

NOTICE OF ORDER
HIGHWAYS ACT 1980 SECTION 118
WILDLIFE AND COUNTRYSIDE ACT 1981
SECTION 53

Devon County Council
(Footpath No. 99, Ilfracombe) Public Path Extinguishment & Definitive
Map and Statement Modification Order 2017

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 **27 March 2018**.

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 extinguish part of the public footpath No. 99, Ilfracombe, from the High Street at the west side of the Bunch of Grapes public house and proceeds through an archway and along a covered alleyway and through several doors and a gate, then across a yard area to meet the remainder of Footpath No. 99, opposite No. 8 Fortescue Road, as shown on the order map.

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/3190787 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 the offices of Devon County Council at Public Rights of Way, Room ABG, Lucombe House, County Hall, Topsham Road, Exeter, Devon, EX2 4QD between the hours of 9am – 4.30pm Monday – Thursday and 9am – 4pm Fridays. To arrange a viewing, please contact Ms Caroline Gatrell on Telephone Number 01392 383240.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 10 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, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 22 May 2018]

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 3 July 2018]

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.

Notice of order for w/r

DATED 16th May 2017

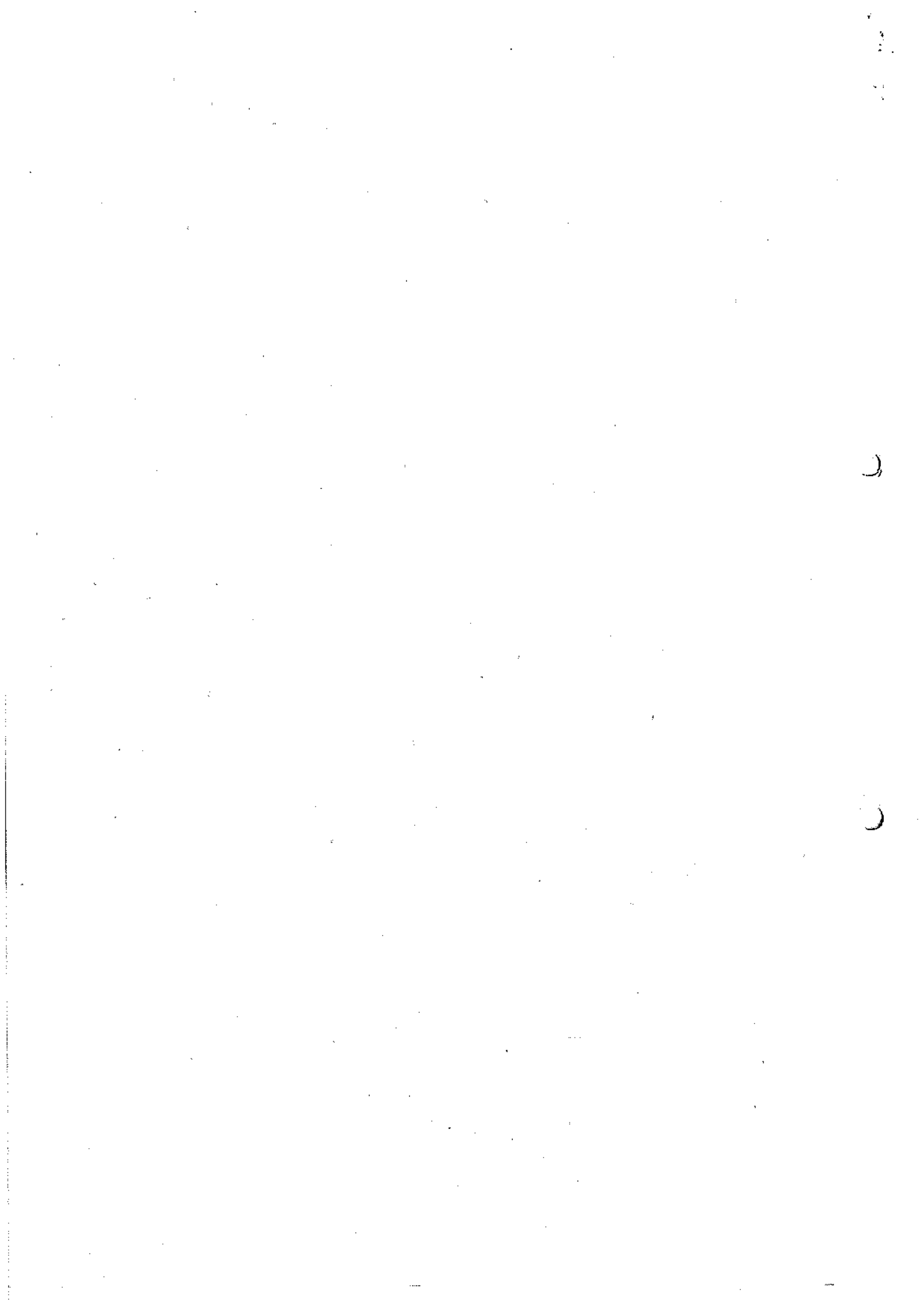
**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE
ACT 1981**

**DEVON COUNTY COUNCIL
(FOOTPATH NO. 99,
ILFRACOMBE)**

**PUBLIC PATH
EXTINGUISHMENT
AND DEFINITIVE MAP AND
STATEMENT MODIFICATION
ORDER 2017**

**JAN SHADBOLT
County Solicitor
Devon County Council
County Hall
Exeter
EX2 4QD**

Ref: JDH/B13694



**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
DEVON COUNTY COUNCIL
(FOOTPATH NO. 99, ILFRACOMBE)
PUBLIC PATH EXTINGUISHMENT
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER
2017**

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

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 County of Devon definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the stopping up (as authorised by this order) of a highway hitherto shown or required to be shown in the map and statement.

North Devon Council has been consulted concerning the making of the order as required by Section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situate at the Bunch of Grapes public house in the parish of Ilfracombe in the County of Devon described in the Schedule to this Order and shown by a continuous bold 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, and thereupon the County of Devon definitive map shall be modified by deleting from it that public right of way.
2. Notwithstanding this order, where immediately before the date on which the public right of way is extinguished in pursuance of this order there is apparatus on under or over the paths belonging to the statutory undertakers for the purpose of carrying out their undertaking then such undertakers shall continue to have the same rights in respect of their apparatus as they would have had if this order had never been made.

SCHEDULE

PART 1 - DESCRIPTION OF PUBLIC RIGHT OF WAY EXTINGUISHED

Section of Path as Indicated on Map	Position	Width
E5 – E6 (44 metres)	The path starts at point E5, GR SS 5174 4757, on the High Street at the west side of the Bunch of Grapes public house and proceeds through an archway and along a covered alleyway, through two doors and continuing along the alley way, then through a gate, continuing along a covered alleyway and then through a door and across a yard area to meet the remainder of Footpath No. 99, opposite No. 8 Fortescue Road at point E6, GR SS 5172 4761.	The whole width

DATED the 16th day of May 2017

THE COMMON SEAL OF DEVON)
)
COUNTY COUNCIL was hereunto)
)
affixed in the presence of:-)

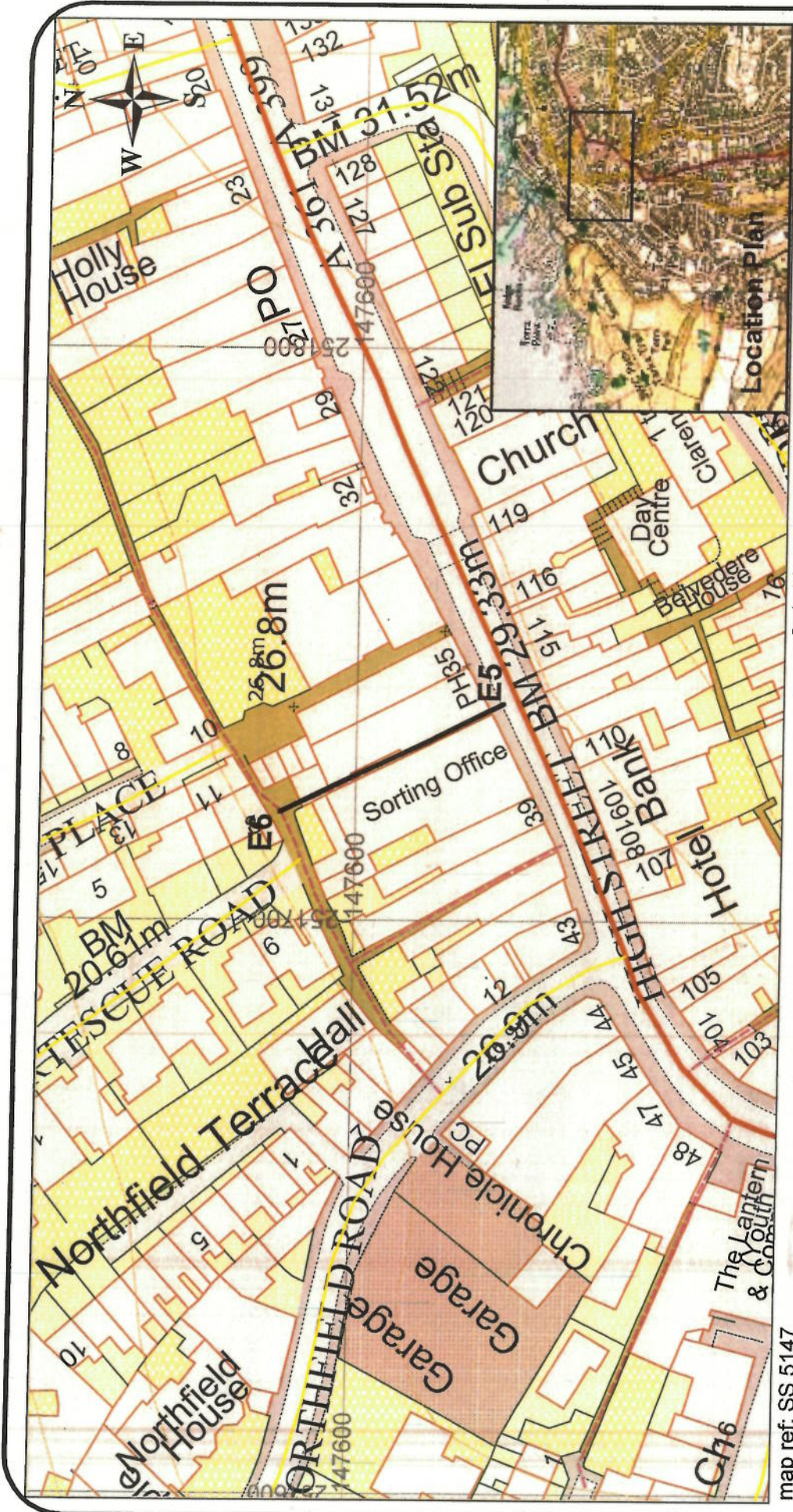


A Duly Authorised Officer

Norm McLean Cross
Assistant County Solicitor

Document No. 48041

Note: For the purposes of this Order the relevant date shall be the date upon which the stopping-up comes fully into effect.



map ref: SS 5147

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drawing number	HCW/PROW/16/78
date	May 2017
scale	1:1,000
drawn by	CLG

Meg Booth
 Acting Chief Officer for
 Highways, Infrastructure
 Development & Waste



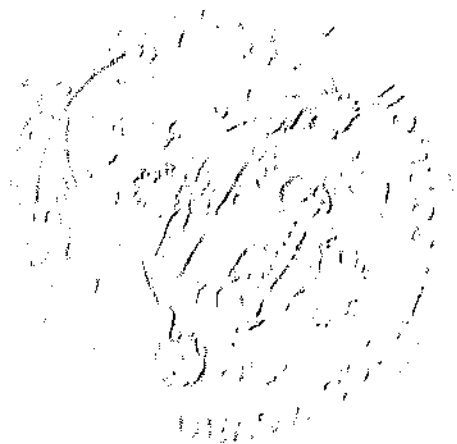
Devon County Council
 (Footpath No. 99, Ilfracombe) Public Path Extinguishment &
 Definitive Map & Statement Modification Order 2017

Notation

Footpath No. 99 to be extinguished E5 - E6 (44 m) ———

Existing footpath ———

MAP NOT TO ORIGINAL SCALE



**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
DEVON COUNTY COUNCIL
(FOOTPATH NO. 99, ILFRACOMBE)
PUBLIC PATH EXTINGUISHMENT
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2017**

DEVON COUNTY COUNCIL in pursuance of its powers under Section 118 and Schedule 6 of the Highways Act 1980 hereby confirms the above order as an unopposed order.

DATED the day of

THE COMMON SEAL OF DEVON)

COUNTY COUNCIL was hereunto)

affixed in the presence of:-)

Assistant County Solicitor

Document No.

