

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 - SECTION 53

Bath and North East Somerset Council
(Restricted Byway BA21/12, Beeks Mill, St Catherine) 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. Following an earlier inquiry, the Inspector appointed to determine the Order issued a letter on 4 October 2018 in which he proposed to make modifications to the Order as drafted. Following advertisement of those proposals, objections/representations have been received.

The **start date** for the above Order is **11 June 2019**.

Consideration of the Order will take the form of a public local inquiry. It is being held so that the Inspector can hear evidence in respect of the modified part of the Order **and** new evidence in respect of the unmodified part of the Order.

The Inquiry will be held at the Brunswick Room, Guildhall, High Street, Bath BA1 5AW on **Tuesday 15 October 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 Restricted Byway from a junction with St Catherine Lane at grid reference ST 7611 7106 and continuing in a generally northeasterly direction for approximately 200 metres along a track to the County boundary with South Gloucestershire at grid reference ST 7624 7121.

The effect of the Inspector's proposed modifications would be to

- Replace all references in the Order to "*restricted byway*" with "*bridleway*".
- Delete the text after "*Limitations*" in Part II of the Order Schedule and insert "*The right of the landowner to erect and maintain gates at grid references ST 7611 7106 and ST 7624 7121*".

- Replace the notation on the Order Map for a restricted byway with the notation for a bridleway and amend the map key accordingly.

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. Please quote reference number ROW/3186868M on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so during normal working hours (Mondays & Tuesdays 8.30am-5pm, Wednesdays 9am to 5pm, Thursdays 8.30am-5pm and Fridays 8.30am-4.30pm, closed Saturdays and Sundays) at The One Stop Shop, 3-4 Manvers Street, Bath BA1 1JG.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 6 August 2019]

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modifications and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after receiving it the Secretary of State will send a full copy 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 everyone who has made an objection or representation following the modifications, the applicant and anyone else who has previously written to us in respect of the Order.

4 weeks before the date of the inquiry [by 17 September 2019]

The Authority, everyone who has made an objection or representation following the proposed modifications, 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 the Secretary of State. As soon as possible after receiving them, the Secretary of State will send copies of:

¹ 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.

- i) the Authority's proof of evidence to everyone who has made an objection or representation following the proposed modifications, the applicant, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order;
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation following the proposed modifications, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order; and
- iii) all other proofs of evidence to the Authority, the applicant and anyone else who has either submitted a statement of case or who has previously written to us in respect of the Order .

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 mods