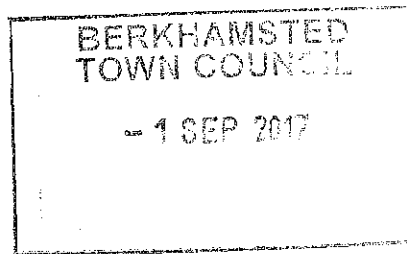


Environment
Transport, Access & Road Safety



Janet Mason
Berkhamsted Town Council
161 High Street
Berkhamsted
HP4 3HD

Access & Rights of Way CHN103
Hertfordshire County Council
County Hall
Pegs Lane
Hertford
Herts SG13 8DN
www.hertfordshire.gov.uk

Tel: 01992 555232
Email: Angela.simpkins@hertfordshire.gov.uk
My ref: DAC/142/CRE&EXT
Date: 30th August 2017

Dear Ms Mason

Decision under Sections 26 and 118 Highways Act 1980 Highways Act 1980 to create a new footpath and extinguish footpath 27 - Lower Kings Road to St Johns Well Lane, Berkhamsted

The purpose of this letter is to inform you that Hertfordshire County Council has decided to make these orders, and to serve notice on you of the making of the orders. We are required to do this under Schedule 6 of the Highways Act 1980.

I have enclosed the following documents:

- a copy of the Orders (which include a plan)
- the notice advertising the Orders
- details of how the Orders need to be advertised

The Decision

The decision considered the relevant legal tests and the responses received to the consultation.

The Order

The 'Hertfordshire County Council (Berkhamsted Footpath) Creation Order 2017' and the 'Hertfordshire County Council (Berkhamsted 27) Extinguishment Order 2017' have been made and were sealed on 11th August 2017.

What happens next?

The process is as follows

1. The Orders will be advertised for a period of four weeks. Adverts will be placed in the Hemel Hempstead Gazette on 6th September 2017. Notices will be put up on site and also at the local Borough and parish council offices. This is so that people who are interested or who live locally and/or use the routes can be informed about the Orders. Copies of the Orders are sent to the landowners, statutory undertakers and interested user groups. They will also be available on

www.hertfordshire.gov.uk/rowapps under the parish name (which is in the Order title).

2. Anyone may make a representation or objection to the Orders in the four weeks while the Orders is being advertised. This must be made in writing, addressed to Angela Simpkins by the **3rd October 2017** and should include the reasons for making an objection or representation.

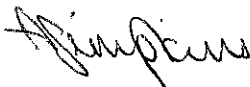
Please note that:

- the county council does not have to accept any representations or objections made outside of the four week advertising period.
 - the details of any objectors to the Orders may become available to anyone who requests them as explained below (except where the objection is withdrawn).
3. After the advertising period ends the county council can decide to:
 - confirm the Orders provided that no objections or representations have been received and the Orders meet the legal tests
 - abandon the Orders if it is decided that the legal tests for confirmation cannot be met. This may be as a result of receiving valid objections.
 - send the Orders to the Planning Inspectorate (PINS) where objections or representations to the Orders have been received. PINS act on behalf of the Secretary of State for the Department of Environment, Food and Rural Affairs (DEFRA) and will decide whether or not the Orders should be confirmed. This may be done at a public inquiry or by exchanging letters. The applicant and any objectors will be expected to put their own case forward, or arrange for someone else to represent them
 5. Please note that making the orders does not mean the change has happened. Only when an order is confirmed and any necessary certification is complete will the orders take effect. The change will subsequently be recorded on the Definitive Map and Statement

You will be informed as to whether or not the Orders are confirmed.

I hope that this explains the process satisfactorily. The Government's information website at <https://www.gov.uk/topic/outdoor-access-recreation/rights-of-way-open-access> has further information under 'Public rights of way' but if you do have any queries please feel free to contact me.

Yours sincerely



Angela Simpkins
Definitive Map Officer
Hertfordshire County Council

**PUBLIC PATH CREATION ORDER
HIGHWAYS ACT 1980**

HERTFORDSHIRE COUNTY COUNCIL

**Hertfordshire County Council
(Berkhamsted Footpath)
Creation Order 2017**

This Order is made by Hertfordshire County Council ("the authority") under section 26 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that, having regard to the matters set out in section 26(1), there is a need for a public footpath over the land to which this Order relates, and that it is expedient that the path should be created.

Dacorum Borough Council has been consulted as required by section 26(3) of the 1980 Act.

BY THIS ORDER

1. There shall be on the date of confirmation of this Order a public footpath over the land at Berkhamsted described in Part 1 of the Schedule to this Order and shown by a bold broken line on parts 1 and 2 of the plan attached to this Order ("the Order Plan").
2. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 2 of the Schedule.

SCHEDULE

**PART 1
DESCRIPTION OF LAND**

Public footpath from junction with Lower Kings Road at SP 9914 0798 (point A on the Order Plan) continuing in a generally north westerly direction following the access road for approximately 95 metres to SP 9906 0802 (point B on the Order Plan) at the south west corner of 36a Lower Kings Road. Continuing in a generally northerly direction for approximately 20 metres outside the western boundary of 36a and 36b Lower Kings Road to SP 9906 0804 (point C on the Order Plan) and continuing in a generally westerly direction following the south side of the River Bulbourne for approximately 145 metres to the bridge over the River at TL 9893 0807 (point D on the Order Plan). Continuing across the bridge for approximately 25 metres to SP 9894 0808 (point E on the Order Plan) and then in a north and north westerly direction for approximately 140 metres adjacent to the River Bulbourne and the Canal Towpath, joining footpath 30 at SP 9883 0815 (point F on the Order Plan).

Width: Varying between 1.6 metres and 4 metres between SP 9914 0798 (point A on the Order Plan) and SP 9883 0815 (point F on the Order Plan) as shown shaded on part 2 of the Order Plan.

PART 2
LIMITATIONS AND CONDITIONS

None

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL
was hereunto affixed this *11th* day of *August* 2017

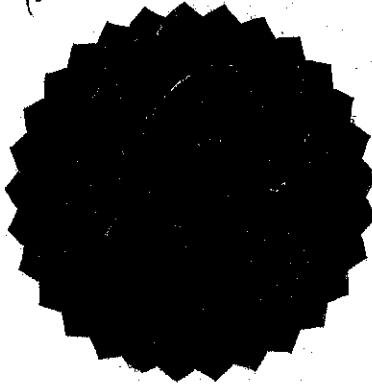
109417

The Common Seal of
HERTFORDSHIRE
COUNTY COUNCIL

was hereunto affixed
in the presence of:-

KP Pettitt
Kathryn Pettitt

Chief Legal Officer

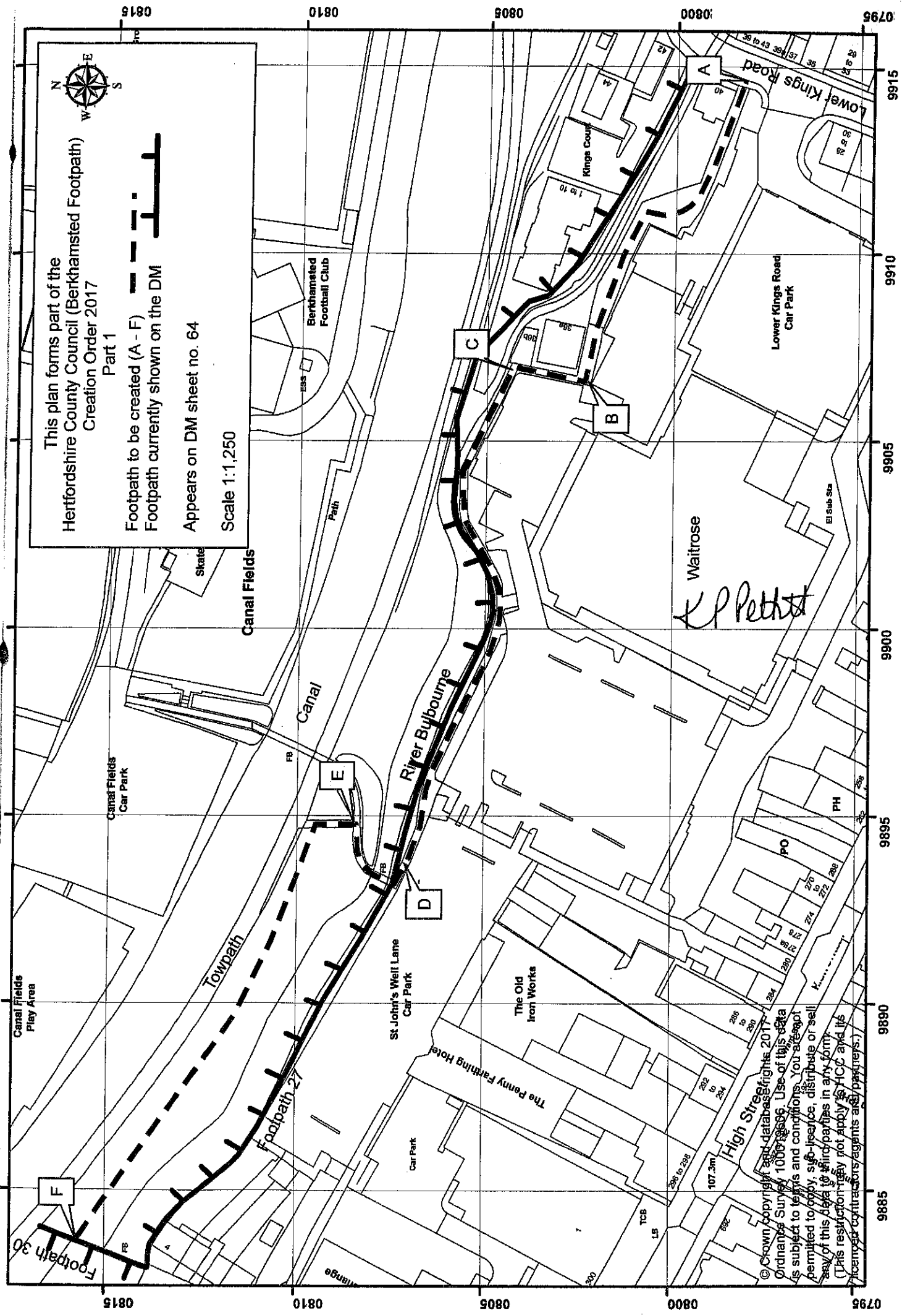
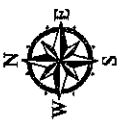


This plan forms part of the
 Hertfordshire County Council (Berkhamsted Footpath)
 Creation Order 2017
 Part 1

Footpath to be created (A - F) 
 Footpath currently shown on the DM 

Appears on DM sheet no. 64

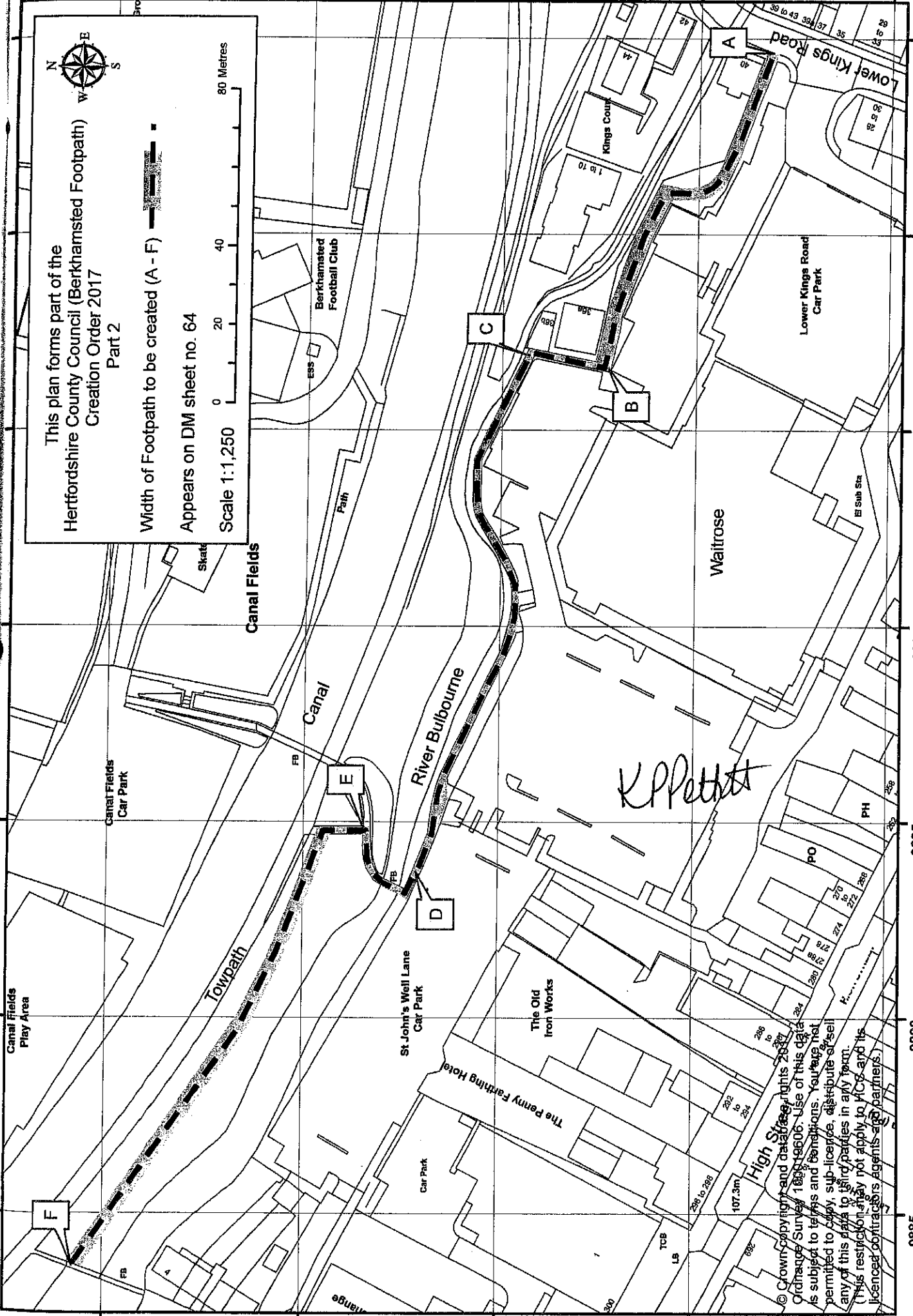
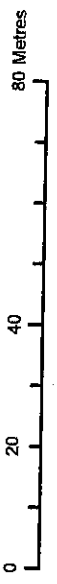
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This plan forms part of the
 Hertfordshire County Council (Berkhamsted Footpath)
 Creation Order 2017
 Part 2

Width of Footpath to be created (A - F)
 Appears on DM sheet no. 64
 Scale 1:1,250



K.P. Pettitt

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NOTICE OF MAKING OF AN EXTINGUISHMENT ORDER
(other than an Acquisition Extinguishment Order)

HIGHWAYS ACT 1980, SECTION 118

HERTFORDSHIRE COUNTY COUNCIL

**HERTFORDSHIRE COUNTY COUNCIL (BERKHAMSTED 27)
EXTINGUISHMENT ORDER 2017**

To: Janet Mason
of: Berkhamsted Town Council
161 High Street
Berkhamsted
HP4 3HD

The above Order was made on 11th August 2017, under section 118 of the Highways Act 1980. This Order will extinguish the full length and width of the footpath between SP 9915 0799 Lower Kings Road (point G on the Order Plan) north west for 370 metres to SP 988 081 St Johns Well Lane at point H (as shown on the current Definitive Map), point I (as described in the Definitive Statement) and point J (as shown on the First Definitive Map), as shown on the Order Plan.

A copy of the order and the order plan may be seen free of charge at front reception of Hertfordshire County Council, County Hall, Hertford, from 9.00 am to 4.00 pm on Monday to Friday and at Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1DN. Copies of the order and plan may be bought at the price of £2.

Any representation about or objections to the Order may be sent in writing to Angela Simpkins, Definitive Map Officer, Environment and Commercial Services Department, Hertfordshire County Council, County Hall, Hertford, Hertfordshire SG13 8DN (ref: DAC/142) not later than 3rd October 2017. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, the Hertfordshire County Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation any representations or objections which have not been withdrawn will be sent with the Order.

Dated 6th September 2017

**PUBLIC PATH EXTINGUISHMENT ORDER
HIGHWAYS ACT 1980**

HERTFORDSHIRE COUNTY COUNCIL

**Hertfordshire County Council
(Berkhamsted 27)
Extinguishment Order 2017**

This Order is made by Hertfordshire County Council ("the authority") under section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that the footpath described in paragraph 1 below is not needed for public use.

Dacorum Borough Council has been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER

1. The public right of way over the land situate at Berkhamsted shown by a continuous bold line on the plan attached to this Order ("the Order Plan") and described in the Schedule to this Order shall be extinguished on the date of confirmation of this Order.

SCHEDULE

The full length and width of public footpath between SP 9915 0799 Lower Kings Road (point G on the Order Plan) in a generally north westerly direction for approximately 370 metres to SP 988 081 St Johns Well Lane at point H (as shown on the current Definitive Map), point I (as described in the Definitive Statement) and point J (as shown on the First Definitive Map) on the Order Plan.

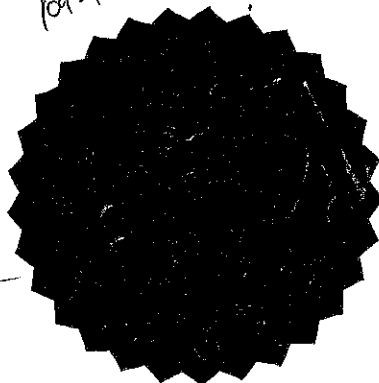
IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 11 day of August 2017

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

Kathryn Pettitt

KP Pettitt

Chief Legal Officer



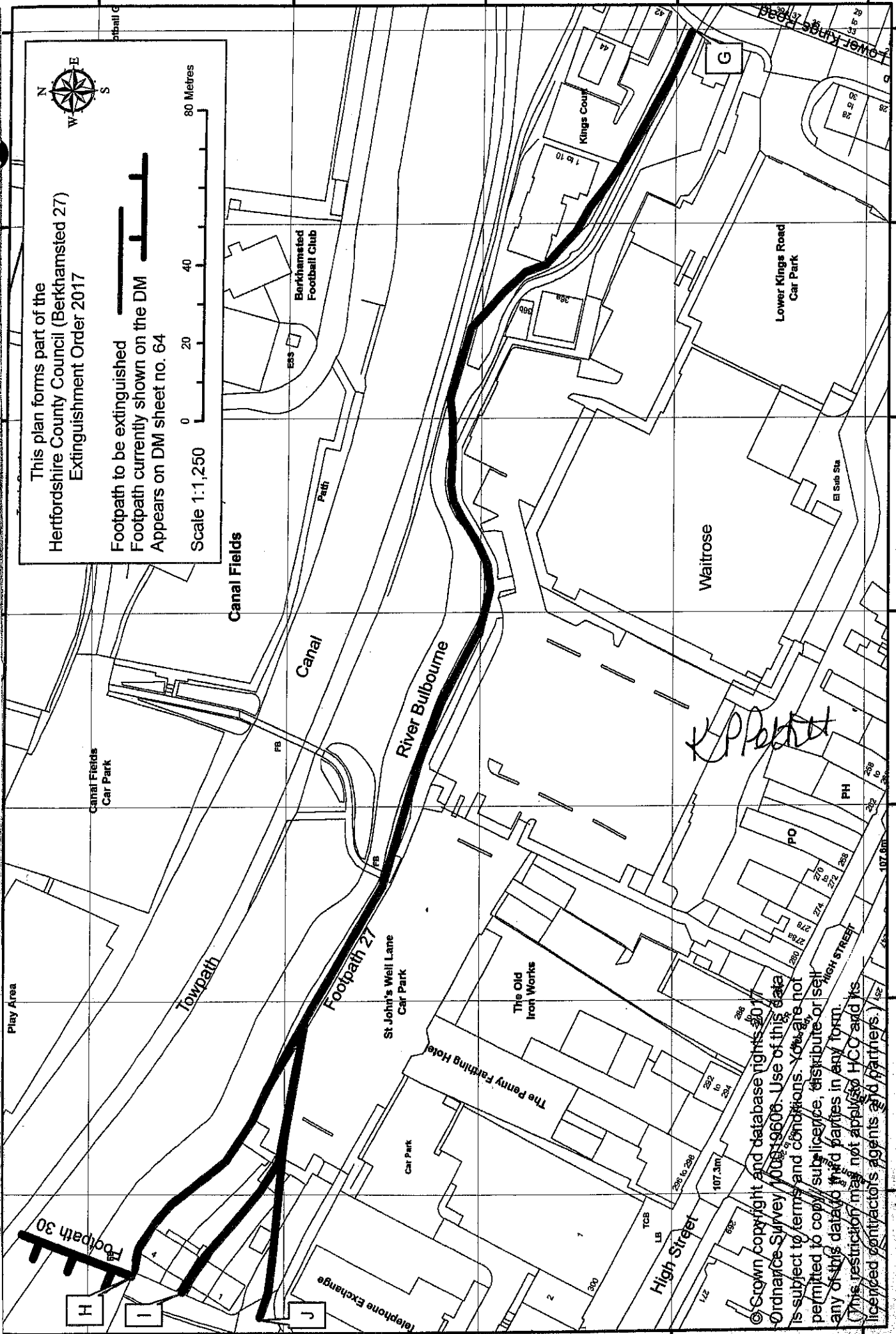
0795 0800 0805 0810 0815

0815 0810 0805 0800 0795

This plan forms part of the
Hertfordshire County Council (Berkhamsted 27)
Extinguishment Order 2017

Footpath to be extinguished
Footpath currently shown on the DM
Appears on DM sheet no. 64

Scale 1:1,250



K.P. Patten

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9915 9910 9905 9900 9895 9890 9885 9880