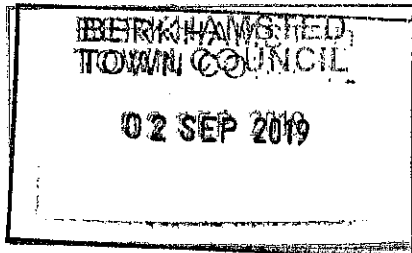


Environment & Infrastructure  
Transport Waste & Environmental Management



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



Hertfordshire County Council  
Postal Point CHN103  
County Hall  
Pegs Lane  
Hertford  
Hertfordshire SG13 8DN

Tel: 01992 555232  
Email: [angela.simpkins@hertfordshire.gov.uk](mailto:angela.simpkins@hertfordshire.gov.uk)  
My ref: DAC/142/EXT&CRE  
Date: 28<sup>th</sup> August 2019

Dear Ms Mason

**Orders 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 above Orders were sealed on 11<sup>th</sup> August 2017 and were advertised for the statutory period of 28 days. The Orders were confirmed on 15<sup>th</sup> August 2019 by a Planning Inspector acting for the Secretary of State for Environment.

Please find enclosed the following:

- copies of the notice of confirmation for both Orders; and
- copies of both confirmed Orders.

If you would like to read the Inspector's Order Decision, please go to the following address: [www.hertfordshire.gov.uk/rowapps](http://www.hertfordshire.gov.uk/rowapps) Look under 'B' for Berkhamsted.

The effect of the Orders as confirmed is to remove Footpath 27 where it has been recorded since the First Definitive Map and to create an alternative footpath between Lower Kings Road and Berkhamsted Footpath 30 (which joins St Johns Well Lane), as shown on the Order Plans.

It is possible for anyone to question the validity of an order by making an application to the High Court within 42 days from the date of the publication of this confirmation. The grounds on which an appeal can be made are specified in paragraph 2 of schedule 2 as applied by paragraph 5 of schedule 6 of The Highways Act 1980 as amended.

**Environment & Infrastructure  
Transport Waste & Environmental Management**

For a challenge to be successful, the person making the appeal would have to show that:

- The Inspector had overstepped her powers in some way; or
- The County Council had not followed the required procedure and that this had damaged the interests of the person wishing to appeal.

I hope that this is clear. If, however, you have any questions please do contact me.

Yours sincerely



Angela Simpkins  
**Definitive Map Officer  
Countryside & Rights of Way**

NOTICE OF CONFIRMATION OF A CREATION ORDER

HIGHWAYS ACT 1980, SECTION 26

HERTFORDSHIRE COUNTY COUNCIL

**HERTFORDSHIRE COUNTY COUNCIL (BERKHAMSTED FOOTPATH)  
CREATION ORDER 2017**

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

On 15<sup>th</sup> August 2019, the Secretary of State for the Environment confirmed with modifications the above Order made under section 26 of the Highways Act 1980.

The effect of the Order as confirmed is to create a public footpath from a 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 SP 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).

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 from Hertfordshire County Council at the price of £5.

The Order comes into force as from 4<sup>th</sup> September 2019, but if any person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the grounds that it is not within the powers of the Highways Act 1980, as amended, or on the grounds that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the Order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from 4<sup>th</sup> September 2019, make an application to the High Court.

Dated: 4<sup>th</sup> September 2019

**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**

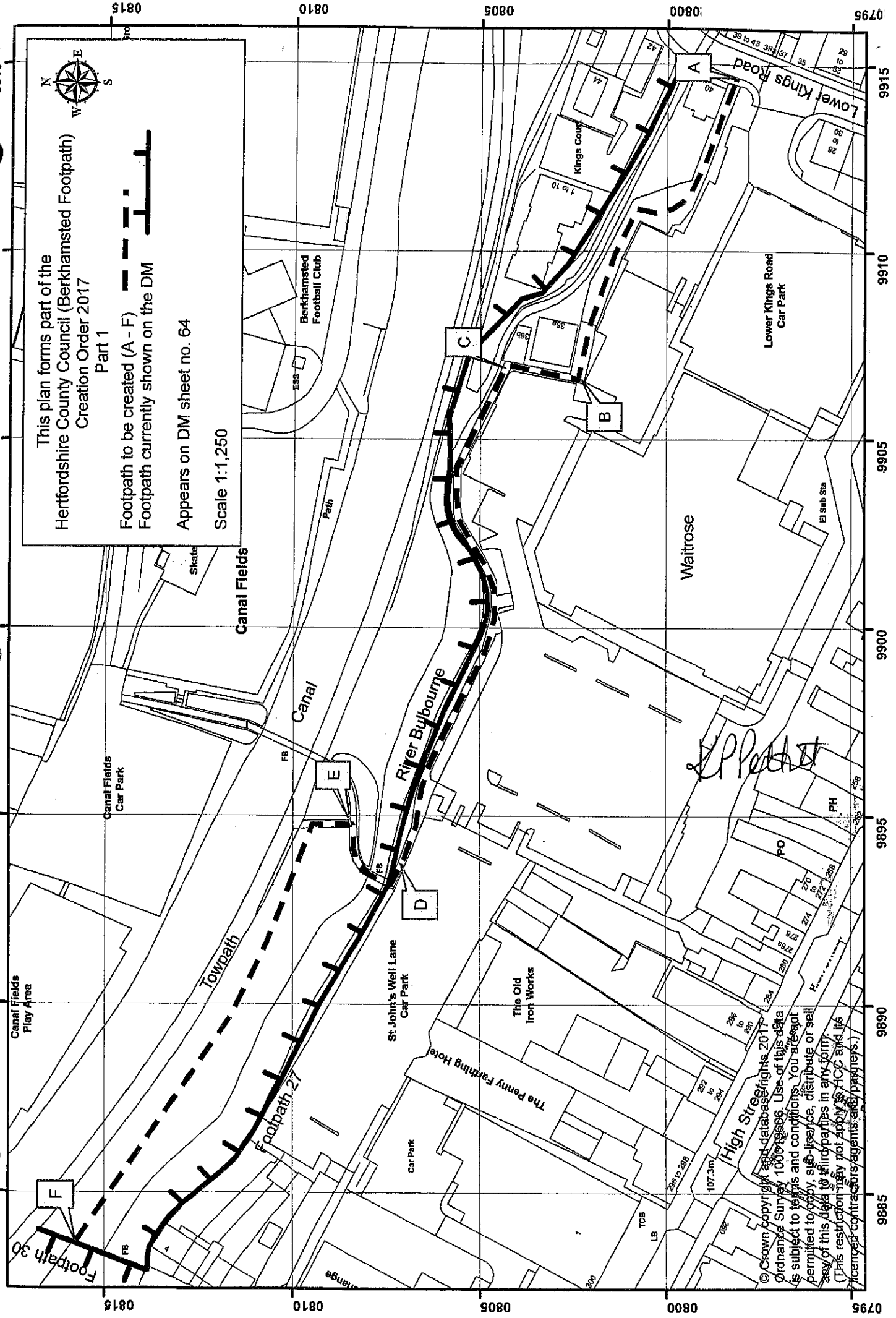
Public footpath from junction with Lower Kings Road at SP 9914 0798 (point A on the Order Plan) continuing in a generally north westerly direction following the access road for approximately 95 metres to SP 9906 0802 (point B on the Order Plan) at the south west corner of 36a Lower Kings Road. Continuing 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 PL 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.

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

Scale 1:1,250

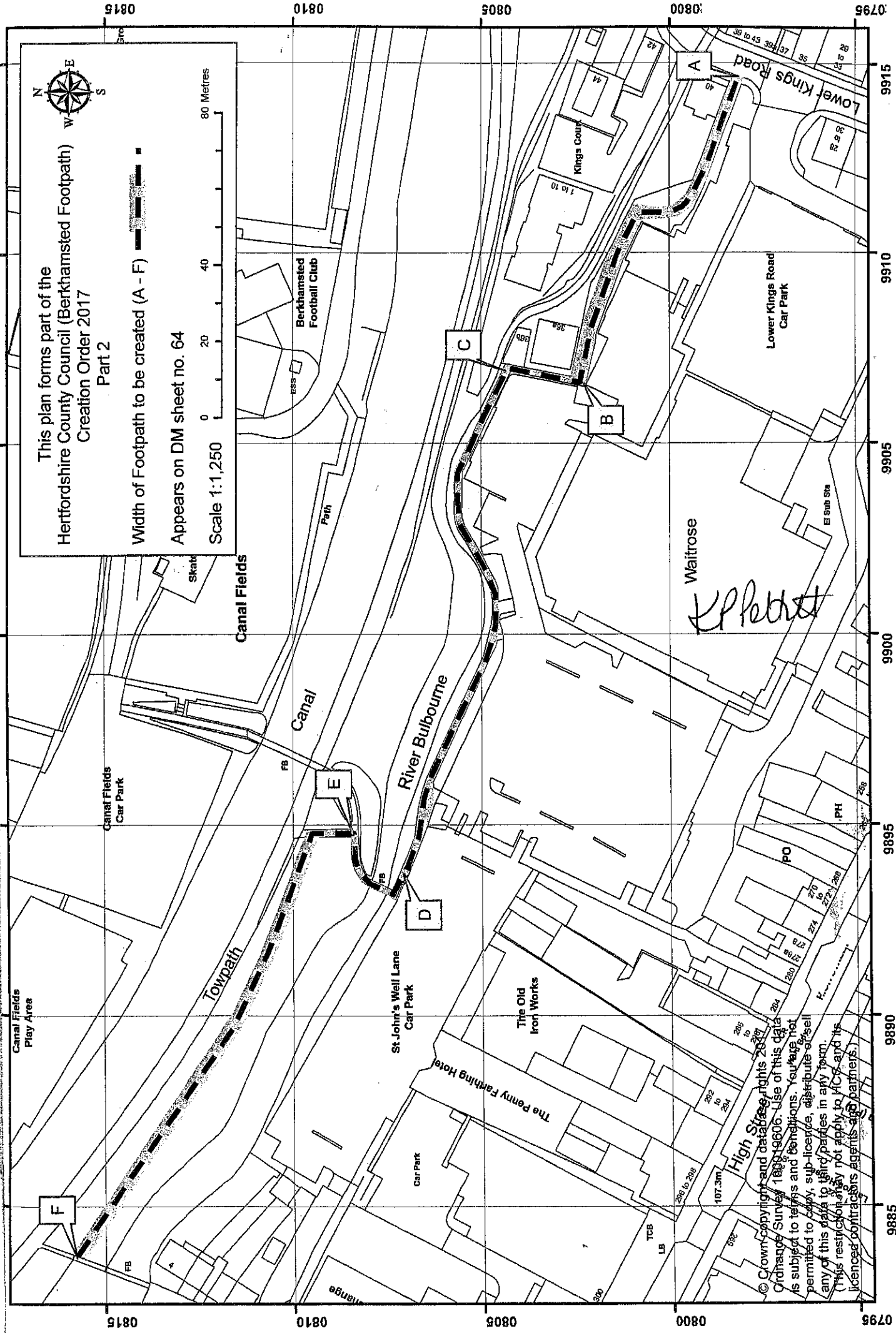
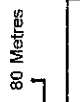


*J.P. Peck*

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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. Petri*

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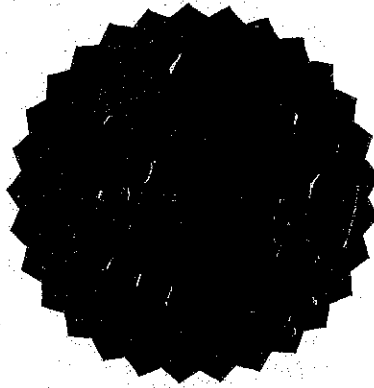
PART 2  
LIMITATIONS AND CONDITIONS

None

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



The foregoing order is hereby confirmed  
subject to the red ink modifications thereon  
*Kathryn Seward* **15 AUG 2019**  
An Inspector appointed by The Secretary of  
State for Environment, Food and  
Rural Affairs

NOTICE OF CONFIRMATION 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

On, 15<sup>th</sup> August 2019 the Secretary of State for the Environment confirmed without modifications the above Order made under section 118 of the Highways Act 1980.

The effect of the Order as confirmed is to extinguish the full length and width of the 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), 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 from Hertfordshire County Council at the price of £5.

The Order comes into force as from 4<sup>th</sup> September 2019, but if any person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the grounds that it is not within the powers of the Highways Act 1980, as amended, or on the grounds that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the Order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from 4<sup>th</sup> September 2019, make an application to the High Court.

Dated: 4<sup>th</sup> September 2019



**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.

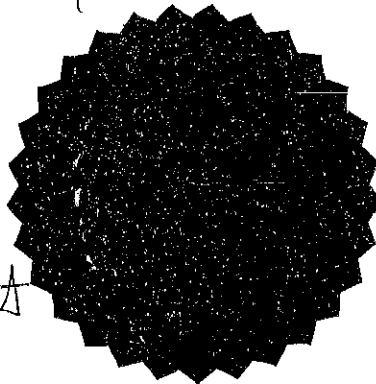
**SCHEDULE**

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 *14* day of *August* 2017

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

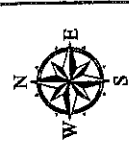
*Kathryn Pettitt*  
*K. Pettitt*  
Chief Legal Officer



The foregoing order is hereby confirmed

*Kathryn Saward* **15 AUG 2019**

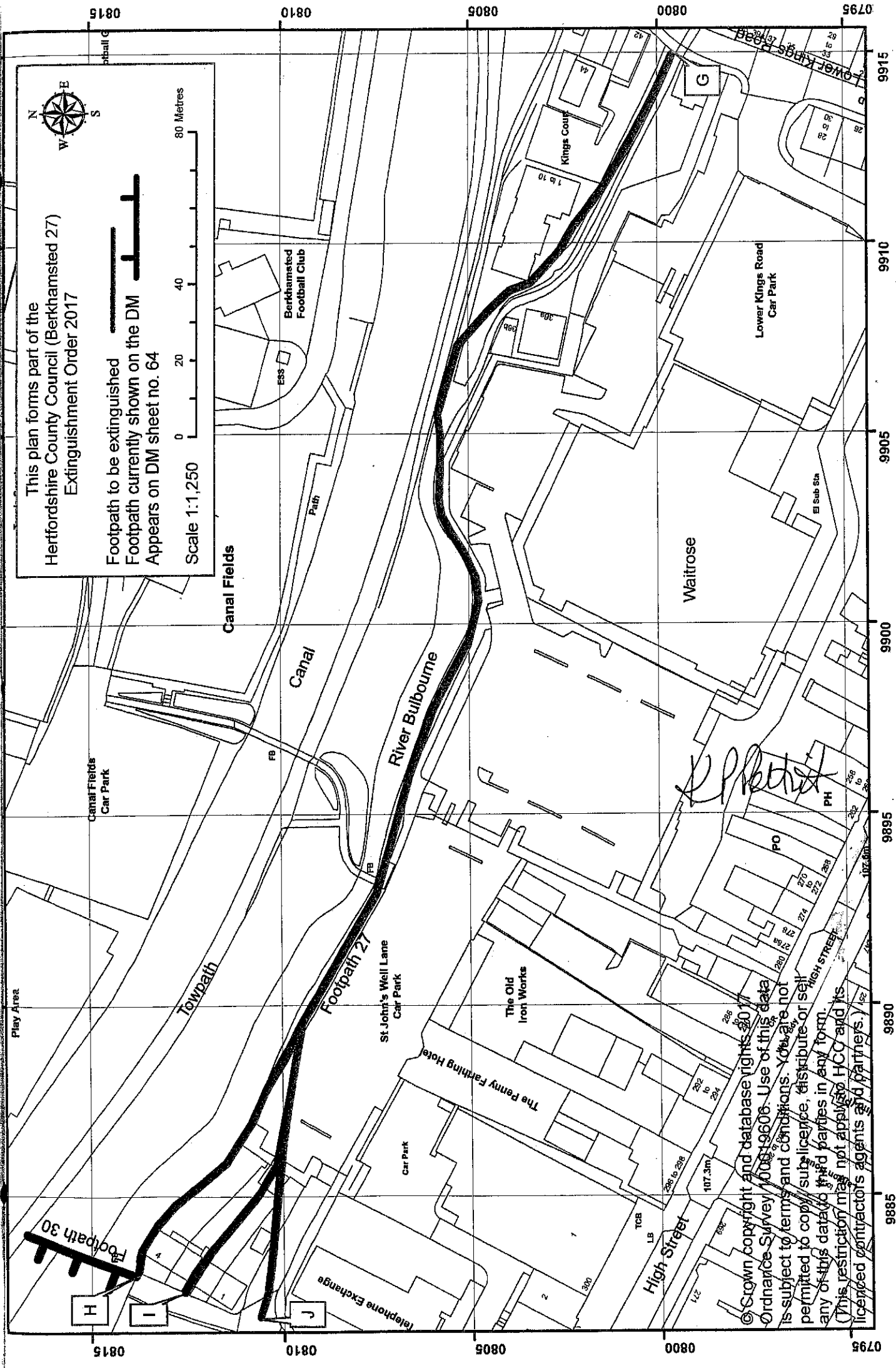
An Inspector appointed by The Secretary  
of State for Environment, Food and  
Rural Affairs



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



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