

NOTICE OF CONFIRMATION
OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

HERTFORDSHIRE COUNTY COUNCIL

Definitive Map and Statement of Public
Rights of Way in Hertfordshire

Hertfordshire County Council (Preston 17)
Modification Order 2021

The above named Order, made on 16th December 2021, was confirmed on 17th November 2022.

The effect of the Order as confirmed is to modify the Definitive Map and Statement by adding the Byway Open to All Traffic running from Charlton Road at TL 1680 2674 to Hitchin Boat 28 TL 1667 2750.

A copy of the confirmed Order may be seen free of charge at www.hertfordshire.gov.uk/rowapps, Front Reception of Hertfordshire County Council, County Hall, Pegs Lane, Hertford, from 9.00 am to 4.00 pm on Monday to Friday and can be bought from Hertfordshire County Council at a cost of £5. A copy of the confirmed Order and Notice may also be seen at **North Hertfordshire District Council, Council Offices, Gernon Rd, Letchworth Garden City SG6 3JF**. www.north-herts.gov.uk

The Order becomes operative as from the date on which it was confirmed, but if a person aggrieved by the Order desires to question the validity thereof, or of any provision contained therein, on the ground that it is not within the powers of the Wildlife and Countryside Act 1981, or on the ground that any requirement of the Act, or any regulation made thereunder, has not been complied with in relation to the Order, he may, under paragraph 12 of Schedule 15 of the Act within 42 days from **22nd December 2022**, make application for the purpose of the High Court.

Date 8th December 2022

WILDLIFE AND COUNTRYSIDE ACT 1981
The Definitive Map and Statement
of Public Rights of Way in Hertfordshire

Hertfordshire County Council
(Preston 17)
Modification Order 2021

This Order is made by Hertfordshire County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to Hertfordshire County Council that the Definitive Map and Statement of Public Rights of Way in Hertfordshire require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) and (iii) of the Act, namely

(c) 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

(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. Hertfordshire County Council hereby order that:

1. For the purposes of this Order the relevant date is 15th October 2020.
2. The Definitive Map and Statement of Public Rights of Way in Hertfordshire shall be modified as described in Part I and Part II of the Schedule and shown on the plan forming part of this Order ("the Order Plan").
3. This Order shall take effect on the date it is confirmed and may be cited as the Hertfordshire County Council (Preston 17) Modification Order 2021.

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 16th day of December 2021

The Common Seal of
HERTFORDSHIRE
COUNTY COUNCIL
was hereunto affixed in
the presence of:-

Chief Legal Officer

Principal Lawyer

The foregoing Order is
hereby confirmed by

JAMES FINCH

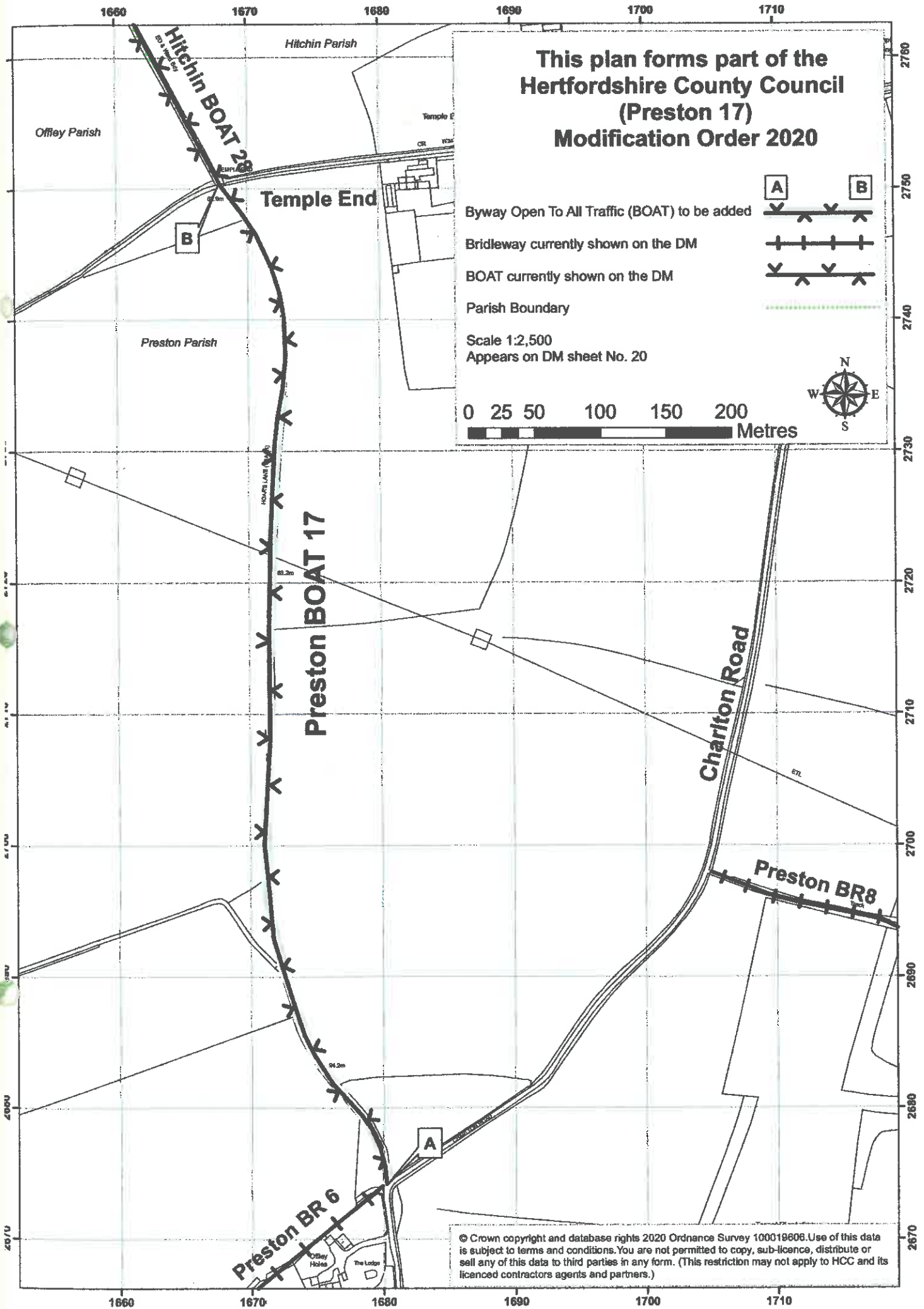
Chief Legal Officer SOLICITOR

Dated




...17/11/22.....

28/11/2021



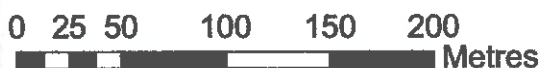


**This plan forms part of the
Hertfordshire County Council
(Preston 17)
Modification Order 2020**

- Byway Open To All Traffic (BOAT) to be added 
- Bridleway currently shown on the DM 
- BOAT currently shown on the DM 

Parish Boundary 

Scale 1:2,500
Appears on DM sheet No. 20



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**SCHEDULE
PART I
Modification of Definitive Map**

DESCRIPTION OF PATH OR WAY TO BE ADDED

A public Byway Open to All Traffic (BOAT) commencing from Charlton Road (Public Highway) at TL 1680 2674 (Point A on the Order Plan) and running generally north for approximately 800 metres to join Hitchin BOAT 28 at TL 1667 2750 (Point B on the Order Plan) at the parish boundary.

Width: varies between 4 metres and 10.5 metres between TL 1680 2674 (Point A on the Order Plan) and TL 1667 2750 (Point B on the Order Plan) as shown excluded from hereditaments on the 1910 Finance Act Map and shown shaded grey on the Order Plan.

Limitations: None

**PART II
Modification of Definitive Statement**

VARIATION OF PARTICULARS OF PATH OR WAY

A new Statement shall be recorded for Preston 17 as follows:

<u>Path No</u>	<u>Status</u>	<u>HCC Map Ref</u>
017	BOAT	HCC 056

Commences from Charlton Road (Public Highway) and junction with Preston BR06 at TL 1680 2674 and then runs generally N for approx. 800m to join Hitchin BOAT 28 at TL 1667 2750 at the parish boundary.

Width *Varies between 4m and 10.5m between TL 1680 2674 and TL 1667 2750 as shown in the Hertfordshire County Council (Preston 17) Modification Order 2020*

Limitations *None*

The Statement for Hitchin 28 shall be amended as follows:

<u>Path No</u>	<u>Status</u>	<u>HCC Map Ref</u>
028	BOAT	HCC 020

Commences from Pirton Road at Pirton Cross thence SE along parish boundary known as Hoar's Lane to Offley Bottom then from Offley Cross S and SE to Preston parish boundary at TL 1667 2750 and junction with Preston BOAT 17 at Temple End.

Width

Limitations

The Statement for Preston 6 shall be amended as follows:

Path No	Status	HCC Map Ref
006	BR	HCC 020

Commences from Offley Holes - Charlton Road (public highway) at TL 1680 2674, junction with Preston BOAT 17, thence SW and S along Eastern Edges of Pinnacle hill Plantation and West Wood to parish boundary at junction with BR28 (Kings Walden) N of Austage Farm.

***Width
Limitations***