

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **Section 53**

Surrey County Council  
Footpath No 602 (Busbridge) Definitive Map Modification 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 **28 May 2019**.

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

The Inquiry will be held at **Chichester Hall, Petworth Road, Witley, Godalming, Surrey, GU8 5PL** on **Tuesday 12 November 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 a footpath from New Road, (Grid ref 497548 140450, Point A on the Order Map) proceeding in a generally easterly direction for 321 metres via Points B and C on the Order Map to Clock Barn Lane (Grid ref 497850 140423, Point D on the Order Map). The width of the path is 1.5 metres.

Any queries relating to this Order should be referred to Clive Richards 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 5502. Email: [clive.richards@planninginspectorate.gov.uk](mailto:clive.richards@planninginspectorate.gov.uk) Please quote reference number ROW/3218180 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 Whitebeam Lodge, Merrow Depot, Merrow Lane, Guildford, GU4 7BQ (Monday to Friday – excluding Bank Holidays). Contact: Debbie Prismall, Tel: 020 8541 9343.

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

**Within 8 weeks of the start date by [by 23 July 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 03 September 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 15 October 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).

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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.

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

**MODIFICATION ORDER**  
**WILDLIFE AND COUNTRYSIDE ACT 1981**  
**THE SURREY COUNTY COUNCIL REVISED RIGHTS OF WAY MAP IN DEFINITIVE**  
**FORM AND THE SURREY COUNTY COUNCIL PUBLIC RIGHTS OF WAY**  
**DEFINITIVE STATEMENT**  
**THE SURREY COUNTY COUNCIL FOOTPATH NO. 602 (BUSBRIDGE)**  
**DEFINITIVE MAP MODIFICATION ORDER 2018**

This Order is made by Surrey County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement require 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 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 to which this Part applies;

The authority have consulted with every local authority whose area includes the land to which the Order relates; \_\_\_\_\_

The Surrey County Council hereby order that:-

- 1 FOR the purposes of this Order the relevant date is 23 May 2018 \_\_\_\_\_
- 2 THE Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order. \_\_\_\_\_
- 3 THIS Order shall take effect on the date it is confirmed and may be cited as the Surrey County Council Footpath No. 602 (Busbridge) Definitive Map Modification Order 2018 \_\_\_\_\_

S.M

Executed as a Deed by affixing  
the Common Seal of  
SURREY COUNTY COUNCIL  
on 23 May 2018  
in the presence of:-

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Director of Legal, Democratic & Cultural Services/ Authorised Signatory

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SCHEDULE

Part I

Modification of Definitive Map  
Description of path to be added

Footpath No. 602 (Busbridge) in the Borough of Waverley, shown by a bold broken line on Drawing no. 3/1/3/H13b, commencing from New Road at point 'A' (Grid ref 497548 140450) and proceeding in a generally easterly direction to points B – C then to Clock Barn Lane at point D (Grid ref 497850 140423) for a total distance of 321 metres. The width of the path is 1.5 metres.

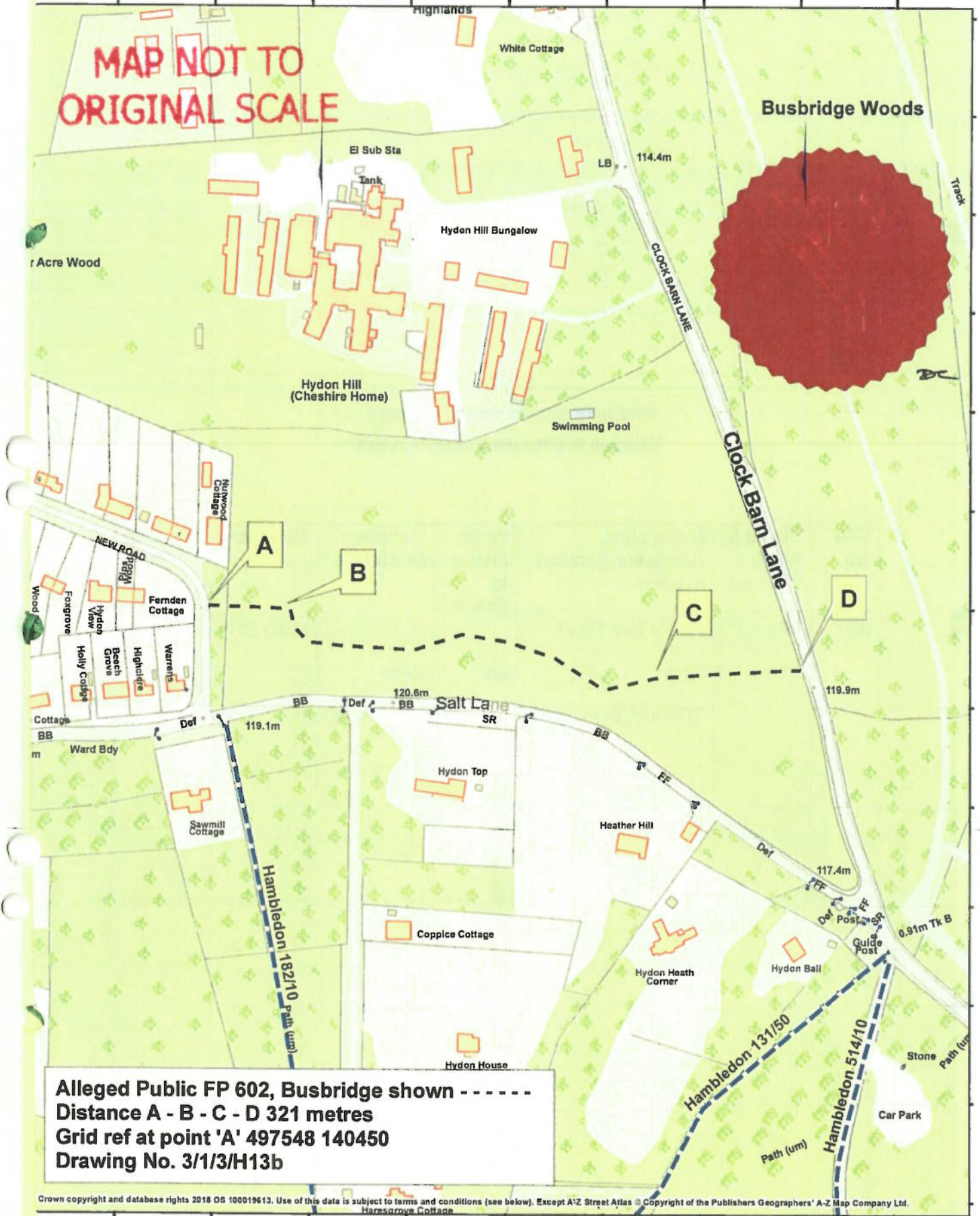
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**Borough of Waverley**  
**Wildlife & Countryside Act 1981 Map Modification Order**

**MAP NOT TO ORIGINAL SCALE**



**Alleged Public FP 602, Busbridge shown - - - - -**  
**Distance A - B - C - D 321 metres**  
**Grid ref at point 'A' 497548 140450**  
**Drawing No. 3/1/3/H13b**

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- Rights of Way**
- - - - - Footpath
  - - - - - Restricted Byway
  - - - - - Bridleway
  - - - - - BOAT



Date: 27/04/2018

10/11/18  
12/3/18

Part II

Modification of Definitive Statement

Variation of particulars of path or way

R/W No	Status & Width Claimed	Description (Limitations shown in bold)	Width Fence to Fence	Condition or Surface	Remarks	Map No.
602	FP 1.5m	FROM New Road  Path  TO Clock Barn Lane	udf	Earth	MMO 2018	SU94

DATED 23 MAY 2018

WILDLIFE AND COUNTRYSIDE ACT 1981  
SECTION 53

THE SURREY COUNTY COUNCIL  
REVISED RIGHTS OF WAY MAP  
AND STATEMENT IN DEFINITIVE FORM

THE SURREY COUNTY COUNCIL  
FOOTPATH NO. 602 (BUSBRIDGE)  
DEFINITIVE MAP MODIFICATION  
ORDER 2018

SM/DP/3/1/3

Surrey County Council

No. in sealing  
register

22009 - 22010

Ordered to  
be sealed

Waverley Local Committee  
9 March 2018