

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 Section 53

Northamptonshire County Council
(Public Footpath MY11 Elton Lock to Warmington Lock – Parish of Fotheringhay)
Definitive Map Modification Order 2017

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 24 March 2020

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

The Inquiry will be held on **Tuesday 6 October 2020 at Highgate Hall, Overend, Elton, Cambridgeshire PE8 6RU** at 10.00am.

Please note the Inquiry has now been cancelled and the Inspector will now proceed with this order by way of the written representation procedure.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by adding thereto a new path as described in the Schedule below, following the discovery the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown on the Map or in the Statement subsists or is reasonably alleged to subsist over the land in the area to which the map relates, being a right of way to which this part applies.

SCHEDULE

Part 1

Modification of the Northampton Definitive map Description of Path to be added

Public Footpath MY11 to be added commences at National Grid reference ("NGR") TL 0804 9382 at point A on the Order map where it has a junction with Public Footpath M8 and extends in a generally south westerly direction over a footbridge and along the former towpath beside the River Nene for 330 metres to NGR TL 078109362 at point B on the Order map point where the path passes between the River Nene to the south east and a watercourse to the northwest then in a generally south westerly direction for 268 metres to NGR TL 0770 9341 at point C on the Order map and then in a generally southerly direction for 290 metres to NGR TL 0771 9313 at point D on the Order map and then in a generally south south easterly direction for 197 metres to NGR TL 0779 9295 at point E on the Order map then in a generally southerly direction for 220 metres to NGR TL 0779 9273 at point F on the Order map and then in a generally southerly direction for 187 metres to NGR TL 0780 9215 at point G on the Order map and then in a generally south westerly direction for 656 metres to NGR TL 0739 9215 point H on the Order map and then in a generally west south

westerly direction for 145 metres to NGR TL 0726 9210 at point I on the Order map where it joins with Public Footpath MY5.
The route is shown between the points A – B – C – D – E – F- G – H – I and will have a width of 1.8 metres.

Part II

Modification of the Northamptonshire Definitive Statement Particulars of Path

Path Ref No.	Type of Path	DESCRIPTION OF ROUTE		Width
		From	To	
MY11	FP	Commencing at the SW. end of existing PF MY8	In a generally S. and then SW direction for 2,293 metres to terminate at the junction with PF MY5	1.8 metres

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/3231744 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 the offices of Northamptonshire County Council, One Angel Square, Angel Street, Northampton NN1 1ED on Monday to Thursday between 09.00 - 16.30 and Friday 09.00 – 15.30. Telephone: (01604) 364349, or (01604) 364351, or (01604) 364348.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 19 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 30 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 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

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.

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 8 September 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.

Notice of order for inquiry

WILDLIFE AND COUNTRYSIDE ACT 1981

NORTHAMPTONSHIRE COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT

THE NORTHAMPTONSHIRE COUNTY COUNCIL
(PUBLIC FOOTPATH MY11 ELTON LOCK TO WARMINGTON
LOCK - PARISH OF FOTHERINGHAY)
DEFINITIVE MAP MODIFICATION ORDER 2017

THIS ORDER IS MADE BY Northamptonshire 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 Northamptonshire Definitive Map and Statement ("the Definitive Map and Statement") requires modification in consequence of an occurrence of an event specified in section 53(3)(c)(i) namely, that it has discovered evidence which (when considered with all other relevant evidence available) shows that a right of way which is not shown on the Definitive Map and Statement subsists or is reasonably alleged to subsist over land in the area to which the Definitive Map and Statement relates, being a right of way to which this part of the Act applies.

Northamptonshire County Council has consulted with every Local Authority whose area includes the land to which the Order relates. Northamptonshire County Council hereby orders that:-

1. For the purpose of this Order the relevant date is **6th July 2017**
2. The Northamptonshire County Council Definitive Map and Statement shall be modified as described in the Schedule and shown on the map attached to this Order ("the Order map").
3. The Order shall have effect on the date it is confirmed, and may be cited as "The Northamptonshire County Council (Public Footpath MY11 Elton Lock to Warmington Lock - Parish of Fotheringhay) Definitive Map Modification Order 2017".

THE COMMON SEAL of NORTHAMPTONSHIRE
COUNTY COUNCIL was hereunto affixed
this **6th day of July 2017** in the
presence of:

Michael Bell

(the Officer appointed for this purpose)



SCHEDULE

Part I

Modification of the Northamptonshire Definitive Map Description of Path to be added.

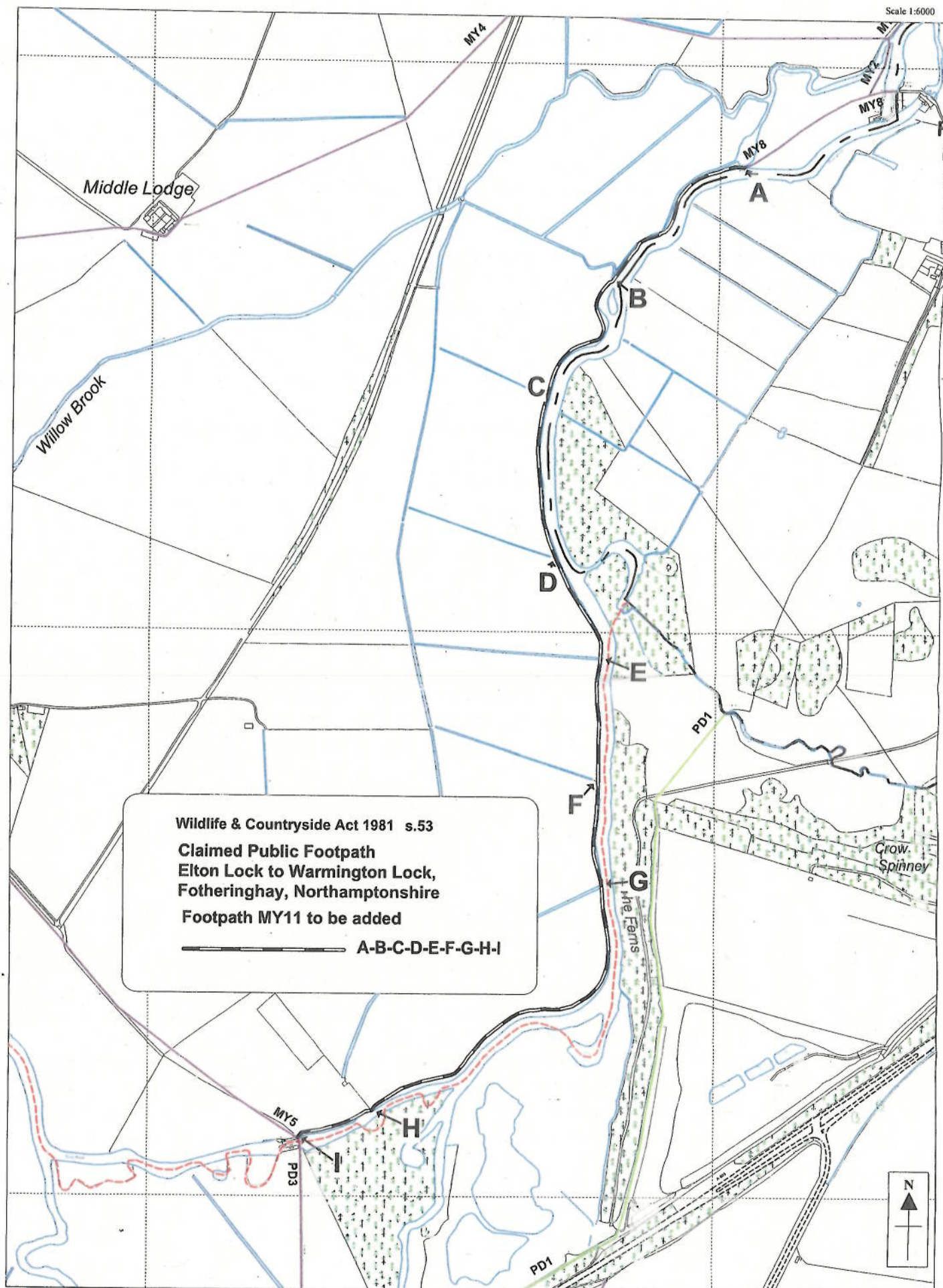
Public Footpath MY11 to be added commences at National Grid reference ("NGR") TL 0804 9382 at point A on the Order map where it has a junction with Public Footpath MY8 and extends in a generally south westerly direction over a footbridge and along the former towpath beside the River Nene for 330 metres to NGR TL 0781 9362 at point B on the Order map point where the path passes between the River Nene to the south east and a watercourse to the northwest then in a generally south westerly direction for 268 metres to NGR TL 0770 9341 at point C on the Order map and then in a generally southerly direction for 290 metres to NGR TL 0771 9313 at point D on the Order map and then in a generally south south easterly direction for 197 metres to NGR TL 0779 9295 at point E on the Order map then in a generally southerly direction for 220 metres to NGR TL 0779 9273 at point F on the Order map and then in a generally southerly direction for 187 metres to NGR TL 0780 9215 at point G on the Order map and then in a generally south westerly direction for 656 metres to NGR TL 0739 9215 point H on the Order map and then in a generally west south westerly direction for 145 metres to NGR TL 0726 9210 at point I on the Order map where it joins with Public Footpath MY5.

The route is shown between the points A - B - C - D - E - F - G - H - I and will have a width of 1.8 metres.

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Wildlife & Countryside Act 1981 s.53
 Claimed Public Footpath
 Elton Lock to Warmington Lock,
 Fotheringhay, Northamptonshire
 Footpath MY11 to be added

— A-B-C-D-E-F-G-H-I

Michael