

# NOTICE OF ORDER

## Highways Act 1980 Section 119

Herefordshire Council  
Footpath MM19 Much Marcle Public Path Diversion Order 2018

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 **2<sup>nd</sup> January 2019**.

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 that length of Footpath MM19 (Part) in the Parish of Much Marcle which commences at County Road C1289 at OS Grid Reference SO 6599, 3102 (point A on the Order plan) and travels over a stile and in a generally south-south-westerly direction for approximately 125 metres to OS Grid Reference 6587 3099 (point B on the Order plan), where it crosses a bridge then continues in a generally south-south-westerly direction for approximately 278 metres over a stile to OS Grid Reference SO 6572, 3076 (point C on the Order plan) then turns and follows the drive to Bickerton Court in a generally west-south-westerly direction for approximately 77 metres to OS Grid Reference SO 6565, 3072 (point D on the Order plan), then continuing in a southerly direction for approximately 80 metres over a further stile to OS Grid Reference SO 6565, 3065 (point E on the Order plan) then continuing for a further 348 metres through a field to join County Road U67420 at OS Grid Reference SO 6569, 3031 (point F on the Order plan). The total length of the existing said footpath is approximately 908 metres.

An alternative footpath will be created, being 2 metres in width, which commences at County Road C1289 at OS Grid Reference SO 6600, 3085 (point G on the Order plan) and travels in a generally west-south-westerly direction along the drive for approximately 296 metres to OS Grid Reference SO 6572, 3076 (point C on the Order plan), it then turns and follows a generally southerly direction for approximately 96 metres to OS Grid Reference SO 6573, 3066 (point H on the Order plan) then continuing for approximately 48 metres to pass through a pedestrian gate at OS Grid Reference SO 6572, 3062 (point I on the Order plan) then travelling a further 316 metres through a field to join County Road U67420 at OS Grid Reference SO 6569, 3031 (point F on the Order plan). The total length of the said proposed new footpath is approximately 756 metres.

Any queries relating to this Order should be referred to Bethan Baldry 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 5722. Email: Bethan.baldry@pins.gsi.gov.uk. Please quote reference number ROW/3212004 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 Balfour Beatty Living Places, Unit 3, Thorn Business Park, Rotherwas Industrial Estate, Hereford, HR2 6JT, Monday-Friday 9.30am-3.30pm. Contact point: Susan White, tel 01432 349 512.

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

#### **Within 2 weeks of the start date [by 16<sup>th</sup> January 2019]**

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 27<sup>th</sup> February 2019]**

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 10<sup>th</sup> April 2019]**

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**

**HEREFORDSHIRE COUNCIL  
FOOTPATH MM19 MUCH MARCLE  
PUBLIC PATH DIVERSION ORDER 2018**

This Order is made by the County of Herefordshire District Council (known as "Herefordshire Council") under section 119 of the Highways Act 1980 because it appears to Herefordshire Council that in the interests of the owner and occupier of the land crossed by the footpath described in Part 1 of the Schedule to this Order it is expedient that the line of the path should be diverted.

Herefordshire Council has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and to pay any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public.

**BY THIS ORDER:**

1. The public right of way over the land situated at Bickerton Court in the parish of Much Marcle and shown by a bold continuous line on the plan contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped on the date that Herefordshire Council certifies that works have been carried out to bring the site of the new footpath described in Part 2 of the Schedule to this Order into a fit condition for use by the public.
2. There shall be on the date of confirmation of this Order a public footpath over the land situated at Bickerton Court in the parish of Much Marcle described in Part 2 of the Schedule to this Order and shown by a bold broken line on the said plan.
3. Where immediately before the date on which the said footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of their undertakings, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
4. 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 to this Order.

Dated *6<sup>th</sup> July* 2018

THE COMMON SEAL of the County of )  
Herefordshire District Council was affixed )  
BY ORDER )

*A. Franklin*  
A. Franklin  
Authorised Officer



## SCHEDULE

### PART 1

#### Description of Site of Existing Path or Way

The existing route of footpath MM19 commences at County Road C1289 at OS Grid Reference SO 6599, 3102 (point A on the order plan) and travels over a stile and in a generally west-south-westerly direction for approximately 125 metres to OS Grid Reference SO 6587, 3099 (point B on the order plan), where it crosses a bridge then continues in a generally south-south-westerly direction for approximately 278 metres over a stile to OS Grid Reference SO 6572, 3076 (point C on the order plan) then turns and follows the drive to Bickerton Court in a generally west-south-westerly direction for approximately 77 metres to OS Grid Reference SO 6565, 3072 (point D on the order plan), then continuing in a southerly direction for approximately 80 metres over a further stile to OS Grid Reference SO 6565, 3065 (point E on the order plan) then continuing for a further 348 metres through a field to join County Road U67420 at OS Grid Reference SO 6569, 3031 (point F on the order plan).

The total length of the existing said footpath is approximately 908 metres.

### PART 2

#### Description of Site of New Path or Way

The proposed new route of footpath MM19 being 2 metres in width commences at County Road C1289 at OS Grid Reference SO 6600, 3085 (point G on the order plan) and travels in a generally west-south-westerly direction along the drive for approximately 296 metres to OS Grid Reference SO 6572, 3076 (point C on the order plan), it then turns and follows a generally southerly direction for approximately 96 metres to OS Grid Reference SO 6573, 3066 (point H on the order plan) then continuing for approximately 48 metres to pass through a pedestrian gate at OS Grid Reference SO 6572, 3062 (point I on the order plan) then travelling a further 316 metres through a field to join County Road U67420 at OS Grid Reference SO 6569, 3031 (point F on the order plan).

The total length of the said proposed new footpath is approximately 756 metres.

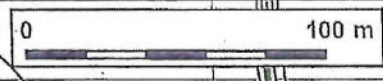
### PART 3

#### Limitations and Conditions

<b>Position on Path to which Limitations and Conditions apply</b>	<b>Limitations and Conditions</b>
OS Grid Reference SO 6572, 3062 (point I on the order plan)	Pedestrian gate to BS5709:2006



**PROPOSED EXTINGUISHMENT OF FOOTPATH MM19**  
 A—B—C—D—E—F  
**PROPOSED DIVERSION FOOTPATH CW29**  
 G—C—H—I—F



Highways Act 1980, Section 119  
 Herefordshire Council Public Footpath MM19 (part)  
 Parish of Much Marcle  
 Proposed Public Path Diversion Order 2018  
 DWG No.: D483/277-19  
 SCALE 1:2,500 @ A3

**MAP NOT TO ORIGINAL SCALE**

PUBLIC FOOTPATH	
PUBLIC BRIDLEWAY	
RESTRICTED BYWAY	
BYWAY OPEN TO ALL TRAFFIC	

Balfour Beatty Living Places  
 Unit 3, Thorn Business Park  
 Rotherwas Industrial Estate  
 Hereford  
 HR2 6JT

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