

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Essex County Council
The Essex County Council Definitive Map Modification No. 635 (Footpath 19 Mayland,
Maldon District) 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 **25 January 2019**

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

The Inquiry will be held at **Lawling Park Hall, Katonia Avenue, Maylandsea, Essex CM3 6AD** on **Tuesday 2 July 2019** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map for the area by:

1. Adding a footpath to be known as footpath 19 Mayland, running from the northern end of North Drive, Mayland, northwards and north-eastwards along Sea View Parade for approximately 91m with a width of 3.1m, then south-eastwards with a width of 4m for approximately 105m. The path then turns eastwards and almost immediately south-eastwards and continues with a width of 2m for a distance of approximately 160m before turning north-eastwards to meet Nipsells Chase.

Any queries relating to this Order should be referred to Jean McEntee 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 5437. Email: jean.mcentee@pins.gsi.gov.uk Please quote reference number ROW/3208912 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 Essex Legal Services, Seax House, Victoria Road South, Chelmsford, Essex CM1 1QH, Monday to Friday between 9:30am and 5:00pm. Telephone: 03330 139679

As Essex County Council has indicated that it will not be supporting the Order at the Inquiry, the case for the Order will be presented by Mayland Parish Council. The Parish Council will be expected to adhere to the following timetable as if it were the Essex County Council.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 22 March 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 and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 3 May 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 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 Order (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 4 June 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:

- 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

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.

Wildlife and Countryside Act 1981

The Definitive Map and Statement for the County of Essex

The Essex County Council Definitive Map Modification No. 635
(Footpath 19 Mayland, Maldon District) Order 2017

This Order is made by Essex County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 "the Act" because it appears to the Secretary of State (who has directed the authority to that effect) that the Definitive Map and Statement for the County of Essex requires modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows (i) that a right of way which is not shown in the map and statement is reasonably alleged to subsist over land in the area to which the map relates, being a right of way to which this Part applies.

The authority has consulted with every local authority whose area includes the land to which the order relates. The Essex County Council hereby order that:

1. For the purpose of this order the relevant date is 30 November 2017.
2. The Definitive Map and Statement for the County of Essex shall be modified as described in Part I and Part II of the Schedule and 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 Essex County Council Definitive Map Modification No.635 (Footpath 19 Mayland, Maldon District) Order 2017.

Given under the Common Seal of the Essex County Council this *twentieth* day of December in the year Two Thousand and Seventeen.

The COMMON SEAL of the ESSEX)
COUNTY COUNCIL was hereunto)
Affixed in the presence of: .)

37543

Attesting Officer

JOANNA GENT.



SCHEDULE

PART I

Modification of Definitive Map

Description of path or way to be added

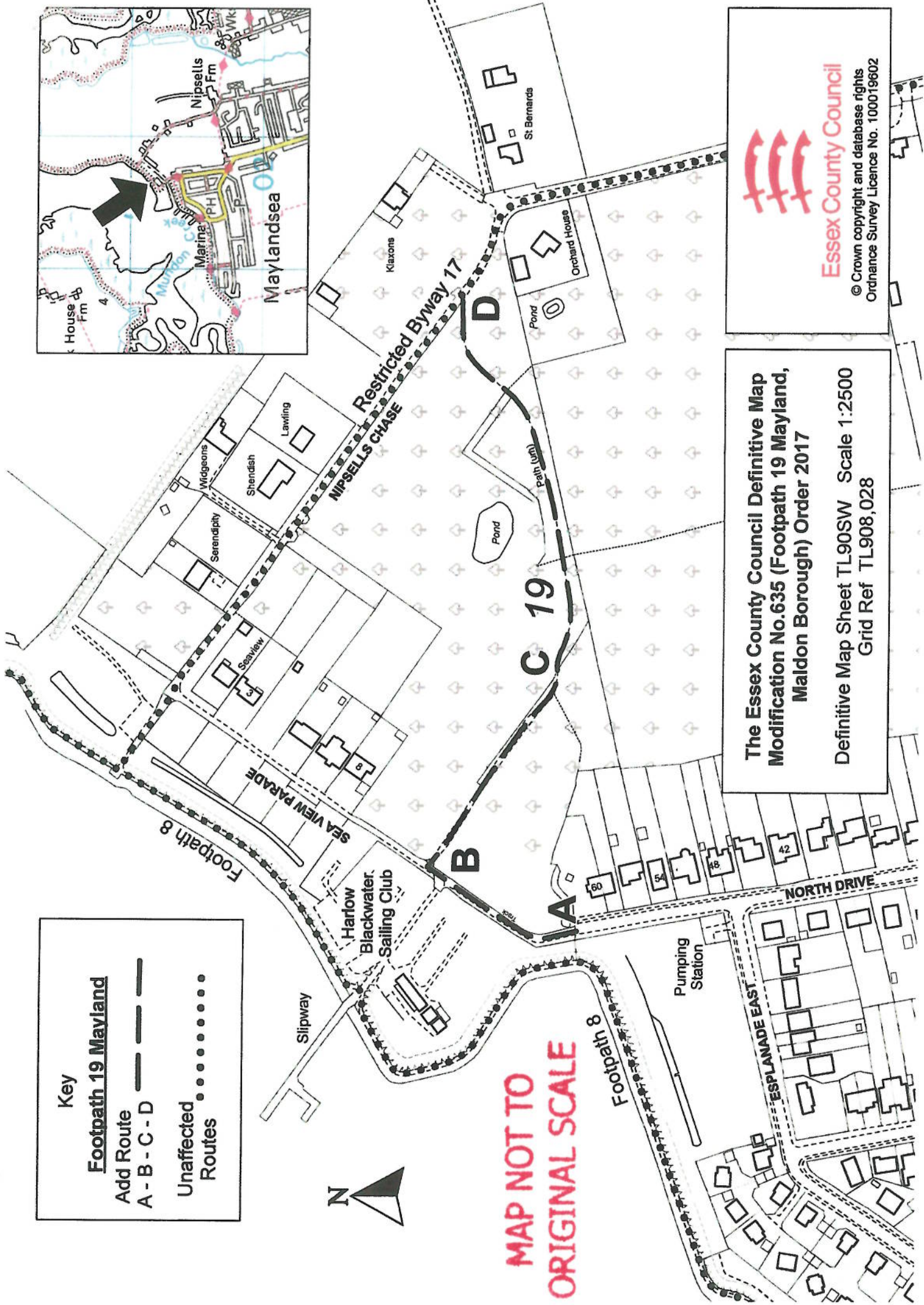
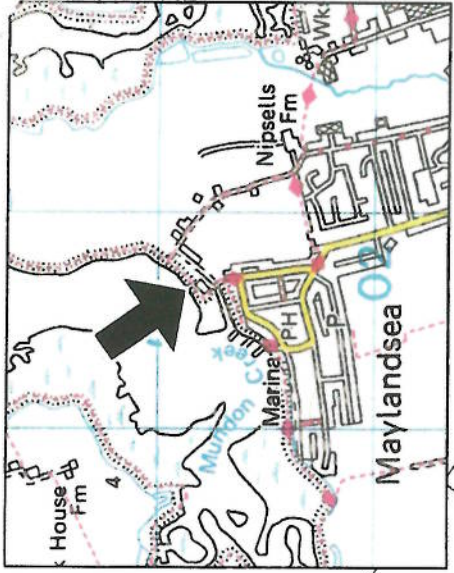
A footpath, to be known as footpath 19 Mayland, running from the northern end of the adopted road, North Drive with a width of 3.1m northwards and north-eastwards along the unadopted Sea View Parade (**A – B** on the Order plan), then turning south-eastwards on the south-western side of the boundary with a width of 4m before crossing to the north-eastern side of the boundary (**B – C** on the Order plan), continuing easterly then north-eastwards, with a width of 2m to exit onto Nipsells Chase (**C – D** on the Order plan).

PART II

Modifications of Definitive Statement

The statement for the parish of Mayland shall be amended by adding the following: -

OS Sheet No.	Path No.	Classification	Position and Description
TL90SW	19	FP	From the northern end of North Drive, northwards and north-eastwards along Sea View Parade with a width of 3.1m, then south-eastwards with a width of 4m. Turns eastwards then almost immediately south-eastwards with a width of 2m and continues easterly before turning north-eastwards to meet Nipsells Chase.



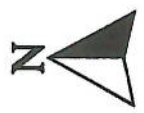
Key

Footpath 19 Mayland

Add Route ———

A - B - C - D - - - -

Unaffected Routes
.....



MAP NOT TO ORIGINAL SCALE

The Essex County Council Definitive Map Modification No.635 (Footpath 19 Mayland, Maldon Borough) Order 2017

Definitive Map Sheet TL90SW Scale 1:2500
Grid Ref TL908,028

Essex County Council

© Crown copyright and database rights
Ordnance Survey Licence No. 100019602