

NOTICE OF ORDER

HIGHWAYS ACT 1980 SECTION 119 WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Oxfordshire County Council
Nuffield Footpath No. 25 and Stoke Row Footpath No. 24 (part) Public Path
Diversion and Definitive Map and Statement Modification Order 2015

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 **1 May 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 modify the Definitive Map and Statement for the area by diverting 230m of Nuffield Fp 25 and Stoke Row Fp 24 that runs from Howberry Lane (Nuffield Br No. 17) at OS Grid Ref SU 6887 8570 south-westwards across the garden of Howberrywood Farmhouse and then west-north-westwards across an arable field over the Nuffield and Stoke Row Parish boundary to SU 6865 8574 **to** a line running for 305m from Howberry Lane (Nuffield Br No. 17) at OS Grid Ref SU 6890 8567 south-westwards through a wood and over a field and over the Nuffield and Stoke Row Parish boundary at SU 68823 85617 to SU 68820 85615 and then north-westwards along a field margin to re-join the existing Stoke Row Fp 24 SU 6865 8574 as shown on the Order map.

Any queries relating to this Order should be referred to Helen Sparks 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 5646. Email: helen.sparks@planninginspectorate.gov.uk Please quote reference number ROW/3219112 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 Countryside Records, Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND. Usual opening hours are Monday to Thursday 9am – 5pm and Friday 9am – 4pm. To arrange a viewing of the documents, please contact Mr Andy Sylvester on Telephone Number 01865 810808.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 15 May 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 26 June 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 7 August 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.

Notice of order for w/r

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

The Oxfordshire County Council
Nuffield Footpath No.25 and Stoke Row Footpath No. 24 (part)
Public Path Diversion and Definitive Map and Statement
Modification Order 2015

This Order is made by The Oxfordshire County Council ('the authority') under section 119 of the Highways Act 1980 because it appears to the authority that in the interests of the owner and occupiers of the land crossed by the footpath described in Article 1 of this Order it is expedient that the line of the way 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 Oxfordshire County Council Definitive Map and Statement of Public Rights of Way for Oxfordshire 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.

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

South Oxfordshire District Council has been consulted as required by Section 120(2) of the Highways Act 1980.

BY THIS ORDER:

1. The public right of way over the land situated at Nuffield and Stoke Row and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be extinguished from the date of confirmation of this Order and thereupon the Oxfordshire County Council Definitive Map of Public Rights of Way for Oxfordshire shall be modified by deleting from it that public right of way, and the Definitive Statement shall be modified as described in Part 3 of the Schedule to this Order.
2. There shall be from the date of confirmation a public footpath over the land situated at Nuffield and Stoke Row (as described in Part 2 of the Schedule) and shown by a bold broken line on the map attached to this Order, and thereupon the Oxfordshire County Council Definitive Map of Public Rights of Way for Oxfordshire shall be modified by adding that right of way to it, and the Definitive Statement shall be modified as described in Part 3 of the Schedule to this Order.

3. Notwithstanding this Order, statutory undertakers with apparatus over/under the land described in Article 1 above shall have the following rights over the land referred to, namely: they shall continue to have the same rights in respect of such apparatus as they had immediately before the extinguishment took place.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING WAYS

Nuffield Fp 25:

The entire width of Nuffield Fp No 25 that runs from Howberry Lane (Nuffield Br No. 17) east of Howberrywood Farmhouse at OS Grid Ref SU 6887 8570 (Point A on the Order plan) south-westwards for approximately 27m to SU 6885 8568 (Point B), then west-north-westwards for approximately 196m to the Stoke Row Parish boundary at SU 6866 8574 (Point C).

Stoke Row Fp 24:

The entire width of Stoke Row Fp No 24 that runs westwards and then south-westwards from the Nuffield Parish boundary at SU 6866 8574 (Point C on the Order plan) for a distance of approximately 7m to SU 6865 8574 (Point D).

PART 2

DESCRIPTION OF SITE OF NEW WAYS

Nuffield Fp 25:

A new footpath with a width of 1.5m that runs from Howberry Lane (Nuffield Br No. 17) south-east of Howberrywood Farmhouse at OS Grid Ref SU 6890 8567 (Point E on the Order plan) south-westwards for approximately 95m to the Stoke Row Parish boundary at SU 68823 85617 (Point F).

Stoke Row Fp 24:

A new footpath with a width of 3m that runs from the Stoke Row Parish boundary at SU 68823 85617 (Point F) south-westwards for approximately 4m to OS Grid Ref SU 68820 85615 (Point G), then north-westwards for 206m to SU 6865 8574 (Point D).

PART 3

Modification of Definitive Statement

Variation of particulars of path or way

Path Number	Status	Description	Width	Conditions & Limitations	Remarks (not forming part of the Definitive Statement)
Nuffield 25	FP	From Howberry Lane (BR 17), [near] [SE of] Howberrywood Farm[house at SU 6890 8567], leading [WNW] [SW, as diverted,] to the Stoke Row Parish boundary at Stoke Row FP 24, [N of Upper Shaw] [SSW of Howberrywood Farmhouse].	[1.5 m.]	-	[Diversion Order confirmed]] (date of confirmation to be advised)
Stoke Row 24	FP	From the Nuffield Parish boundary E of English Farm, at its junction with Nuffield FP 35 and Stoke Row FP 26, leading SE [and NE to the Nuffield Parish boundary near] [past] Upper Shaw, [then NE, then SE and NE as diverted to [at] its junction with Nuffield FP 25 [at the Nuffield Parish boundary SSW of Howberrywood Farmhouse]. (The Boundary Commission changes of 1.4.1992 transferred part of Stoke Row FP 24 into Nuffield where it was renumbered as Nuffield FP 35).	[1.5 m between Nuffield parish boundary and SU 6882 8561; 3 m between SU 6882 8561 and SU 6865 8574.]	-	[1] Diversion Order confirmed]] (date of confirmation to be advised) [2] Affected by boundary changes 1.4.1992.

Dated this 15th day of September 2015

THE COMMON SEAL OF THE OXFORDSHIRE COUNTY COUNCIL
was hereto affixed in the presence of:-

M. M. M. M.

County Solicitor/Designated Officer



757/15

**Highways Act 1980
Sec 119**

**Order to Divert
Nuffield Footpath No. 25
and Stoke Row
Footpath No. 24 (part)**

**Existing Nuffield Footpath
No. 25 to be deleted**

A - B - C

Length: 223 m approx.

**Existing Stoke Row Footpath
No. 24 (part) to be deleted**

C - D

Length: 7 m approx.

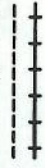
**Proposed new route
of Footpath**

E - F - G - D

Length: 305 m approx.

Width: E - F - G 1.5 m
G - D 3 m

**Approximate route of
unaffected rights of way**



Parish boundary



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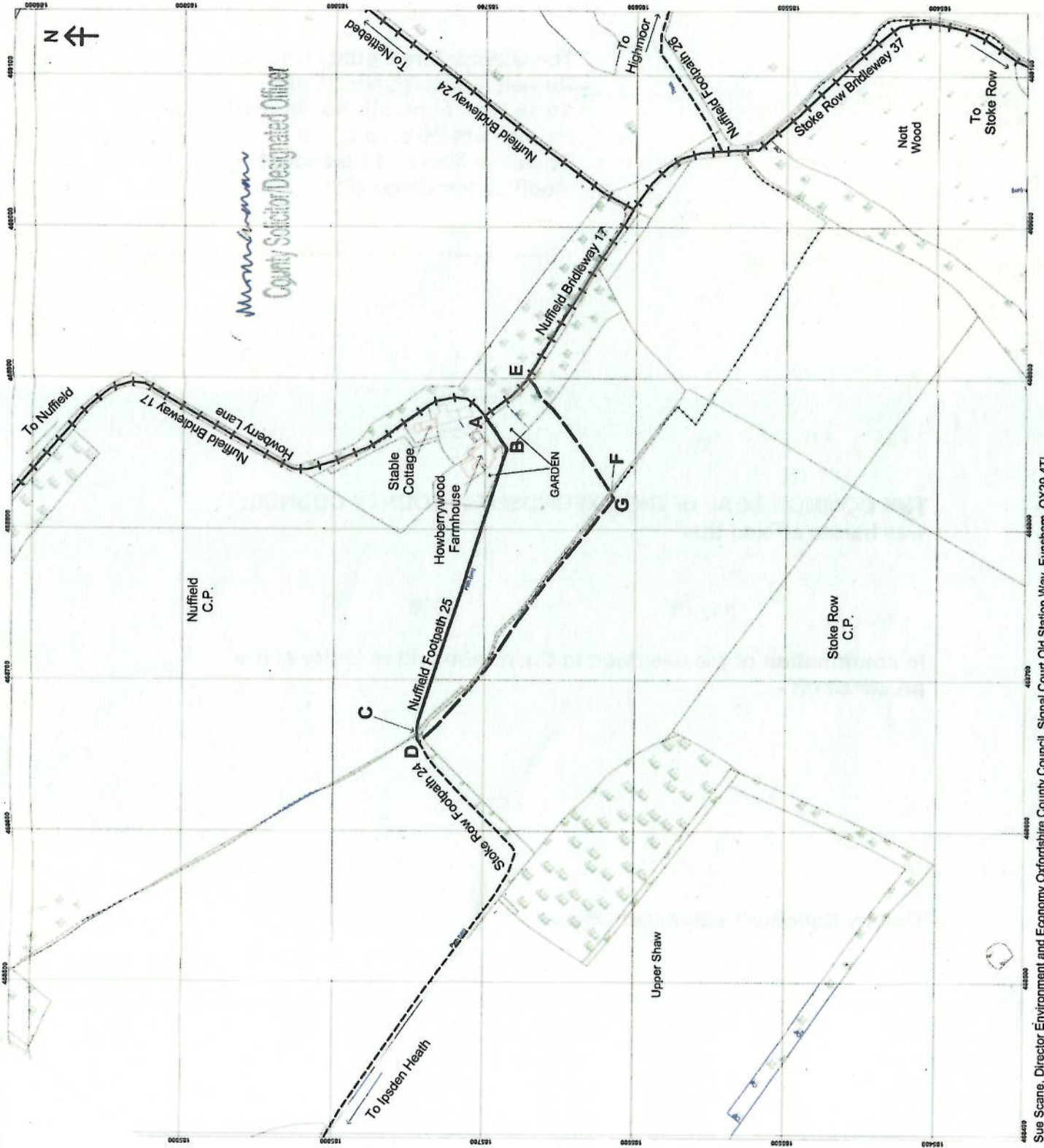
Oxfordshire County Council Licence No. 100023343

OS Reference: SU 6885

Scale 1:2500 @ A3

Drawn By: DJR Date: 14 August 2015

Drawing No: HA1980/452e



Dated 15th September 2015

**The Oxfordshire County Council
Nuffield Footpath No. 25 and
Stoke Row Footpath No. 24 (part)
Public Path Diversion and
Definitive Map and Statement
Modification Order 2015**

**THE COMMON SEAL of THE OXFORDSHIRE COUNTY COUNCIL
was hereto affixed the**

day of

2015

**In confirmation of the diversion in the within-written Order in the
presence of: -**

County Solicitor/Designated Officer