

NOTICE OF CONFIRMATION OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

HERTFORDSHIRE COUNTY COUNCIL

Definitive Map and Statement of Public Rights of Way in Hertfordshire

Hertfordshire County Council (Lilley 2, 25 & 26) Modification Order 2017

The above named Order, made on 4th August 2017, was confirmed without modification on 27th October 2017.

The effect of the Order as confirmed is to modify the Definitive Map and Statement by adding to them:

A public restricted byway commencing at a junction with Lilley Footpath 1 at TL 1171 2661 running south west between The Old Chapel and 35 West Street for approximately 10 metres then turning south east and continuing for approximately 60 metres between The Old Chapel and Laburnum Cottage then turning south and continuing for approximately 15 metres to meet West Street (public highway) at TL 1175 2654.

A public footpath commencing at a junction with Lilley Restricted Byway 2 at TL 1188 2628 heading generally north west for approximately 50 metres to a gate into St Peter's churchyard at TL 1185 2632.

A public restricted byway commencing at a junction with Lilley Footpath 2 at TL 1174 2621 heading generally east north east along lane on N side of play area and Cassel Memorial Hall for approximately 160 metres to a junction with Lilley Footpath 26 at TL 1188 2628 then continuing east north east for approximately 25 metres to a junction with West Street (public highway) at TL 1190 2629

A copy of the order and the order plan may be seen free of charge at front reception of Hertfordshire County Council, County Hall, Hertford, from 9.00 am to 4.00 pm on Monday to Friday and at North Herts District Council, Council Offices, Gernon Rd, Letchworth Garden City SG6 3JF. Copies of the order and plan may be bought at the price of £2.

The Order becomes operative as from the date on which it was confirmed, but if a person aggrieved by the Order desires to question the validity thereof, or of any provision contained therein, on the ground that it is not within the powers of the Wildlife and Countryside Act 1981, or on the ground that any requirement of the Act, or any regulation made thereunder, has not been complied with in relation to the Order, he may, under paragraph 12 of Schedule 15 of the Act within 42 days from 11th October 2018, make application for the purpose of the High Court.

Date: 11th October 2018

WILDLIFE AND COUNTRYSIDE ACT 1981
The Definitive Map and Statement
of Public Rights of Way in Hertfordshire

Hertfordshire County Council
(Lilley 2, 25 & 26)
Modification Order 2017

This Order is made by Hertfordshire 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 in Hertfordshire require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) and (iii) of the Act, namely

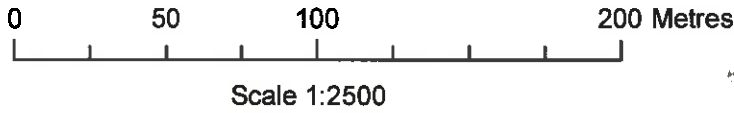
(c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows

- (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, a restricted byway or, subject to section 54A, a byway open to all traffic
- (ii) 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. Hertfordshire County Council hereby order that:

1. For the purposes of this Order the relevant date is 2nd May 2017.
2. The Definitive Map and Statement of Public Rights of Way in Hertfordshire shall be modified as described in Part I and Part II of the Schedule and shown on the plan forming part of this Order ("the Order Plan").
3. This Order shall take effect on the date it is confirmed and may be cited as the Hertfordshire County Council (Lilley 2, 25 & 26) Modification Order 2017.

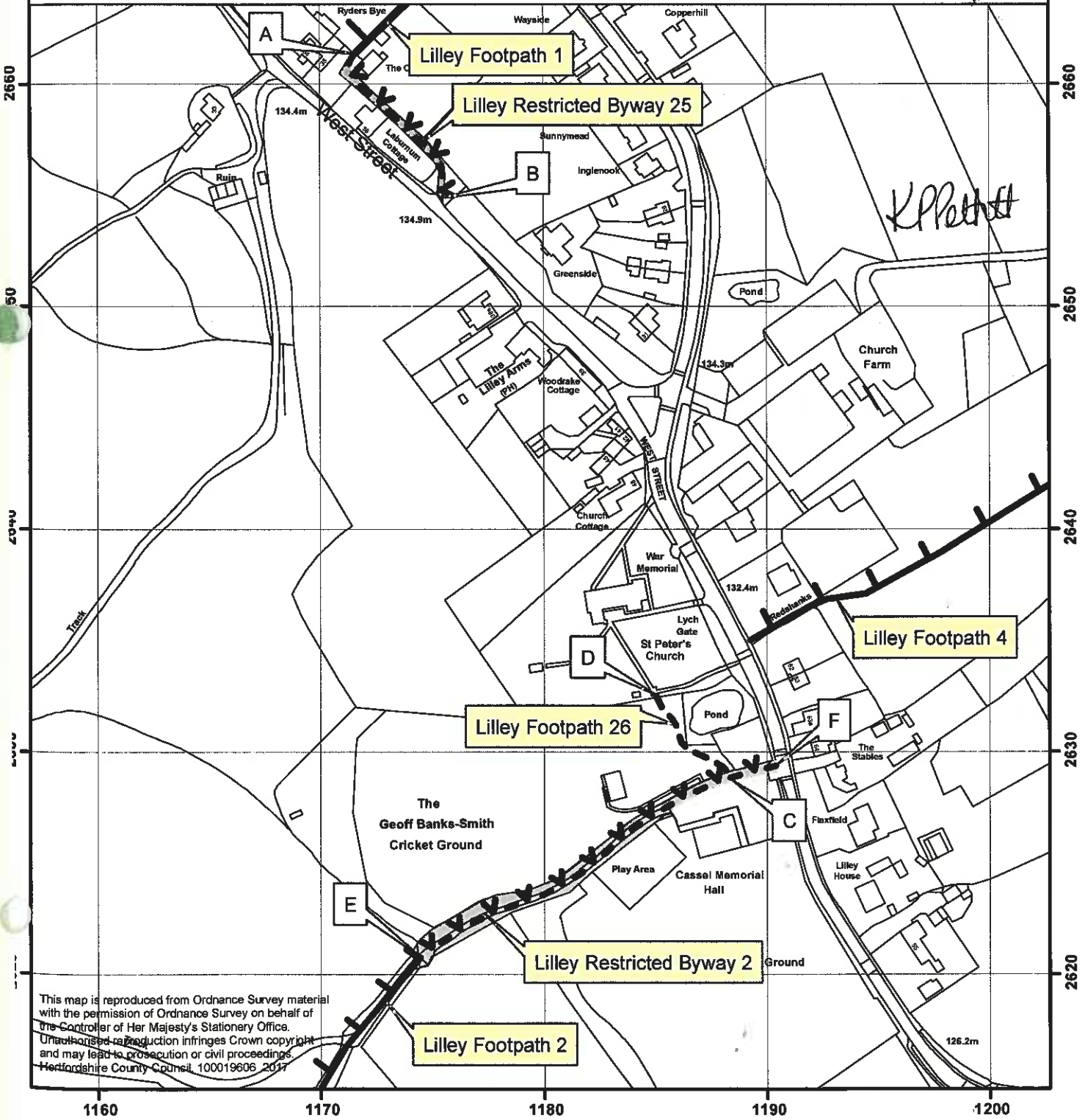
This Plan Forms Part Of The Hertfordshire County Council (Lilley 2, 25 & 26) Modification Order 2017



Appears on DM Sheet 19

-  Existing Footpath
-  Footpath to be added
-  Restricted Byway to be added

 Extent of variable width



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**SCHEDULE
PART I
Modification of Definitive Map**

DESCRIPTION OF PATH OR WAY TO BE ADDED

A public restricted byway commencing at a junction with Lilley Footpath 1 at TL 1171 2661 (point A on the Order Plan) running south west between The Old Chapel and 35 West Street for approximately 10 metres then turning south east and continuing for approximately 60 metres between The Old Chapel and Laburnum Cottage then turning south and continuing for approximately 15 metres to meet West Street (public highway) at TL 1175 2654 (point B on the Order Plan).

Width: Varies between 1.7m and 4.5m between TL 1171 2661 (point A) and TL 1175 2654 (point B) as shown excluded from hereditaments on the 1910 Finance Act map and shaded grey on the order plan.

Limitations: None

A public footpath commencing at a junction with Lilley Restricted Byway 2 at TL 1188 2628 (point C on the Order Plan) heading generally north west for approximately 50 metres to a gate into St Peter's churchyard at TL 1185 2632 (point D on the Order Plan).

Width: 2 metres

Limitations: None

A public restricted byway commencing at a junction with Lilley Footpath 2 at TL 1174 2621 (point E on the Order Plan) heading generally east north east along lane on N side of play area and Cassel Memorial Hall for approximately 160 metres to a junction with Lilley Footpath 26 at TL 1188 2628 (point C on the Order Plan) then continuing east north east for approximately 25 metres to a junction with West Street (public highway) at TL 1190 2629 (point F on the Order Plan).

Width: Varies between 11 metres and 5 metres between TL 1174 2621 (point E on the Order Plan) and TL 1190 2629 (point F on the order plan) as shown excluded from hereditaments on the 1910 Finance Act map and shaded grey on the order plan.

Limitations: None

PART II
Modification of Definitive Statement

VARIATION OF PARTICULARS OF PATH OR WAY

A new Statement shall be recorded for Lilley 25 as follows:

Path No	Status	HCC Map Ref
025	RB	HCC 19
Commences at junction with S end of Lilley FP1 at TL 1171 2661 heading SW for approx. 10m then generally SE then S for approx 75m between The Old Chapel, 35 West St and rear of Laburnum Cottage to join West St (public highway) at TL 1175 2654.		

Width Varies between 1.7m & 4.5m as shown in the Hertfordshire County Council (Lilley 2, 25 & 26) Modification Order 2017

Limitations None

A new Statement shall be recorded for Lilley 26 as follows:

Path No	Status	HCC Map Ref
026	FP	HCC 19
Commences at junction with Lilley RB2 at TL 1188 2628 heading generally NW for approx 50m to a gate at the S corner of St Peter's churchyard at TL 1185 2632.		

Width 2m

Limitations None

The Statement for Lilley 1 shall be amended as follows:

Path No	Status	HCC Map Ref
001	FP	HCC 19
Commences from county road opposite Lilley School thence SW to join RB25 adjacent to Methodist Chapel.		

Width

Limitations

The Statement for Lilley 2 shall be amended as follows:

Path No	Status	HCC Map Ref
002	FP/RB	HCC 19
Commences from Luton - Hitchin Road at Beech Hill approx 300 yards NE of Beechill Lodge, thence N to SE corner of Lilley Park thence NE along southern edge of same.		

Continues ENE as RB from TL 1174 2621 along lane on N side of play area and Cassel Memorial Hall for approx 160m to junction with Lilley FP26 at TL 1188 2628 then ENE for approx 25m to a junction with West St (public highway) at TL 1190 2629.

Width Varies between 11m and 5m between TL 1174 2621 and TL 1190 2629 as shown as shown in the Hertfordshire County Council (Lilley 2, 25 & 26) Modification Order 2017.

Limitations None between TL 1174 2621 and TL 1190 2629

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 4th day of August 2017

The Common Seal of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed in the presence of:-

Chief Legal Officer

K P Pettitt

Kathryn Pettitt
Chief Legal Officer



The foregoing Order is hereby confirmed

Mary Cormack
Asst Chief Legal Officer

Mary Cormack
~~Chief Legal Officer~~

Dated

27 October 2017