

# **NOTICE OF ORDER**

## **HIGHWAYS ACT 1980**

### **SECTIONS 119B & 1118B**

West Sussex County Council (Southwater) Public Path (No. 1642) Part  
Special Diversion Order 2016; &  
West Sussex County Council (Southwater) Public Path (No. 1650) Part  
Special 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 **20 February 2018**.

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

The Inquiry will be held at **The Hertford Centre, Christ's Hospital School, Horsham, West Sussex, RH13 0YP** on **Tuesday 24 July 2018** at 10.00am.

The effect of the Orders, if confirmed without modifications, will be to:

- Divert part of public bridleway 1642, to the south of Christ's Hospital School, commencing at its junction with public bridleway 3568, (GR 514359, 128261) and continuing south east, south and then generally east to GR 514503, 128079 and substitute that with a new length of bridleway 4 metres in width commencing at the eastern end of the length of path to be stopped up, GR 514503,128079 and continuing along the eastern and south edge of the school playing field to join with public bridleway 1650 at GR 514569, 127896; &
- Extinguish part of public footpath 1650 (approximately 180 metres in length) commencing at a point east of Stedman's Cottages (GR 514421, 127923) and extending generally north to join with public bridleway 1642.

Any queries relating to these Orders should be referred to Clive Richards 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 5502. Email: [clive.richards@pins.gsi.gov.uk](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number ROW/3186991 & ROW/3186993 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 Legal Services, County Hall, West Street, Chichester, PO12 1RQ during normal opening hours. Council contact: Ami Dye, tel: 0330 2222687.

## **Timetable for sending in statements of case and proofs of evidence**

### **Within 8 weeks of the start date by [by 17 April 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 Orders.

### **Within 14 weeks of the start date [by 29 May 2018]**

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 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 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 26 June 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 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

---

<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.

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

**Highways Act 1980, Section 118B**

**Special Extinguishment Order for Certain Highways which Cross Land Occupied for the Purposes of a School**

**West Sussex County Council (Southwater) Public Path (No.1650) Part Special Extinguishment Order 2016**

This Order is made by the West Sussex County Council ("the council") under section 118B(4) of the Highways Act 1980 ("the 1980 Act") because it appears to the council that as respects the relevant highway described in article 1 below ("the highway")—

- (a) the council are the highway authority for the highway;
- (b) the highway crosses land occupied for the purposes of a school; and
- (c) it is expedient for the purposes of protecting the pupils or staff from—
  - (i) violence or the threat of violence,
  - (ii) harassment,
  - (iii) alarm or distress arising from unlawful activity, or
  - (iv) any other risk to their health or safety arising from such activity, that the highway should be stopped up.

The Police Authority (Sussex Police Authority) for the area in which the highway lies has been consulted as required by section 118B(6) of the 1980 Act.

The Horsham District Council have been consulted as required by section 120(2)(a) of the 1980 Act

**BY THIS ORDER:**

- 1 The public right of way over the land situate at Southwater shown by a continuous bold line on the map contained in this Order and described in the Schedule to this Order shall be extinguished after 28 days from the date of confirmation of this Order.
- 2 Notwithstanding anything in paragraph 1 of this Order, where immediately before the date on which a highway is stopped up in pursuance of this Order there is apparatus on, under or over that highway belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus they then had.

Dated this 17<sup>th</sup> day of March 2016

The Common Seal of the County Council )  
of West Sussex was hereunto affixed in )  
the presence of: )

  
Authorised Signatory )

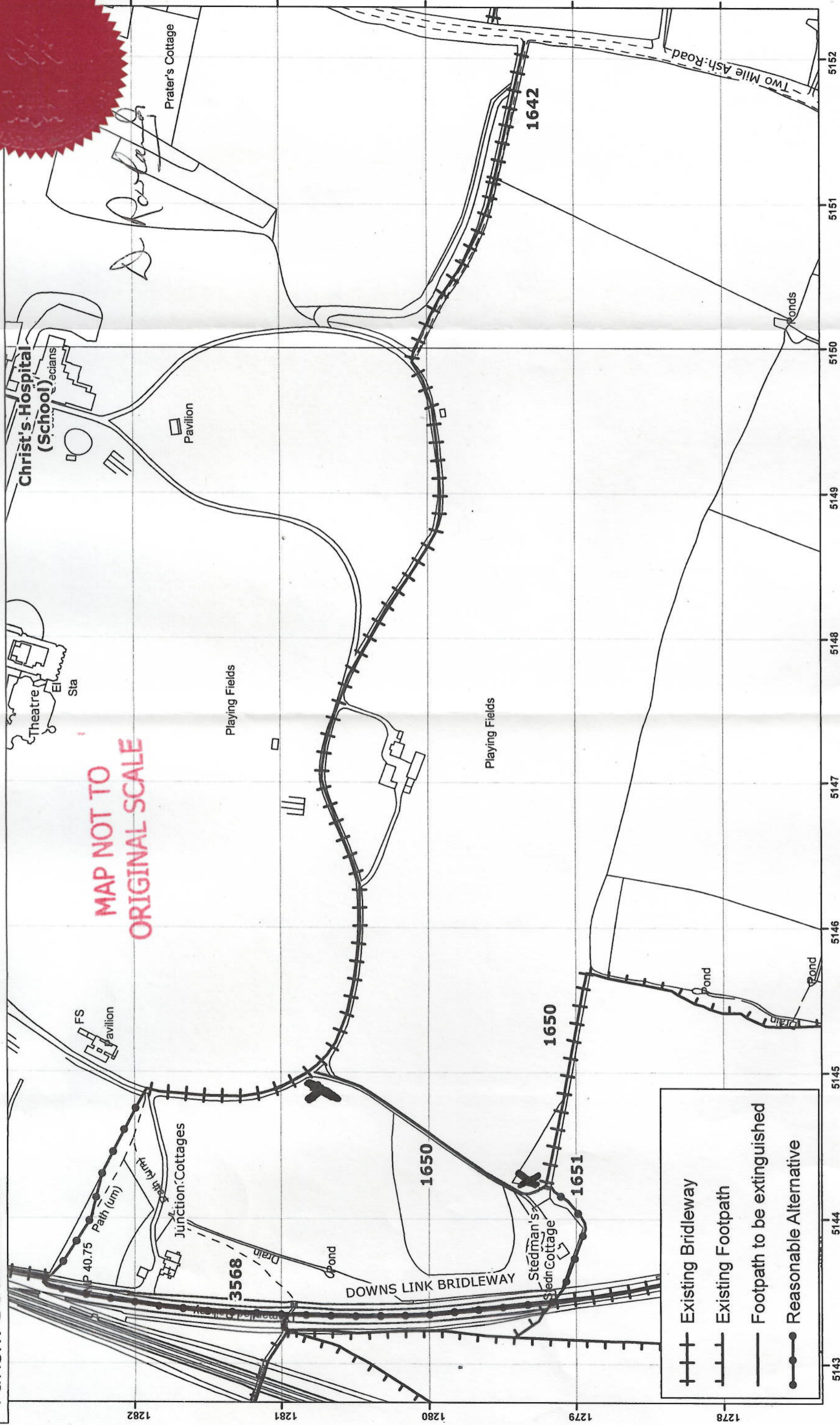


17779152/16  
ROW Complete  
Oct 2015

**SCHEDULE**

Part of public footpath number 1650 in the parish of Southwater commencing at a point east of Steadman's Cottage grid reference 514421, 127923 and continuing generally north eastwards for approximately 180 metres to grid reference 514501, 128080 as shown by the bold continuous line between points X and Y on the attached plan number 01672/1

Parish: Southwater

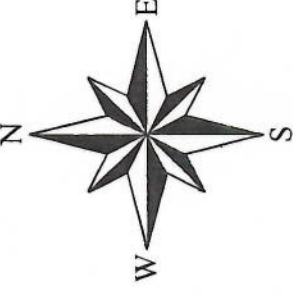


This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (C) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. West Sussex County Council, 100023447, 2015.

Plan: 01672/2 1:2,500 @A3  
 OS Sheets: TQ 12 NW, NE  
 Date: 04.03.2016.  
 Grid Ref: 5147 1279

**Southwater: Extinguishment of part of Footpath 1650 - Site Plan**

Photocopy liable to distortion  
 Lucie Monie  
 Interim Director of Highways and Transport



**Highways Act 1980, Section 119B**

**Special Diversion Order for Certain Highways which Cross Land  
Occupied for the Purposes of a School**

**West Sussex County Council (Southwater) Public Path (No.1642) Part  
Special Diversion Order 2016**

This Order is made by the West Sussex County Council ("the council") under section 119B(4) of the Highways Act 1980 ("the 1980 Act") because it appears to the council that as respects the relevant highway described in article 1 below ("the highway")—

- (a) the council are the highway authority for the highway;
- (b) the highway crosses land occupied for the purposes of a school;
- (c) it is expedient, for the purpose of protecting the pupils or staff from—
  - (i) violence or the threat of violence,
  - (ii) harassment,
  - (iii) alarm or distress arising from unlawful activity, or
  - (iv) any other risk to their health or safety arising from such activity,that the line of the highway, or part of that line, should be diverted;  
and
- (d) it is requisite for that purpose to extinguish the public right of way described in Part 1 of the Schedule to this Order and to create the public right of way described in Part 2 of that Schedule.

The police authority (Sussex Police Authority) for the area in which the highway lies has been consulted as required by section 119B(6) of the 1980 Act.

The Horsham District Council have been consulted as required by section 120(2)(a) of the 1980 Act


**BY THIS ORDER:**

- 1) The public right of way over the land situate at Southwater 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 extinguished after 28 days from the date of confirmation of this Order.

- 2) There shall at the end of 21 days from the date of confirmation of this Order be a new public right of way being a public bridleway over the land situate at Southwater described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order.
- 3) Notwithstanding anything in paragraph 1 of this Order, where immediately before the date on which a highway is stopped up in pursuance of this Order there is apparatus on, under or over that highway belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus they then had

Dated this 17<sup>th</sup> day of March 2016

The Common Seal of the County Council )  
of West Sussex was hereunto affixed in )  
the presence of: )  
 )  
Authorised Signatory )



17753/4/16  
Row Centre Oct  
2015



## **SCHEDULE**

### **Part 1**

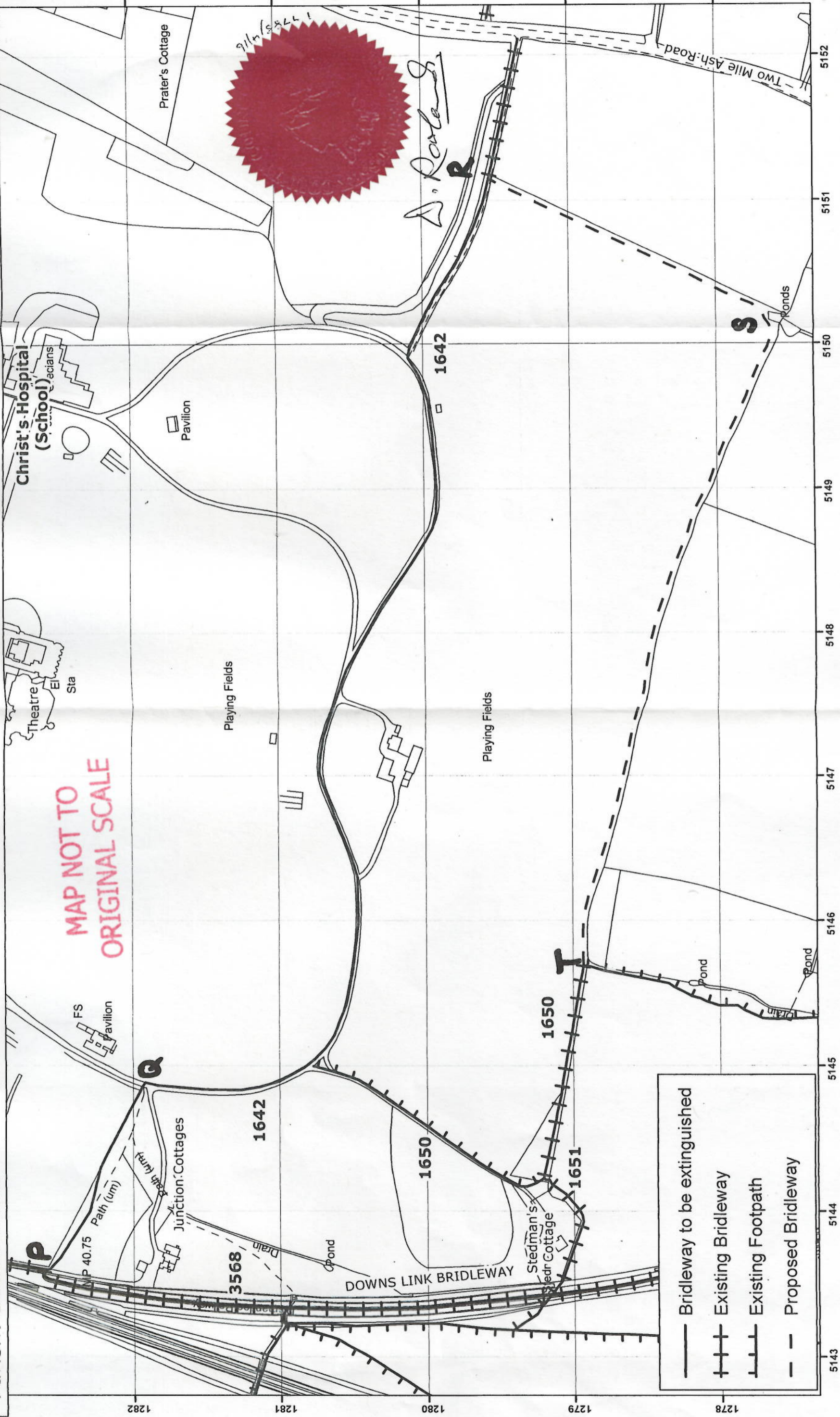
#### **Description of Site of Existing Highway**

Part of public bridleway number 1642 in the Parish of Southwater to the south of Christ's Hospital School commencing at its junction with bridleway 3568 (grid reference 514359, 128261) and continuing south east for approximately 145 metres then continuing south for approximately 120 before continuing for approximately 670 metres generally east to grid reference 514503, 128079 as shown by the bold continuous line between points P, Q and R on the attached plan number 01672/1.

### **Part 2**

#### **Description of Site of New Public Right of Way**

A new length of public bridleway having a width of 4 metres commencing at the eastern end of the length of path to be stopped up (grid reference 514503, 128079) and continuing along the southern and eastern edges of the school playing field, southwards for approximately 210 metres before continuing westwards for approximately 440 metres to join bridleway 1650 at grid reference 514569, 127896 as shown by the bold broken line between points R - S - T on the attached plan number 01672/1.

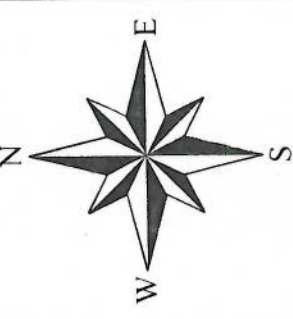


**MAP NOT TO ORIGINAL SCALE**

- Bridleway to be extinguished
- + + Existing Bridleway
- Existing Footpath
- - Proposed Bridleway

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. West Sussex County Council, 100023447, 2015.

**Southwater: Proposed Diversion of Bridleway 1642, and upgrade to Bridleway of parts of Footpaths 1650 and 1651 - Site Plan**



Plan: 01672/1	OS Sheets: TQ 12 NW, NE	Lucie Monie Interim Director of Highways and Transport
Date: 25.01.2016	Grid Ref: 5147 1279	Photocopy liable to distortion