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Seax House
Victoria Road South
Chelmsford
CM1 1QH

ELS

First for Public Law

Epping Forest District Council
Director of Environment & Street Scene
Civic Offices
High Street
Epping Essex
CM16 4BZ

Our Ref: MM/HIGH/9454
Your Ref:
Date: 1 May 2018

EPPING FOREST DISTRICT COUNCIL NEIGHBOURHOODS	
REC'D	02 MAY 2018
ACK	
REFERRED TO	

Dear Sirs

Wildlife and Countryside Act 1981, section 53
The Essex County Council Definitive Map Modification No. 617 Footpath 59
Nazeing (Epping Forest District) 2016

Further to previous correspondence, the above mentioned Order was confirmed by the County Council on 24 April 2018. I enclose three copies of the confirmed Order, together with two copies of the formal Notice of the confirmation in accordance with Paragraph 11 of Schedule 15 to the Wildlife and Countryside Act 1981.

Would you please arrange for one copy of the Notice to be displayed at your Council offices, and for a copy of the confirmed Order to be available for public inspection as indicated in the Notice.

As the Order modifies the Definitive Map, it should be kept available for public inspection with the copies of the Definitive Map for the District and I should be grateful if you would arrange for this.

Please also ensure that your Land Charges Department is aware that the Order has been confirmed, together with the District Planner.

If you wish to note the face of the Definitive Map and Statement to refer to the Order and its confirmation, please only use a pencil so that it is abundantly clear to anyone inspecting them that the entry is not part of the original map and statement.

Any enquiries regarding the content of the Order or the associated case should be directed to Mary Morris on 03330 139679.

Yours faithfully



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First for Public Law



Mary Morris
Chartered Legal Executive

DX 123300 Chelmsford 7

Telephone: 03330 139679

Fax: 01245 506650

Internet: www.elslegal.org.uk

Email: mary.morris@essex.gov.uk

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Essex County Council

Wildlife and Countryside Act 1981

The Definitive Map and Statement for the County of Essex

The Essex County Council Definitive Map Modification No. 617
Footpath 59 Nazeing (Epping Forest District) Order 2016

This Order is made by Essex 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 for the County of Essex requires modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) & (iii) namely, 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 to which this Part applies and (iii) 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. The Essex County Council hereby order that:

For the purpose of this order the relevant date is 1 February 2016.

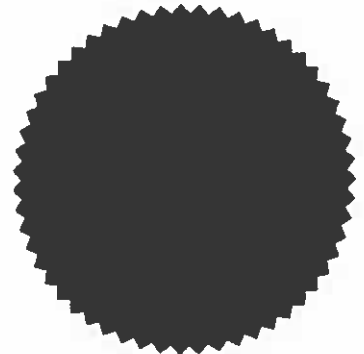
The Definitive Map and Statement for the County of Essex shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.

This order shall take effect on the date it is confirmed and may be cited as the Essex County Council Definitive Map Modification No. 617 Footpath 59 Nazeing (Epping Forest District) Order 2016.

Given under the Common Seal of the Essex County Council this 15 day of February in the year Two Thousand and Sixteen .

The COMMON SEAL of the ESSEX)
COUNTY COUNCIL was hereunto)
Affixed in the presence of:)

Attesting Officer



35177

The foregoing order is hereby confirmed subject to the red ink modifications thereon

Mark Yates 24 APR 2018

An Inspector appointed by The Secretary of State for Environment, Food and Rural Affairs

The footpath proceeds along the western and northern boundaries of the land held within Land Registry Title Number EX292306 (points G-B-H on the attached map). It then continues along the southern boundary of the land immediately to the north of registered Title Number EX292306 (points H-D on the attached map).

SCHEDULE

PART I

Modification of Definitive Map

Description of path or way to be added:

A length of Footpath 59 Nazeing, from Waltham Road (Nazeing Long Green) at the western boundary of the property known as "Selways" in a north north westerly direction for a distance of 70 metres then turning north east for a distance of 55 metres to join the unaffected part of the route. The width of the added section is four feet (1.22 metres)

~~Description of path or way to be deleted:~~

~~A length of Footpath 59 Nazeing from a point D on the order plan in a south-south-easterly direction for a distance of 70 metres to meet the Waltham Road at Point A.~~

PART II

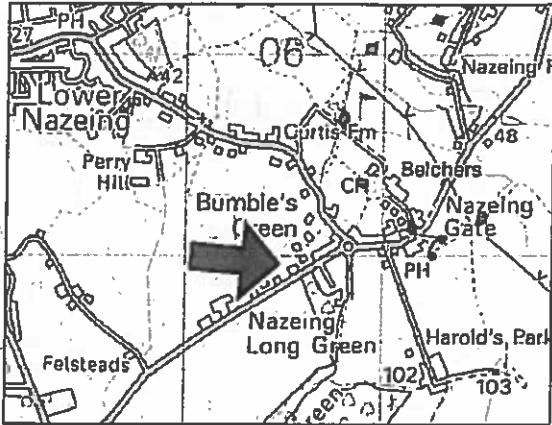
Modifications of Definitive Statement

Variations of particulars of path or way

The statement for the parish of Nazeing shall be amended to read as follows:

OS Sheet No.	Path No.	Classification	Position and Description
40 NW, SW 4005- 4004	59	FP	<p>From Middle Street and the access track to the dwellings of Bumbles Green Farm leading south-westwards adjacent to and on the north side of the ditch to a culvert where it deviates around a large tree over the culvert. Then immediately re-joining the north side of the ditch to a point opposite the property known as Jamesmead, approximately 220 mt south-west of Middle Road. Up to this point the path has a width of 1.5 mt and shall be no less than 1 metre from the brow of the ditch.</p> <p>Then continuing in the same direction to a point approximately 226 metres south-west of Middle Street. This section has a width of 1.5 mt and shall be no less than 2mt from the brow of the ditch, on the north side of the ditch.</p> <p><i>The second section numbered 59a continues. Then continuing at a width of 1.22 metres in a south westerly direction for a distance of 35 metres, before crossing the boundary on to Selways where it continues in the same direction for 20 metres. It then turns south-south-east along the western boundary of Selways for a distance of 70 metres to meet the Waltham Road.</i></p>

The path then splits into one section, with an unspecified width, leading south-eastwards to meet Waltham Road.



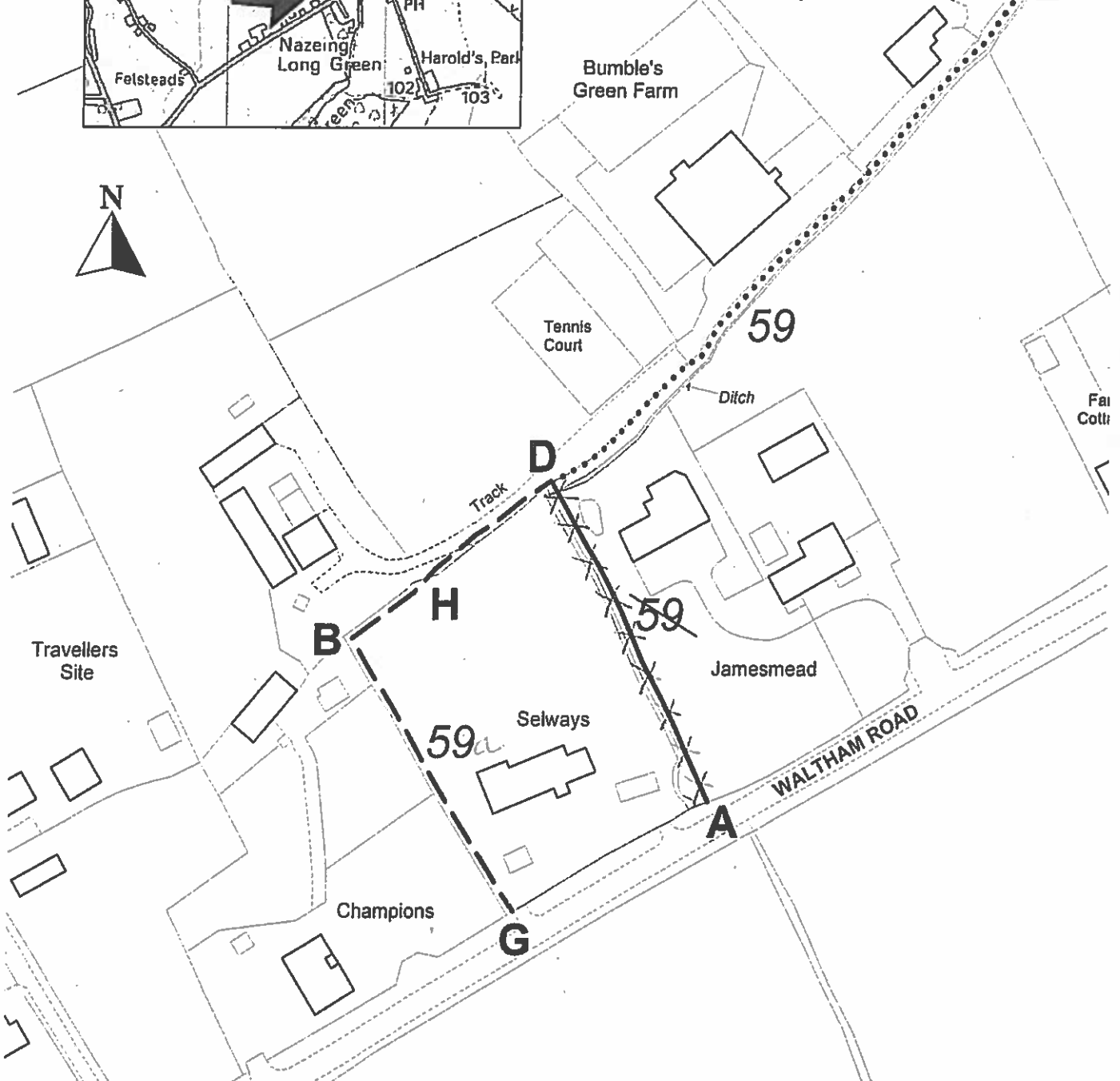
Key

Footpath 59 Nazeing

-Delete Route A - D


Add Route G - B - H - D

Unaffected Route



The Essex County Council Definitive Map Modification No. 617 (Footpath 59 Nazeing, Epping Forest District) Order 2016

Definitive Map Sheet TL40SW Scale 1:1250
Grid Ref TL406,049 or 5406,2049



Essex County Council

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Wildlife and Countryside Act 1981

The Definitive Map and Statement for the County of Essex

**The Essex County Council Definitive Map Modification No. 617
Footpath 59 Nazeing (Epping Forest District) Order 2016**

This Order is made by Essex 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 for the County of Essex requires modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) & (iii) namely, 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 to which this Part applies and (iii) 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. The Essex County Council hereby order that:

For the purpose of this order the relevant date is 1 February 2016.

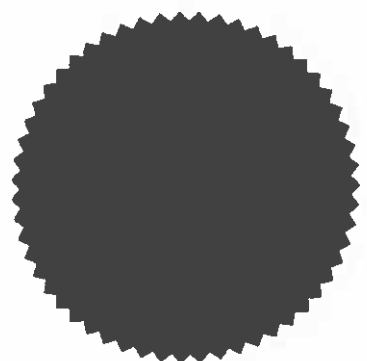
The Definitive Map and Statement for the County of Essex shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.

This order shall take effect on the date it is confirmed and may be cited as the Essex County Council Definitive Map Modification No. 617 Footpath 59 Nazeing (Epping Forest District) Order 2016.

Given under the Common Seal of the Essex County Council this 15 day of February in the year Two Thousand and Sixteen .

The COMMON SEAL of the ESSEX)
COUNTY COUNCIL was hereunto)
Affixed in the presence of:)

Attesting Officer



The foregoing order is hereby confirmed
subject to the red ink modifications thereon

Mark Yates 24 APR 2018

An Inspector appointed by The Secretary
of State for Environment, Food and
Rural Affairs

35177

The footpath proceeds along the western and northern boundaries of the land held within Land Registry Title Number EX292306 (points G-B-H on the attached map). It then continues along the southern boundary of the land immediately to the north of registered Title Number EX292306 (points H-D on the attached map).

SCHEDULE

PART I

Modification of Definitive Map

Description of path or way to be added:

A length of Footpath 59 Nazeing, from Waltham Road (Nazeing Long Green) at the western boundary of the property known as "Selways" in a north north westerly direction for a distance of 70 metres then turning north east for a distance of 55 metres to join the unaffected part of the route. The width of the added section is four feet (1.22 metres)

~~**Description of path or way to be deleted:**~~

~~A length of Footpath 59 Nazeing from a point D on the order plan in a south-south-easterly direction for a distance of 70 metres to meet the Waltham Road at Point A.~~

PART II

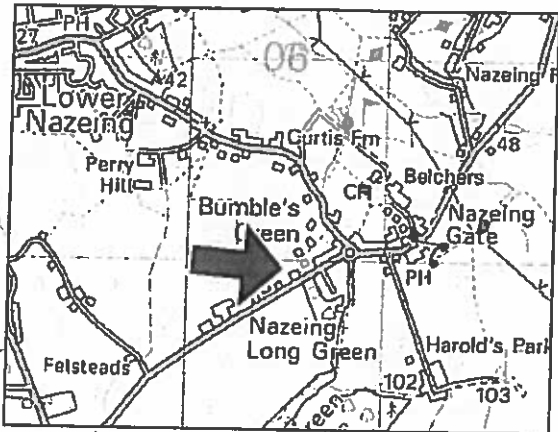
Modifications of Definitive Statement

Variations of particulars of path or way

The statement for the parish of Nazeing shall be amended to read as follows:

OS Sheet No.	Path No.	Classification	Position and Description
40 NW, SW 4005-4004	59	FP	From Middle Street and the access track to the dwellings of Bumbles Green Farm leading south-westwards adjacent to and on the north side of the ditch to a culvert where it deviates around a large tree over the culvert. Then immediately re-joining the north side of the ditch to a point opposite the property known as Jamesmead, approximately 220 mt south-west of Middle Road. Up to this point the path has a width of 1.5 mt and shall be no less than 1 metre from the brow of the ditch. Then continuing in the same direction to a point approximately 226 metres south-west of Middle Street. This section has a width of 1.5 mt and shall be no less than 2mt from the brow of the ditch, on the north side of the ditch.
	59a		<i>The second section numbered 59a continues.</i> Then continuing at a width of 1.22 metres in a south westerly direction for a distance of 35 metres, before crossing the boundary on to Selways where it continues in the same direction for 20 metres. It then turns south-south-east along the western boundary of Selways for a distance of 70 metres to meet the Waltham Road.

The path then splits into one section, with an unspecified width, leading south-eastwards to meet Waltham Road.

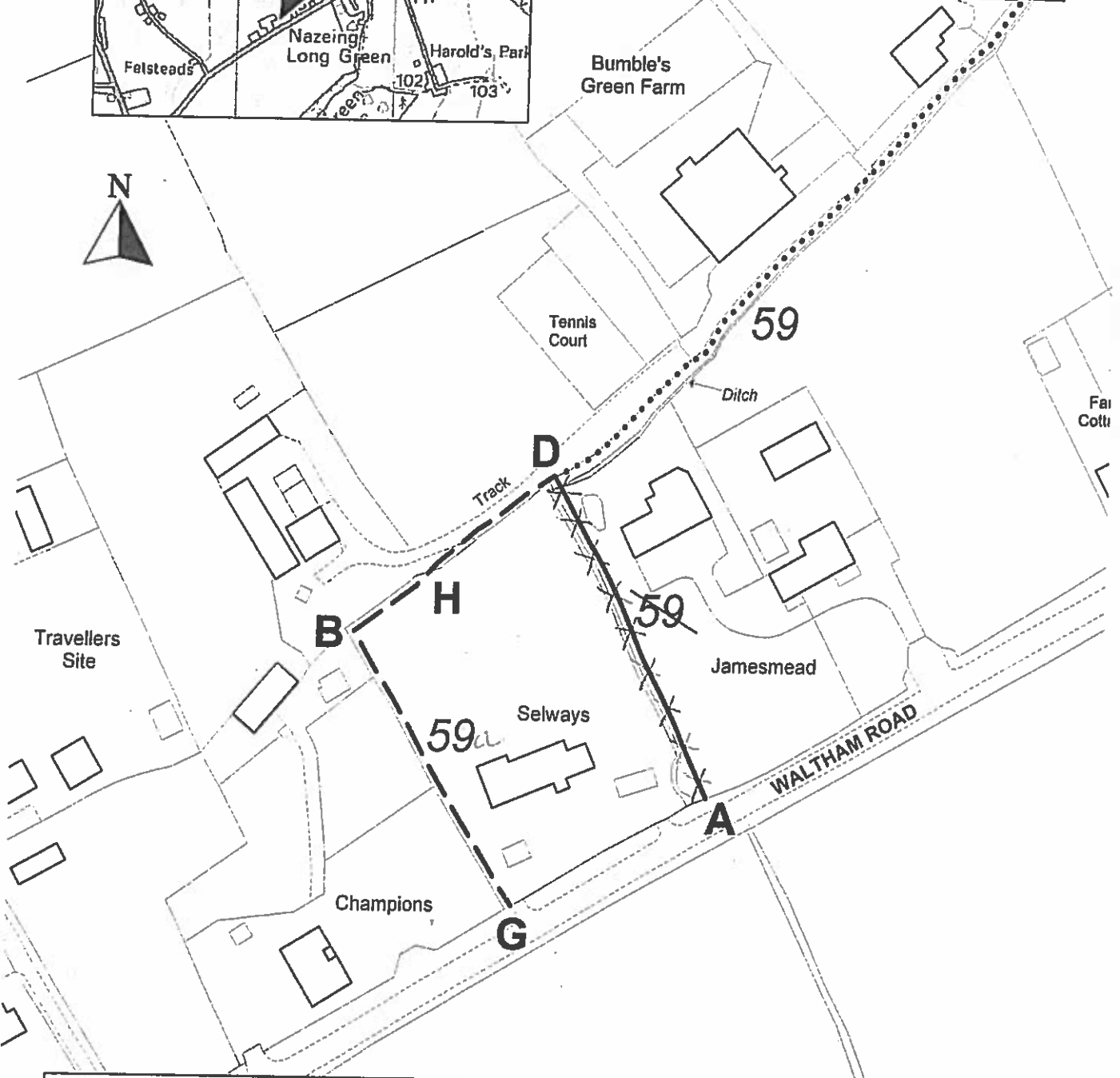


Key
Footpath 59 Nazeing

Delete Route A - D

Add Route G - B - H - D

Unaffected Route



**The Essex County Council Definitive Map
Modification No. 617 (Footpath 59 Nazeing,
Epping Forest District) Order 2016**

Definitive Map Sheet TL40SW Scale 1:1250
Grid Ref TL406,049 or 5406,2049

Essex County Council

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Wildlife and Countryside Act 1981

The Definitive Map and Statement for the County of Essex

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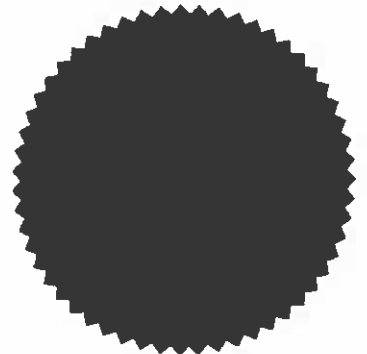
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Mark Yates 24 APR 2018

An Inspector appointed by The Secretary
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Rural Affairs

SCHEDULE

PART I

Modification of Definitive Map

The footpath proceeds along the western and northern boundaries of the land held within Land Registry Title Number EX292306 (points G-B-H on the attached map). It then continues along the southern boundary of the land immediately to the north of registered Title Number EX292306 (points H-D on the attached map).

Description of path or way to be added:

A length of Footpath 59 Nazeing, from Waltham Road (Nazeing Long Green) at the western boundary of the property known as "Selways" in a north north westerly direction for a distance of 70 metres then turning north east for a distance of 55 metres to join the unaffected part of the route. The width of the added section is four feet (1.22 metres)

~~**Description of path or way to be deleted:**~~

~~A length of Footpath 59 Nazeing from a point D on the order plan in a south-south-easterly direction for a distance of 70 metres to meet the Waltham Road at Point A.~~

PART II

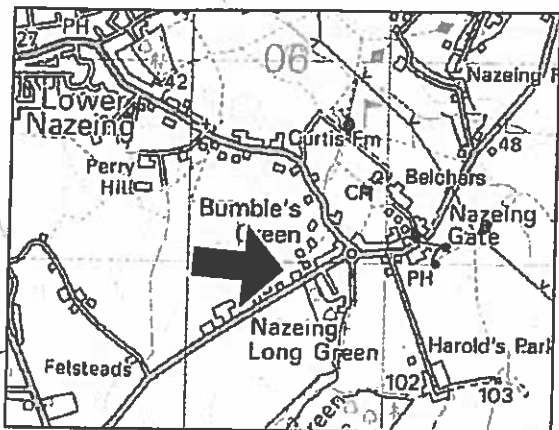
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The path then splits into one section, with an unspecified width, leading south-eastwards to meet Waltham Road.



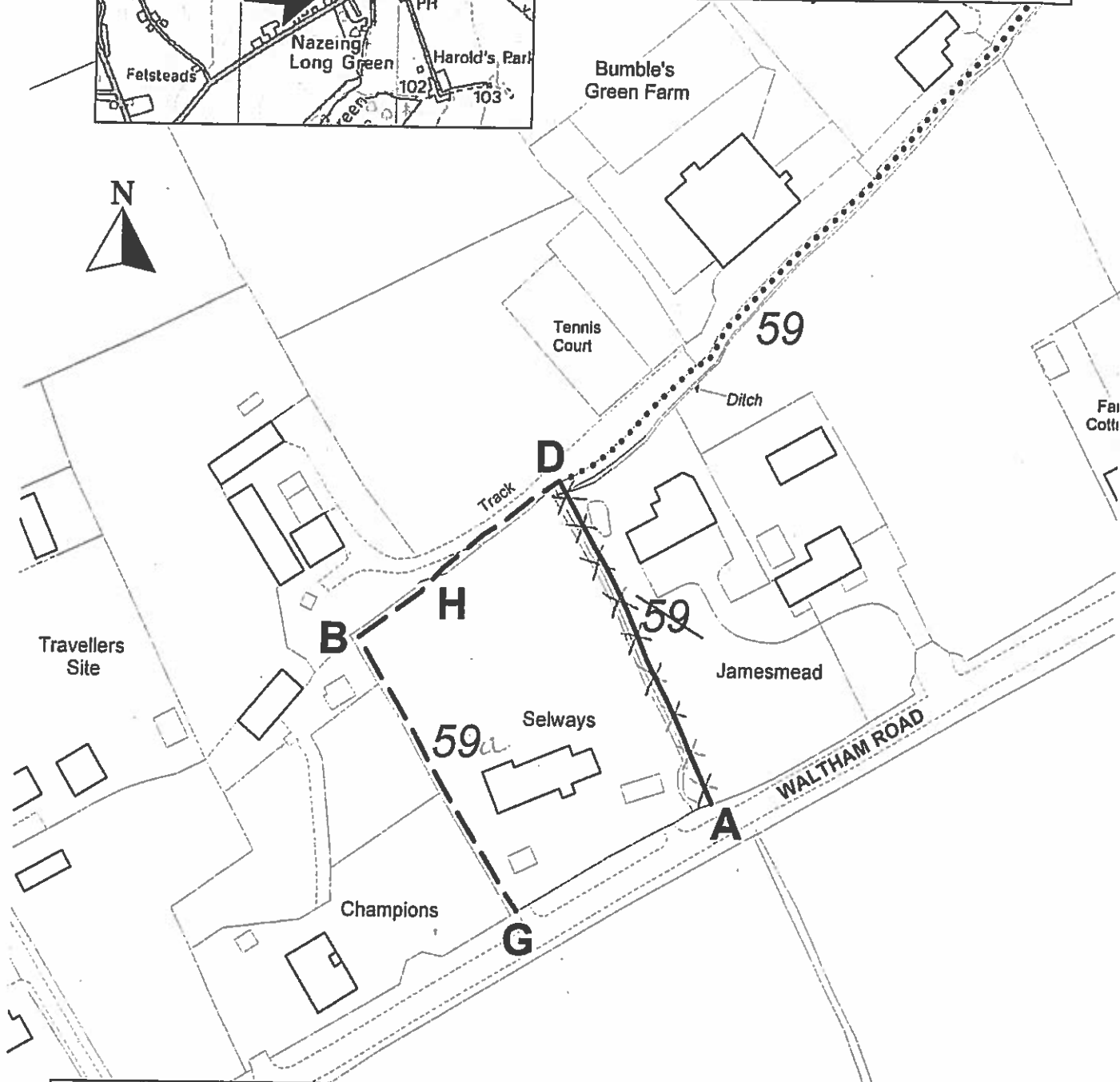
Key

Footpath 59 Nazeing

Delete Route A - D


Add Route G - B - H - D

Unaffected Route



The Essex County Council Definitive Map Modification No. 617 (Footpath 59 Nazeing, Epping Forest District) Order 2016

Definitive Map Sheet TL40SW Scale 1:1250
Grid Ref TL406,049 or 5406,2049



Essex County Council

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Public Notice

**TO THE PUBLIC AT LARGE AND TO THE OWNER AND OCCUPIER OF THE
LAND DESCRIBED BELOW**

Section 53 of the Wildlife and Countryside Act 1981
Definitive Map and Statement for the County of Essex
The Essex County Council Definitive Map

Modification No. 617 Footpath 59 Nazeing (Epping Forest District) 2016

NOTICE IS HEREBY GIVEN that the Secretary of State on 24 April 2018 confirmed the above mentioned Order and it took effect on that day.

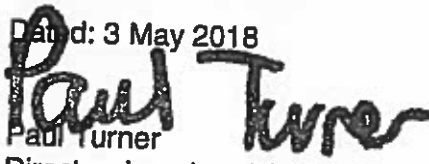
The effect of the Order is to modify the Definitive Map for the County of Essex by:-

Adding a length of Footpath 59 Nazeing, from Waltham Road (Nazeing Long Green) at the western boundary of the property known as "Selways" in a north north westerly direction for a distance of 70 metres then turning north east for a distance of 55 metres to join the unaffected part of the route. The width of the added section is four feet (1.22 metres)

A copy of the Order and Order map may be seen free of charge during normal office hours at Epping Forest District Council Offices, Civic Centre, High Road, Epping, and at the Chelmsford Library, Market Road, Chelmsford, where copies will be available on request at a charge.

If any person is aggrieved by this Order and desires to question its validity on the ground that it is not within the powers of section 53 or that any of the requirements of Schedule 15 have not been complied with in relation to it, he may within 42 days from the date of publication of this Notice make an application to the High Court under paragraph 12(1) of Schedule 15 to the Act.

Dated: 3 May 2018


Paul Turner
Director, Legal and Assurance

ELS
Seax House
Victoria Road South
Chelmsford
CM1 1QH



Essex County Council

Public Notice

**TO THE PUBLIC AT LARGE AND TO THE OWNER AND OCCUPIER OF THE
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Dated: 3 May 2018


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Director, Legal and Assurance

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Essex County Council