

NOTICE OF ORDER

Wildlife and Countryside Act 1981
Surrey County Council
Footpath No. 581 (Bramley) & Footpath No. 559 (Busbridge)
Definitive Map 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 **30 March 2021**.

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

The Inquiry will be held Virtually on 14 September 2021 (3 days) 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 public footpaths (No. 581 Bramley & NO.599 Busbridge) from Footpath No.165 (Bramley) (Grid Ref: 499604 141796) in a generally south-south-westerly direction for 458 metres to Footpath No.166 (Busbridge) (Grid Ref: 499459 141383).

Any queries relating to this Order should be referred to 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/3240213 on all correspondence. **N.B. Due to Covid-19 restrictions, email is the recommended method of communication with the office.**

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment (Tel 0300 200 1003) at Surrey County Council, Whitebeam Lodge, Merrow Depot, Merrow Lane, Guildford GU4 7BQ (Monday to Friday). Our contact at Surrey County Council:: Catherine Valiant, Tel. no. 020 8541 9342, Email: Catherine.valiant@surreycc.gov.uk **N.B. Due to Covid-19 restrictions, it is suggested that you contact the Council to make arrangements to view documents**

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 25 May 2021]

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 06 July 2021]

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 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 17 August 2021]

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

Notice of order for inquiry

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.

MODIFICATION ORDER
WILDLIFE AND COUNTRYSIDE ACT 1981
THE SURREY COUNTY COUNCIL REVISED RIGHTS OF WAY MAP IN DEFINITIVE
FORM AND THE SURREY COUNTY COUNCIL PUBLIC RIGHTS OF WAY
DEFINITIVE STATEMENT
THE SURREY COUNTY COUNCIL FOOTPATH NO.581 (BRAMLEY) & FOOTPATH
NO.559 (BUSBRIDGE) DEFINITIVE MAP MODIFICATION ORDER 2018

This Order is made by Surrey County Council under Section 53(2) (b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement require modification in consequence of the occurrence of an event specified in section 53(3) (c) (i) namely,

The discovery by 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 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 to which this Part applies;

The authority have consulted with every local authority whose area includes the land to which the Order relates;

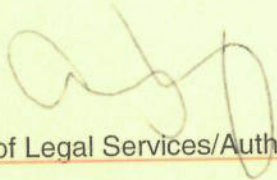
The County Council of Surrey hereby order that:-

- 1 FOR the purposes of this Order the relevant date is 1 November 2018.
- 2 THE Surrey County Council Revised Rights of Way Map in Definitive Form and the Surrey County Council Public Rights of Way Definitive Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order.
- 3 THIS Order shall take effect on the date it is confirmed and may be cited as the Surrey County Council Footpath No.581 (Bramley) and Footpath No.559 (Busbridge) Definitive Map Modification Order 2018.

20
EXECUTED as a Deed by affixing
the Common Seal of
SURREY COUNTY COUNCIL
On 1 November 2018
in the presence of:-

)
)
)
)
)




Head of Legal Services/Authorised Signatory

SCHEDULE

Part I

Modification of Definitive Map

Description of path to be added

Footpath No. 581 (Bramley) in the Borough of Waverley, shown by a dashed line on Drawing No. 3/1/13/H16a, commencing at point 'A' (Grid Ref: 499604 141796) on Footpath No.165 (Bramley) proceeding in a generally south-south-westerly direction for 1 metre to a gap at point B on the parish boundary. The path continues for a further 457 metres in a south-south-westerly direction to point C (Grid Ref: 499459 141383) on Footpath No.166 (Busbridge). The total distance A-C is 458 metres with a width of 1.5m. There is a gap at point B with a width of 1.5m as shown in the statement included at part II.

Part II

Modification of Definitive Statement

Variation of particulars of path or way

Parish	R/W No	Status & Width Claimed	Description (Limitations shown in bold)	Width Fence to Fence	Condition or Surface	Remarks	Map No.
Bramley	581	FP	FROM Footpath 165 Bramley in a south-south-westerly direction			MMO 2018	SU94
		1.5m	Path TO Parish Boundary	udf	Earth		
Busbridge	559	FP	FROM Footpath 581 Bramley in a south-south-westerly direction			MMO 2018	SU94
		1.5m	Gap	1.5m		Gap in hedge/fence line	
		1.5m	Path TO Footpath 166 Busbridge	udf	Earth		

WILDLIFE AND COUNTRYSIDE ACT 1981

MAP MODIFICATION ORDER

BOROUGH OF WAVERLEY



Grid Ref at point A: 499604 141796
 Date: 11/10/18
 Drawing Number: 3/1/13/H16a
 Drawn by: CV
 OS Sheet: SU94

MAP NOT TO
 ORIGINAL SCALE

Busbridge Copse

Badgers Rake

Winkworth
 Arboretum

Busbridge FP166

Path (um)

Path

Boat House

Bramley FP166

Issues

Issues

Def

Furze Field

Issues

75.6m

Cheyne Row

THORNCOMBE STREET

Issues

Issues

66.5m

Boat House

Landing Stage

Phillimore Cottage

Thorncombe Barn

Po

Bramley FP581

Bramley FP165
 Path (um)
 0.91m RH

Bramley FP263

Thorncombe Farm

© Crown copyright and database rights 2018 OS 100019613. Use of this data is subject to terms and conditions (see below). Except A-Z Street Atlas © Copyright of the Publishers Geographers' A-Z Map Company Ltd.

OS terms & conditions:
 You are granted a non-exclusive, royalty free, revocable licence solely to view the Licensed Data for non-commercial purposes for the period during which Surrey County Council makes it available. You are not permitted to copy, sub-licence, distribute, sell or otherwise make available the Licensed Data to third parties in any form. Third party rights to enforce the terms of this licence shall be reserved to OS.



1:2,500

Date: 11/10/2018

Public Footpath 581 (Bramley) and
 Public Footpath 559 (Busbridge) A-B-C
 Length 458m

Unaffected Public Footpaths
 Parish Boundary

DATED 1 NOVEMBER 2018

WILDLIFE AND COUNTRYSIDE ACT 1981
SECTION 53

THE SURREY COUNTY COUNCIL
REVISED RIGHTS OF WAY MAP
AND STATEMENT IN DEFINITIVE FORM

THE SURREY COUNTY COUNCIL
FOOTPATH NO.581 (BRAMLEY) AND
FOOTPATH NO.559 (BUSBRIDGE)
DEFINITIVE MAP MODIFICATION
ORDER 2018

Surrey County Council

No. in sealing
register

23769-23772

Ordered to
be sealed

WAVERLEY LOCAL
COMMITTEE

21/9/18