

# NOTICE OF ORDER

## HIGHWAYS ACT 1980 SECTION 119

Bedford Borough Council  
(Turvey: Part of Footpath No. A6) Public Path Diversion 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 22 July 2019.

Consideration of the Order will take the form of a hearing.

The Hearing will be held at **Turvey Village Hall, High Street, Turvey, Bedford MK43 8DA** at **10.00am on Tuesday 26 November 2019**.

The effect of the Order, if confirmed without modifications, will be to divert that length of Public Footpath number A6 Turvey commencing from a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 140 metres north-west of Abbey Farm at Ordnance Survey Grid Reference (OSGR) SP 9486/5196 shown as Point A on the order map then running in a generally south-easterly and south-south-easterly direction for 503 metres to a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 378 metres south-south-east of Abbey Farm at OSGR SP 9504/5151 shown as Point B on the order map to a line commencing from a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 140 metres north-west of Abbey Farm at Ordnance Survey Grid Reference (OSGR) SP 9486/5196 shown as Point A on the order map then running in a generally south-south-westerly direction for 136 metres to a point at OSGR SP 9480/5184 shown as Point C on the order map then running in a generally south-easterly and south-south-easterly direction for 229 metres to a point at OSGR SP 9496/5170 shown as Point D on the order map then running in a generally southerly and south-easterly direction for 232 metres to a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 378 metres south-south-east of Abbey Farm at OSGR SP 9504/5151 as shown as Point B on the order map.

Any queries relating to this Order should be referred to Jean McEntee 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 5437. Email:

[jean.mcentee@planninginspectorate.gov.uk](mailto:jean.mcentee@planninginspectorate.gov.uk) Please quote reference number ROW/3221130 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at Bedford Borough Council, Main Reception Desk, Borough Hall, Cauldwell Street, Bedford Bedford MK42 9AP between the hours of 10:00am and 4.00pm on weekdays (Bank and Public Holidays excepted). Telephone: 01234 276791.

### **Timetable for sending in statements of case**

#### **Within 8 weeks of the start date [by 16 September 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, although 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 12 weeks of the start date [by 14 October 2019]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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).

**All parties must keep to the timetable set out above and ensure that statements of case 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 hearing

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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 hearing.

**PUBLIC PATH DIVERSION ORDER**

**HIGHWAYS ACT 1980**

**BEDFORD BOROUGH COUNCIL**

**BEDFORD BOROUGH COUNCIL (TURVEY: PART OF FOOTPATH No. A6) PUBLIC  
PATH DIVERSION ORDER 2018**

THIS ORDER is made by the Bedford Borough Council ("the Authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that in the interests of the owner of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the line of the footpath should be diverted.

Annette Richter of Abbey Farm, Turvey 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 footpath into a fit condition for use by the public.

**BY THIS ORDER**

1. The public right of way over the land situated at Abbey Farm, Jacks Lane, Turvey in the parish of Turvey and shown by a bold continuous line between points A to B on the map attached to this Order and described in Part 1 of the Schedule to this Order shall be stopped up on the date on which Bedford Borough Council certify that work has been carried out to bring the site of the new highway mentioned in Part 2 of the Schedule to this Order into a fit condition for use by the public.
2. Notwithstanding paragraph 1 of this Order statutory undertakers shall have the same rights over the land referred to in paragraph 1 above, in respect of their apparatus under, in, upon, over, along or across the said land as they had immediately before the date of confirmation of this Order.
3. There shall at the end of 28 (twenty-eight) days from the date of confirmation of this Order be a public footpath over the land situated to the south and south-east of Abbey Farm, Jacks Lane, Turvey in the parish of Turvey as described in Part 2 of the Schedule to this Order and shown by a bold broken line between Points A to C to D to B on the map attached to this Order.
4. This Order may be cited as the, "Bedford Borough Council (Turvey: Part of Footpath No. A6) Public Path Diversion Order 2018.

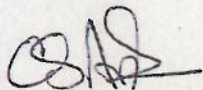
In witness whereof

THE COMMON SEAL OF

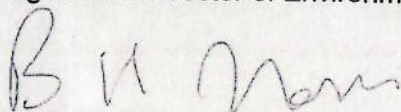
THE BEDFORD BOROUGH COUNCIL

was hereunto affixed this *22nd* day of *June* 2018

in the presence of:



Craig Austin: Director of Environment



Barbara H Morris: Assistant Chief Executive (Law and Governance)  
Solicitor to the Borough Council

I certify that this is a true copy of the Order  
as it was when it was:

MADE BY  
BEDFORD BOROUGH COUNCIL

Signed: *M. J. Gibbons*

Dated: *26 JUNE 2018*

## SCHEDULE

### PART 1

#### DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A length of Public Footpath number A6 Turvey commencing from a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 140 metres north-west of Abbey Farm at Ordnance Survey Grid Reference (OSGR) SP 9486/5196 shown as Point A on the attached map then running in a generally south-easterly and south-south-easterly direction for 503 metres to a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 378 metres south-south-east of Abbey Farm at OSGR SP 9504/5151 shown as Point B on the attached map.

The Definitive Statement records no information in respect of the width for Footpath number A6 Turvey. For the avoidance of doubt it is intended to stop up the length of Public Footpath described above in its entirety.


### PART 2

#### DESCRIPTION OF SITE OF NEW PATH OR WAY

A length of Public Footpath in the parish of Turvey commencing from a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 140 metres north-west of Abbey Farm at Ordnance Survey Grid Reference (OSGR) SP 9486/5196 shown as Point A on the attached map then running in a generally south-south-westerly direction for 136 metres to a point at OSGR SP 9480/5184 shown as Point C on the attached map then running in a generally south-easterly and south-south-easterly direction for 229 metres to a point at OSGR SP 9496/5170 shown as Point D on the attached map then running in a generally southerly and south-easterly direction for 232 metres to a point where it has a junction with that part of Footpath number A6 Turvey to be retained approximately 378 metres south-south-east of Abbey Farm at OSGR SP 9504/5151 shown as Point B on the attached map.

The Public Footpath described above shall have a width of 2.0 (two) metres throughout.

Between OSGR SP 9480/5184 (Point C on the attached map) and OSGR SP 9496/5170 (Point D on the attached map) the centre line of the new Public Footpath shall be 3.0 (three) metres from the nearest fixed point of the adjacent boundary to the left side (in relation to direction of travel Point C to point D) of the new Public Footpath.

AUTHORITY FOR EXECUTION		
COUNCIL/COMMITTEE	MINUTE No.	DATE
DELEGATED POWER	By Whom Exercised Chris Pettifer Chief Officer Transport	DATE 12/06/18
	OFFICERS INITIALS	DATE
ORIGINATED AND CHECKED BY	MJG	19/06/18
APPROVED BY		19/6/18

I certify that this is a true copy of the Order as it was when it was:

MADE BY  
BEDFORD BOROUGH COUNCIL

Signed: *M.F. Gibbons*

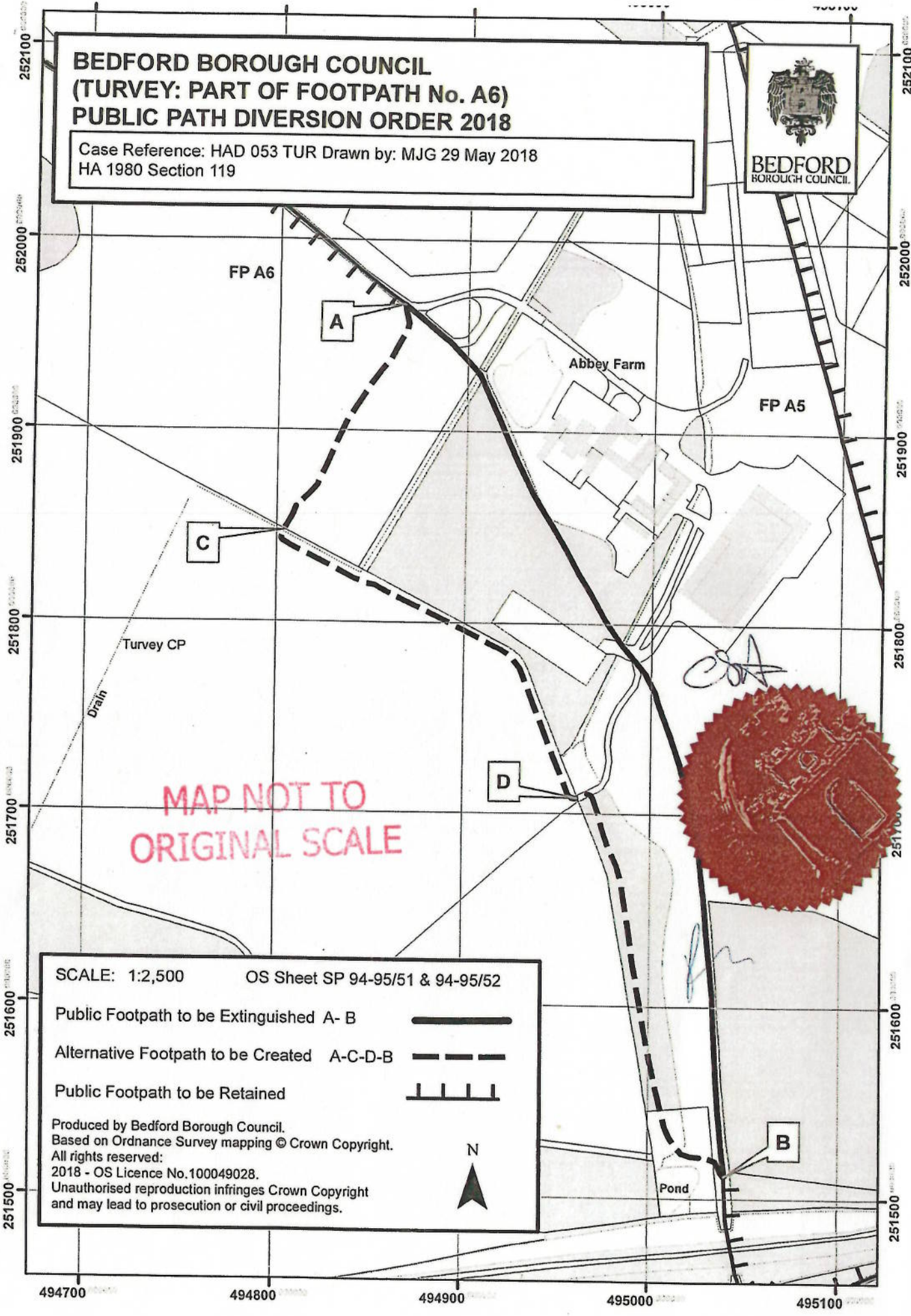
Dated: 26 JUNE 2018

**BEDFORD BOROUGH COUNCIL  
(TURVEY: PART OF FOOTPATH No. A6)  
PUBLIC PATH DIVERSION ORDER 2018**

Case Reference: HAD 053 TUR Drawn by: MJG 29 May 2018  
HA 1980 Section 119






**BEDFORD  
BOROUGH COUNCIL**



MAP NOT TO  
ORIGINAL SCALE

SCALE: 1:2,500 OS Sheet SP 94-95/51 & 94-95/52

- Public Footpath to be Extinguished A- B 
- Alternative Footpath to be Created A-C-D-B 
- Public Footpath to be Retained 

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