

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Hertfordshire County Council  
(Cheshunt 83) 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 7 February 2019

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

The Inquiry will be held at **The Huntingdon Room, Bishops College, Churchgate, Cheshunt, Herts EN8 9XG** on **Tuesday 9 July 2019** at 10.00am.

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

Adding to them a footpath commencing at Shaw Close, Cheshunt at TL 3513 0308 (Point A on Part 1 of the Order Plan) running North for approx. 40m to TL 3513 0312 (Point B on Part 1 of the Order Plan), then turning to run East for approx. 15m to TL 3514 0312 (Point C on Part 1 of the Order Plan) and turning again to run North for approx. 40m to join The Green (public road) at TL 3514 0316 (Point D on Part 1 of the Order Plan).

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](mailto:jean.mcentee@pins.gsi.gov.uk) Please quote reference number ROW/3210164 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 Hertfordshire County Council, County Hall, Pegs Lane, Hertford, Hertfordshire SG13 8DN between 10am – 12pm, 2pm – 4pm Monday to Friday (excluding Bank Holidays). Telephone: 01992 555279.

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

**Within 8 weeks of the start date by [by 4 April 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 16 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 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 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 11 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

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<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.

**WILDLIFE AND COUNTRYSIDE ACT 1981**  
The Definitive Map and Statement  
of Public Rights of Way in Hertfordshire

**Hertfordshire County Council**  
**(Cheshunt 83)**  
**Modification Order 2017**

This Order is made by Hertfordshire County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement of Public Rights of Way in Hertfordshire require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) of the Act, namely

(c) 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 subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic

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

1. For the purposes of this Order the relevant date is 28 November 2017.
2. The Definitive Map and Statement of Public Rights of Way in Hertfordshire shall be modified as described in Part I and Part II of the Schedule and shown on Part 1 and Part 2 of the plan forming part of this Order ("the Order Plan").
3. This Order shall take effect on the date it is confirmed and may be cited as the Hertfordshire County Council (Cheshunt 83) Modification Order 2017.

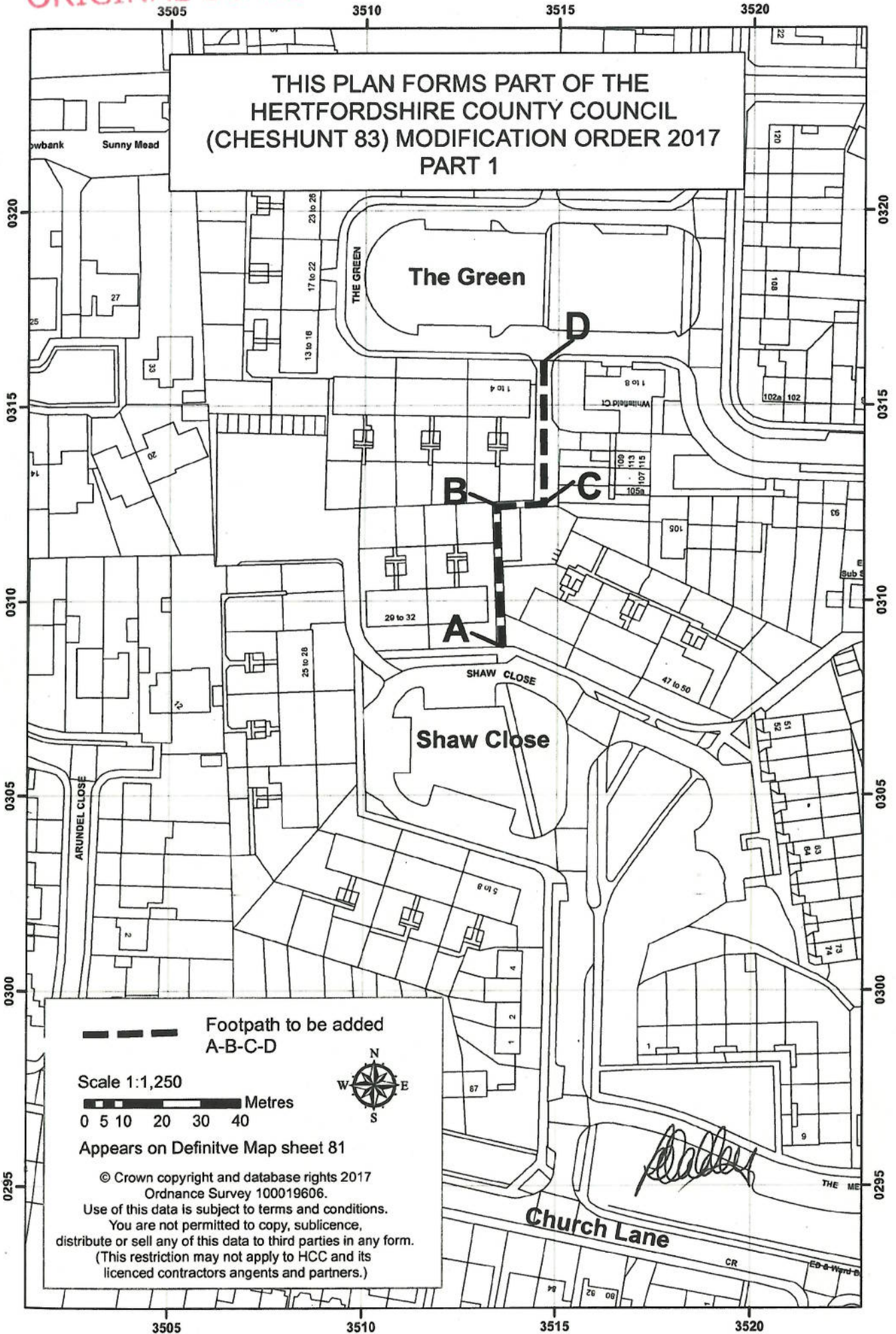
**SCHEDULE**  
**PART I**  
**Modification of Definitive Map**

**DESCRIPTION OF PATH OR WAY TO BE ADDED**

A public footpath commencing from Shaw Close (public road) at TL 3513 0308 (Point A on Part 1 of the Order Plan) running north for approximately 40 metres to TL 3513 0312 (Point B on Part 1 of the Order Plan), then turning to run east for approximately 15 metres to TL 3514 0312 (Point C on Part 1 of the Order Plan) and turning again to run north for approximately 40 metres to join The Green (public road) at TL 3514 0316 (Point D on Part 1 of the Order Plan).

MAP NOT TO ORIGINAL SCALE

THIS PLAN FORMS PART OF THE  
HERTFORDSHIRE COUNTY COUNCIL  
(CHESHUNT 83) MODIFICATION ORDER 2017  
PART 1



Footpath to be added  
A-B-C-D

Scale 1:1,250  
0 5 10 20 30 40 Metres



Appears on Definitive Map sheet 81

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*Arden*

MAP NOT TO ORIGINAL SCALE

THIS PLAN FORMS PART OF THE  
HERTFORDSHIRE COUNTY COUNCIL  
(CHESHUNT 83) MODIFICATION ORDER 2017  
PART 2

THE GREEN

D

1 to 4

1 to 8

Whitefield Ct

6.10m between C-D

109  
113

107 115

105a

B

C

1.65m between B-C



Depiction of variable width A-B-C-D



Appears on Definitve Map sheet 81

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A

SHAW CLOSE

Width: Varies between 1.65 metres and 6.10 metres between TL 3513 0308 (Point A on Part 1 of the Order Plan) and TL 3514 0316 (Point D on Part 1 of the Order Plan) as shown shaded grey on Part 2 of the Order Plan.

Limitations: None

**PART II**  
**Modification of Definitive Statement**

**VARIATION OF PARTICULARS OF PATH OR WAY**

A new Statement shall be recorded for Cheshunt 83 as follows:

Path No	Status	HCC Map Ref
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083	FP	HCC 081
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Commences from Shaw Close (public road) at TL 3513 0308 and runs N for approx. 40m to TL 3513 0312, then turns to run E for approx. 15m to TL 3514 0312 and turns again to run N for approx. 40m to join The Green (public road) at TL 3514 0316.

**Width** Varies between 1.65m and 6.10m between TL 3513 0308 and TL 3514 0316 as shown in the Hertfordshire County Council (Cheshunt 83) Modification Order 2017.

**Limitations** None.

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 8<sup>th</sup> day of December 2017

The Common Seal of  
HERTFORDSHIRE  
COUNTY COUNCIL  
was hereunto affixed  
in the presence of:-

~~Chief Legal Officer~~



John Oakley  
Head of  
Commercial Law

