

NOTICE OF ORDER

Wildlife and Countryside Act 1981

Leicestershire County Council

Addition of Public Footpath A118 within the Unparished area of Market Harborough in the County of Leicestershire AND Addition of Public Footpath CP12 within the Parish of East Farndon AND Public Footpath DC9 within the Parish of Marston Trussell in the County of Northamptonshire 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 5 July 2019

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

The Inquiry will be held at **Leicestershire County Council, County Hall, Glenfield, Leicester LE3 8RA** on **Tuesday 26 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 Footpath A118 which will extend from a point marked "A" on the plan situated at a junction with the area of Public Open Space off Farndale View in generally southerly and westerly directions for a total distance of approximately 543 metres to a point marked "B" on the plan situated at a junction with the River Welland and the County boundary as shown on the plan.

Also, Footpath CP12 will extend from a point marked "B" on the plan situated at a junction with the River Welland and the County boundary in a generally westerly direction for a total distance of approximately 210 metres to a point marked "C" on the plan situated at a junction with the Parish boundary.

Also, Footpath DC9 will extend from a point marked "C" on the plan situated at a junction with the Parish boundary of East Farndon in generally westerly and north north-westerly directions for a total distance of approximately 635 metres to a point marked "D" on the plan situated at a junction with existing Leicestershire Public Footpath A27 and existing Northamptonshire Public Footpath DC5.

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 Please quote reference number ROW/3222320 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 Leicestershire County Council, Room 200, Legal Services, Glenfield, Leicestershire LE3 8RA during office hours 9.00am to 5.00pm. Telephone: 0116 3055782.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 30 August 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 October 2019]

Everyone who has made an objection or representation 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 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 29 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

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.

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).

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

LEICESTERSHIRE COUNTY COUNCIL

SECTION 53 - WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF LEICESTERSHIRE

**ADDITION OF PUBLIC FOOTPATH A118 WITHIN THE UNPARISHED AREA OF MARKET
HARBOROUGH IN THE COUNTY OF LEICESTERSHIRE**

AND

**ADDITION OF PUBLIC FOOTPATH CP12 WITHIN THE PARISH OF
EAST FARNON AND
PUBLIC FOOTPATH DC9 WITHIN THE PARISH OF MARSTON TRUSSELL
IN THE COUNTY OF NORTHAMPTONSHIRE**

DEFINITIVE MAP MODIFICATION ORDER 2018

LEICESTERSHIRE COUNTY COUNCIL

SECTION 53 - WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF LEICESTERSHIRE

ADDITION OF PUBLIC FOOTPATH A118 WITHIN THE UNPARISHED AREA OF MARKET
HARBOROUGH IN THE COUNTY OF LEICESTERSHIRE

AND

ADDITION OF PUBLIC FOOTPATH CP12 WITHIN THE PARISH OF
EAST FARNDON AND
PUBLIC FOOTPATH DC9 WITHIN THE PARISH OF MARSTON TRUSSELL
IN THE COUNTY OF NORTHAMPTONSHIRE

DEFINITIVE MAP MODIFICATION ORDER 2018

This Order is made by Leicestershire County Council (hereinafter called "the authority") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 (hereinafter called "the Act"), because it appears to the Leicestershire County Council (hereinafter called "the surveying authority") that the Definitive Map and Statement for the County of Leicestershire require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) namely the discovery by the surveying authority of evidence which (when considered with all relevant evidence available to the surveying authority) 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 footpath A118 within the unparished area of Market Harborough and the District of Harborough shown by a broken black line on Plan No. M970 annexed hereto and described in the Schedule hereto. Also, public footpath CP12 within the Parish of East Farndon and the District of Daventry shown by a broken black line on Plan M970 annexed hereto and described in the Schedule hereto and also public footpath DC9 within the Parish of Marston Trussell and the District of Daventry shown by a broken black line on Plan M970 annexed hereto and described in the Schedule hereto.

The authority has consulted with every local authority whose area includes the land to which the Order relates. The Authority hereby order that:-

1. For the purpose of this Order the relevant date is 21st September 2018.

2. The Definitive Map and Statement for the County of Leicestershire shall be modified as described in Part I, II, III, IV, V and Part VI of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the "Leicestershire County Council (Addition of Public Footpath A118 within the Unparished Area of Market Harborough in the County of Leicestershire and Addition of Public Footpath CP12 within the Parish of East Farndon and Public Footpath DC9 within the Parish of Marston Trussell, in the County of Northamptonshire) Definitive Map Modification Order 2018."

SCHEDULE

PART I

MODIFICATION OF DEFINITIVE MAP OF LEICESTERSHIRE

Description of Public Footpath A118 within the Unparished Area of

Market Harborough to be added to the Definitive Map of Leicestershire

A footpath within the Unparished area of Market Harborough and the District of Harborough, shown by a broken black line on Plan No. M970, will extend from a point marked "A" on the plan situated at a junction with the area of Public Open Space off Farndale View (grid reference 47218 28676) in generally southerly and westerly directions for a total distance of approximately 543 metres to a point marked "B" on the plan situated at a junction with the River Welland and the County boundary (grid reference 47165 28682).

Width of 4 metres

PART II

MODIFICATION OF DEFINITIVE STATEMENT OF LEICESTERSHIRE

Addition of Particulars of Footpath A118

The entry for footpath A118 to be added to read:-

<u>Reference No.</u>	<u>O.S. Map</u>	<u>Status</u>	<u>Location</u>
A118	SP 78 NW	Footpath	From the Public Open Space off Farndale View, Market Harborough along the dismantled railway line to the River Welland and the County Boundary.

Parish: Unparished area of Market Harborough

<u>Width</u>	<u>Limitations and Conditions</u>	<u>Relevant Date</u>
4 metres	None	21 st September 2018

PART III

MODIFICATION OF DEFINITIVE MAP OF NORTHAMPTONSHIRE

Description of Public Footpath CP12 within the Parish of East Farndon to be added to the Definitive Map of Northamptonshire

A footpath within the Parish of East Farndon and the District of Daventry, shown by a broken black line on Plan No. M970, will extend from a point marked "B" on the plan situated at a junction with the River Welland and the County boundary (grid reference 47165 28682) in a generally westerly direction for a total distance of approximately 210 metres to a point marked "C" on the plan situated at a junction with the Parish boundary (grid reference 47145 28684).

Width of 4 metres

PART IV

MODIFICATION OF DEFINITIVE STATEMENT OF NORTHAMPTONSHIRE

Addition of Particulars of Footpath CP12

The entry for footpath CP12 to be added to read:-

<u>Reference Number</u>	<u>O.S Map</u>	<u>Status</u>	<u>Location</u>
CP12	SP 78 NW	Footpath	From the County boundary and the River Welland, along the dismantled railway line to the boundary with the Parish of Marston Trussell.

Parish: East Farndon

<u>Width</u>	<u>Limitations and Conditions</u>	<u>Relevant Date</u>
4 Metres	None	21 st September 2018

PART V

MODIFICATION OF DEFINITIVE MAP OF NORTHAMPTONSHIRE

Description of Public Footpath DC9 within the Parish of Marston Trussell to be added to the Definitive Map of Northamptonshire

A footpath within the Parish of Marston Trussell and the District of Daventry, shown by a broken black line on Plan No. M970, will extend from a point marked "C" on the plan situated at a junction with the Parish boundary of East Farndon (grid reference 47145 28684) in generally westerly and north north-westerly directions for a total distance of approximately 635 metres to a point marked "D" on the plan situated at a junction with existing Leicestershire Public Footpath A27 and existing Northamptonshire Public Footpath DC5 (grid reference 47082 28692).

Width of 4 metres

PART VI

MODIFICATION OF DEFINITIVE STATEMENT OF NORTHAMPTONSHIRE

Addition of Particulars of Footpath DC9

The entry for footpath DC9 to be added to read:-

<u>Reference Number</u>	<u>O.S Map</u>	<u>Status</u>	<u>Location</u>
DC9	SP 78 NW	Footpath	From the Parish boundary with East Farndon along the dismantled railway line to Northamptonshire Public Footpath DC5 and Leicestershire Public Footpath A27, south of Lubenham

Parish: Marston Trussell

<u>Width</u>	<u>Limitations and Conditions</u>	<u>Relevant Date</u>
4 Metres	None	21 st September 2018

THE COMMON SEAL of THE LEICESTERSHIRE)
COUNTY COUNCIL was hereunto affixed)
this 27th day of September 2018 in the presence of:-)

Authorised Officer



