

NOTICE OF ORDER
WILDLIFE AND COUNTRYSIDE ACT 1981
SECTION 53 &
HIGHWAYS ACT 1980 SECTION 119

East Sussex County Council
(Public Footpath Hurst Green 23)
Definitive Map Modification Order 2017
&
(Public Footpath Hurst Green 23 (Part))
Public Path Diversion Order 2017

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 **09 October 2018**.

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

The Inquiry will be held at **Hurst Green Village Hall, Station Road, Hurst Green, East Sussex TN19 7PL** on **Tuesday 02 April 2019** at **10.00am**.

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

1) Modify the Definitive Map and Statement for the area by recording the position and width of the existing Public Footpath Hurst Green 23 between TQ 73006 28510 and TQ 73060 28589.

The width of the footpath is to be recorded as between 3.0 and 3.3 metres. The position of the path is to be recorded as shown on the plan accompanying the Order (Plan HGN/FP23/DMMO/2017 V1).

&

2) Divert part of public footpath Hurst Green 23 for approximately 95 metres in a generally north-easterly direction from TQ 73006 28509 to TQ 73060 28589 as shown on the plan accompanying the Order as a solid black line between points A-B-C; to a new line commencing immediately adjacent to the start of the current path at the A21 London Road at TQ 73005 28512 where it will run for approximately 5.5 metres in a north-westerly direction parallel to the road before turning north-east at TQ 73001 28515 to run parallel to the current path following a garden boundary for approximately 92 metres to TQ 73055 28890. The new path will turn and run for approximately 6 metres to re-join the existing path at TQ 73060 28589. As shown on the plan accompanying the Order as a dashed black line between points D-E-F-G-C and will comprise a width of 2.5 metres.

Any queries relating to these Orders should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

Telephone: 0303 444 5502. Email: clive.richards@pins.gsi.gov.uk.
Please quote reference number ROW/3205587 & ROW/3205575 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 East Sussex County Council, County Hall, Lewes, East Sussex BN7 1UE between the hours of 9:00am and 4:00 pm Monday to Friday inclusive. Telephone: 0345 6080190.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 04 December 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 15 January 2019]

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 Orders (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 05 March 2019]

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

THE EAST SUSSEX COUNTY COUNCIL (ROTHER DISTRICT)
DEFINITIVE MAP AND STATEMENT

THE EAST SUSSEX COUNTY COUNCIL
(PUBLIC FOOTPATH HURST GREEN 23)
DEFINITIVE MAP MODIFICATION ORDER 2017


This Order is made by East Sussex County Council ("the authority") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the authority that the East Sussex County Council (Rother District) Definitive Map and Statement require modification in consequence of an event specified in:

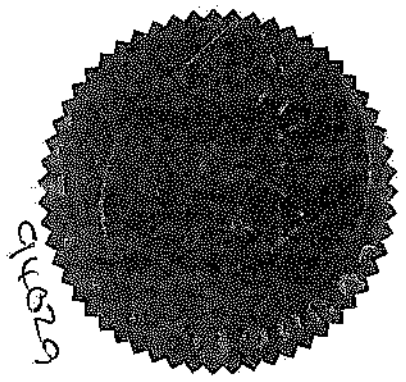
Section 53 (3)(c) (iii), namely that any other particulars contained in the map and statement require modification.

The Authority has consulted with every local authority whose area includes the land to which the Order relates. Accordingly, the East Sussex County Council hereby orders that:

1. For the purposes of this Order the relevant date is 20 July 2017
2. The East Sussex County Council (Rother District) Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and as 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 East Sussex County Council (Public Footpath Hurst Green 23) Definitive Map Modification Order 2017.

THE COMMON SEAL of the EAST SUSSEX
COUNTY COUNCIL was hereunto
affixed this 11th day of August
Two Thousand and seventeen in the presence of:-


Authorised Signatory



SCHEDULE

PART I

Modification of the East Sussex County Council (Rother District) Definitive Map

Description of Order Route

The existing public footpath Hurst Green 23 through the property 'Jesse's' running in a generally north-easterly direction from TQ 73006 28510 (point A on the Order plan) to TQ 73060 28589 (point D) shown on the Order plan by a dashed black line.

From the vehicle gate at London Road (A21) at point A the footpath is recorded as following the driveway of the property, with its northerly extent defined by the driveway edge between points A-B-C and then on a straight alignment between point C and the field gate at point D.

At 43 metres from its starting point (point A) at a point in line with the north-west corner of the house (point B), the path is recorded as 2.0 metres from the boundary with Alma Cottage. At 60 metres, where the driveway ends and the area of concrete hardstanding commences (point C) the path is recorded as 3.0 metres from the boundary. At 95 metres the gate at point D is recorded as 5.5 metres from the boundary.

The gate at point A is recorded as 3.1 metres. The gate at point D is 3.3 metres. The path width between these points is to be recorded as 3.0 metres throughout.

PART 2

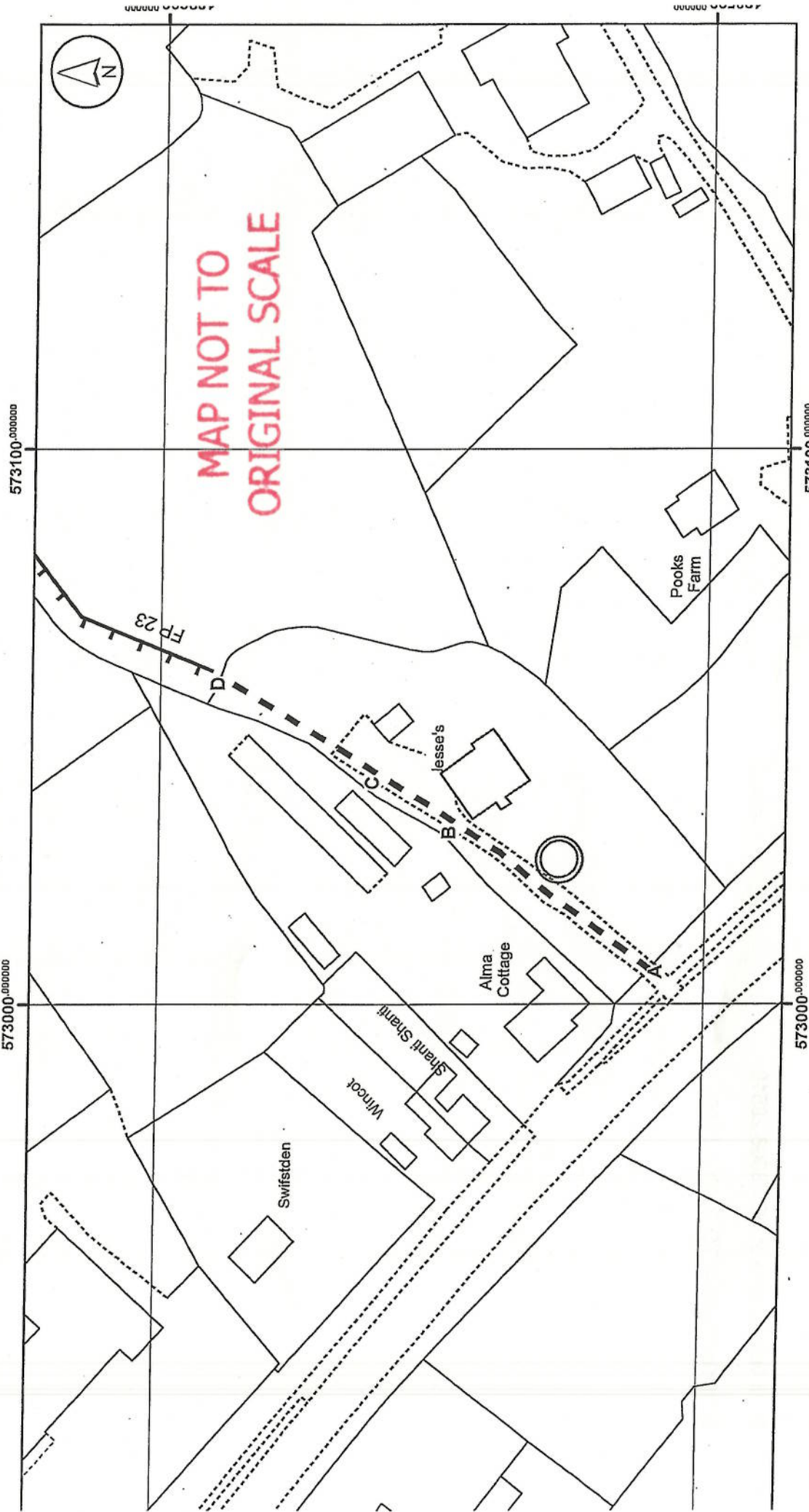
Modification of Definitive Statement
Variation of Particulars of path

(i) Deletion of the following particulars from the East Sussex County Council (Rother District) Definitive Statement

<u>No.</u>	<u>Type</u>	<u>From</u>	<u>Commencement</u>	<u>To</u>	<u>Termination</u>	<u>Total Length</u> <u>(miles)</u>	<u>Remarks</u>
Hurst Green	Footpath	730285	London Road, south of Alma Cottage Ticehurst Road	732288	Kent Ditch	0.245	

(ii) Addition of the following particulars to the East Sussex County Council (Rother District) Definitive Statement

<u>No.</u>	<u>Type</u>	<u>From</u>	<u>Commencement</u>	<u>To</u>	<u>Termination</u>	<u>Total Length</u> <u>(miles/km)</u>	<u>Remarks</u>
Hurst Green	FP	73006 28510	London Road	732288	Kent Ditch	Miles 0.245 Km 0.394	Position of path between TQ 73006 28510 and TQ 73060 28589 as shown on Order plan: HGN/FP23/DMMO/2017/V1
							3.0 metre width between TQ 73006 28509 and TQ 73060 28589
							3.1m gate at TQ 73006 28510
							3.3m gate at TQ 73060 28589



**THE EAST SUSSEX COUNTY COUNCIL
(PUBLIC FOOTPATH HURST GREEN 23)
DEFINITIVE MAP MODIFICATION ORDER 2017**

Date: 07/08/2017

Scale: 1:1,000

Order route A B C D Continuation



East Sussex County Council
County Hall
St Annes Crescent
Lewes

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Part 3 Limitations

3.1m vehicle gate at TQ 73006 28510.

3.3m field gate at TQ 73060 28589

3.1m vehicle gate at TQ 73006 28510.
3.3m field gate at TQ 73060 28589

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER**

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

**THE EAST SUSSEX COUNTY COUNCIL
(PUBLIC FOOTPATH HURST GREEN 23 (PART))
PUBLIC PATH DIVERSION ORDER 2017**

This Order is made by East Sussex 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 landowner of the land crossed by the footpath it is expedient that the line of the footpaths described in part 1 of this Order should be diverted.

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 East Sussex (Rother District) 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 diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

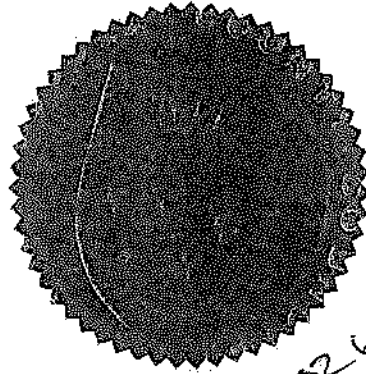
The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Rother District Council and Hurst Green 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 situated in the parish of Hurst Green and shown by a solid black line on the map attached to this Order and described in part 1 of the Schedule to this Order shall be stopped up on the date on which East Sussex County Council, as highway authority, certifies that work to bring the route of the new highway described in part 2 of the Schedule to this Order into a fit condition for use by the public has been completed, and thereupon the East Sussex (Rother District) definitive map shall be modified by deleting from it that public right of way.
2. There shall at the end of 28 days from the date of confirmation of this Order be a public footpath over the land situated in the parish of Hurst Green described in part 2 of the Schedule and shown by a broken black line on the map contained in this Order and thereupon the East Sussex (Rother District) definitive map shall be modified by adding that path to it.

THE COMMON SEAL of EAST SUSSEX
COUNTY COUNCIL was affixed hereunto
This 11th day of August
Two thousand and seventeen in the presence of:-



94026

A handwritten signature in black ink, consisting of several loops and a trailing line.

Authorised Signatory

PART 4
Modification of Definitive Statement

(i) Deletion of the following particulars from the East Sussex County Council (Rother District) Definitive Statement.

<u>No.</u>	<u>Type</u>	<u>From</u>	<u>Commencement</u>	<u>To</u>	<u>Termination</u>	<u>Total</u>		<u>Remarks</u>
						<u>Length</u> <u>(in</u> <u>miles)</u>	<u>Length</u> <u>(in Km)</u>	
Hurst Green 23	Footpath	730285	London Road, south of Alma Cottage, Ticehurst Road	732288	Kent Ditch	0.245		

(ii) Addition of the following particulars to the East Sussex County Council (Rother District) Definitive Statement.

<u>No.</u>	<u>Type</u>	<u>From</u>	<u>Commencement</u>	<u>To</u>	<u>Termination</u>	<u>Total</u>		<u>Remarks</u>
						<u>Length</u> <u>(in</u> <u>miles)</u>	<u>Length</u> <u>(in Km)</u>	
Hurst Green 23	F.P.	73005 28512	London Road	732288	Kent Ditch	0.251	0.404	2.5 metre width Between: TQ 73005 28512 and TQ 73060 28589 Gate at: TQ 73005 28512 (conforming to BS .5709)

SCHEDULE

PART 1

DESCRIPTION OF EXISTING PATH OR WAY

Part of the public footpath known as Hurst Green 23 running for approximately 95 metres in a generally north-easterly direction from TQ 73006 28509 to TQ 73060 28589 as shown on the Order plan as a solid black line between points A-B-C.

PART 2

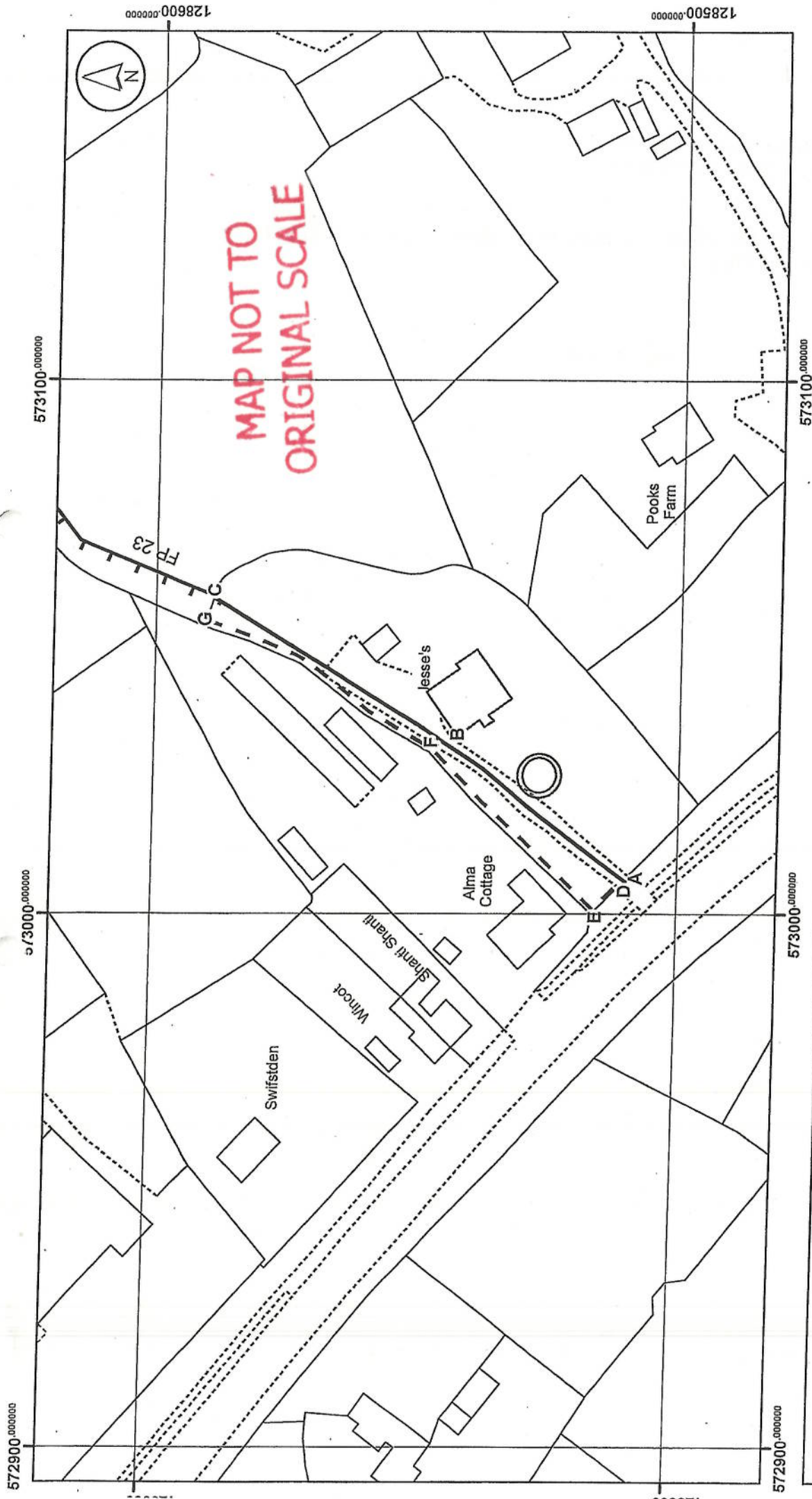
DESCRIPTION OF NEW PATH OR WAY

A footpath comprising a width of 2.5 metres running in a north-westerly direction for 5.5 metres between TQ 73005 28512 and TQ 73001 28515 then in a generally north-easterly direction for 92 metres to TQ 73055 28890 then a south-easterly direction for 6 metres to TQ 73060 28589 shown on the Order plan as a dashed black line between points D-E-F-G-C.

PART 3

LIMITATIONS AND CONDITIONS

Gate at TQ 73005 28512 (conforming to BS 5709)

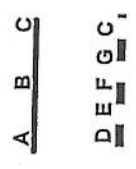


**THE EAST SUSSEX COUNTY COUNCIL
(PUBLIC FOOTPATH HURST GREEN 23 (PART))
PUBLIC PATH DIVERSION ORDER 2017**

Date: 07/08/2017

Scale: 1:1,000

Existing path
Diversion route



Map No: HGN/FP23/DIV/2017/M1

Author: MH

East Sussex County Council
County Hall
St Annes Crescent
Lewes



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EAST SUSSEX COUNTY COUNCIL
PUBLIC PATH DIVERSION ORDER

THE EAST SUSSEX (Public Footpaths Hurst Green 23 (part)) PUBLIC PATH
DIVERSION ORDER 2017

Made 11th August 2017

Confirmed:

ORIGINAL FILE
WVB 11011
T TOM GAN