

NOTICE OF ORDER

Wildlife & Countryside Act 1981 – Section 53

Hampshire County Council
The Hampshire (New Forest District No. 67) (Parish of New Milton)
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 **01 December 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 as described in the schedule below:

SCHEDULE

PART I

Modifications of Definitive Map Description of path or way to be added

From SZ 2422 9399 to SZ 2427 9396

Commencing at a junction with Farm Lane North (Footpath 703 in the parish of New Milton) and proceeding eastwards along enclosed earth track to a junction with Chestnut Avenue.

A width varying between 4.3 and 4.7 metres wide, as shown by grey shading on the Order map.

A total length of 60metres

PART II

Modification of Definitive Statement Variation of particulars of path or way

The following description shall be added to the Definitive Statement for the District of the New Forest:

New Milton Footpath

505SZ 2422 9399 to SZ 2427 9396

Commencing at a junction with Farm Lane North (Footpath 703 in the parish of New Milton) and proceeding eastwards along enclosed earth track to a junction with Chestnut Avenue.

A width varying between 4.3 and 4.7 metres wide, as shown by grey shading on the Order map.

NOTE: ALL LENGTHS ARE APPROXIMATE

Any queries relating to this Order should be referred Clive Richards 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 4445502 Email: clive.richards@planninginspectorate.gov.uk. Please quote reference number ROW/3256055 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 Hampshire County Council, The Castle, Winchester, SO23 8UL between the hours of 9.00–4.00. Our contact at Hampshire County Council is Jennifer Holden-Warren (Countryside Services), Tel: 01962 846981, Email: jennifer.holden-warren@hants.gov.uk **During the Covid-19 crisis it is advised that you contact the Council to make arrangements to view documents.**

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 15 December 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 26 January 2021]

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 09 March 2021]

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.

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 inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

HAMPSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE HAMPSHIRE DEFINITIVE MAP OF PUBLIC RIGHTS OF WAY AND
THE HAMPSHIRE DEFINITIVE STATEMENT OF PUBLIC RIGHTS OF WAY
(DATED 15TH DECEMBER 2007)**

**THE HAMPSHIRE (NEW FOREST DISTRICT NO. 67)
(PARISH OF NEW MILTON)
DEFINITIVE MAP MODIFICATION ORDER 2019**

This Order is made by Hampshire County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that The Definitive Map Of Public Rights of Way and The Definitive Statement of Public Rights of Way (Dated 15th December 2007) requires modification in consequence of the occurrence of an event specified in Section 53(3) (c)(i) of the Act namely:-

c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows

- (i) 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 path;

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

Hampshire County Council hereby orders that:

1. For the purposes of the Order the relevant date is 24 July 2019.
2. The Hampshire Definitive Map of Public Rights of Way and The Hampshire Definitive Statement of Public Rights of Way (Dated 15th December 2007) shall be modified as described in Part I and Part II of the Schedule 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 Hampshire (New Forest District No. 67) Definitive Map Modification Order 2019.

GIVEN this 20th day of August 2019

THE COMMON SEAL of HAMPSHIRE)
COUNTY COUNCIL was hereunto)
affixed in the presence of:-)

Authorised Signatory J. Keitney



37/1119

SCHEDULE

PART I

Modifications of Definitive Map Description of path or way to be added

From SZ 2422 9399 to SZ 2427 9396

Commencing at a junction with Farm Lane North (Footpath 703 in the parish of New Milton) and proceeding eastwards along enclosed earth track to a junction with Chestnut Avenue.

A width varying between 4.3 and 4.7 metres wide, as shown by grey shading on the Order map.

A total length of 60 metres

PART II

Modification of Definitive Statement Variation of particulars of path or way

The following description shall be added to the Definitive Statement for the District of the New Forest:

New Milton Footpath 505

SZ 2422 9399 to SZ 2427 9396

Commencing at a junction with Farm Lane North (Footpath 703 in the parish of New Milton) and proceeding eastwards along enclosed earth track to a junction with Chestnut Avenue.

A width varying between 4.3 and 4.7 metres wide, as shown by grey shading on the Order map.

NOTE: ALL LENGTHS ARE APPROXIMATE

HAMPSHIRE COUNTY COUNCIL

MAP REFERRED TO IN

THE HAMPSHIRE (NEW FOREST DISTRICT NO.67)

(PARISH OF NEW MILTON – FOOTPATH NO. 505)

DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2019



SCALE 1:1,500

LEGEND

FOOTPATH TO BE
ADDED TO THE MAP:-



EXISTING FOOTPATH
TO BE RETAINED:-



MAP PRODUCED FROM DIGITAL DATA
SUPPLIED BY ORDNANCE SURVEY

THE COMMON SEAL OF HAMPSHIRE COUNTY
COUNCIL WAS HEREUNTO AFFIXED IN THE
PRESENCE OF:-

AUTHORISED
SIGNATORY

DATE.....

REPRODUCED FROM THE O.S. MAPPING
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FELICITY ROE,
DIRECTOR OF CULTURE, COMMUNITIES
AND BUSINESS SERVICES, WINCHESTER

