

NOTICE OF ORDER

Town and Country Planning Act 1990 – Section 257

Gloucestershire County Council

Public Footpath CHL 9 Parish of Leckhampton Stopping Up Order 2019

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **16/06/21**

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held as a **Blended Inquiry** at **Brockworth Community Centre, Court Road, Brockworth, Gloucester, GL3 4ET** on **Tuesday 2nd November 2021** at 10.00am.

Anyone wishing to attend the event, whether **virtually** or in person, must register that interest with the Planning Inspectorate Case Officer by email as soon as possible prior to the Inquiry, if not done so already.

The effect of the Order, if confirmed without modifications, will be to **stop up** the public footpath running from Farm Lane (Point A at OSGR SO9368/1969) to footpath CHL 10 (Point B at OSGR SO9396/1973) as shown on the order map.

Any queries relating to this Order should be referred to Matthew Williams at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5452. Email: matthew.williams@planninginspectorate.gov.uk. Please quote reference number ROW/3249302 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at Gloucestershire County Council, Shire Hall, Westgate Street, Gloucester, GL1 2TG between 9am and 5pm Monday to Friday or by contacting 01452 328172. Contact at the Council: Ms Tamsin Hyde, email: tamsin.hyde@gloucestershire.gov.uk

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 11/08/2021]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting

documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 22/09/2021]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 05/10/2021]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

PUBLIC PATH STOPPING UP ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981
GLOUCESTERSHIRE COUNTY COUNCIL
PUBLIC FOOTPATH CHL 9 PARISH OF LECKHAMPTON
STOPPING UP ORDER 2019

This Order is made by Gloucestershire County Council ("the authority") under section 257 of the Town and Country Planning Act 1990 because it is satisfied that an application for planning permission to Gloucestershire County Council has been made under Part 3 of that Act, namely:

Construction of a new 6 forms of entry secondary school building, with a new all-weather pitch, sports playing fields, a multi-use games area, onsite parking and other associated works on land between Farm Lane/Kidnappers Lane Cheltenham Gloucestershire planning ref 19/0058/CHR3MJ, and if the application were granted it would be necessary to authorise the stopping up of the footpath to which this order relates in order to enable the development to be carried out.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the definitive map and statement for Gloucestershire require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the stopping up (as authorised by this order) of a highway hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

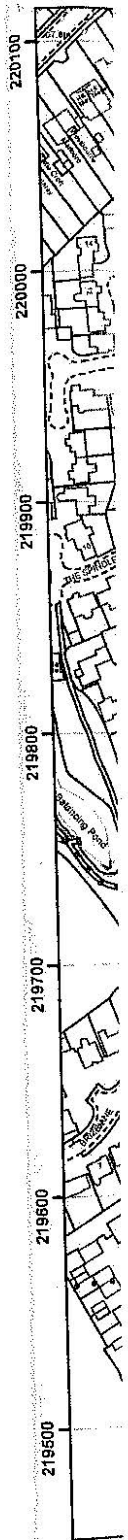
1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the schedule to this order ("the Schedule") shall be stopped up as provided below and the definitive map and statement for Gloucestershire shall be modified accordingly.
2. The stopping up of the footpath shall have the effect on the date on which Gloucestershire County Council certify that the terms of Article 2 have been complied with and upon the occurrence of that stopping up the definitive map and statement for Gloucestershire shall be modified accordingly.
3. Where immediately before the date on which the footpath is stopped up there is apparatus under, in, on, over, or along or across it belonging to statutory undertakers for the purposes of carrying on their undertaking, the apparatus shall continue to have the same rights of the apparatus as they then had.

SCHEDULE

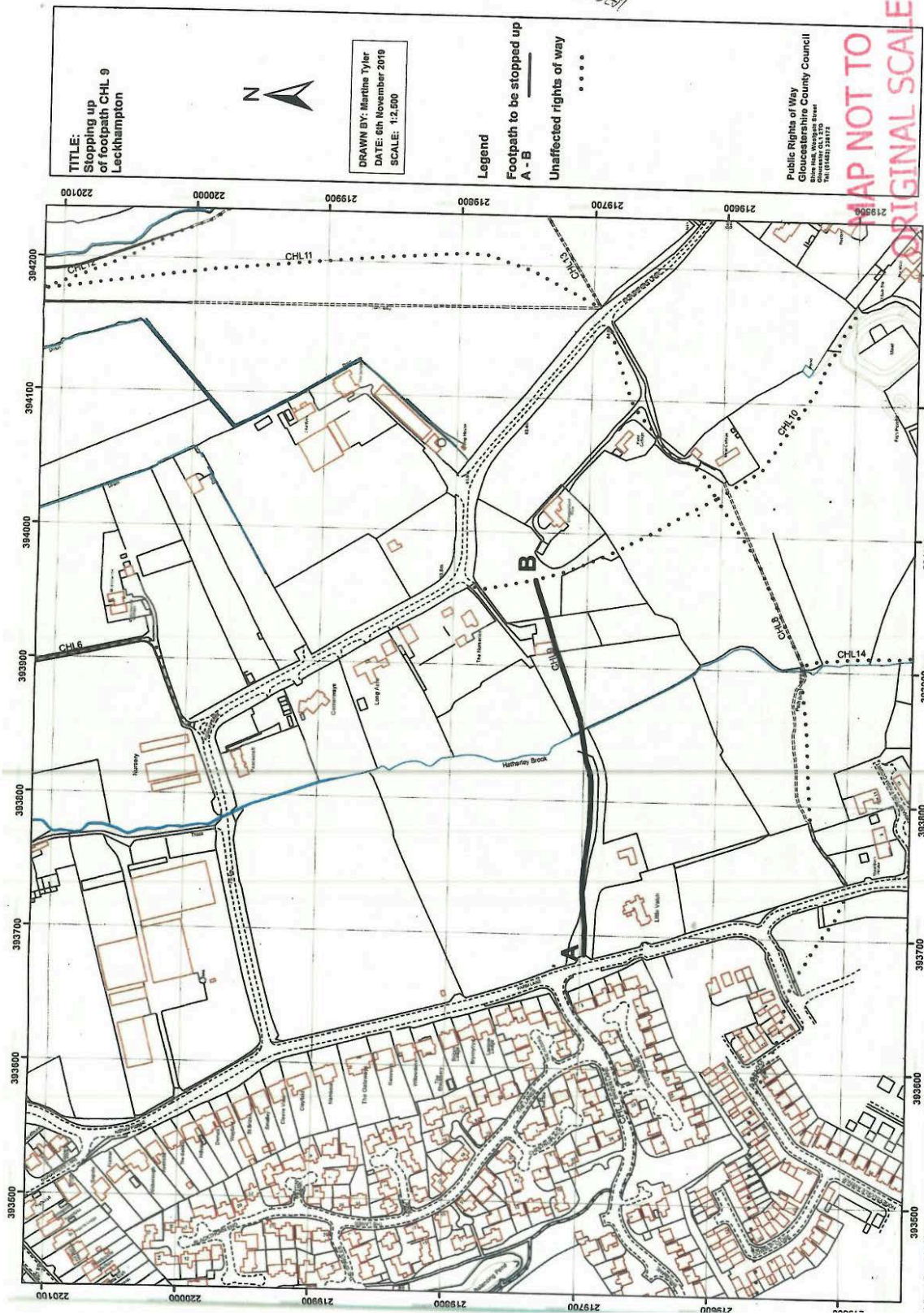
Part I

Description of site of existing path or way to be stopped up

That length of footpath CHL 9 that starts at its junction with road number 490752 known as Farm Lane at a point marked A on the plan attached to this order at Ordnance Survey Grid Reference (OSGR) SO9368/1969 in an easterly direction for 287 metres to a point marked B at its junction with footpath CHL 10 at OSGR SO9396/1973 and shown by a bold black line and having an undefined width.



(c) Crown Cr
Dus m
on behalf



TITLE:
Stopping up
of footpath CHL 9
Leckhampton



DRAWN BY: Martina Tyler
DATE: 6th November 2019
SCALE: 1:2,500

Legend

Footpath to be stopped up
A - B
Unaffected rights of way

Public Rights of Way
Gloucestershire County Council
Gloucestershire County Council
Gloucestershire County Council
Gloucestershire County Council
Tel: (01452) 354117

MAP NOT TO ORIGINAL SCALE

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This map is reproduced from the latest edition of the County Survey Manual and the published Ordnance Survey maps.
The Ordnance Survey name of the County's Electoral Wards is Crown Copyright. Unpublished Ordnance Survey

PART 2
Modification of Definitive Statement
Variation of particulars of path or way

MAP NO.	FROM:			TO:			PARTICULARS AS TO POSITION, WIDTH LIMITATIONS OR CONDITIONS AS IN THE OPINION OF THE AUTHORITY IT IS EXPEDIENT TO RECORD
	CLASS & RIGHT OF WAY	COUNTY ROAD OR RIGHT OF WAY	LOCATION	GENERAL DIRECTION	COUNTY ROAD OR RIGHT OF WAY	LOCATION	
DELETE THE FOLLOWING STATEMENT ENTRIES:							
25	FP ALE 10	41110	Cummin's Row	E	FP ASH 11 (error should be ALE 11)	NW of Moat Cottage	77, 75 Submitted by Parish Council. Shown as footpath on Glos. O.S. No. 26, 1924 Edition The Gloucestershire Districts (Electoral Arrangements) Order 1991 effective 1 April 1991, Footpath ALE 10 becomes footpath CHL 9. Footpath ASH 11/ALE 11 becomes footpath CHL 10

IN WITNESS WHEREOF the Gloucestershire County Council have caused their
Common Seal to be hereunto affixed the 4th day of December two
thousand and nineteen.

THE COMMON SEAL of
GLOUCESTERSHIRE COUNTY COUNCIL

was hereunto affixed

in the presence of:-



Mr Head of Legal Services



10797