



The Planning Inspectorate

3G Hawk Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Direct Line: 0303 444 5226
Customer Services: 0303 444 5000
e-mail: caroline.baylis@pins.gsi.gov.uk

Helen Denton
Hertfordshire County Council
Post Point CHN103
County Hall, Pegs Lane
Hertford
SG13 8DE

Your Ref: BL/ENV 002091
Our Ref: FPS/M1900/7/82M2
Date: 14 JUN 2017

Dear Madam

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53
Hertfordshire County Council
(Widford 13, 18, 26 and Wareside 84) Modification Order 2011

I enclose herewith

1. a copy of the Inspector's final decision with regard to the above-named Order.
2. one of the sealed Orders.

If you have concerns or queries about the decision or the way we have handled the order(s), or you simply wish to provide feedback, please visit our Feedback and Complaints webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>. Please quote our reference number in any correspondence.

For information on challenging the decision in the High Court, please refer to our leaflet at <https://www.gov.uk/government/publications/high-court-leaflet-for-rights-of-way-casework>.

An electronic version of the decision will shortly appear on the Inspectorate's website. <https://www.gov.uk/guidance/rights-of-way-order-information-decisions-and-maps>

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours faithfully

Caroline Baylis pp Jean McEntee
(Rights of Way Section)

Despatch 20MA

APPENDIX T

Memorandum for confirmed Orders.

WILDLIFE AND COUNTRYSIDE ACT 1981

Your council's attention is drawn to the requirements of paragraph 11 of Schedule 15 of the Act and to paragraphs 4 and 5 of Schedule 4 to the Wildlife and Countryside (Definitive Map and Statements) Regulations 1993 (SI 1993 No.12). The required certificate should be sent to the Department as soon as possible (along with a copy of the notice).

It is our policy to provide free copies of the decision letter to all statutory objectors, the applicant (where applicable) and any supporters or interested parties listed on our records. Also anyone else, who has written to us requesting a copy, before a decision is issued. A copy of the decision will also be available on GOV.UK at the following link - <https://www.gov.uk/guidance/rights-of-way-order-information-decisions-and-maps>.

Please Note:

It is our policy to wait 1 month from the point a decision is issued before chasing an authority for the necessary certificate (and notice if applicable).

If you know you will not be able to complete the notice of confirmation within the next month, please contact this office to let us know when it is likely to be completed.



Order Decision

Inquiry held on 22 October 2015

Hearing held on 2 November 2016

by Mark Yates BA(Hons) MIPROW

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 14 June 2017

Order Ref: FPS/M1900/7/82 M2

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the 1981 Act") and is known as the Hertfordshire County Council (Widford 13, 18, 26 and Wareside 84) Modification Order 2011.
- The Order was made by Hertfordshire County Council ("the Council") on 1 July 2011 and proposed to modify the definitive map and statement in respect of rights of way in the parishes of Widford and Wareside, as originally detailed in the Order Map and Schedule.
- The Council submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- In accordance with Paragraph 8(2) of Schedule 15 to the 1981 Act I have given notice of my proposal to confirm the Order with modifications.

Summary of Decision: The Order is confirmed subject to modifications set out below in the Formal Decision.

Procedural Matters

1. My initial Interim Decision ("ID"), dated 14 December 2015, was issued following a public inquiry held on 22 October 2015. I proposed to make modifications to the Order, most notably in relation to the extent of the restricted byway to be recorded in the definitive map and statement.
2. I held a hearing on 2 November 2016 to consider the objections made to my proposed modification to the extent of this route. A second ID was issued on 8 December 2016 in which I agreed with the objectors regarding the alignment of the route and the proposed modifications were therefore revised.
3. No relevant representations were received in response to the second ID. As I made clear in the initial ID it is not my role to consider whether the restricted byway should be diverted.

Reasons

4. For the reasons outlined in the second ID I conclude that the Order should be confirmed with the revised modifications set out below.

Formal Decision

5. I confirm the Order subject to the following modifications:
 - Delete "*Section 53(3)(c)(i)&(iii)*" from the fifth line of the preamble in the first page of the Order and insert "*Section 53(3)(c)(i), (ii)&(iii)*".
 - Delete ", and" from the end of paragraph (i) in the first page of the Order and insert ";(ii) 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".

- Delete lines two to five of the first description in Part I of the Order Schedule and insert "TL4131 1616 (Point C on parts 1 and 2 of the Order Plan), for a length of approximately 185 metres, to TL4146 1625 (Point C1 on parts 1 and 2 of the Order Plan)".
- Delete the remainder of the text after "Order Plan)." in the sixth line of the second description in Part I of the Order Schedule and insert "Then generally east through the sewage works for a distance of approximately 150 metres to TL 4169 1640 (Point F on part 2 of the Order Plan), then generally north east for a distance of approximately 90 metres to TL 4174 1648 (Point G on part 2 of the Order Plan), then generally south east for a distance of approximately 160 metres to the junction with Widford 13 at TL 4184 1637 (Point H on part 2 of the Order Plan).

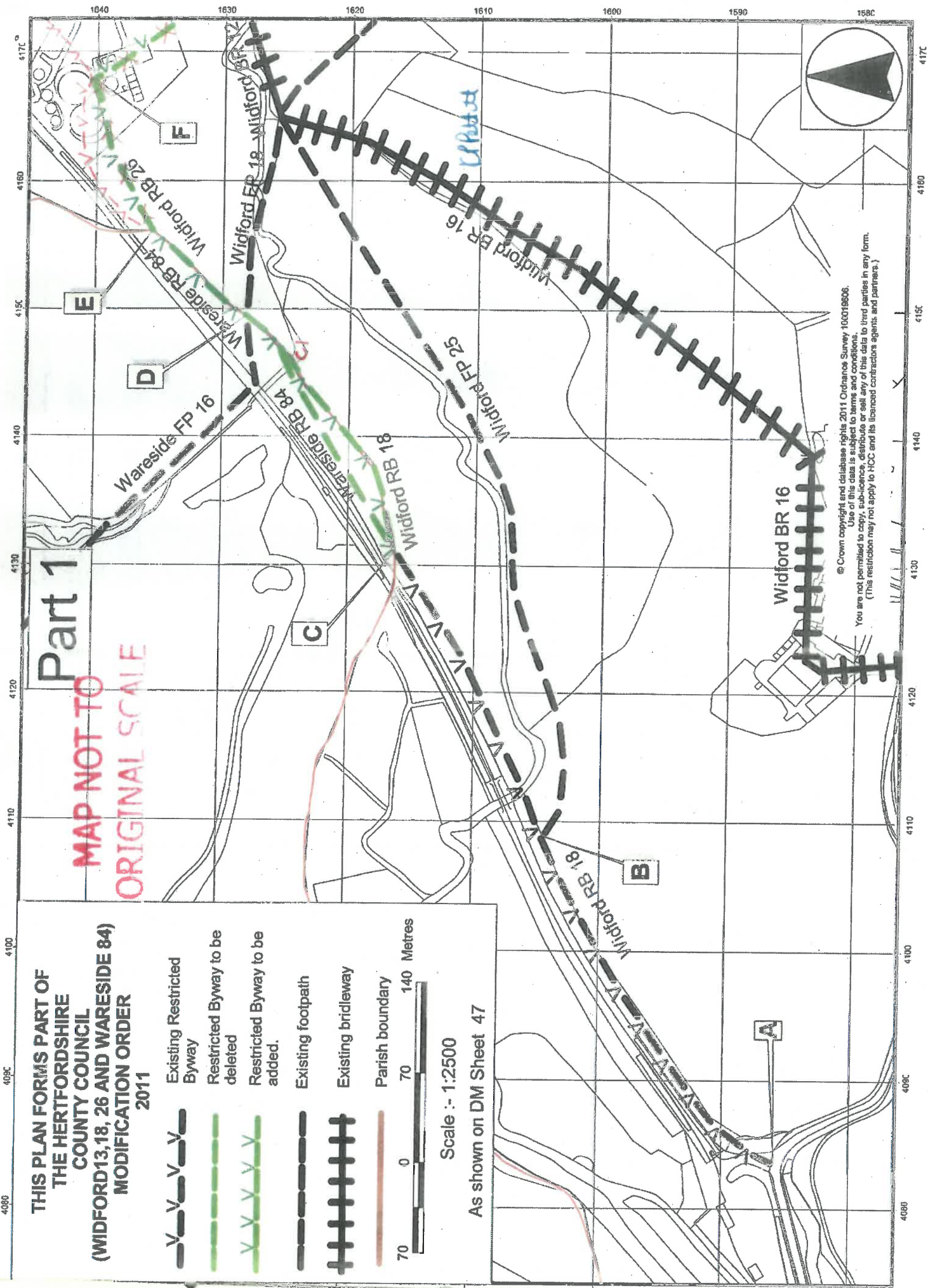
Width 3 metres between TL4131 1616 (Point C on part 1 of the Order Plan) and TL 4184 1637 (Point H on part 2 of the Order Plan).

Limitations: None".

- Delete "20 feet (6 metres)" from the sixth line of the third description in Part I of the Order Schedule and insert "3 metres".
- Delete "10 feet (3 metres)" from the seventh line of the first description in Part II of the Order Schedule and insert "1.5 metres".
- Delete the text in the third to sixth lines of the second description in Part II of the Order Schedule and insert "100 metres parallel with Wareside RB84 to TL 4156 1635, then E through the sewage works for approx. 150m to TL 4169 1640, then NE for approx. 90m to TL 4174 1648, then SE for approx. 160m to the junction with Widford 13 at TL 4184 1637.
- Delete "20 feet (6 metres)" from the seventh line of the second description in Part II of the Order Schedule and insert "3 metres".
- Delete "10 feet (3 metres)" from the eighth line of the second description in Part II of the Order Schedule and insert "1.5 metres".
- Delete "10 feet (3 metres)" from the ninth line of the third description in Part II of the Order Schedule and insert "1.5 metres".
- Insert "C1" at TL4146 1625 on parts 1 and 2 of the Order Map.
- Delete the section of the claimed route between points E-F-G-H from the relevant parts of the Order Map and replace it with the revised route delineated by red notation.

Mark Yates

Inspector



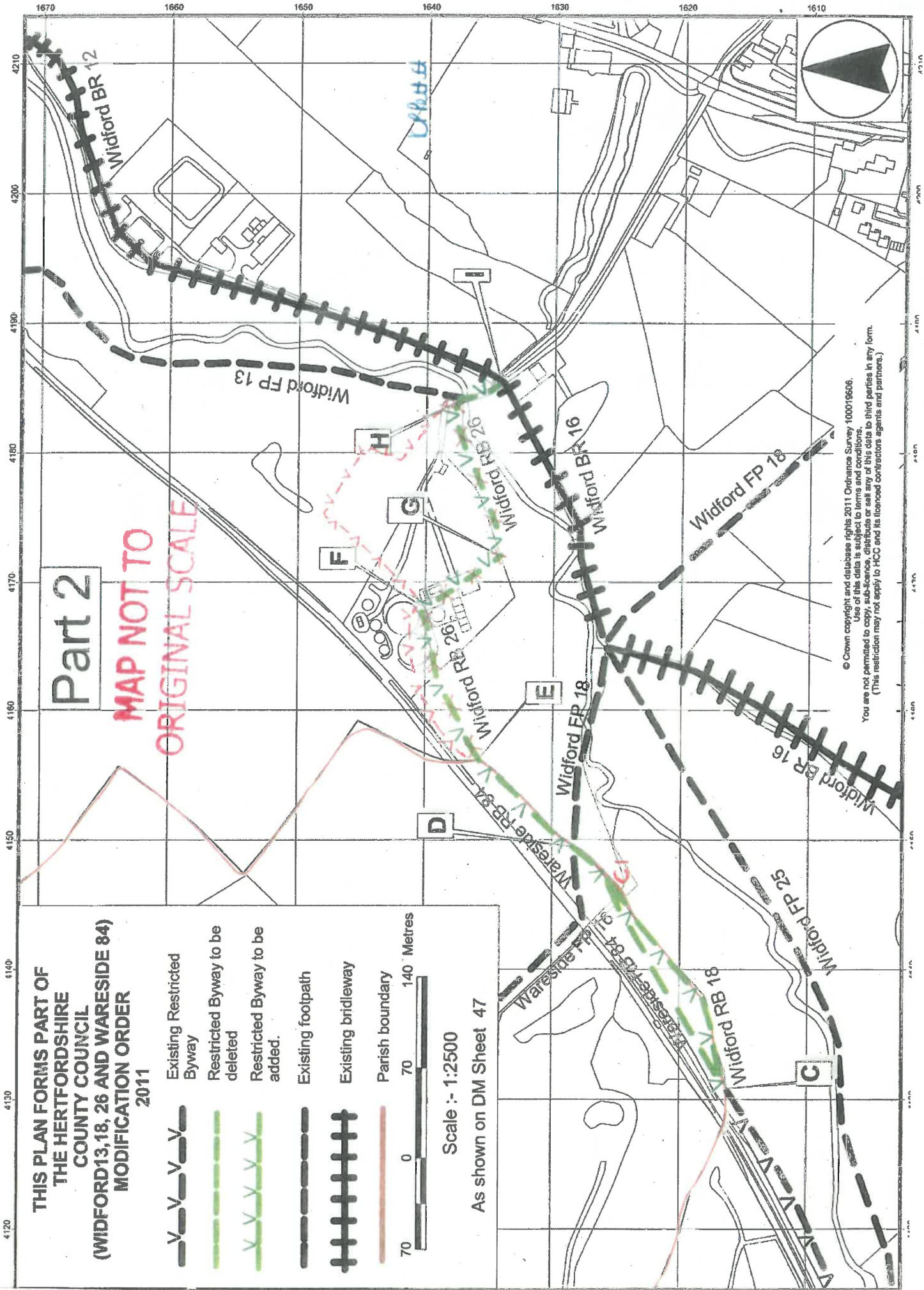
**THIS PLAN FORMS PART OF
THE HERTFORDSHIRE
COUNTY COUNCIL
MODIFICATION ORDER
2011
(WIDFORD 13, 18, 26 AND WARESIDE 84)**

- Existing Restricted Byway
- Restricted Byway to be deleted
- Restricted Byway to be added.
- Existing footpath
- Existing bridleway
- Parish boundary

Scale :- 1:2500
As shown on DM Sheet 47

Part 1
MAP NOT TO ORIGINAL SCALE

© Crown copyright and database rights 2011 Ordnance Survey 100019806.
Use of this data is subject to terms and conditions.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.
(This restriction may not apply to HCC and its licensed contractors agents and partners.)



Part 2

MAP NOT TO ORIGINAL SCALE

THIS PLAN FORMS PART OF THE HERTFORDSHIRE COUNTY COUNCIL (WIDFORD 13, 18, 26 AND WARESIDE 84) MODIFICATION ORDER 2011

- Existing Restricted Byway
- Restricted Byway to be deleted
- Restricted Byway to be added.
- Existing footpath
- Existing bridleway
- Parish boundary



Scale :- 1:2500
As shown on DM Sheet 47

© Crown copyright and database rights 2011 Ordnance Survey 100018606.
Use of this data is subject to terms and conditions.
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.
(This restriction may not apply to HCC and its licensed contractors agents and partners.)