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## Order Decision

Site visit made on 28 March 2017

**by Alan Beckett BA MSc MIPROW**

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

**Decision date: 16 August 2017**

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### **Order Ref: FPS/Q2500/7/88M**

- This Order is made under Section 53 (2) (b) of the Wildlife and Countryside Act 1981 and is known as the Lincolnshire County Council (Amendment of Lindsey County Council (Rural District of Louth) Definitive Map and Statement – Evidential Events (No. 4) Modification Order 1992.
- Lincolnshire County Council ('the Council') submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- The Order is dated 19 June 1992. The Order was the subject of an interim decision dated 26 April 2017 in which I proposed to confirm the Order subject to modifications which required advertisement.

**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 modifications that I previously proposed would be to (a) add to the definitive map and statement for the area a public footpath commencing on Hainton Road at OS Grid Reference TF 19252 83659 running in a generally north-easterly direction for a distance of approximately 1088 metres to OS Grid Reference TF 19965 84465 and (b) to delete the route running east from TF 19965 84465 to High Street.
2. In my interim decision of 26 April 2017, I proposed to confirm the Order subject to the modifications described in paragraph 1 above. The Council had submitted that the original position of point A shown in the Order plan was 5 metres to the east of the highway of Hainton Road and had requested the modification of order to record point A as being at TF 19252 83659. Although I had modified the Schedule to Order so that the position of Point A was correctly specified, the Council point out that I had not made the corresponding amendment to the Order plan. I intend to rectify this omission.
3. The modification of the Order plan as regards point A will make the plan consistent with the description of the footpath set out in the Schedule to the Order as modified. As the modification of the correct position of Point A has already been advertised, it is not necessary to advertise this further modification of the Order plan.
4. Since the modifications 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 submitted I was required by virtue of Paragraph 8(2) of Schedule 15 to the Wildlife and Countryside Act 1981 to give notice of my proposal to modify the Order.

5. No duly made representations or objections were received following advertisement of the notice and deposit of the associated documents relating to the proposed modifications.

### **Conclusions**

6. Bearing in mind the above, I conclude that the Order should be confirmed subject to the modifications set out in paragraph 53 of my interim decision dated 26 April 2017 together with the modification of the order plan to show point A as being 5 metres further west than was originally shown.

### **Formal Decision**

7. I confirm the Order subject to the following modifications:
- (a) modify the Schedule Part I to read "a public footpath 12 metres wide running from the public highway at OS Grid Reference TF 19252 83659 in a generally north easterly direction through OS field No 4085 for a distance of approximately 1088 metres to OS Grid Reference TF 19965 84465. The total length of the path to be approximately 1088 metres as shown on annexed plan No A10/1423/9 (Sheet 1).";
  - (b) modify the Schedule Part II to read "A public footpath running from Hainton Road at OS Grid Reference TF 19252 83659 along Moors Lane to OS Grid Reference TF 19965 84465. The total length of the path is 1088 metres. The width of the path is 12 metres wide.";
  - (c) in the Order plans delete the footpath south and east of point B and show by means of a bold red line that point A is 5 metres to the west of the point originally shown.

*Alan Beckett*

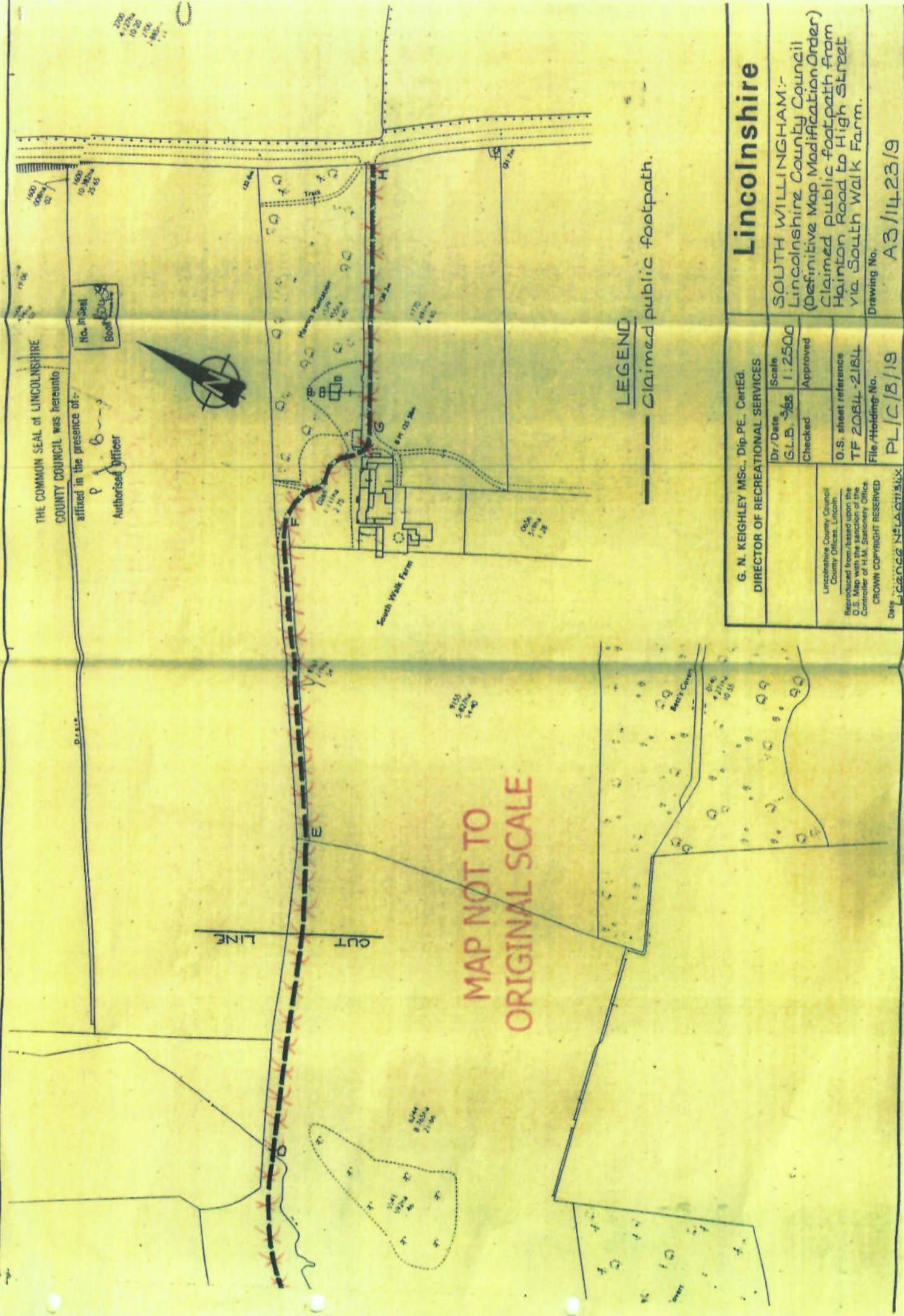
Inspector



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THE COMMON SEAL OF LINCOLNSHIRE  
COUNTY COUNCIL was heretofore  
affixed in the presence of:-  
P. B. J.  
Authorised Officer

No. in Seal  
Book



**LEGEND**

--- Claimed public footpath.

**Lincolnshire**

SOUTH WILLINGHAM:-  
Lincolnshire County Council  
(Definitive Map Modification Order)  
Claimed public footpath from  
Hainton Road to High Street  
via South Walk Farm.

G. N. KEIGHLEY MSc., Dip. PE., CertEd. DIRECTOR OF RECREATIONAL SERVICES	
Dr/Date G.L.B. 3/88	Scale 1:2500
Checked Approved	
O.S. sheet reference TF 2084-2184	
File/Holding No. PLIC/B/19	
Drawing No. A3/1423/9	

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County Offices, Lincoln  
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LEGEND REFLECTS

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