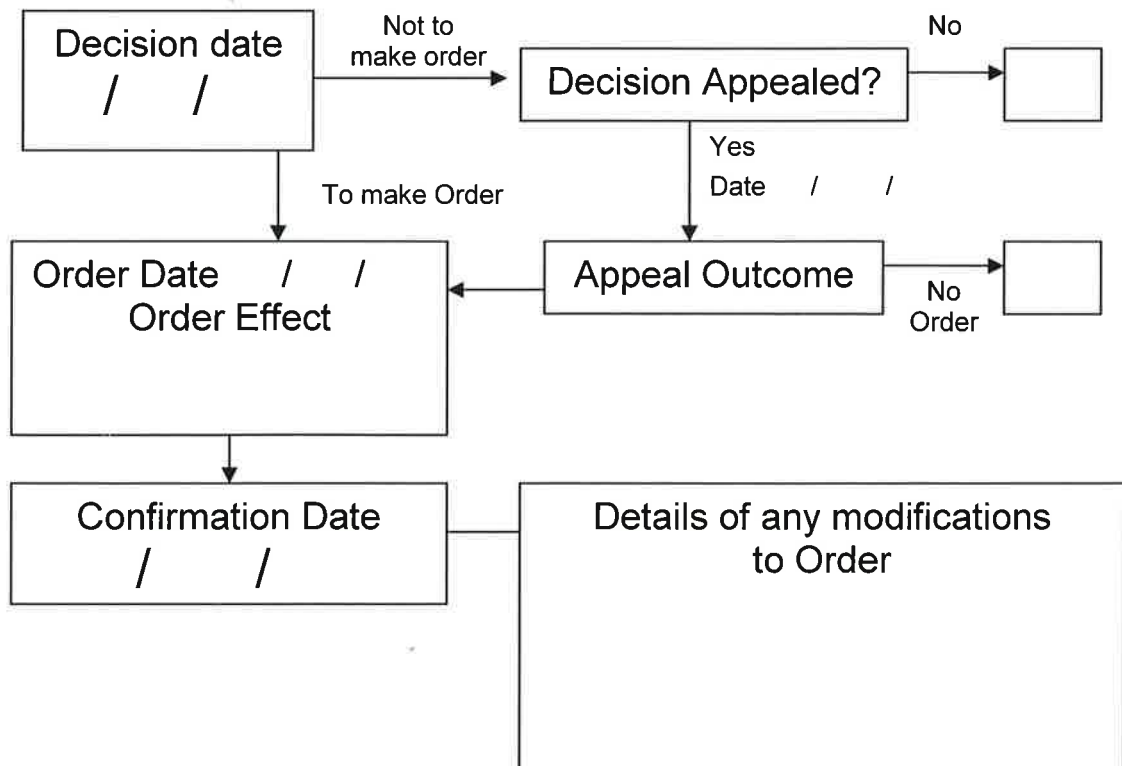


REGISTER OF APPLICATIONS - MODIFICATION ORDERS

DETAILS OF APPLICATION

District	<u>EAST HERTS</u>	File Name	<u>WALKERNBURY LANE NORTH</u>		
Parish	<u>WALKERN</u>	Application Date	<u>31 / 08 / 2010</u>		
Grid References					
Application to	Point A	<u>TL 304, 26</u>		
<u>ADD A RESTRICTED BYWAY</u>	Point B	<u>TL 304, 266</u>		
Applicant	<u>DR P WADEY</u>				
Nearest	City	Town	Village		
	<u>ST ALBANS</u>	<u>STEVENAGE</u>	<u>WALKERN</u>		
Addresses of properties affected	House Name/Street	Postcode			
	<u>WALKERNBURY FARM, WALKERN</u>	<u>SG2 7JH</u>			
			
			

DETERMINATION (DECISION) OF APPLICATION



Wildlife and Countryside Act 1981

The Definitive Map and Statement of Public Rights of Way in Hertfordshire

To: Hertfordshire County Council
Of County Hall
HERTFORD
SG13 8DN

I, Dr Philip David Wadey of 12 Home Close, Corsham, Wiltshire SN13 0BE hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and statement for the area by:

Adding the restricted byway from Walkern 29 BOAT to Ardeley 39 BOAT,
and shown on the map accompanying this application.

I attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

- Dury and Andrews' Map of Hertfordshire, 1766
- Bryant's Map of Hertfordshire (1822)
- Ordnance Survey 1st edition 25" extract from map Hertfordshire 13 - 10.
- Ordnance Survey Book of reference for Parish of Walkern, 1878, British Library.
- IR126/4/124 Inland Revenue Valuation Map, The National Archives.
- 14 statements from users of the paths (covering 1968 to 2010)

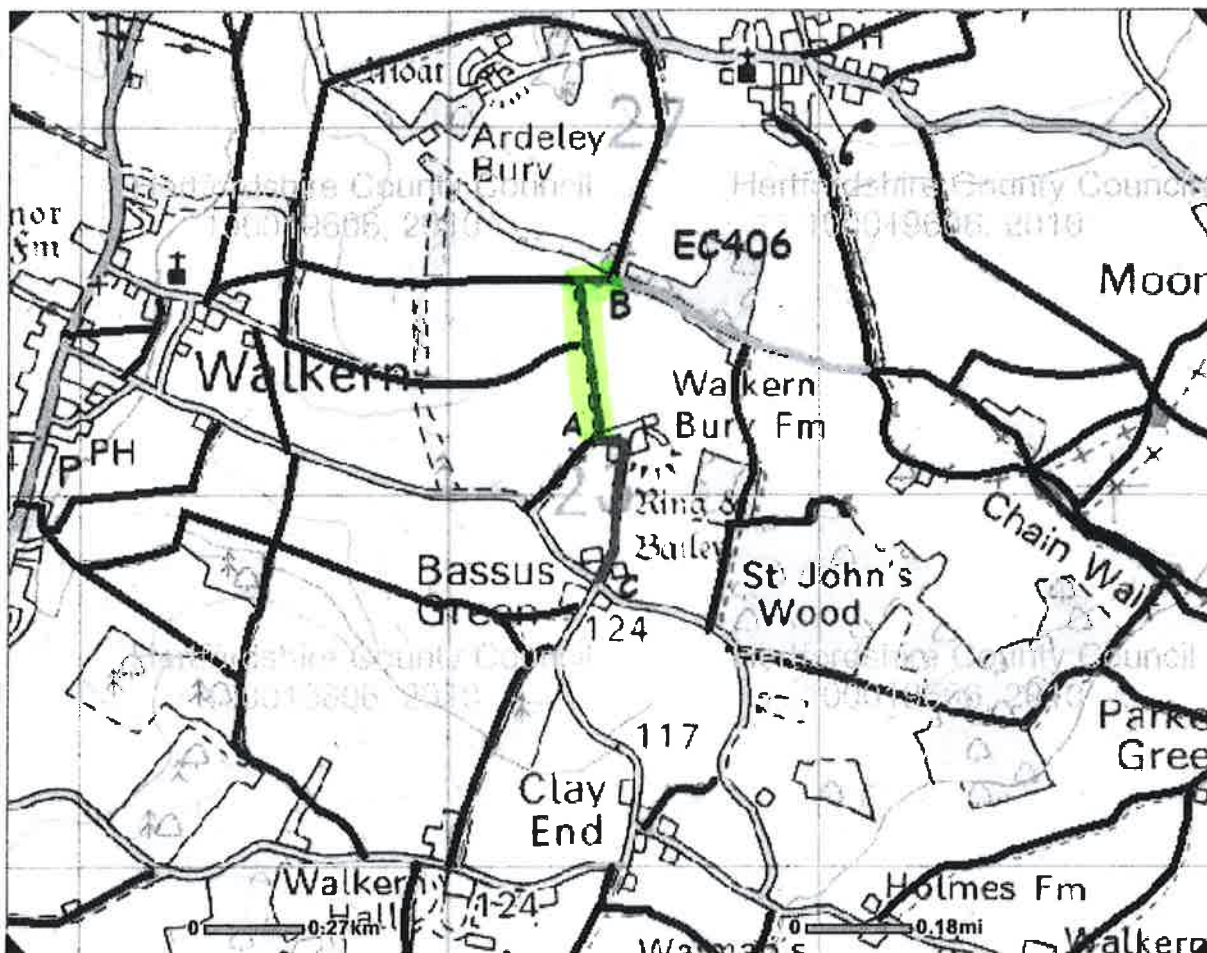
Dated: 31 Aug 10

Signature: 

Applicant's Reference: EC406

1. My name is Phil Wadey, and I have been the British Horse Society's regional access and bridleways officer for the East of England since 1996. I am the applicant for the order, on behalf of the Society.

2. The application route runs from Walkern 29 Byway (Point A on the plan below) then generally NNW via a junction with Walkern 27 Restricted Byway to a junction with Walkern 15 Footpath, then generally eastwards to join Ardeley 9 Bridleway and Ardeley 39 Byway (Point B). The application route is not currently shown on the definitive map of rights of way for Hertfordshire (sheet 23).



Extract from on line version of definitive map showing the application route.

DOCUMENTARY EVIDENCE OF HIGHWAY STATUS

3. In order to be able to modify the definitive map and statement, the Surveying Authority needs to have a discovery of evidence which shows, on the balance of probabilities, that highway rights exist.

4. While no single piece of evidence is conclusive, the Society believes that taken as a whole the pieces of evidence demonstrate highway reputation over many years, indicating that the route does indeed have highway status, and that prior to the Natural Environment and Rural Communities Act 2006, there were full vehicular rights.

Wildlife and Countryside Act 1981

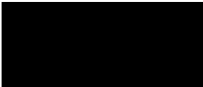
The Definitive Map and Statement of Public Rights of Way in Hertfordshire

Certificate of Service of Notice of Application for Modification Order

To: Hertfordshire County Council
Of County Hall
HERTFORD
SG13 8DN

I, Dr Philip David Wadey of 12 Home Close, Corsham, Wiltshire SN13 0BE hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with.

Dated: 4 October 2010

Signature: 

Applicant's Reference: EC406
HCC Reference: EH/377

