

# NOTICE OF ORDER

## Wildlife and Countryside Act 1981 Section 53

Somerset County Council  
The Somerset County Council (No. 2) Modification Order, 2016

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 **10 March 2020**.

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

The Inquiry will be held at **George Reynolds Centre, South Street, Crewkerne, Somerset, TA18 8DA** on **Tuesday 15<sup>th</sup> September 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:

1. Upgrading footpath CH 33/36 in the Parish of Crewkerne starting from the A30 (Point A on the order plan) and running in a generally south south-easterly direction along Butts Quarry Lane for approximately 300 metres to its junction with footpath CH 33/35 at point B is to be upgraded to a Restricted Byway. The width is:- 3 metres between A and X, 2 metres between X and Y and 3 metres between Y and B.
2. Upgrading footpath CH 33/35 in the Parish of Crewkerne starting from its junction with footpath CH 33/36 (point B on the order plan) and running in a generally easterly direction along Butts Quarry Lane for approximately 400 metres to its junction with footpath CH 33/34 at point C is to be upgraded to a Restricted Byway. The width is 3 metres.
3. Upgrading part of Footpath CH 33/34 in the Parish of Crewkerne starting from its junction with footpath CH 33/35 (point C on the order plan) and running in a generally north north-westerly direction along Higher Easthams Lane for approximately 560 metres to its junction with the unclassified county road at point D is to be upgraded to a Restricted Byway. The width is 3 metres.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel:

0303 444 5646. Email: [Helen.Sparks@planninginspectorate.gov.uk](mailto:Helen.Sparks@planninginspectorate.gov.uk) Please quote reference number ROW/3224099 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 Somerset County Council, Rights of Way Department, B2W, County Hall, Taunton TA1 4DY, from 9:30am until 4:00pm Monday to Friday. (report to B Block reception).

**As the Authority has indicated that it will not be supporting the Order at the Inquiry, the case for the Order will be presented by Mrs Sarah Bucks, for the South Somerset Bridleways Association. She will be expected to adhere to the following timetable as if she was the Authority.**

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

#### **Within 8 weeks of the start date by [by 5 May 2020]**

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 16 June 2020]**

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).

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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.

## **4 weeks before the date of the inquiry [by 18 August 2020]**

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).

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**

**THE COUNTY OF SOMERSET DEFINITIVE  
MAP AND STATEMENT**

**The Somerset County Council  
(No. 2) Modification Order, 2016**

**Parish of Crewkerne**

This Order is made by the Somerset County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act"), because it appears to the Secretary of State (who has directed the authority to that effect under paragraph 4(2) of Schedule 14 to the Act) that the County of Somerset Definitive Map and Statement require modification in consequence of the occurrence of an event specified in:

Section 53(3)(c)(ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.

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

The Somerset County Council hereby orders that:

- 1) For the purpose of this order the relevant date is 15 July 2016.
- 2) The County of Somerset Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the plan attached to the Order.
- 3) The Order shall take effect on the date it is confirmed and may be cited as The Somerset County Council (No. 2) Modification Order, 2016.

**Dated 15 July 2016**

THE COMMON SEAL of the  
COUNTY COUCIL OF SOMERSET  
Was hereunto affixed in  
The presence of:

  
Authorised Officer



Number in Register  
**28243**

## SCHEDULE

### PART 1

#### **MODIFICATION OF THE DEFINITIVE MAP**

##### **Description of paths or ways to be upgraded**

i) Footpath CH 33/36 in the Parish of Crewkerne starting from the A30 (point A on the order plan) and running in a generally south south easterly direction along Butts Quarry Lane for approximately 300 metres to its junction with footpath CH 33/35 at point B is to be upgraded to a Restricted Byway.

The width is:-

3 metres between A and X

2 metres between X and Y

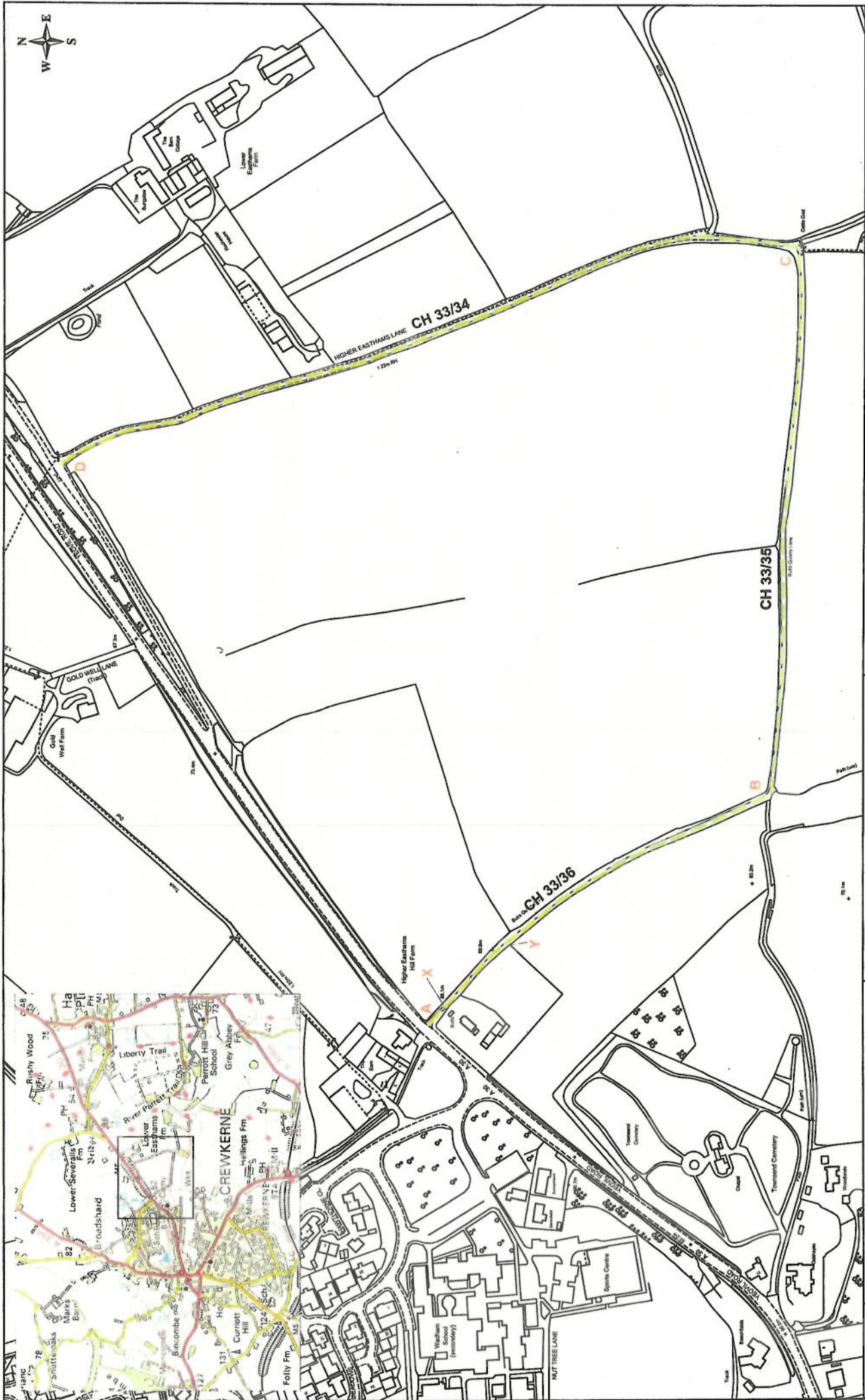
3 metres between Y and B

ii) Footpath CH 33/35 in the Parish of Crewkerne starting from its junction with footpath CH 33/36 (point B on the order plan) and running in a generally easterly direction along Butts Quarry Lane for approximately 400 metres to its junction with footpath CH 33/34 at point C is to be upgraded to a Restricted Byway.

The width is 3 metres.

iii) Part of Footpath CH 33/34 in the Parish of Crewkerne starting from its junction with footpath CH 33/35 (point C on the order plan) and running in a generally north north westerly direction along Higher Easthams Lane for approximately 560 metres to its junction with the unclassified county road at point D is to be upgraded to a Restricted Byway.

The width is 3 metres.



MAP NOT TO ORIGINAL SCALE

**SOMERSET COUNTY COUNCIL - ENVIRONMENT DEPARTMENT**

The precise line of a Right of Way can only be determined by reference to the Definitive Map (1:10560 scale) and the attached plan has been produced by transposing the Rights of Way Definitive Map onto a larger scale. The County Council can accept no responsibility for any error or inaccuracy which may arise from the transposition of the Rights of Way Definitive Map to a different scale.

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. (Somerset County Council) (10003332) (2016)

- For reference purposes only. No further copies to be made.

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Wildlife and Countryside Act 1981  
 The Somerset County Council  
 (No. 2) Modification Order, 2016  
 Parish of Crewkerne

Footpaths to be upgraded to Restricted Byways  
 A-B-C-D

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Parish:	Crewkerne
District:	South Somerset
Date:	06/07/2016
Drawing No:	H047-2016
Drawn By:	MHardwell
Grid Ref:	345360 110110
Scale:	1:2500



## PART II

### MODIFICATION OF THE DEFINITIVE STATEMENT

#### Variations of Particulars of Path or Way

i) The statement for CH 33/36 shall be amended as follows:

A Restricted Byway starts from the A30 and runs in a generally south south easterly direction along Butts Quarry Lane for approximately 300 metres to its junction with restricted byway CH 33/35

The width is:-

3 metres for the first 20 metres

2 metres for the next 60 metres

3 metres for the remaining 220 metres

ii) The statement for CH 33/35 shall be amended as follows:

A Restricted Byway starts from its junction with restricted byway CH 33/36 and runs in a generally easterly direction along Butts Quarry Lane for approximately 400 metres to its junction with restricted byway CH 33/73.

The width is 3 metres.

iii) A new statement for CH 33/73 shall be recorded as follows:

A Restricted Byway starts from its junction with restricted byway CH 33/35 and runs in a generally north north westerly direction along Higher Easthams Lane for approximately 560 metres to its junction with Footpath CH 33/34 at the unclassified county road.

The width is 3 metres.

iv) The statement for CH 33/74 shall be amended as follows:

A Footpath starts from the Crewkerne to Yeovil road approximately 300 yards north east of Ellms Villa and runs north eastwards along the southern side of the road to its junction with Restricted Byway CH 33/73 at the urban district boundary.