**NOTICE OF ORDER**

**Wildlife and Countryside Act 1981 – Section 53**

SOMERSET COUNTY COUNCIL

The Somerset County Council (No. 6) Modification Order 2016 Parish of Pitney

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. Following an earlier inquiry, the Inspector appointed to determine the Order issued a letter in which she proposed to make modifications to the Order as drafted. Following advertisement of those proposals objections/representations have been received.

The **start date** for the above Order is **14 February 2023**.

Consideration of the Order will take the form of a public local inquiry. It is being held so that the Inspector can hear evidence in respect of the modified part of the Order **and** new evidence in respect of the unmodified part of the Order.

The Inquiry will be held at the **Luttrell Room, County Hall, The**

**Crescent, Taunton, Somerset, TA1 4DY** on **Tuesday 6 June**

**2023** at 10.00am.

The appointed Inspector will also open the Inquiry as a virtual event on **Tuesday 6 June 2023** at 10.00am.

Anyone wishing to attend the inquiry virtually must register that interest with the Council as soon as possible prior to the Inquiry, but no later than midday on **Tuesday 30 May 2023**, either by email or telephone, details of which are set out in this notice. To take part using video, participants will need to have access to Microsoft Teams (via an app or web browser). The link <https://support.microsoft.com/en-us/office/welcome-to-microsoft-teams-b98d533f-118e-4bae-bf44-3df2470c2b12> gives further information on how to use this. Alternatively, you can take part by telephone. Registered participants will receive individual joining instructions, providing details of any requirements, guidance and support, whether joining by Teams or telephone.

The effect of the Order, if confirmed without modifications will be to modify the definitive map and statement for the area by:

1. Upgrading footpath L 23/6 in the Parish of Pitney starting from the northern end of the carriageway known as Westerngate Road (point A on the order plan at grid ref 344,457 129,516) and running in a generally northerly direction along the track for approximately 180 metres to its junction with rights of way L 23/5 and L 23/7 at point B (grid ref 344,404 129,687) to a Restricted Byway.

2. Upgrading footpath L 23/7 in the Parish of Pitney starting from its junction with rights of way L 23/5 and L 23/6 (point B on the order plan at grid ref 344,404 129,687) and running in a generally easterly direction along Dyer's Piece Lane for approximately 575 metres to its junction with Restricted Byway L 23/43 at point C (grid ref 344,952 129,741) to a Restricted Byway.

3. Upgrading part of footpath L 23/12 in the Parish of Pitney starting from the western end of the carriageway known as Underwood Lane (point D on the order plan at grid ref 344,734 130,013) and running in a generally south westerly direction along the track for approximately 1,230 metres to its junction with Woodbirds Lane at point F (grid ref 343,935 129,226) to a Restricted Byway.

The effect of the proposed modifications would be to provide for the following modifications:

• Within Part 1 i) of the Schedule:

• replace text “…Restricted Byway…” with text “…bridleway…”;

• Within Part II i) of the Schedule:

• replace text “…Restricted Byway…” with text “…bridleway…”;

• Within Part II ii) of the Schedule:

• replace text “…footpaths…” with text “…footpath…”;

• between text “…and…” and “…L 23/6…” add text “…bridleway…”;

• On the Order map:

• alter the line A – B to show the route as a bridleway;

• remove ‘A – B’ from “Footpaths to be upgraded to Restricted Byways” in the key;

• add “Footpath to be upgraded to Bridleway (A – B)” and appropriate notation in the key.

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/3229117M1 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment between 9am – 3pm at County Hall, The Crescent, Taunton, Somerset, TA1 4DY. The documents can also be accessed online: [www.somerset.gov.uk/PitneyInquiry](http://www.somerset.gov.uk/PitneyInquiry)

For queries, please contact Mr Andrew Saint at E-mail Address: [Andrew.Saint@somerset.gov.uk](mailto:Andrew.Saint@somerset.gov.uk), or by Telephone: 01823 359796 or 07976695372.

**Timetable for sending in statements of case and proofs of evidence**

**Within 8 weeks of the start date [by 11 April 2023]**

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modifications and anyone who wishes to give evidence at the Inquiry must ensure their statement of case[[1]](#footnote-1) is received by the Secretary of State. As soon as possible after receiving it the Secretary of State will send a full copy 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 everyone who has made an objection or representation following the modifications, the applicant and anyone else who has previously written to us in respect of the Order.

**4 weeks before the date of the inquiry [by 9 May 2023]**

The Authority, everyone who has made an objection or representation following the proposed modifications, 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 the Secretary of State. As soon as possible after receiving them, the Secretary of State will send copies of:

1. the Authority’s proof of evidence to everyone who has made an objection or representation following the proposed modifications, the applicant, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order;
2. the applicant’s proof of evidence to the Authority, everyone who has made an objection or representation following the proposed modifications, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order; and
3. all other proofs of evidence to the Authority, the applicant and anyone else who has either submitted a statement of case or who has previously written to us in respect of the Order .

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 mods

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. [↑](#footnote-ref-1)