

## NOTICE OF PROPOSAL TO MODIFY DEFINITIVE MAP ORDER

### WILDLIFE AND COUNTRYSIDE ACT 1981

Notice is hereby given pursuant to paragraph 8(2) of Schedule 15 to the Wildlife and Countryside Act 1981 that the Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs to determine the Hampshire (Test Valley Borough No. 63) (Parish of East Dean) Definitive Map Modification Order 2017 proposes to modify the Order by providing for the following modifications:

- Delete from Parts I and II of the Order Schedule the descriptions for CRs 2, 3, 4, 5, 6 and 7.
- Remove CRs 2, 3, 4, 5, 6 and 7 from the Order Map and amend the map key accordingly.

**For information only:** the only remaining path from the Order as made following the Inspector's proposed modifications would be CR1 located between points D-E-X on the map attached to the Order, to be recorded on the Definitive Map and Statement as East Dean Restricted Byway 501 and commencing at a junction with the road C59 (East Dean Road) at grid reference SU 2707 2669, opposite Manor Farm, proceeding in a southerly then easterly direction, to a point north of the former chalk pit at grid reference SU 2722 2649. A total length of 318 metres.

A copy of the Order as submitted and a copy of the Order showing the proposed modification together with the Inspector's Order decision dated 4 February 2019 have been deposited at the Offices of the County Council, The Castle, Winchester S023 8UJ and also at the Offices of Test Valley Borough Council, Beech Hill, Weyhill Road, Andover SP10 3AJ. (Council contact: Kim Dawkins, Tel: 01962 847354) and may be inspected free of charge during normal working hours.

Any representation or objection with respect to the proposed modification may be sent in writing to Clive Richards, Rights of Way Section, 3A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN, tel 0303 444 5502, quoting reference ROW/3181878M, between 8 March 2019 and 5 April 2019 and must state the grounds on which it is made. It should be noted that any such representation or objection may be made available for viewing by interested parties at the council offices on request.

Dated this 8<sup>th</sup> day of March 2019.

Modified order

**HAMPSHIRE COUNTY COUNCIL**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE HAMPSHIRE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY  
(DATED 15<sup>TH</sup> DECEMBER 2007)**

**THE HAMPSHIRE (TEST VALLEY BOROUGH No. 63)  
(PARISH OF EAST DEAN)  
DEFINITIVE MAP MODIFICATION ORDER 2017**

This Order is made by Hampshire 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 (Dated 15<sup>th</sup> December 2007) requires 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.

**Hampshire County Council hereby orders that:**

1. For the purposes of the Order the relevant date is 1 May 2017.
2. The Hampshire Definitive Map and Statement of Public Rights of Way (Dated 15<sup>th</sup> December 2007) shall be modified as described in Part I and Part II of the Schedule 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 Hampshire (Test Valley Borough No. 63)(Parish of East Dean) Definitive Map Modification Order 2017.

GIVEN this *3<sup>rd</sup>* day of *may* 2017

THE COMMON SEAL of )  
HAMPSHIRE COUNTY COUNCIL )  
Was hereunto affixed in )  
The presence of:- )

Authorised Signatory 



## SCHEDULE

### PART I

#### MODIFICATION OF DEFINITIVE MAP

##### DESCRIPTION OF PATHS OR WAYS TO BE ADDED

###### **From GR SU 2707 2669 to GR SU 2722 2649**

A restricted byway 3 metres wide, which commences at a junction with the road C59 (East Dean Road), opposite Manor Farm at Point D, and proceeds in a southerly and then easterly direction, via Point E, to Point X, as shown on the Order plan.

**A total length of 318 metres.**

###### ~~From GR SU 2676 2673 to GR SU 2679 2592~~

~~A footpath 1.8 metres wide, which commences at a junction with the road C59 (East Dean Road), west of its junction with the road U90 (Frenchmoor Lane) at Point A, and proceeds in a southerly direction via Point B to Point C, at a junction with East Dean Footpath 12, as shown on the Order plan.~~

~~A total length of 818 metres.~~

###### ~~From GR SU 2715 2647 to GR SU 2731 2638~~

~~A footpath 1.8 metres wide, which commences at Point E, and proceeds in a south-easterly direction to Point P, as shown on the Order plan.~~

~~A total length of 194 metres.~~

###### ~~From GR SU 2726 2673 to GR SU 2731 2659~~

~~A footpath 1.8 metres wide, which commences at a junction with the road C59 (East Dean Road) opposite East Dean Manor at Point J, and proceeds in a southerly direction to Point K, as shown on the Order plan.~~

~~A total length of 157 metres.~~

###### ~~From GR SU 2733 2676 to GR SU 2762 2598~~

~~A footpath 1.8 metres wide, which commences at a junction with the road C59 (East Dean Road) at St. Winfrid's Church (Point M) and proceeds in a southerly direction through points K, (F), P and L, then south-easterly to Point H, at a junction with East Dean Footpath 9 and East Dean Footpath 10, as shown on the Order plan.~~

~~A total length of 903 metres.~~

~~From GR SU 2679 2603 to GR SU 2732 2632~~

~~A footpath 1.8 metres wide, which commences at Point B, and proceeds in an easterly, then north-easterly direction to Point L, as shown on the Order plan.~~

~~A total length of 641 metres.~~

~~From GR SU 2837 2674 to GR SU 2782 2608~~

~~A footpath 1.8 metres wide, which commences at a junction with the road C59 (East Dean Road) at Point N and then proceeds in a southerly direction to Point (R), then in a south-westerly direction, crossing East Dean Footpath 9 at Dean Hill Barn Farm, to a second junction with East Dean Footpath 9 at Point O, as shown on the Order plan.~~

~~A total length of 972 metres.~~

## PART II

### MODIFICATION OF DEFINITIVE STATEMENT

#### VARIATION OF PARTICULARS OF PATHS OR WAYS

The following descriptions shall be added to the Definitive Statement for the Parish of East Dean:

#### **East Dean Restricted Byway 501**

Commencing at a junction with the road C59 (East Dean Road), opposite Manor Farm, proceeding in a southerly then easterly direction, to a point north of the former chalk pit at GR SU 2722 2649. A total length of 318 metres.

3 metres wide between GR SU 2707 2669 to GR SU 2722 2649

#### ~~East Dean Footpath 502~~

~~Commencing at a junction with the road C59 (East Dean Road), west of its junction with the road U90 (Frenchmoor Lane), then proceeding in a southerly direction to a junction with East Dean Footpath 12. A total length of 818 metres.~~

~~1.8 metres wide between GR SU 2676 2673 and GR SU 2679 2592~~

#### ~~East Dean Footpath 503~~

~~Commencing at a junction with East Dean Restricted Byway 501, then proceeding in a south-easterly direction to a junction with East Dean Footpath 505. A total length of 194 metres.~~

~~1.8 metres wide between GR SU 2715 2647 and GR SU 2731 2638~~

#### ~~East Dean Footpath 504~~

~~Commencing at a junction with the road C59 (East Dean Road) opposite East Dean Manor, then proceeding in a southerly direction, to a junction with East Dean Footpath 505. A total length of 157 metres.~~

~~1.8 metres wide between GR SU 2726 2673 and GR SU 2731 2659~~

#### ~~East Dean Footpath 505~~

~~Commencing at a junction with the road C59 (East Dean Road) at St. Winfrid's Church, then proceeding in a southerly and then south-easterly direction to a junction with East Dean Footpath 9 and East Dean Footpath 10. A total length of 903 metres.~~

~~1.8 metres wide between GR SU 2733 2676 and GR SU 2762 2598~~

#### ~~East Dean Footpath 506~~

~~Commencing at a junction with East Dean Footpath 502, then proceeding in an easterly and then north-easterly direction to a junction with East Dean Footpath 505. A total length of 641 metres.~~

~~1.8 metres wide between GR SU 2678 2603 and GR SU 2732 2632~~

#### ~~East Dean Footpath 507~~

~~Commencing at a junction with the road C59 (East Dean Road) at Swiss Cottage, then proceeding in a southerly and then south-westerly direction, crossing East Dean Footpath 9 at Dean Hill Barn Farm, to a second junction with East Dean Footpath 9. A total length of 972 metres.~~

~~1.8 metres wide between GR SU 2837 2674 and GR SU 2782 2608~~

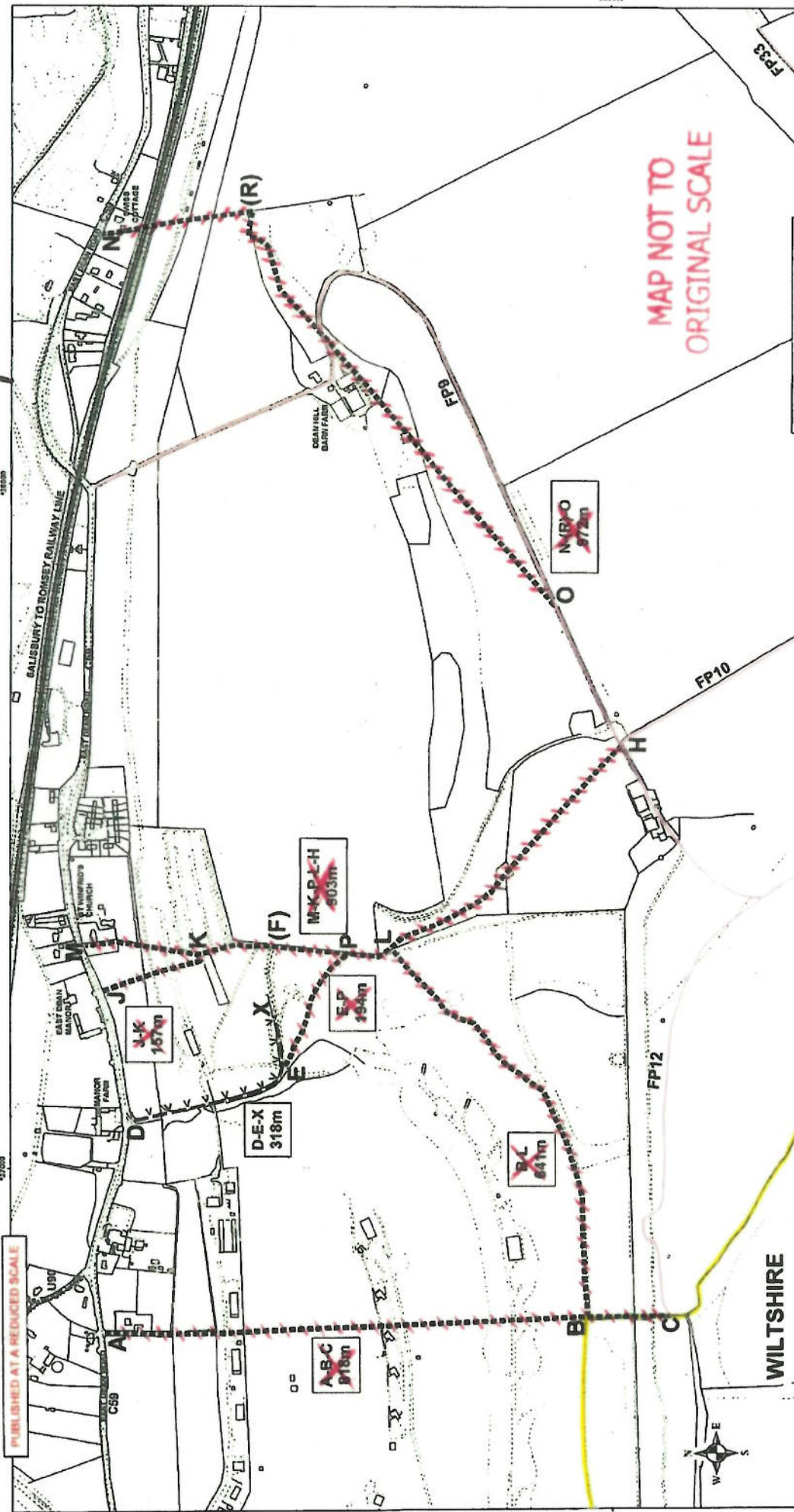
**NOTE: ALL LENGTHS ARE APPROXIMATE**

# HAMPSHIRE COUNTY COUNCIL

## WILDLIFE AND COUNTRYSIDE ACT 1981

MAP REFERRED TO IN THE HAMPSHIRE

(TEST VALLEY BOROUGH No. 63)(PARISH OF EAST DEAN)  
DEFINITIVE MAP MODIFICATION ORDER 2017



PUBLISHED AT A REDUCED SCALE

PUBLISHED AT A REDUCED SCALE

SCALE 1:4000

- LEGEND
- FOOTPATH TO BE ADDED TO THE MAP SHOWN: - - - - -
  - RESTRICTED BYWAY TO BE ADDED TO THE MAP SHOWN: V V V V V V V V V V V V V V V V V V
  - EXISTING FOOTPATH TO BE RETAINED SHOWN: - - - - -
  - COUNTY BOUNDARY: \_\_\_\_\_

MAP No.485 PRODUCED FROM DIGITAL DATA SUPPLIED BY ORDNANCE SURVEY

THE COMMON SEAL OF HAMPSHIRE COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF

AUTHORISED SIGNATORY

DATE

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KAREN MURRAY,  
DIRECTOR OF CULTURE, COMMUNITIES AND BUSINESS SERVICES, WINCHESTER