

# **NOTICE OF ORDER**

## **Wildlife and Countryside Act 1981 – Section 53**

Herefordshire Council

Herefordshire Council (Addition of footpath EE49 Eardisley) 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 8<sup>th</sup> April 2020.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

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 the footpath which commences from bridleway EE45 at OS Grid Reference SO 3032 4866 (point B on the plan) and proceeds south-eastward for approximately 306 metres to cross the disused railway line via an over-bridge at OS Grid Reference SO 3052 4843 (point C on the plan), thence continuing south-eastward for approximately 125 metres to join footpath EE6 at OS Grid Reference SO 3061 4835 (point D on the plan). Width 2 metres.

Any queries relating to this Order should be referred to Spencer Barrowman 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 5211. Email: [spencer.barrowman@planninginspectorate.gov.uk](mailto:spencer.barrowman@planninginspectorate.gov.uk) Please quote reference number ROW/3233942 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at Balfour Beatty Living Places, Unit 3, Thorn Business Park, Rotherwas Industrial Estate, Hereford HR2 6JT during normal opening hours Monday – Friday 9.30am – 3.30pm, excluding bank holidays. Contact Michael Mable, tel 07816 063013, email [Michael.Mable@balfourbeatty.com](mailto:Michael.Mable@balfourbeatty.com)

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

#### **Within 2 weeks of the start date [by 22<sup>nd</sup> April 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, the applicant and any other person who has written to us in respect of the Order.

#### **Within 8 weeks of the start date [by 3<sup>rd</sup> June 2020]**

Everyone who has made an objection or representation or any other written representation 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 full copies 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 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.

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, 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).

**Within 14 weeks of the start date [by 15<sup>th</sup> July 2020]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

**As the Authority has indicated that it will not be supporting the Order, the case will be taken forward by Mr Charles Richardson. He will be expected to adhere to the above timetable as if they were the Authority**

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

**MODIFICATION ORDER**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF HEREFORDSHIRE**

**HEREFORDSHIRE COUNCIL  
(ADDITION OF FOOTPATH EE49 EARDISLEY)  
MODIFICATION ORDER 2018**

This order is made by the County of Herefordshire District Council (known as "Herefordshire Council") under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") in accordance with the direction of the Secretary of State given on 4<sup>th</sup> October 2018 because it appears to the Secretary of State that the Definitive Map and Statement for the County of Herefordshire requires modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) of the Act, namely the discovery of evidence which shows that a right of way subsists or is reasonably alleged to subsist.

Herefordshire Council hereby orders that:

1. For the purposes of this order the relevant date is 20<sup>th</sup> November, 2018.
2. The Definitive Map and Statement for the County of Herefordshire shall be modified as described in Part I and Part II of the Schedule hereto and shown on the plan attached to this order.
3. This order shall take effect on the date it is confirmed and may be cited as Herefordshire Council Addition of Footpath EE49 Eardisley Modification Order 2018.

Dated 28<sup>th</sup> November 2018

**THE COMMON SEAL of the County of** )  
**Herefordshire District Council was affixed** )  
**BY ORDER** )

Authorised Officer..... *Kate G. G. G.*.....



## SCHEDULE

### PART I

#### Modification of Definitive Map

##### Description of path or way to be added

###### **Addition of Footpath (B-C-D)**

Commences from bridleway EE45 at OS Grid Reference SO 3032 4866 (point B on the plan) and proceeds south-eastward for approximately 306 metres to cross the disused railway line via an over-bridge at OS Grid Reference SO 3052 4843 (point C on the plan), thence continuing south-eastward for approximately 125 metres to join footpath EE6 at OS Grid Reference SO 3061 4835 (point D on the plan). Total length approximately 431 metres. Width 2 metres.

### PART II

#### Modification of Definitive Statement





##### Variation of particulars of path or way

###### **Addition of Footpath EE49**

Commences from bridleway EE45 at OS Grid Reference SO 3032 4866 and proceeds south-eastward for approximately 306 metres to cross the disused railway line via an over-bridge at OS Grid Reference SO 3052 4843, thence continuing south-eastward for approximately 125 metres to join footpath EE6 at OS Grid Reference SO 3061 4835. Total length approximately 431 metres. Width 2 metres.

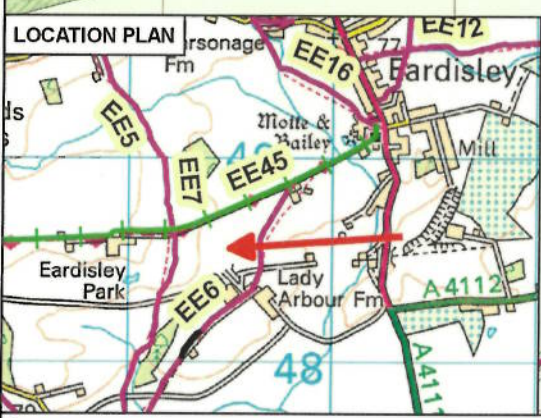
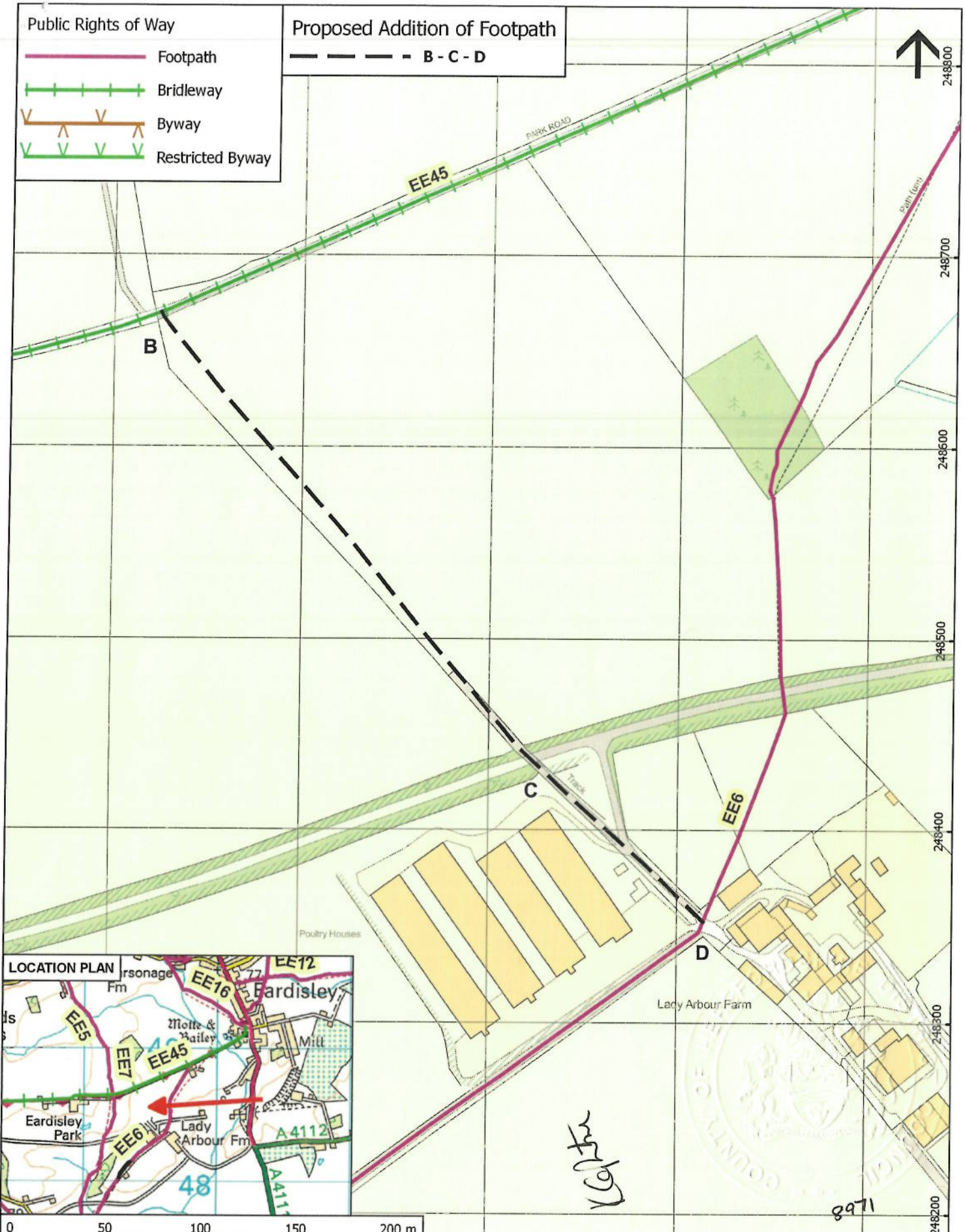


Public Rights of Way



-  Footpath
-  Bridleway
-  Byway
-  Restricted Byway

Proposed Addition of Footpath

-  B - C - D



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<b>Wildlife and Countryside Act, 1981</b> <b>Herefordshire Council Addition of Footpath</b> <b>EE49 Parish of Eardisley Modification Order</b> <b>2018</b>	SCALE:	1:2,500	Balfour Beatty Living Places Unit 3 Thorn Business Park Rotherwas Hereford HR2 6JT	  Working for Herefordshire
	DATE:	15/10/2018		
	PROJECT ID:	M319		