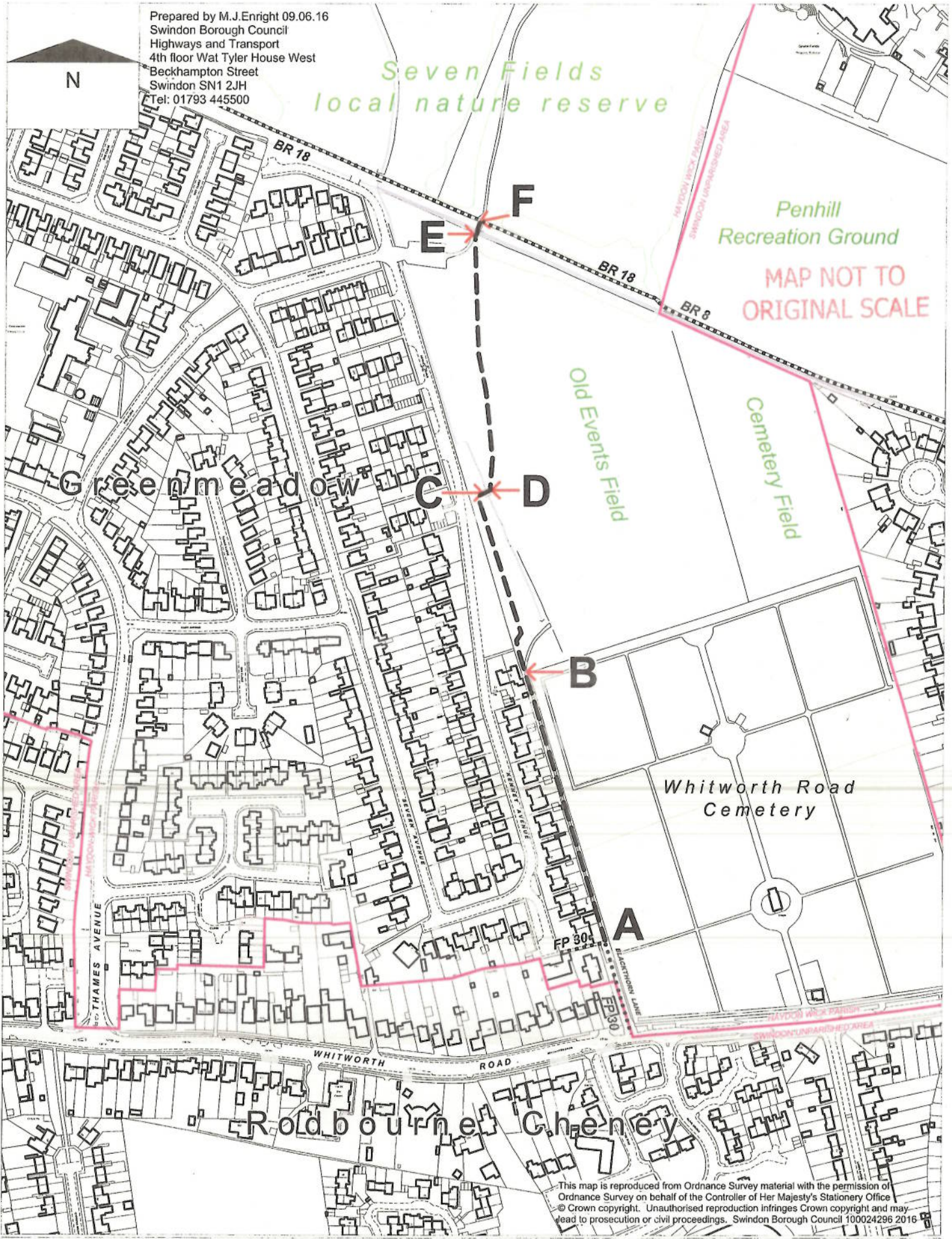
day of

2016

in the presence of

Prepared by M.J.Enright 09.06.16
 Swindon Borough Council
 Highways and Transport
 4th floor Wat Tyler House West
 Beckhampton Street
 Swindon SN1 2JH
 Tel: 01793 445500

Seven Fields
 local nature reserve



Penhill
 Recreation Ground

MAP NOT TO
 ORIGINAL SCALE

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Order map
Footpath 30 Haydon Wick

Grid reference at point A: SU 14759 87268

Path to be added (A-B-C-D-E-F):



Existing public rights of way:

Scale 1:2 500 (in A3 format)