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| **Final Order Decision** |
| Site visit made on 12 April 2022 |
| **by Alan Beckett BA MSc MIPROW** |
| **An Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs** |
| **Decision date: 3 February 2023** |

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| **Order Ref: ROW/3248883M** |
| * This Order is made under Section 53 (2) (b) of the Wildlife and Countryside Act 1981 (the 1981 Act) and is known as the Nottinghamshire County Council (East Stoke Footpath No. 7 and Elston Footpaths No.2 13-17) Modification Order 2015.
* Nottinghamshire County Council submitted the Order to the Secretary of State for Environment, Food and Rural Affairs for determination.
* The Order is dated 17 April 2015. The Order was the subject of an interim decision dated 30 May 2022 in which I proposed to confirm the Order subject to modifications which required advertisement.
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| **Summary of Decision: The Order is confirmed subject to the modifications set out in the Formal Decision.** |
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Procedural Matters

1. The effect of the Order, if confirmed with the modification that I previously proposed, would be to modify the Definitive Map and Statement for the area by adding six public footpaths (Elston FP 7 and East Stoke FPs 13-17), with the western end of East Stoke FP 16 being modified to reflect the alignment of the footpath set out by the Inclosure Commissioners in the East Stoke and Elston Inclosure Award 1801.
2. In my interim decision dated 30 May 2022, I proposed to confirm the Order subject to the modification described in paragraph 1 above. As the modification proposed in my interim decision would affect land not affected by the Order as submitted and would not show a way shown in the Order as drafted, I was required by virtue of Paragraph 8 (2) of Schedule 15 to the 1981 Act to give notice of my proposal to modify the Order and to give an opportunity for objections and representations to be made to the proposed modifications.
3. Three representations were received following advertisement of the notice and deposit of the associated documents relating to the proposed modifications. Two of those representations supported my proposed modifications; the third stated that there was no objection to my proposed modifications.

###### Conclusions

1. Bearing in mind the above, I conclude that the Order should be confirmed subject to the modifications set out in paragraph 50 of my interim decision dated 30 May 2022.

###### Formal Decision

1. I confirm the Order subject to the following modifications:

in the Schedule, Part I, in the entry for Elston Footpath 16: delete the grid reference ‘76104778’ and insert ‘76104767’;

in the Schedule, Part II, in the entry for Elston Footpath 16: delete the grid reference ‘76104778’ and insert ‘76104767’;

in the Order map, amend the line to be recorded as Elston Footpath 16 to show it commencing at a junction with Mill Road north of the property known as Kindersley and running in a generally easterly direction.

Alan Beckett

Inspector

