

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981 - SECTION 53**

**East Sussex County Council**

### **The East Sussex (Public Footpath Lewes 55) Definitive Map Modification Order 2019**

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 **26 February 2020**

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

The Inquiry will be held at the **Committee Room, East Sussex County Council, County Hall, St Anne's Crescent, Lewes BN7 1UE** on **11 November 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:

Adding a route comprising a public footpath commencing at the pedestrian entrance of Clevedown leading from the footway on the south-westerly side of Brighton Road, Lewes, opposite the western side of the entrance of Southdown Avenue (TQ 4030 0985). The route then continues in a south-easterly direction for a distance of 1 metre to the top of steps, having a width of 1 metre (TQ 4031 0985). Then continuing in a south-easterly direction for a distance of 7 metres down a series of 6 steps followed by a short landing and a further 4 steps and beyond, having a width of 1 metre (TQ 4031 0984). It turns right along the side of the block of flats in south-westerly direction for a distance of 25 metres as it begins to veer left around the corner of the flats, having a width of 2.5 metres (TQ 4029 0983). It continues along the access track round the corner of the flats in a south south-westerly direction for a distance of 17 metres, having a width of 2.5 metres (TQ 4029 0981). It then runs downhill in a south-easterly direction for a distance of 75 metres, having a width of 2.5 metres (TQ 4033 0975) then continuing in a south-easterly direction for a distance of 17 metres to meet the edge of the Highway of Barons Down Road, having a width of 2.5 metres (TQ 4034 0974).

All distances are approximate and all directions are general.

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/3234984 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 East Sussex County Council, County Hall, Lewes, East Sussex BN7 1UE between the hours of 9:00am and 4:00 pm Monday to Friday inclusive. Telephone: 0345 6080190.

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

#### **Within 8 weeks of the start date [by 22 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 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 03 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 14 October 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 (including 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 (including 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 (including copies of any supporting documents – although none should not 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 EAST SUSSEX COUNTY COUNCIL (LEWES DISTRICT)**  
**DEFINITIVE MAP AND STATEMENT**  
**THE EAST SUSSEX (PUBLIC FOOTPATH LEWES 55)**  
**DEFINITIVE MAP MODIFICATION ORDER 2019**

This Order is made by East Sussex County Council ("the authority") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the authority that the East Sussex County Council (Lewes District) Definitive Map and Statement require modification in consequence of an event specified in;

Section 53 (3)(c) (i), namely the discovery by the authority of evidence which (when considered with all other evidence available to them) shows that a right of way which is not on 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 to which this Part relates.

The Authority has consulted with every local authority whose area includes the land to which the Order relates. Accordingly, the East Sussex County Council hereby orders that:

1. For the purposes of this Order the relevant date is 20 March 2019.
2. The East Sussex County Council (Lewes District) Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and as 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 East Sussex (Public Footpath Lewes 55) Definitive Map Modification Order 2019.

THE COMMON SEAL of the EAST SUSSEX  
COUNTY COUNCIL was hereunto  
affixed this 17<sup>th</sup> day of May  
Two Thousand and Nineteen in the presence of:-



Authorised Signatory



100624

## SCHEDULE

### PART I

#### Modification of the East Sussex County Council (Lewes District) Definitive Map

##### Description of path to be added

A route comprising a public footpath commencing at the pedestrian entrance of Clevedown leading from the footway on the south-westerly side of Brighton Road, Lewes, opposite the western side of the entrance of Southdown Avenue at point A (TQ 4030 0985).

The footpath commences from point A (TQ 4030 0985) in a south-easterly direction for a distance of 1 metre to the top of steps, having a width of 1 metre to point B (TQ 4031 0985).

The footpath continues from point B (TQ 4031 0985) in a south-easterly direction for a distance of 7 metres down a series of 6 steps followed by a short landing and a further 4 steps and beyond, having a width of 1 metre to point C (TQ 4031 0984).

The footpath runs from point C (TQ 4031 0984) along the side of the block of flats in south-westerly direction for a distance of 25 metres as it begins to veer left around the corner of the flats, having a width of 2.5 metres to point D (TQ 4029 0983).

The footpath continues from point D (TQ 4029 0983) along the access track round the corner of the flats in a south south-westerly direction for a distance of 17 metres, having a width of 2.5 metres to point E (TQ 4029 0981)

The footpath then runs downhill from point E (TQ 4029 0981) in a south-easterly direction for a distance of 75 metres, having a width of 2.5 metres to point F (TQ 4033 0975) then continuing south-easterly from point F (TQ 4033 0975) for a distance of 17 metres to meet the edge of the Highway known as Barons Down Road, having a width of 2.5 metres to point G (TQ 4034 0974).

The width of the public footpath varies along its length:

1 metre between TQ 4030 0985 and TQ 4031 0984  
2.5 metres between TQ 4031 0984 and TQ 4034 0974

**PART 2**  
**Modification of Definitive Statement**

**Addition of the following particulars to the East Sussex County Council (Lewes District) Definitive Statement**

| <u>No.</u> | <u>Type</u> | <u>From</u>     | <u>Commencement</u>   | <u>To</u>       | <u>Termination</u>                      | <u>Total Length<br/>(miles/km)</u> | <u>Remarks</u>  |
|------------|-------------|-----------------|---|-----------------|---|------------------------------------|---|
| 55         | Footpath    | TQ 4030<br>0985 | Footway on Brighton Road<br>opposite the entrance of<br>Southdown Avenue, Lewes | TQ 4034<br>0974 | Highway Boundary on Barons<br>Down Road | 0.155                              | 1 metre between<br>TQ 4030 0985<br>and TQ 4031<br>0984.<br>2.5 metres<br>between TQ<br>4031 0984 and<br>TQ 4034 0974.<br>A series of 6<br>steps, followed<br>by a further 4<br>steps between<br>TQ 4031 0985<br>and TQ 4031<br>0984 |

**PART 3**  
**Limitations**

6 steps from TQ 4030 0985 to TQ 4031 0984  
4 steps from TQ 4031 0984 to TQ 4031 0984

WILDLIFE AND COUNTRYSIDE ACT 1981

THE EAST SUSSEX COUNTY COUNCIL (LEWES DISTRICT)  
DEFINITIVE MAP AND STATEMENT

THE EAST SUSSEX (PUBLIC FOOTPATH LEWES 55)  
DEFINITIVE MAP MODIFICATION ORDER 2019

Made.....17 May 2019

Confirmed.....