

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53**

Lincolnshire County Council  
Addition of Navenby Public Footpath Number 1146  
Definitive Map 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 **5 June 2019**.

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

The Inquiry will be held at **The Venue @ Navenby, Grantham Road, Navenby, Lincs, LN5 0JJ** on **Tuesday 14 January 2020** 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 Public Footpath Number 1146 in the parish of Navenby at Ordnance Survey Grid Reference SK 9881 5738 (point A on the Order map) and passing for approximately 111 metres in a generally east south easterly direction to SK 9891 5734 (point I on the Order map), where it meets Doncaster Gardens, Navenby. Its width varies between 3.5 and 7 metres. The path is subject to the limitation of one field gate with a width of 3.9 metres at SK 9881 5738.

Any queries relating to this Order should be referred to Bethan Baldry at The Planning Inspectorate, Rights of Way Section, 3A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5722. Email: [Bethan.Baldry@planninginspectorate.gov.uk](mailto:Bethan.Baldry@planninginspectorate.gov.uk). Please quote reference number ROW/3218855 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment between the hours of 9am and 5pm on weekdays at the Definitive Map Office, Environmental Services, Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln LN1 1XX. Any request to view the documentation should be made to that office, telephone 01522 782070.

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

**Within 8 weeks of the start date [by 31 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 11 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 17 December 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

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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.

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.

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**LINCOLNSHIRE COUNTY COUNCIL**

**ADDITION OF NAVENBY PUBLIC FOOTPATH NUMBER 1146**

**DEFINITIVE MAP MODIFICATION ORDER 2017**

This Order is made by Lincolnshire County Council ("the Authority") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Authority that the Definitive Map and Statement for the area of Kesteven County Council (Rural District of North Kesteven) require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) of the Act 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 such that the land over which the right subsists is a public path

The Authority has consulted with every local authority whose area includes the land to which the Order relates

Lincolnshire County Council hereby orders that:

1. For the purposes of this Order the relevant date is 23 June 2017
2. The Kesteven County Council Definitive Map and Statement for the area of the Rural District of North Kesteven shall be modified as described in Part I

and Part II of the Schedule and shown on the Drawing Number 2017/011/DMMO384/A4 attached to the Order

3. This Order shall take effect on the date it is confirmed and may be cited as the Lincolnshire County Council addition of Navenby Public Footpath 1146 Definitive Map Modification Order 2017

## **SCHEDULE**

### **PART 1**

#### **Modification of Definitive Map**

##### **Description of path to be added**

##### **in the parish of Navenby**

##### **Public Footpath No. 1146**

A public footpath leaving the maintainable highway Grantham Road, Navenby at Point A (Ordnance Survey Grid Reference SK 9881 5738) on the Order Plan 2017/011/DMMO384/A4 dated 12.06.2017, where the path is subject to the limitation of one field gate with a width of 3.9 metres. Beyond the field gate at Point A the path's width is 4.4 metres, and it passes in a generally east south easterly direction along a track between the properties 11 and 15 Grantham Road for approximately 12 metres to Point B (SK 9882 5737). At Point B the path's width narrows to 4.2 metres. It continues from Point B in a generally east south easterly direction for approximately 20 metres to Point C (SK 9884 5737), where its width decreases to 4 metres, passing in a generally east south easterly direction over a distance of approximately 7 metres to Point D (SK 9884 5736). At Point D its width narrows further to 3.7 metres and it continues in a generally east south easterly direction for

approximately 3 metres to Point E (SK 9885 5736), where its width narrows further to 3.5 metres. From Point E it continues in a generally east south easterly direction for approximately 2 metres to Point F, where its width increases to 6 metres for approximately 2 metres and passing in a generally east south easterly direction to Point G, where its width increases to 7 metres. It then continues in a generally east south easterly direction for approximately 42 metres to Point H (SK 9889 5735), where its width narrows to 5 metres. From Point H it continues in a generally east south easterly direction for approximately 23 metres to Point I (SK 9891 5734), where its width is 5.1 metres and it meets the maintainable highway Doncaster Gardens.

The total length of public footpath to be added is approximately 111 metres and is shown to run between Points A-B-C-D-E-F-G-H-I on the attached Order Drawing 2017/011/DMMO384/A4.

## PART II

### Modification of Definitive Statement

#### Variation of Particulars of Path

The following details shall be added

In the parish of Navenby

#### Public Footpath Number 1146

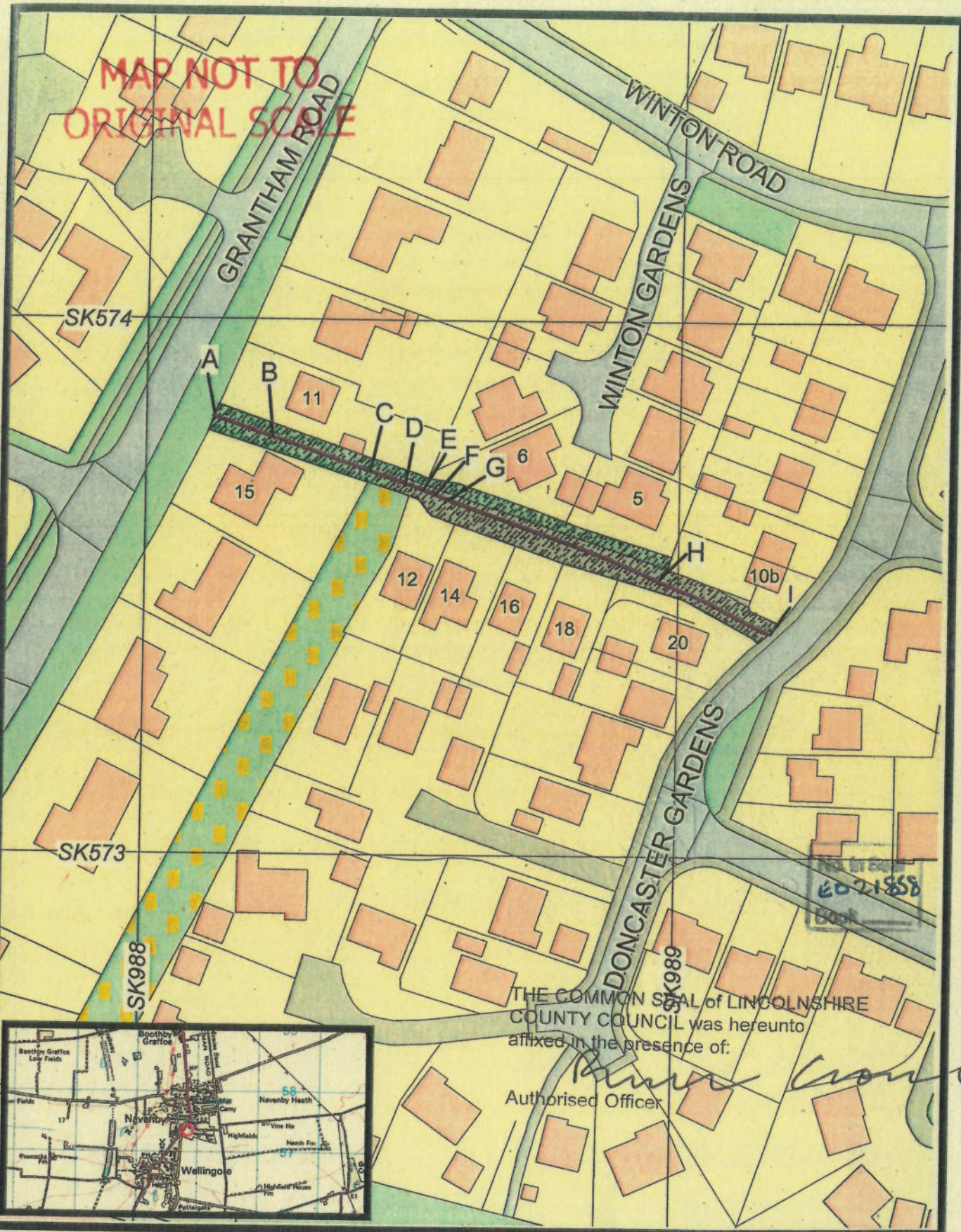
<u>No. of Path, etc.</u>	<u>Kind of Path, etc.</u>	<u>Position</u>	<u>Limitation</u>
1146	Public Footpath	A public footpath leaving the maintainable highway Grantham Road, Navenby	At Ordnance Survey Grid Reference SK 9881

		<p>at Ordnance Survey Grid Reference SK 9881 5738, where the path is subject to the limitation of one field gate with a width of 3.9 metres. Beyond the field gate the path's width is 4.4 metres, and it passes in a generally east south easterly direction along a track between the properties 11 and 15 Grantham Road for approximately 12 metres to SK 9882 5737. At this point the path's width narrows to 4.2 metres. It continues from here in a generally east south easterly direction for approximately 20 metres to SK 9884 5737, where its width decreases to 4 metres, passing in a generally east south easterly direction over a distance of approximately 7 metres to SK 9884 5736. At this point its width narrows further to 3.7 metres and it continues in a generally east south easterly direction for approximately 3 metres to SK 9885 5736, where its width narrows further to 3.5 metres. From this point it continues in a generally east south easterly direction for approximately 2 metres, its width then increasing to 6 metres and passing in a generally east</p>	<p>5738 the path is subject to the limitation of one field gate with a width of 3.9 metres.</p>
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Key:

Reprod.  
of the C  
Licence

MAP NOT TO ORIGINAL SCALE



£021888

THE COMMON SEAL of LINCOLNSHIRE COUNTY COUNCIL was hereunto affixed in the presence of:

*[Signature]*  
Authorised Officer



Key: Public Footpath 1146 (A-I)  
Extent of PF 1146



Lincolnshire COUNTY COUNCIL

Definitive Map Modification Order  
Navenby  
Public Footpath 1146 between Grantham Road and Doncaster Gardens

12.06.2017

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Public Rights of Way & Countryside Access  
R A Willis  
Executive Director for Environment & Economy  
County Offices, Newland, Lincoln, LN1 1YL.

Scale: 1:1000

2017/011/DMMO384/A4



		<p>south easterly direction for approximately 2 metres. Its width then increases to 7 metres and it continues in a generally east south easterly direction for approximately 42 metres to SK 9889 5735, where its width narrows to 5 metres. From this point it continues in a generally east south easterly direction for approximately 23 metres to SK 9891 5734, where its width is 5.1 metres and it meets the maintainable highway Doncaster Gardens.</p> <p>The total length of public footpath to be added is approximately 111 metres.</p>	
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Given under the Common Seal of Lincolnshire County Council this 23<sup>rd</sup> day of  
JUNE Two thousand and seventeen

THE COMMON SEAL of )  
LINCOLNSHIRE COUNTY COUNCIL )  
 was hereunto affixed in the )  
 presence of : )



Authorised Officer  
 RUTH CROUCH

No. in Seal  
 6021858  
 Book

DATED 23 June 2017

WILDLIFE AND COUNTRYSIDE ACT 1981

LINCOLNSHIRE COUNTY COUNCIL

ADDITION OF NAVENBY PUBLIC FOOTPATH NUMBER 1146

DEFINITIVE MAP MODIFICATION ORDER 2017

Legal Services Lincolnshire

County Offices

Lincoln