

# NOTICE OF ORDER

## Wildlife and Countryside Act 1981 Section 53

OXFORDSHIRE COUNTY COUNCIL

Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove 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 **13 April 2021**.

Consideration of the Order will take the form of a hearing.

The Hearing will be held virtually on **Tuesday 7 September 2021** 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:

Recording a restricted byway from the junction with High Street and The Green, Chalgrove at grid reference SU 6367 9691 (point A on the Order Plan), south-south-west for approximately 280 metres to SU 6358 9666 (point D) at the junction with Chalgrove FP21 and then south-east for approximately 120 metres and then east for 10 metres to the church yard of St Mary's Church at SU 6366 9656 (point E on the Plan).

AND

Upgrading from footpath to restricted byway from SU 6366 9685 (point B on the Plan) south-south-west approximately 37 metres to SU 6365 9683 (point C on the Plan) and from SU 6358 9666 (point D on the Plan) south west for approximately 42 metres to the junction with Chalgrove Footpaths 8 and 22 at SU 6355 9663 (point F on the Order Plan).

AND

Varying the particulars of those previously recorded public rights of way affected by the Order.

Any queries relating to this Order should be referred to Helen Sparks 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 5646.

Email: [helen.sparks@planninginspectorate.gov.uk](mailto:helen.sparks@planninginspectorate.gov.uk) Please quote reference number ROW/3254980 on all correspondence.

As none of the Council's offices are currently open, any person wishing to view the statements of case and other documents relating to this Order may do so by going online via the consultation portal <https://www.oxfordshire.gov.uk/haveyoursay> People can then search by keyword or reference number under "current consultations". If you have any queries relating to these documents, please contact Ms Eleanor Hazlewood at the E-mail Address: [Eleanor.hazlewood@oxfordshire.gov.uk](mailto:Eleanor.hazlewood@oxfordshire.gov.uk)

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

#### **Within 8 weeks of the start date [by 8 June 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, although 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 12 weeks of the start date [by 6 July 2021]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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).

All parties must keep to the timetable set out above and ensure that statements of case 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 hearing

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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 hearing.

**Wildlife and Countryside Act 1981**

**Definitive Map and Statement of Public Rights of Way for Oxfordshire**

**The Oxfordshire County Council Addition of Restricted Byway No 20  
(including the Upgrading of Footpath No 9 (Parts))  
Parish of Chalgrove Modification Order 2019**

This Order is made by the Oxfordshire 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 and Statement of Public Rights of Way for Oxfordshire require modification in consequence of the occurrence of events specified in sections 53(3)(c)(i), 53(3)(c)(ii) and 53(3)(c)(iii) of the Act, 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 such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic;

AND

that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description;

AND

that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority has consulted with every local authority whose area includes the land to which the order relates. The Oxfordshire County Council hereby order that:

1. For the purposes of this order the relevant date is 15 September 2019.
2. The Definitive Map and Statement of Public Rights of Way for Oxfordshire shall be modified as described in Part I and Part II of the Schedule and 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 Oxfordshire County Council Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove Modification Order 2019.

Dated this *Nineteenth* day of December 2019

**THE COMMON SEAL OF THE OXFORDSHIRE COUNTY COUNCIL**  
was hereto affixed in the presence of:-

*S. Whitehead*

**County Solicitor/Designated Officer**



ORIGINAL SENT TO  
OT TOM QAM  
WVb M0110

The Oxfordshire County Council, Addition of Restricted Byway No.20 (including the Upgrading of Footpath No.9 (Parts))  
Parish of Chalgrove Modification Order 2019



Restricted Byway No.20 to be added

A - D - E

Footpath No.9 (parts) to be upgraded to Restricted Byway No.20

B - C, D - F

Width of Restricted Byway to be recorded:

Length: 435 m approx.

Width: 4 m to 24 m, as shaded

Unaffected rights of way

Footpath

0 50 100 Metres

Scale: 1:2,500 @ A3 Date: 13/12/2019

OS ref: SU 69 NW Drawn by: MK

Drawing No: WCA81/552a

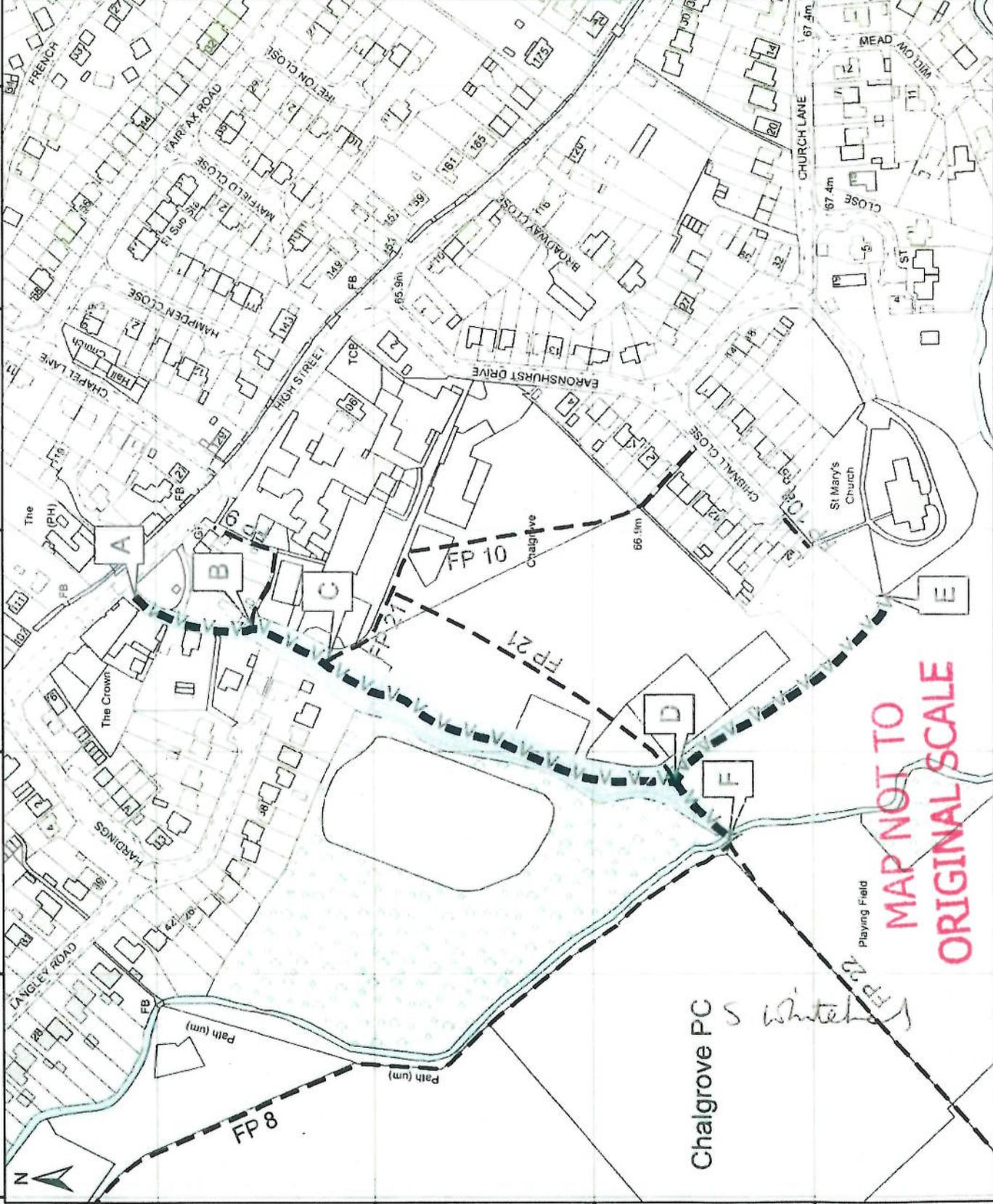


Director of Community Operations  
Oxfordshire County Council  
County Hall, OX1 1ND

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463400 463500 463600 463700 463800 463900 464000

196300 196400 196500 196600 196700 196800 196900



Chalgrove PC

*S Whitehead*

Playing Field

**MAP NOT TO ORIGINAL SCALE**

## SCHEDULE

### PART I: Modification of Definitive Map

Description of path or way to be added

Path Number	Status	Position	Length	Width
20	Restricted Byway	From the junction with High Street and The Green, Chalgrove at grid reference SU 6367 9691 (point A on the Order Plan), south-south-west for approximately 280 metres to SU 6358 9666 (point D) at the junction with Chalgrove FP21 and then south-east for approximately 120 metres and then east for 10 metres to the church yard of St Mary's Church at SU 6366 9656 (point E on the Plan).	410 metres	Varying between 4 and 24 metres as shown shaded on the Plan forming part of the Order.

Description of path or way to be upgraded

Existing Path Number	Existing Status	Proposed Status and Number	Description of Route	Width
9	Footpath	Upgrade (part) to Restricted Byway 20	From SU 6366 9685 (point B on the Plan) south-south-west approximately 37 metres to SU 6365 9683 (point C on the Plan). AND From SU 6358 9666 (point D on the Plan) south west for 42 metres to the junction with Chalgrove Footpaths 8 and 22 at SU 6355 9663 (point F on the Order Plan).	Varying between 4 and 24 metres as shown shaded on the Plan forming part of the Order.

**PART II: Modification of Definitive Statement**

**Variation of particulars of path or way**

Number	Status	Description	Width	Conditions and Limitations	Remarks
8	Footpath	From Mill Lane, S of Manor Farm, leading E to a footbridge then SE across FP 7 to a second footbridge at its junction with FP22, W of the church			Amended by The Oxfordshire County Council Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove Modification Order 2019.
9	Footpath	From the High Street, NW of the School, leading S & W to a junction with Chalgrove Restricted Byway 20 at SU 6366 9685.	Diversion Order of 8.12.69 provided 5 feet width over diverted.		Part diverted by Order confirmed 8.12.69.  Amended by The Oxfordshire County Council Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove Modification Order 2019.
10	Footpath	From S side of the School at its junction with FP 21 leading SE, S and SE across the Recreation Ground to the Baronscourt Estate at Chibnall Close.	Diversion Order of 8.12.69 provided 5 feet width over diverted		1) Part diverted by Order confirmed, 8.12.69.  2) Part diverted by Order confirmed 1.9.67. See also FPs 10A and 11  3) Amended by The Oxfordshire County Council Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove Modification Order 2019.

**A new statement for Chalgrove to be added**

Number	Status	Description	Width	Conditions and Limitations	Remarks
20	Restricted Byway	From the junction with High Street and The Green, Chalgrove at grid reference SU 6367 9691, south-south-west for approximately 280 metres to SU 6358 9666 at the junction with Chalgrove FP21 and then south-east for approximately 120 metres and then east for 10 metres to the church yard of St Mary's Church at SU 6366 9656. And from SU 6358 9666 south west for 42 metres to the junction with Chalgrove Footpaths 8 and 22 at SU 6355 9663.	Varying between 4 and 24 metres as shown shaded on the Plan forming part of the Order.		As amended by The Oxfordshire County Council Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove Modification Order 2019.  Extent of former Footpath No 9 from SU 6366 9685 to SU 6365 9685 now subsumed within the Restricted Byway No 20 added to the Definitive Map and Statement added by the above Order.
21	Footpath	From SU 6365 9683 east south east to a junction with FP10 at SU 6367 9679 south west to a junction with RB 20 at SU 6358 9666.	Diversion Order of 8.12.69 provided 5 feet width over diverted section of the former Chalgrove FP9.		Previously part of Chalgrove FP9 but renumbered due to upgrade of parts of Footpath to Restricted Byway No 20 as amended by The Oxfordshire County Council Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove Modification Order 2019.
22	Footpath	From the junction with Chalgrove Footpath 8 at SU 6355 9663 crossing the Chalgrove-Berrick	Diversion Order of 8.12.69 provided 5 feet width over		Previously part of Chalgrove FP9 but renumbered due to upgrade of parts of Footpath to Restricted Byway no 20 as

		<p>Salome road (Mill Lane) to the Newington Parish boundary NE of Hares Leap at its junction with Newington FP 4</p>	<p>diverted section of the former Chalgrove FP9.</p>		<p>amended by The Oxfordshire County Council Addition of Restricted Byway No 20 (including the Upgrading of Footpath No 9 (Parts)) Parish of Chalgrove Modification Order 2019.</p>
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Dated On Nineteenth day of December 2019

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**The Oxfordshire County Council Addition of Restricted Byway No 20  
(including the Upgrading of Footpath No 9 (Parts))  
Parish of Chalgrove Modification Order 2019**

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The **Common Seal of The Oxfordshire County Council** )  
was hereto affixed the      day of      2020      )  
in confirmation of the modifications in the within-written      )  
Order in the presence of:-      )

County Solicitor/Designated Officer