

# **NOTICE OF ORDER**

## **Wildlife and Countryside Act 1981 – Section 53**

WILTSHIRE COUNCIL

The Wiltshire Council Ramsbury 9B, 44, 71 & 72 and Mildenhall 16 Definitive Map and Statement Modification Order 2022

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 **10 December 2024**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding a length of restricted byway from Stone Lane, Axford at its junction with path RAMS43 (OS Grid ref. SU2349 6969) leading in a southerly and south westerly direction to its junction with path RAMS9B (approx. length 730 metres width 4.9 metres), also by upgrading a section of RAMS9B to restricted byway from OS Grid ref SU2379 6907 to SU2375 6906 (approx. length 45 metres width 10.1 metres), also by adding a restricted byway (Axford Lane) from SU2375 6906 leading in a south south easterly direction to its junction with path RAMS44 (approx. length 450 metres width 10.1 metres), also from that junction (SU2385 6862) upgrading a section of RAMS44 to restricted byway leading in a west south westerly and southerly direction to its junction with path MILD16 (approx. length 450 metres width 10.1 metres) and also from that junction (SU2359 6835) upgrading part of MILD16 to restricted byway to its junction with the A4 trunk road at SU2371 6781 (approx. length 600 metres width 3.5 metres).

Any queries relating to this Order should be referred to Helen Sparks by email: [helen.sparks@planninginspectorate.gov.uk](mailto:helen.sparks@planninginspectorate.gov.uk) quoting reference number ROW/3328674 on all correspondence. Alternatively, queries may be sent in writing to 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 5646.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the offices of Rights of Way and Countryside, Wiltshire Council, Bythesea Road, Trowbridge, BA14 8JN. Please contact Sally Madgwick by e-mail: [sally.madgwick@wiltshire.gov.uk](mailto:sally.madgwick@wiltshire.gov.uk) to make an appointment to view. Queries relating to the Order and related documents may be addressed to Sally Madgwick by e-mail: [sally.madgwick@wiltshire.gov.uk](mailto:sally.madgwick@wiltshire.gov.uk) or contact her by Telephone: 01225 713392.

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 24 December 2024]**

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, the applicant and any other person who has written to us in respect of the Order.

**Within 8 weeks of the start date [by 4 February 2025]**

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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, 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).

**Within 14 weeks of the start date [by 18 March 2025]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

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

Notice of order for w/r

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**WILTSHIRE COUNCIL**

**THE DEFINITIVE MAP AND STATEMENT FOR THE MARLBOROUGH AND  
RAMSBURY RURAL DISTRICT COUNCIL AREA DATED 1952 AS MODIFIED UNDER  
THE PROVISIONS OF THE WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE WILTSHIRE COUNCIL RAMSBURY 9B, 44, 71 & 72 AND MILDENHALL 16  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2022**

This order is made by Wiltshire 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 Marlborough and Ramsbury Rural District Council area dated 1952 as modified under the provisions of the Wildlife and Countryside Act 1981 require modification in consequence of the occurrence of events specified in section 53(3)(c)(i), (ii) & (iii) of the Act, 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 such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic;
- (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;
- (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 have consulted with every local authority whose area includes the land to which this order relates.

The Wiltshire Council hereby order that:

1. For the purposes of this Order the relevant date is the 6<sup>th</sup> April 2022
2. The Definitive Map and Statement for the Marlborough and Ramsbury Rural District Council area dated 1952 as modified under the provisions of the Wildlife and Countryside Act 1981 shall be modified as described in Parts I and II of the Schedule and shown on the plan attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Wiltshire Council Ramsbury 9B, 44, 71 & 72 and Mildenhall 16 Definitive Map and Statement Modification Order 2022.

THE COMMON SEAL of  
WILTSHIRE COUNCIL was  
hereunto affixed this 27<sup>th</sup> day of April 2022

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in the presence of:

*E. Cunniff*  
Senior Solicitor

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**SCHEDULE  
PART I  
MODIFICATION OF DEFINITIVE MAP**

<b>Parish</b>	<b>Path No</b>	<b>Description of path or way to be upgraded from footpath</b>	<b>Modified under Section 53(3) as specified</b>
Ramsbury	9B part	Length of restricted byway shown by a broken line and small arrowheads leading between points B and C on the plan attached hereto.  Width from B to C = 10.1 metres (33 feet) Approximate length 45 metres	53(3)(c)(ii) & (iii)
Ramsbury	44 (part)	Length of restricted byway shown by a broken line and small arrowheads leading between points D and E and on to F on the plan attached hereto.  Width from D to E to F = 10.1 metres (33 feet) Approximate length 450 metres	53(3)(c)(ii) & (iii)
Mildenhall	16 (part)	Length of restricted byway shown by a broken line and small arrowheads leading between points F and G on the plan attached hereto.  Width from F to G = 3.5 metres Approximate length 600 metres	53(3)(c)(ii) & (iii)
<b>Parish</b>	<b>Path No</b>	<b>Description of path or way to be added</b>	<b>Modified under Section 53(3) as specified</b>
Ramsbury	71	Length of restricted byway shown by a broken line and small arrowheads leading from point A to point B on the plan attached hereto.  Width from A to B = 4.9 metres (16 feet) Approximate length 730 metres	53(3)(c)(i) & (iii)
Ramsbury	72	Length of restricted byway shown by a broken line and small arrowheads leading from point C to point D on the plan attached hereto.  Width C to D = 10.1 metres (33 feet) Approximate length 450 metres	53(3)(c)(i) & (iii)

## SCHEDULE

### PART II

#### MODIFICATION OF DEFINITIVE STATEMENT

Parish	Path No	Description of path	Modified under Section 53(3) as specified
Ramsbury	9B	<p><u>Footpath</u> Knaxton Way. From the southern end of path no. 9A at its junction with path no. 52, about 91 metres north of the north west tip of Briary Wood, leading south to the north west corner of Hens Wood where west south west to its junction with path no. 71 continuing as <u>Restricted Byway</u> for approximately 45 metres to its junction with path no. 72 (Axford Lane) and continuing as <u>Footpath</u> in a west south west and south west direction to Mildenhall path no. 15 at Oxleaze Copse.</p> <p>Width 1.2 to 2.4 metres except for Restricted Byway Section where 10.1 metres (33 feet)</p> <p>Approximate length 1450 metres</p>	53(3)(c)(ii) & (iii)
Ramsbury	44	<p><u>Restricted Byway</u> from Mildenhall path no. 16 at The north west corner of Puthall Park leading north and east north east to Hens Wood. At its junction with Ramsbury path no. 72 (Axford Lane) continuing as <u>Footpath</u> leading east north east and north along the edge of Hens Wood to path no. 9B.</p> <p>Width of restricted byway section 10.1 metres (33 feet)</p> <p>Approximate length 1300 metres</p>	53(3)(c)(ii) & (iii)
Ramsbury	71	<p><u>Restricted Byway</u> from the junction of Stone Lane and Ramsbury path no. 43 leading in a broadly southerly and south south easterly direction past the chalk pit and up Brick Hill to its junction with path no. 9B.</p> <p>Width 4.9 metres (16 feet)</p> <p>Approximate length 730 metres</p>	53(3)(c)(i) & (iii)

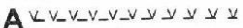
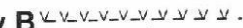

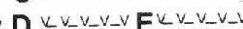
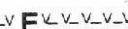
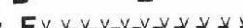

**SCHEDULE Continued**

**PART II**

**MODIFICATION OF DEFINITIVE STATEMENT**

<b>Parish</b>	<b>Path No</b>	<b>Description of path</b>	<b>Modified under Section 53(3) as specified</b>
Ramsbury	72	<u>Restricted Byway</u> Axford Lane. From Ramsbury Path no. 9B leading south south east to its junction with Ramsbury path no. 44 at Hens Wood.  Width 10.1 metres (33 feet)  Approximate length 450 metres	53(3)(c)(i) & (iii)
Mildenhall	16	<u>Footpath</u> Axford Lane. From the southern end of Spur road u/c 5085 at the entrance to Coombe Farm leading south east along the Ramsbury Parish Boundary, through East Croft Coppice to its junction with Ramsbury path no. 44 where <u>Restricted Byway</u> leading south south east along the edge of Puthall Park to the London – Bath Trunk road A.4, on the Little Bedwyn Parish Boundary.  Width 0.3 to 2.4 metres except for Restricted Byway Section where 10.1 metres (33 feet).  Approximate length 1700 metres	53(3)(c)(ii) & (iii)

**Order Plan Ramsbury 9B, 44, 71 & 72 and Mildenhall 16**

- Ramsbury 71 restricted byway to add **A**  **B**
- Ramsbury 9B upgrade to restricted byway **B**  **C**
- Ramsbury 72 restricted byway to add **C**  **D**
- Ramsbury 44 upgrade to restricted byway **D**  **E**  **F**
- Mildenhall 16 upgrade to restricted byway **F**  **G**
- Unaffected rights of way Footpaths = purple lines 
- Unaffected rights of way Bridleways = green lines 