

# **NOTICE OF ORDER**

## **HIGHWAYS ACT 1980 SECTION 119**

Hertfordshire County Council  
(Barley 14) Diversion 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 12 May 2017.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert the public footpath running:-

- from the public road at the 'Three Crowns' Public House, Shaftenhoe End at TL 4079 3787 south for 160 metres adjacent to converted barns to TL 4077 3771.
- onto a new route from Bogmoor Road at TL 4071 3785 continuing south on the east side of the boundary for 55 metres to a footbridge at TL 4072 3780 and continuing south west on the east side of the boundary for 80 metres to TL 4070 3772 then east on the south side of the boundary for 70 metres to join Barley 14 at TL 4077 3771.

The order will also divert the public footpath running:-

- from TL 4078 3749 west for 140 metres to TL 4064 3747 and then south west across Abbotsbury Farm for 320 metres to TL 4059 3716.
- onto a new route from TL 4078 3749 south on the west side of a field boundary for 65 metres to TL 4080 3743 and continuing south between a field boundary and a line of new planting for 200 metres to join Barley 16 at TL 4080 3723, as shown on the Order Plan.

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](mailto:jean.mcentee@pins.gsi.gov.uk). Please quote reference number ROW/3169067 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, Hertfordshire, SG13 8DN between 10am-12pm, 2-4pm Monday-Friday (excluding Bank Holidays). Telephone: 01992 555279.

## **Timetable for sending in statements of case and comments**

### **Within 2 weeks of the start date [by 26 May 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, the applicant and any other person who has written to us in respect of the Order.

### **Within 8 weeks of the start date [by 7 July 2017]**

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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, 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).

### **Within 14 weeks of the start date [by 18 August 2017]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

**In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.**

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

**PUBLIC PATH DIVERSION ORDER**  
**HIGHWAYS ACT 1980, SECTION 119**  
**HERTFORDSHIRE COUNTY COUNCIL**

**Hertfordshire County Council (Barley 14) Diversion Order 2016**

This Order is made by Hertfordshire County 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 owners 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.

Miles Beharrell and Paula Santomauro, Andrew and Rebecca Sims, Alexander and Joanna Wallace and Abbotsbury Properties LLC have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public

North Hertfordshire District Council and Barley Parish 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 situate at Barley shown by a bold continuous line on the plan contained in this Order ("the Order Plan") and described in Part 1 of the Schedule to this Order shall be stopped up on the date of confirmation of this Order.
2. There shall on the date of confirmation of this Order be a public footpath over the land situate at Barley described in Part 2 of the Schedule and shown by a bold broken line on the Order Plan.
3. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

**SCHEDULE**

**PART 1**  
**DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

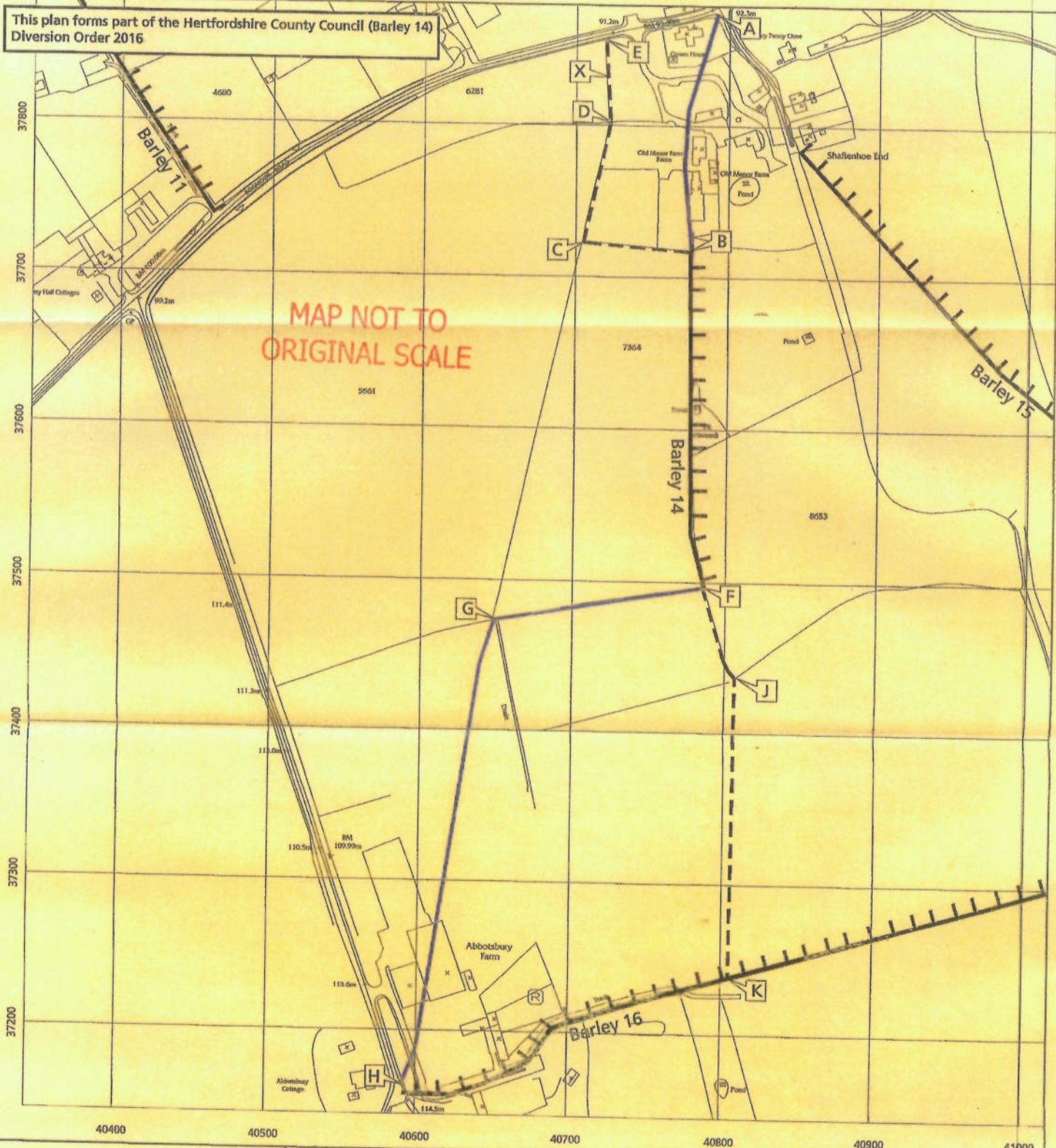
The full width of that part of Barley 14 from the public road at the 'Three Crowns' Public House, Shaftenhoe End at TL 4079 3787 (Point A on the Order Plan) continuing generally south for approximately 160 metres adjacent to converted barns to TL 4077 3771 (Point B on the Order Plan).

The full width of that part of Barley 14 from TL 4078 3749 (Point F on the Order Plan) continuing generally westerly for approximately 140 metres to TL 4064 3747 (Point G on the Order Plan) and then continuing generally south west across Abbotsbury Farm for approximately 320 metres to TL 4059 3716 (Point H on the Order Plan)



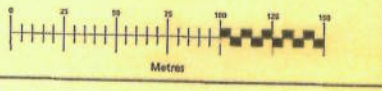
This plan forms part of the Hertfordshire County Council (Barley 14) Diversion Order 2016

MAP NOT TO ORIGINAL SCALE

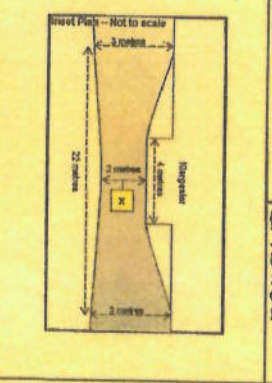


Notes:

- Appears on DM sheet no. 9
- Footpath: As currently shown on the DM
- Footpath: To be deleted
- Footpath: To be added



Inset: Detail of point X



*K. Poth*

REVISION	DATE	AMENDMENT
K	26/04/16	INSET
J	25/02/16	ORDER CHANGED TO 2016
I	13/01/15	X
H	23/03/15	ADD BARS SCALE
G	06/06/15	INSET
F	26/02/13	NTS
E	25/02/13	SHRINK TO A4
D	07/02/13	MAKE CHANGES TO PLAN



HERTFORDSHIRE COUNTY COUNCIL  
**HERTFORDSHIRE COUNTY COUNCIL**  
 (BARLEY 14) DIVERSION ORDER 2016

CLIENTS: ABB063  
 DRAWING NO: 210271DWG007  
 REVISION: K



PART 2  
DESCRIPTION OF SITE OF NEW PATH OR WAY

Public Footpath from a junction with Bogmoor Road at TL 4071 3785 (Point E on the Order Plan) in a southerly direction on the eastern side of the boundary for approximately 55 metres to a footbridge at TL 4072 3780 (Point D on the Order Plan) and continuing in a south westerly direction on the east side of the boundary for approximately 80 metres to TL 4070 3772 (Point C on the Order Plan) then continuing in an easterly direction on the southern side of the boundary for approximately 70 metres to join Barley 14 at TL 4077 3771 (Point B on the Order Plan).

Public Footpath from TL 4078 3749 (Point F on the Order Plan) continuing in a generally southerly direction on the western side of a field boundary for approximately 65 metres to TL 4080 3743 (Point J on the Order Plan) and continuing in a generally southerly direction between a field boundary and a line of new planting for approximately 200 metres to join Barley 16 at TL 4080 3723 (Point K on the Order Plan)

Width:

3 metres between TL 4071 3785 (Point E on the Order Plan) and TL 4077 3771 (Point B on the Order Plan), narrowing to 2 metres for a distance of 4 metres at TL 4072 3783 (Point X on the Order Plan) as shown shaded grey on the Inset on the Order Plan.

3 metres between TL 4078 3749 (Point F on the Order Plan) and TL 4080 3723 (Point K on the Order Plan).

PART 3  
LIMITATIONS AND CONDITIONS

A 2 metre Gap conforming with BS 5709 at TL 4071 3785 (Point E on the Order Plan)

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 17<sup>th</sup> day of June 2016

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

Chief Legal Officer

*K.Pettitt*  
Kathryn Pettitt  
Chief Legal Officer

