

**NOTICE OF ORDER**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**SECTION 53**

Herefordshire County Council  
(Upgrade of Bridleway LN1 and Addition of Restricted Byways LN46 and  
LN47 Lingen) Modification Order 2015  
and  
(Upgrade of Footpaths LN9, LN9A, LN5, LN8, LN12, LN17 (part) and  
LN10A, Upgrade of Bridleways LN11, LN10, and WE2 and Addition of  
Restricted Byways LN48 and LN49 Lingen and Willey) Modification Order  
2015

Notice is hereby given that the above referenced Orders have 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 Orders.

The **start date** for the above Orders is **8 November 2016**.

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

The effect of the first Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by upgrading Lingen Bridleway LN1 as follows:

Commences from the C1007 County Road at Birtley Cross at OS Grid Reference S03675 6888 (point A on the order plan) and proceeds generally eastward between hedges along a well-defined sunken lane for approximately 323 metres to OS Grid Reference S03705 6878 (point B on the order plan) where the route turns generally southeastward into an open pasture field. From there it continues for approximately 130 metres southeastward across the field to join a stone surfaced track to Deerfold Cottage. The route then continues along the stone track for approximately 97 metres where it forks westward from the stone track to Deerfold Cottage where it crosses footpath Lingen LN2 at OS Grid Reference S03718 6853, continuing for approximately 362 metres along a well-defined grass track past a ruined cottage and the junction with footpath Lingen LN2A at OS Grid Reference S03737 6832 to a gate. The route then continues generally southward along the western edge of a field for approximately 408 metres to the junction with footpath LN24 at OS Grid Reference S03735 6796 (point D on the order plan). It then continues generally southward for approximately 389 metres along the western edge of a field to a gateway and then runs along the eastern edge of an area of rough pasture along a slight shelf for approximately 272 metres, where it enters a hedged lane and continues along this for approximately 145 metres to join the C1009 County Road at OS Grid Reference S03757 6726 (point E on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 2126 metres. To be known as Restricted Byway Lingen LN 1.

And adding Restricted Byways Lingen LN46 and LN47 as follows:

Commences from Lingen Bridleway LN1 at OS Grid Reference S03705 6878 (point B on the order plan) in a slightly sunken, hedged lane and continues east-southeastward for approximately 400 metres past a disused quarry to join the U92011 County Road and Footpath Lingen LN2 at OS Grid Reference S03740 6861 (point C on the order plan). Width: variable between 8 to 14 metres (26.2 to 45.94 feet) as shown on the 1903 1 :2500 scale Ordnance Survey plan. Length approximately 400 metres. To be known as Restricted Byway Lingen LN46.

Commences from the C1009 County Road at New House Farm at OS Grid Reference S03721 6710 (point F on the order plan) and continues east-southeastward for a total distance of approximately 355 metres along a hedged lane to join with the U92014 County Road, Footpath Lingen LN40 and Bridleway Wigmore WQ11 at OS Grid Reference S03752 6693 (point G on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 355 metres. To be known as Restricted Byway Lingen LN47.

The effect of the second Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by upgrading footpaths and bridleways as follows:

#### Footpath Lingen LN9

Commences from the C1007 County Road at OS Grid Reference S03657 6842 (point W on the order plan) and runs westward along the southern edge of an arable field for approximately 227 metres to the field corner. The route then continues westward along the northern margin of an arable field for approximately 163 metres to a gateway into another field, where it follows the northern boundary for approximately 211 metres to the junction with footpath Lingen LN9A at OS Grid Reference 3600 6856 (point Z on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 601 metres. To be known as Restricted Byway Lingen LN9.

#### Footpath Lingen LN9A

Commences from the junction with footpath Lingen LN9 at OS Grid Reference S03600 6856 (point Z on the order plan) continuing northward for approximately 80 metres to join footpath Lingen LN5 at OS Grid Reference S03601 6863 (point K on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 80 metres. To be known as Restricted Byway Lingen LN9A.

#### Footpath Lingen LN5

Commences from the C1004 County Road by Brick Kiln Farm at OS Grid Reference S03620 6950 (point J on the order plan) where it runs southwestward along a track between hedges for approximately 222 metres to the junction with Footpath LN8 at OS Grid Reference S03608 6932 (point I on the order plan). The route then continues generally southward along the track for approximately 294 metres to cross a bridge over a stream, and it then continues generally

southward and uphill in a hedged lane past Cwm Crave for approximately 489 metres to the junction with footpath Lingen LN9A at OS Grid Reference S03601 6863 (point K on the order plan). The route then continues west-southwestward in a hedged lane for a distance of approximately 363 metres. It then continues in the same direction along the southern margin of a field for approximately 224 metres where it joins Footpath Lingen LN21 and a concrete track at OS Grid Reference S03546 6843 (point L on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 1592 metres. To be known as Restricted Byway Lingen LN5.

#### Footpath LN8

Commences from Footpath Lingen LN5 at OS Grid Reference S03608 6932 (point I on the order plan) and continues westward for approximately 86 metres between hedges along a sunken track shared with a stream. The route then proceeds along the southern edge of a pasture field along the vestiges of a hedged lane for a further approximately 83 metres where it cuts westward across the field for approximately 297 metres to join a stone track. The route then continues westward and northward along the stone track for approximately 243 metres to join the C1004 County Road opposite an old quarry at OS Grid Reference S03548 6952 (point H on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 709 metres. To be known as Restricted Byway Lingen LN8.

#### Part of Bridleway Lingen LN11

Commences at the junction of Bridleway Lingen LN10 and Footpath Lingen LN10A at OS Grid Reference S03445 6888 (point P on the order plan) and proceeds generally southward along a hedged lane for approximately 397 metres to OS Grid Reference S03453 6850 (point S on the order plan) and then continues along the hedged lane for a further approximately 230 metres to a bridle-gate where the claimed route joins the footpaths Lingen LN12 and LN16 and the unclassified County Road U91622 at OS Grid Reference S03455 6828 (point T on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 627 metres. To be known as part of Restricted Byway Lingen LN11.

#### Part of Bridleway Lingen LN11

Commences at the junction of footpaths Lingen LN12 and LN16 with bridleway Lingen LN11 and the unclassified County Road U91622 at OS Grid Reference S03455 6828 (point T on the order plan) and proceeds generally southward for approximately 325 metres through a field to a stream which is crossed by a footbridge and a ford. The route then continues southward and uphill along a track for approximately 55 metres to the junction of Footpaths Lingen LN14 and LN16A at OS Grid Reference S03450 6797 (point U on the order plan). It then continues generally southward in a sunken lane for approximately 118 metres to join a stone track, along which it continues for approximately 162 metres to join the U91621 County Road at OS Grid Reference S03436 6777 (point V on the order plan). Width: variable between 3 metres and 14 metres (9.8 to 46 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Total length approximately 660 metres. To be known as part of Restricted Byway Lingen LN11.

#### Part of Footpath Lingen LN12

Commences from OS Grid Reference 803495 6864 (point X on the order plan) west-southwestward along the field edge past the northern boundary of Gullet Plantation and Ash Coppice for approximately 150 metres to OS Grid Reference S03480 6857 (point Y on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 150 metres. To be known as part of Lingen Restricted Byway LN49

#### Part of Footpath LN17

Commences at OS Grid Reference S03534 6836 on Footpath Lingen LN 17 (point M on the order plan) and proceeds north-northwestward across a field for approximately 180 metres to its junction with Footpaths Lingen LN10A and LN21 at OS Grid Reference S03524 6851 (point N on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 180 metres. To be known as Restricted Byway Lingen LN50.

#### Footpath Lingen LN10A

Commences from the junction with Footpaths Lingen LN17 and LN21 at OS Grid Reference S03524 6851 (point N on the order plan) and proceeds north-northwestward past Mountain Buildings and the junction with Footpath Lingen LN 12 at OS Grid Reference S03516 6864 for approximately 240 metres to OS Grid Reference S03511 6871 (point O on the order plan). From this point, the route continues along a headland for approximately 65 metres and then turns northwest across a field for approximately 144 metres to then continue in the same direction along another headland for approximately 195 metres to a gate into a field. The claimed route then heads west along the edge of this field for approximately 148 metres to another gate into another field where it continues west along the southern edge for approximately 165 metres to a gate at the junction with Bridleways Lingen LN10 and LN11 at OS Grid Reference S03445 6888 (point P on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 957 metres. To be known as Restricted Byway Lingen LN10A.

#### Bridleway Lingen LN 10

Commences from the junction of Bridleway Lingen LN11 and Footpath Lingen LN10A at OS Grid Reference S03445 6888 (point P on the order plan) and proceeds westward for approximately 270 metres across a field to double-gates and a stile at the parish boundary and the junction with Bridleway Willey WE2 at OS Grid Reference S03419 6884 (Point Q on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 270 metres. To be known as Restricted Byway Lingen LN10.

#### Bridleway Willey WE2

Commences from the parish boundary with Lingen and the junction with Bridleway Lingen LN10 at OS Grid Reference S03419 6884 (point Q on the order plan) and proceeds westward along a field-edge lane (slightly sunken and mostly hedged on both sides) for approximately 445 metres and then continues slightly southward for approximately 95 metres to a gate. From there, it continues generally west-southwestward for approximately 239 metres along a hedged lane through another gate at OS Grid Reference S03344 6867, and thence along

a terraced track raking downwards across the hillside for approximately 240 metres to a gateway to join the C1004 road at OS Grid Reference S03321 6860 (point R on the order plan). Width: from OS Grid Reference S03419 6884 to OS Grid Reference S03344 6867, 30 feet as set out in the 1819 Inclosure Award for the township of Willey in the parish of Presteigne, and from OS Grid Reference S03344 6867 to the C1004 road at OS Grid Reference S03321 6860 having a variable width of between 3 metres and 5 metres (9.8 to 16.4 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Total length approximately 1019 metres. To be known as Restricted Byway Willey WE2.

And adding Restricted Byways as follows:

Commences from the junction of Footpaths Lingen LN5 and LN21 at OS Grid Reference S03546 6843 (point L on the order plan) and then continues west-southwestward for 143 metres across a field to join Footpath Lingen LN17 at OS Grid Reference S03534 6836 (point M on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 143 metres. To be known as Restricted Byway Lingen LN48.

Commences from footpath Lingen LN10A approximately 132 metres northwest of Mountain Buildings at OS Grid Reference S03511 6871 (point O on the order plan) and then proceeds west-southwestward along the northern side of the hedge for approximately 182 metres to the junction with footpath Lingen LN12 at OS Grid Reference S03495 6864 (point X on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 182 metres. To be known as part of Restricted Byway Lingen LN49.

Commences from the junction of footpath LN12 at OS Grid Reference S03480 6857 (point Y on the order plan) and continues west-southwestward for approximately 291 metres along the northern side of the hedge through two fields to join bridleway Lingen LN11 at OS Grid Reference S03453 6850 (point S on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 291 metres. To be known as part of Restricted Byway Lingen LN49.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: [helen.sparks@pins.gsi.gov.uk](mailto:helen.sparks@pins.gsi.gov.uk)  
Please quote reference numbers FPS/W1850/7/17 & FPS/W1850/7/18 on all correspondence.

Any person wishing to view the statements of case and other documents relating to these Orders may do so by appointment during normal opening hours (excluding bank holidays) of Monday – Friday, 9.00am – 3.30pm at Unit 3, Thorn Business Park, Rotherwas Industrial Estate, Hereford, Herefordshire, HR2 6JT. To arrange a viewing, please contact Mr Michael Mable on Telephone Number (01432) 842126.

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

**Within 2 weeks of the start date [by 22 November 2016]**

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 Orders.

**Within 8 weeks of the start date [by 3 January 2017]**

Everyone who has made an objection or representation or any other written representation 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 Orders.

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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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 Orders.

**Within 14 weeks of the start date [by 14 February 2017]**

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 Orders 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.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Orders must do so in line with the timetable set out above.

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 libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF HEREFORDSHIRE

HEREFORDSHIRE COUNCIL  
(UPGRADE OF BRIDLEWAY LN1 AND ADDITION OF  
RESTRICTED BYWAYS LN46 AND LN47 LINGEN)  
MODIFICATION ORDER 2015

This order is made by the County of Herefordshire District Council (known as "Herefordshire Council") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to Herefordshire Council that the Definitive Map and Statement for the County of Herefordshire requires modification in consequence of the occurrence of events specified in sections 53(3)(c)(i) and 53(3)(c)(ii) of the Act, namely, the discovery of evidence which shows that a right of way subsists or is reasonably alleged to subsist and the discovery of evidence which shows that a highway shown in the map and statement as a highway of a particular description ought there to be shown as a highway of a different description.

Herefordshire Council hereby orders that:

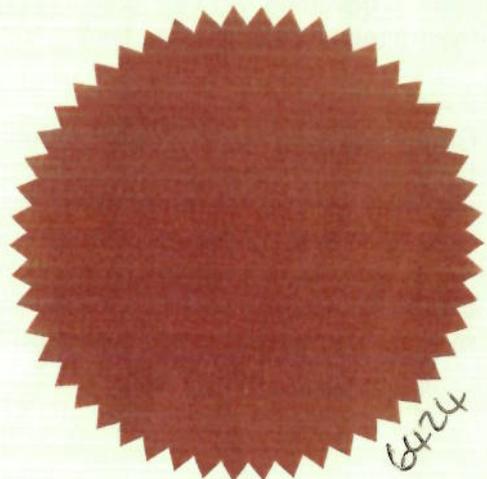
1. For the purposes of this order the relevant date is 4<sup>th</sup> March 2015.
2. The Definitive Map and Statement for the County of Herefordshire shall be modified as described in Part I and Part II of the Schedule hereto and shown on the plan attached to this order ("the order plan").
3. This order shall take effect on the date it is confirmed and may be cited as the Herefordshire Council (Upgrade of Bridleway LN1 and Addition of Restricted Byways LN46 and LN47 Lingen) Modification Order 2015.

Dated *4<sup>th</sup> March*

2015

THE COMMON SEAL of THE COUNTY OF  
HEREFORDSHIRE DISTRICT COUNCIL  
was affixed BY ORDER

  
Authorised Officer



## SCHEDULE

### PART I

#### Modification of Definitive Map

##### Description of public right of way to be upgraded

###### A - B - D - E

###### Lingen Bridleway LN1

Commences from the C1007 County Road at Birtley Cross at OS Grid Reference SO3675 6888 (point A on the order plan) and proceeds generally eastward between hedges along a well-defined sunken lane for approximately 323 metres to OS Grid Reference SO3705 6878 (point B on the order plan) where the route turns generally southeastward into an open pasture field. From there it continues for approximately 130 metres southeastward across the field to join a stone surfaced track to Deerfold Cottage. The route then continues along the stone track for approximately 97 metres where it forks westward from the stone track to Deerfold Cottage where it crosses footpath Lingen LN2 at OS Grid Reference SO3718 6853, continuing for approximately 362 metres along a well-defined grass track past a ruined cottage and the junction with footpath Lingen LN2A at OS Grid Reference SO3737 6832 to a gate. The route then continues generally southward along the western edge of a field for approximately 408 metres to the junction with footpath LN24 at OS Grid Reference SO3735 6796 (point D on the order plan). It then continues generally southward for approximately 389 metres along the western edge of a field to a gateway and then runs along the eastern edge of an area of rough pasture along a slight shelf for approximately 272 metres, where it enters a hedged lane and continues along this for approximately 145 metres to join the C1009 County Road at OS Grid Reference SO3757 6726 (point E on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 2126 metres. To be known as Restricted Byway Lingen LN1.

##### Description of path or way to be added

###### B - C

Commences from Lingen Bridleway LN1 at OS Grid Reference SO3705 6878 (point B on the order plan) in a slightly sunken, hedged lane and continues east-southeastward for approximately 400 metres past a disused quarry to join the U92011 County Road and Footpath Lingen LN2 at OS Grid Reference SO3740 6861 (point C on the order plan). Width: variable between 8 to 14 metres (26.2 to 45.94 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Length approximately 400 metres. To be known as Restricted Byway Lingen LN46.

###### F - G

Commences from the C1009 County Road at New House Farm at OS Grid Reference SO3721 6710 (point F on the order plan) and continues east-southeastward for a total distance of approximately 355 metres along a hedged lane to join with the U92014 County Road, Footpath Lingen LN40 and Bridleway Wigmore WQ11 at OS Grid Reference SO3752 6693 (point G on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 355 metres. To be known as Restricted Byway Lingen LN47.

## PART II

### Modification of Definitive Statement

#### Variation of particulars of path or way

##### **Footpath Lingen LN2**

From C.rd. 230yds. E of The Farlands crossing Restricted Byway Lingen LN1 at OS Grid Reference SO3718 6853 to junction with Restricted Byway Lingen LN46 and C.rd. at P.bdy. 770yds. ESE of Birtley Cross at OS Grid Reference SO3740 6861.

##### **Footpath Lingen LN2A**

From FP2, 650yds. SE of Birtley Cross to Restricted Byway Lingen LN1 at OS Grid Reference SO3737 6832, 330yds. WNW of Upper Woodbatch Farm.

##### **Footpath Lingen LN24**

From C.rd. 230yds. NNE of Yewtree Cottage, crossing Restricted Byway Lingen LN1 at OS Grid Reference SO3735 6796 to C.rd. at P.bdy. 400yds. NW of the Birches.

##### **Footpath Lingen LN40**

From C.rd. 50yds. S of Royal George Inn to C.rd and junction with Restricted Byway Lingen LN47 and Bridleway Wigmore WQ11 at OS Grid Reference SO3752 6693, 140yds. WSW of Grove Head.

##### **Restricted Byway Lingen LN1**

Commences from the C1007 County Road at Birtley Cross at OS Grid Reference SO3675 6888 and proceeds generally eastward between hedges along a well-defined sunken lane for approximately 323 metres to OS Grid Reference SO3705 6878 where the route turns generally southeastward into an open pasture field. From there it continues for approximately 130 metres southeastward across the field to join a stone surfaced track to Deerfold Cottage. The route then continues along the stone track for approximately 97 metres where it forks westward from the stone track to Deerfold Cottage where it crosses footpath Lingen LN2 at OS Grid Reference SO3718 6853, continuing for approximately 362 metres along a well defined grass track past a ruined cottage and the junction with footpath Lingen LN2A at OS Grid Reference SO3737 6832 to a gate. The route then continues generally southward along the western edge of a field for approximately 408 metres to the junction with footpath LN24 at OS Grid Reference SO3735 6796. It then continues generally southward for approximately 389 metres along the western edge of a field to a gateway and then runs along the eastern edge of an area of rough pasture along a slight shelf for approximately 272 metres, where it enters a hedged lane and continues along this for approximately 145 metres to join the C1009 County Road at OS Grid Reference SO3757 6726. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 2126 metres.

##### **Restricted Byway Lingen LN46**

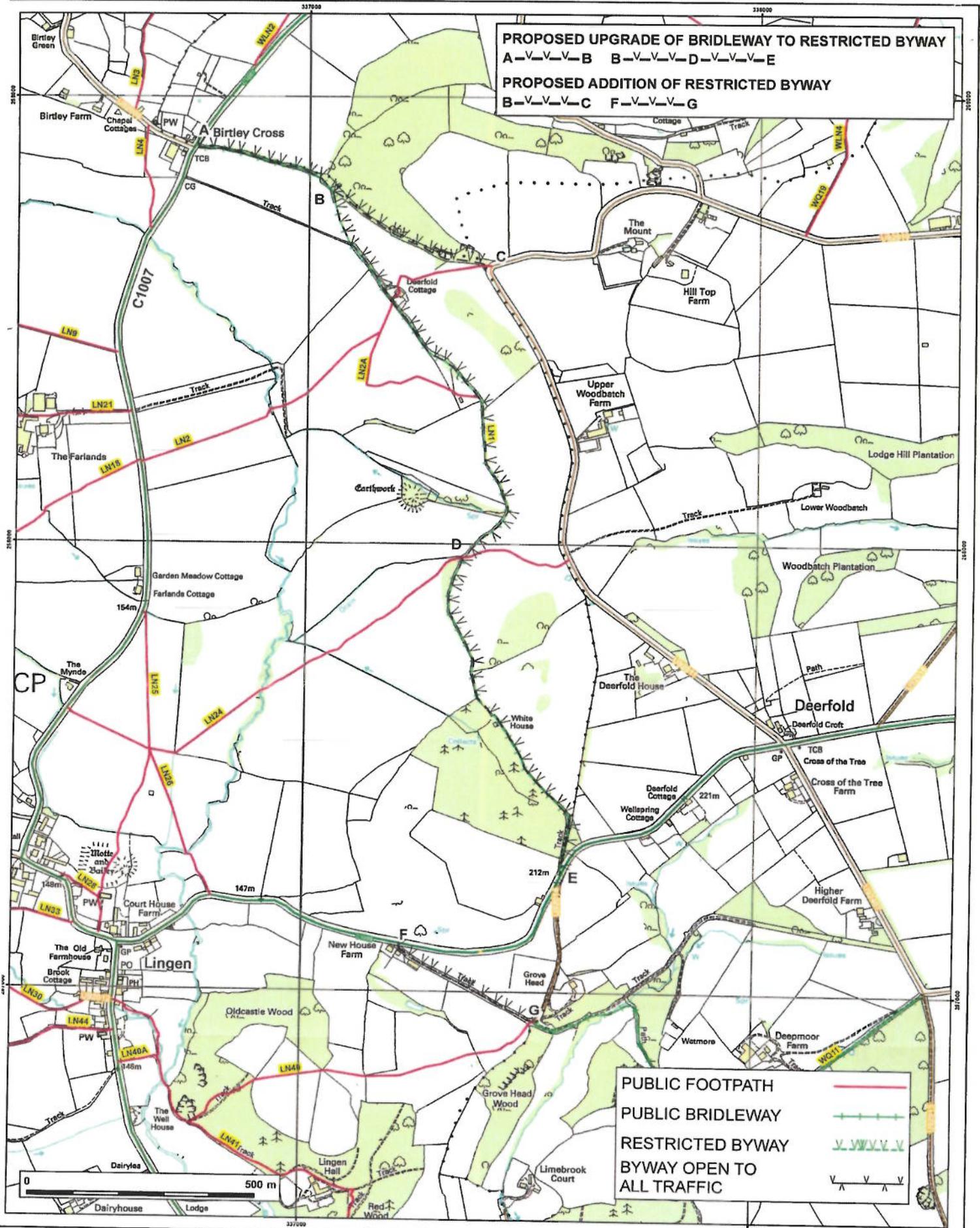
Commences from Lingen Restricted Byway LN1 at OS Grid Reference SO3705 6878 in a slightly sunken, hedged lane and continues east-southeastward for approximately 400 metres past a disused quarry to join the U92011 County Road and Footpath Lingen LN2 at OS Grid Reference SO3740 6861. Width: variable between 8 to 14 metres (26.2 to 45.94 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Length approximately 400 metres.

**Restricted Byway Lingen LN47**

Commences from the C1009 County Road at New House Farm at OS Grid Reference SO3721 6710 and continues east-southeastward for a total distance of approximately 355 metres along a hedged lane to join with the U92014 County Road, Footpath Lingen LN40 and Bridleway Wigmore WQ11 at OS Grid Reference SO3752 6693. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 355 metres.

**Bridleway WQ11**

From C.rd. at Rd. jct. 400yds. ENE of Deepmoor Farm to parish boundary and junction with Restricted Byway Lingen LN47 and C.rd. at OS Grid Reference SO3752 6693 60yds. S of Grove Head.



**PROPOSED UPGRADE OF BRIDLEWAY TO RESTRICTED BYWAY**  
 A-V-V-V-B B-V-V-V-D-V-V-V-E  
**PROPOSED ADDITION OF RESTRICTED BYWAY**  
 B-V-V-V-C F-V-V-V-G

**PUBLIC FOOTPATH** ———  
**PUBLIC BRIDLEWAY** —+—+—+—+—  
**RESTRICTED BYWAY** V-V-V-V-V-V-V-V  
**BYWAY OPEN TO ALL TRAFFIC** V-V-V-V-V-V-V-V

**WILDLIFE & COUNTRYSIDE ACT 1981**  
**HEREFORDSHIRE COUNCIL (UPGRADE OF BRIDLEWAY LN1**  
**AND ADDITION OF RESTRICTED BYWAYS LN46 AND LN47 LINGEN)**  
**MODIFICATION ORDER 2015**  
 DWG No.: M209, M210, M217/229-GEN  
 SCALE: 1:7500 @ A3

**MAP NOT TO ORIGINAL SCALE**

Balfour Beatty Living Places  
 Unit 3, Thorn Business Park  
 Rotherwas Industrial Estate  
 Hereford HR2 6JT  
 Tel.:  
 Email:

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MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF HEREFORDSHIRE

HEREFORDSHIRE COUNCIL  
(UPGRADE OF FOOTPATHS LN9, LN9A, LN5, LN8, LN12, LN17 (PART) AND LN10A,  
UPGRADE OF BRIDLEWAYS LN11, LN10 AND WE2 AND ADDITION OF  
RESTRICTED BYWAYS LN48, AND LN49 LINGEN AND WILLEY)  
MODIFICATION ORDER 2015

This order is made by the County of Herefordshire District Council (known as "Herefordshire Council") under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to Herefordshire Council that the Definitive Map and Statement for the County of Herefordshire requires modification in consequence of the occurrence of events specified in sections 53(3)(c)(i) and 53(3)(c)(ii) of the Act, namely, the discovery of evidence which shows that a right of way subsists or is reasonably alleged to subsist and the discovery of evidence which shows that a highway shown in the map and statement as a highway of a particular description ought there to be shown as a highway of a different description.

Herefordshire Council hereby orders that:

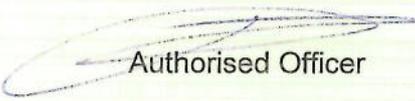
1. For the purposes of this order the relevant date is 4<sup>th</sup> March 2015.
2. The Definitive Map and Statement for the County of Herefordshire shall be modified as described in Part I and Part II of the Schedule hereto and shown on the plan attached to this order ("the order plan").
3. This order shall take effect on the date it is confirmed and may be cited as the Herefordshire Council (Upgrade of Footpaths LN9, LN9A, LN5, LN8, LN12, LN17 (Part) and LN10A, Upgrade of Bridleways LN11, LN10 and WE2 and Addition of Restricted Byways LN48, and LN49 Lingen and Willey) Modification Order 2015.

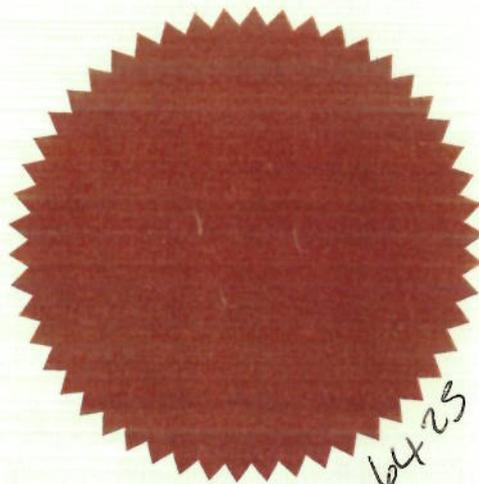
Dated

*4<sup>th</sup> March*

2015

THE COMMON SEAL of THE COUNTY OF  
HEREFORDSHIRE DISTRICT COUNCIL  
was affixed BY ORDER

  
Authorised Officer



## SCHEDULE

### PART I

#### Modification of Definitive Map

##### Description of public right of way to be upgraded

###### W - Z

###### Footpath Lingen LN9

Commences from the C1007 County Road at OS Grid Reference SO3657 6842 (point W on the order plan) and runs westward along the southern edge of an arable field for approximately 227 metres to the field corner. The route then continues westward along the northern margin of an arable field for approximately 163 metres to a gateway into another field, where it follows the northern boundary for approximately 211 metres to the junction with footpath Lingen LN9A at OS Grid Reference 3600 6856 (point Z on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 601 metres. To be known as Restricted Byway Lingen LN9.

###### Z - K

###### Footpath Lingen LN9A

Commences from the junction with footpath Lingen LN9 at OS Grid Reference SO3600 6856 (point Z on the order plan) continuing northward for approximately 80 metres to join footpath Lingen LN5 at OS Grid Reference SO3601 6863 (point K on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 80 metres. To be known as Restricted Byway Lingen LN9A.

###### J - I - K - L

###### Footpath Lingen LN5

Commences from the C1004 County Road by Brick Kiln Farm at OS Grid Reference SO3620 6950 (point J on the order plan) where it runs southwestward along a track between hedges for approximately 222 metres to the junction with Footpath LN8 at OS Grid Reference SO3608 6932 (point I on the order plan). The route then continues generally southward along the track for approximately 294 metres to cross a bridge over a stream, and it then continues generally southward and uphill in a hedged lane past Cwm Crave for approximately 489 metres to the junction with footpath Lingen LN9A at OS Grid Reference SO3601 6863 (point K on the order plan). The route then continues west-southwestward in a hedged lane for a distance of approximately 363 metres. It then continues in the same direction along the southern margin of a field for approximately 224 metres where it joins Footpath Lingen LN21 and a concrete track at OS Grid Reference SO3546 6843 (point L on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 1592 metres. To be known as Restricted Byway Lingen LN5.

###### I - H

###### Footpath LN8

Commences from Footpath Lingen LN5 at OS Grid Reference SO3608 6932 (point I on the order plan) and continues westward for approximately 86 metres between hedges along a sunken track shared with a stream. The route then proceeds along the southern edge of a pasture field along the vestiges of a hedged lane for a further approximately 83 metres where it cuts westward across the field for approximately 297 metres to join a stone track. The route then continues westward and northward along the stone track for approximately 243 metres to join the C1004 County Road opposite an old quarry at OS Grid Reference SO3548 6952 (point H on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 709 metres. To be known as Restricted Byway Lingen LN8.

#### **P – S – T**

Part of Bridleway Lingen LN11

Commences at the junction of Bridleway Lingen LN10 and Footpath Lingen LN10A at OS Grid Reference SO3445 6888 (point P on the order plan) and proceeds generally southward along a hedged lane for approximately 397 metres to OS Grid Reference SO3453 6850 (point S on the order plan) and then continues along the hedged lane for a further approximately 230 metres to a bridle-gate where the claimed route joins the footpaths Lingen LN12 and LN16 and the unclassified County Road U91622 at OS Grid Reference SO3455 6828 (point T on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 627 metres. To be known as part of Restricted Byway Lingen LN11.

#### **T – U – V**

Part of Bridleway Lingen LN11

Commences at the junction of footpaths Lingen LN12 and LN16 with bridleway Lingen LN11 and the unclassified County Road U91622 at OS Grid Reference SO3455 6828 (point T on the order plan) and proceeds generally southward for approximately 325 metres through a field to a stream which is crossed by a footbridge and a ford. The route then continues southward and uphill along a track for approximately 55 metres to the junction of Footpaths Lingen LN14 and LN16A at OS Grid Reference SO3450 6797 (point U on the order plan). It then continues generally southward in a sunken lane for approximately 118 metres to join a stone track, along which it continues for approximately 162 metres to join the U91621 County Road at OS Grid Reference SO3436 6777 (point V on the order plan). Width: variable between 3 metres and 14 metres (9.8 to 46 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Total length approximately 660 metres. To be known as part of Restricted Byway Lingen LN11.

#### **X – Y**

Part of Footpath Lingen LN12

Commences from OS Grid Reference SO3495 6864 (point X on the order plan) west-southwestward along the field edge past the northern boundary of Gullet Plantation and Ash Coppice for approximately 150 metres to OS Grid Reference SO3480 6857 (point Y on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 150 metres. To be known as part of Lingen Restricted Byway LN49

#### **M – N**

Part of Footpath LN17

Commences at OS Grid Reference SO3534 6836 on Footpath Lingen LN17 (point M on the order plan) and proceeds north-northwestward across a field for approximately 180 metres to its junction with Footpaths Lingen LN10A and LN21 at OS Grid Reference SO3524 6851 (point N on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 180 metres. To be known as Restricted Byway Lingen LN50.

#### **N – O – P**

Footpath Lingen LN10A

Commences from the junction with Footpaths Lingen LN17 and LN21 at OS Grid Reference SO3524 6851 (point N on the order plan) and proceeds north-northwestward past Mountain Buildings and the junction with Footpath Lingen LN12 at OS Grid Reference SO3516 6864 for approximately 240 metres to OS Grid Reference SO3511 6871 (point O on the order plan). From this point, the route continues along a headland for approximately 65 metres and then turns northwest across a field for approximately 144 metres to then continue in the same direction along another headland for approximately 195 metres to a gate into a field. The claimed route then heads west along the edge of this field for approximately 148 metres to another gate into another field where it continues west along the southern edge for approximately 165 metres to a gate at the junction with Bridleways Lingen LN10 and LN11 at OS Grid Reference

SO3445 6888 (point P on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 957 metres. To be known as Restricted Byway Lingen LN10A.

**P – Q**

**Bridleway Lingen LN10**

Commences from the junction of Bridleway Lingen LN11 and Footpath Lingen LN10A at OS Grid Reference SO3445 6888 (point P on the order plan) and proceeds westward for approximately 270 metres across a field to double-gates and a stile at the parish boundary and the junction with Bridleway Willey WE2 at OS Grid Reference SO3419 6884 (Point Q on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 270 metres. To be known as Restricted Byway Lingen LN10.

**Q – R**

**Bridleway Willey WE2**

Commences from the parish boundary with Lingen and the junction with Bridleway Lingen LN10 at OS Grid Reference SO3419 6884 (point Q on the order plan) and proceeds westward along a field-edge lane (slightly sunken and mostly hedged on both sides) for approximately 445 metres and then continues slightly southward for approximately 95 metres to a gate. From there, it continues generally west-southwestward for approximately 239 metres along a hedged lane through another gate at OS Grid Reference SO3344 6867, and thence along a terraced track raking downwards across the hillside for approximately 240 metres to a gateway to join the C1004 road at OS Grid Reference SO3321 6860 (point R on the order plan). Width: from OS Grid Reference SO3419 6884 to OS Grid Reference SO3344 6867, 30 feet as set out in the 1819 Inclosure Award for the township of Willey in the parish of Presteigne, and from OS Grid Reference SO3344 6867 to the C1004 road at OS Grid Reference SO3321 6860 having a variable width of between 3 metres and 5 metres (9.8 to 16.4 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Total length approximately 1019 metres. To be known as Restricted Byway Willey WE2.

**Description of path or way to be added**

**L – M**

Commences from the junction of Footpaths Lingen LN5 and LN21 at OS Grid Reference SO3546 6843 (point L on the order plan) and then continues west-southwestward for 143 metres across a field to join Footpath Lingen LN17 at OS Grid Reference SO3534 6836 (point M on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 143 metres. To be known as Restricted Byway Lingen LN48.

**O – X**

Commences from footpath Lingen LN10A approximately 132 metres northwest of Mountain Buildings at OS Grid Reference SO3511 6871 (point O on the order plan) and then proceeds west-southwestward along the northern side of the hedge for approximately 182 metres to the junction with footpath Lingen LN12 at OS Grid Reference SO3495 6864 (point X on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 182 metres. To be known as part of Restricted Byway Lingen LN49.

**Y – S**

Commences from the junction of footpath LN12 at OS Grid Reference SO3480 6857 (point Y on the order plan) and continues west-southwestward for approximately 291 metres along the northern side of the hedge through two fields to join bridleway Lingen LN11 at OS Grid Reference SO3453 6850 (point S on the order plan). Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 291 metres. To be known as part of Restricted Byway Lingen LN49.

## PART II

### Modification of Definitive Statement

#### Variation of particulars of path or way

##### **Restricted Byway Lingen LN5**

Commences from the C1004 County Road by Brick Kiln Farm at OS Grid Reference SO3620 6950 where it runs southwestward along a track between hedges for approximately 222 metres to the junction with Restricted Byway Lingen LN8 at OS Grid Reference SO3608 6932. The route then continues generally southward along the track for approximately 294 metres to cross a bridge over a stream, and it then continues generally southward and uphill in a hedged lane past Cwm Crave for approximately 489 metres to the junction with Restricted Byway Lingen LN9A at OS Grid Reference SO3601 6863. The route then continues west-southwestward in a hedged lane for a distance of approximately 363 metres. It then continues in the same direction along the southern margin of a field for approximately 224 metres where it joins Restricted Byway Lingen LN48 and Footpath Lingen LN21 at a concrete track at OS Grid Reference SO3546 6843. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 1592 metres.

##### **Restricted Byway Lingen LN8**

Commences from Restricted Byway Lingen LN5 at OS Grid Reference SO3608 6932 and continues westward for approximately 86 metres between hedges along a sunken track shared with a stream. The route then proceeds along the southern edge of a pasture field along the vestiges of a hedged lane for a further approximately 83 metres where it cuts westward across the field for approximately 297 metres to join a stone track. The route then continues westward and northward along the stone track for approximately 243 metres to join the C1004 County Road opposite an old quarry at OS Grid Reference SO3548 6952. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 709 metres.

##### **Restricted Byway Lingen LN9**

Commences from the C1007 County Road at OS Grid Reference SO3657 6842 and runs westward along the southern edge of an arable field for approximately 227 metres to the field corner. The route then continues westward along the northern margin of an arable field for approximately 163 metres to a gateway into another field, where it follows the northern boundary for approximately 211 metres to the junction with Restricted Byway Lingen LN9A at OS Grid Reference SO3600 6856. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 601 metres.

##### **Restricted Byway Lingen LN9A**

Commences from the junction with Restricted Byway Lingen LN9 at OS Grid Reference SO3600 6856 continuing northward for approximately 80 metres to join Restricted Byway Lingen LN5 at OS Grid Reference SO3601 6863. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 80 metres.

##### **Restricted Byway Lingen LN10**

Commences from the junction of Restricted Byways Lingen LN11 and LN10A at OS Grid Reference SO3445 6888 and proceeds westward for approximately 270 metres across a field to double-gates and a stile at the parish boundary and the junction with Restricted Byway Willey WE2 at OS Grid Reference SO3419 6884. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 270 metres.

### **Restricted Byway Lingen LN10A**

Commences from the junction with Footpath LN21 and Restricted Byway Lingen LN50 at OS Grid Reference SO3524 6851 and proceeds north-northwestward past Mountain Buildings and the junction with Footpath Lingen LN12 at OS Grid Reference SO3516 6864 for approximately 240 metres to the junction with Restricted Byway Lingen LN49 at OS Grid Reference SO3511 6871. From this point, the route continues along a headland for approximately 65 metres and then turns northwest across a field for approximately 144 metres to then continue in the same direction along another headland for approximately 195 metres to a gate into a field. The route then heads west along the edge of this field for approximately 148 metres to another gate into another field where it continues west along the southern edge for approximately 165 metres to a gate at the junction with Restricted Byways Lingen LN10 and LN11 at OS Grid Reference SO3445 6888. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 957 metres.

### **Restricted Byway Lingen LN11**

Commences at the junction of Restricted Byways Lingen LN10 and Lingen LN10A at OS Grid Reference SO3445 6888 and proceeds generally southward along a hedged lane for approximately 397 metres to the junction with Restricted Byway Lingen LN49 at OS Grid Reference SO3453 6850 and then continues along the hedged lane for a further approximately 230 metres to a bridle-gate where it joins the Footpaths Lingen LN12A and LN16 and the unclassified County Road U91622 at OS Grid Reference SO3455 6828. From this point, it proceeds generally southward for approximately 325 metres through a field to a stream which is crossed by a footbridge and a ford. The route then continues southward and uphill along a track for approximately 55 metres to the junction of Footpaths Lingen LN14 and LN16A at OS Grid Reference SO3450 6797. It then continues generally southward in a sunken lane for approximately 118 metres to join a stone track, along which it continues for approximately 162 metres to join the U91621 County Road at OS Grid Reference SO3436 6777. Width: from OS Grid Reference SO3445 6888 to OS Grid Reference SO3455 6828, 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829, and from OS Grid Reference SO3455 6828 to OS Grid Reference SO3436 6777, variable between 3 metres and 14 metres (9.8 to 46 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Total length approximately 1287 metres.

### **Footpath Lingen LN12**

From Restricted Byway Lingen 10A, 60yds WNW of Mountain Buildings at OS Grid Reference SO3516 6864 west to junction with Restricted Byway Lingen LN49 at OS Grid Reference SO3495 6864.

### **Footpath Lingen LN12A**

From Restricted Byway Lingen LN49 at OS Grid Reference SO3480 6857 southwest to join Restricted Byway Lingen LN11 at OS Grid Reference SO3455 6828, 350yds. W of Ash Coppice.

### **Footpath Lingen LN14**

From FP16A jct. with Restricted Byway Lingen LN11 at OS Grid Reference SO3450 6797 at W edge of Vroning Coppice to P.bdy. 150yds. ESE of Upper House.

### **Footpath Lingen LN16**

From C.rd. opp. Old Shop to junction with Lingen Footpath LN12A and Restricted Byway Lingen LN11 and the unclassified County Road U91622 at OS Grid Reference SO3455 6828, 350yds. W of Ash Coppice.

### **Footpath Lingen LN16A**

From FP16, 260yds. WSW of Mynde Farm to FP14 at jct. with Restricted Byway Lingen LN11 at OS Grid Reference SO3450 6797 at edge of Vroning Coppice

**Footpath Lingen LN17**

From C.rd. 60yds. E of Vicarage to Restricted Byways Lingen LN48 and LN50 at OS Grid Reference SO3534 6836, approximately 250 metres SSE of Mountain Buildings.

**Footpath Lingen LN21**

From C.rd. 180yds. E of The Farlands, crossing junction of Restricted Byways Lingen LN5 and LN48 at OS Grid Reference SO3546 6843, continuing NW to join Restricted Byways Lingen LN10 and LN50 at OS Grid Reference SO3524 6851, 80yds. SSE of Mountain Buildings.

**Restricted Byway Lingen LN48**

Commences from the junction of Restricted Byway Lingen LN5 and Footpath Lingen LN21 at OS Grid Reference SO3546 6843 and then continues west-southwestward for 143 metres across a field to join Footpath Lingen LN17 and Restricted Byway Lingen LN50 at OS Grid Reference SO3534 6836. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 143 metres.

**Restricted Byway Lingen LN49**

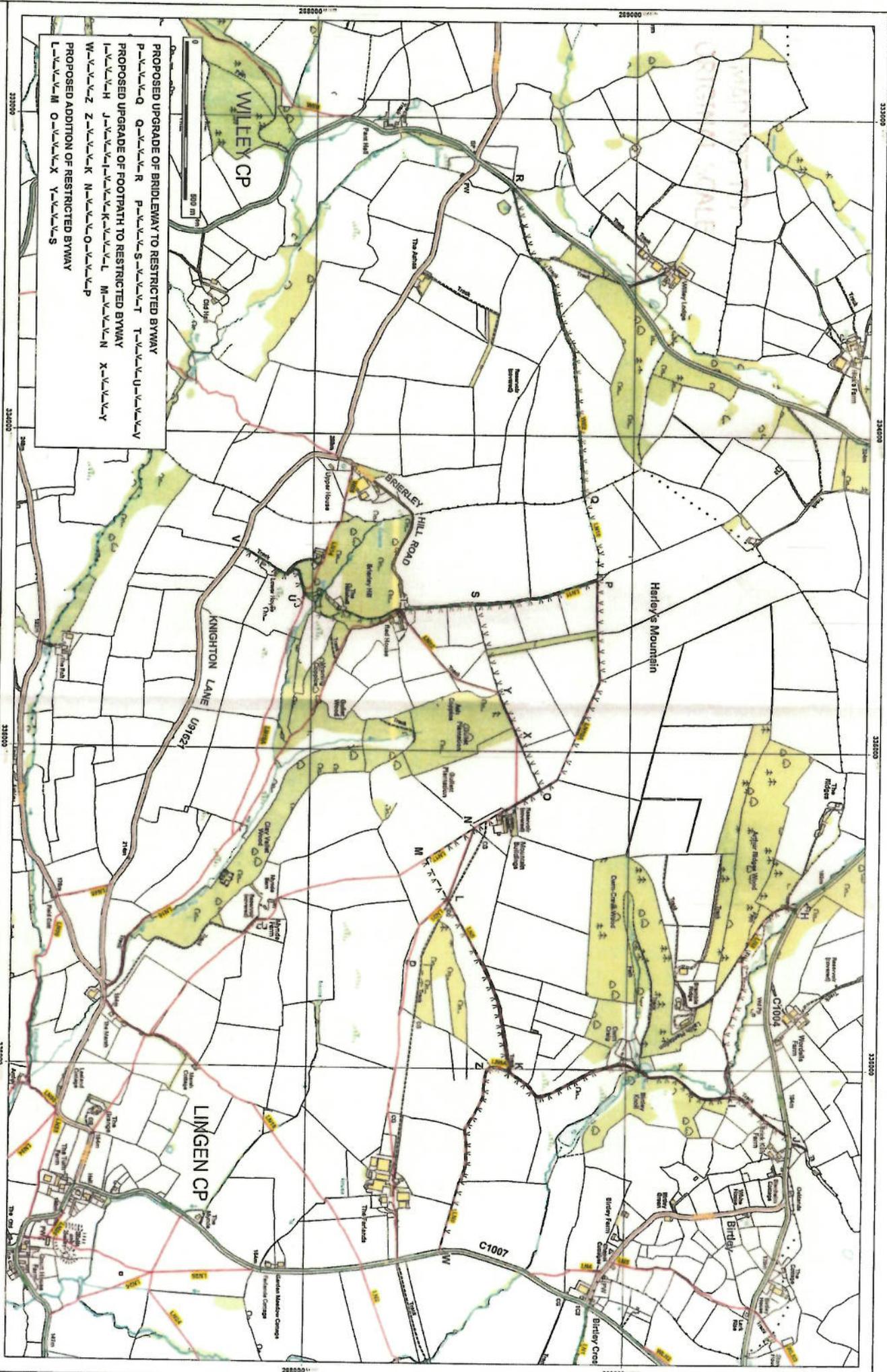
Commences from Restricted Byway Lingen LN10A approximately 132 metres northwest of Mountain Buildings at OS Grid Reference SO3511 6871 and then proceeds west-southwestward along the northern side of the hedge for approximately 182 metres to the junction with footpath Lingen LN12 at OS Grid Reference SO3495 6864. It then continues along the field edge past the northern boundary of Gullet Plantation and Ash Coppice for approximately 150 metres to the junction with footpath Lingen 12A at OS Grid Reference SO3480 6857, and then continues west-southwestward for approximately 291 metres along the northern side of the hedge through two fields to join Restricted Byway Lingen LN11 at OS Grid Reference SO3453 6850. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Total length approximately 623 metres.

**Restricted Byway Lingen LN50**

Commences at OS Grid Reference SO3534 6836 at junction with Footpath Lingen LN17 and Restricted Byway Lingen LN48 and proceeds north-northwestward across a field for approximately 180 metres to its junction with Footpath Lingen LN21 and Restricted Byway Lingen LN10A at OS Grid Reference SO3524 6851. Width: 30 feet as set out in the Shobdon, Lingen and Aymestrey Inclosure Award of 1829. Length approximately 180 metres.

**Restricted Byway Willey WE2**

Commences from the parish boundary with Lingen and the junction with Restricted Byway Lingen LN10 at OS Grid Reference SO3419 6884 and proceeds westward along a field-edge lane (slightly sunken and mostly hedged on both sides) for approximately 445 metres and then continues slightly southward for approximately 95 metres to a gate. From there, it continues generally west-southwestward for approximately 239 metres along a hedged lane through another gate at OS Grid Reference SO3344 6867, and thence along a terraced track raking downwards across the hillside for approximately 240 metres to a gateway to join the C1004 road at OS Grid Reference SO3321 6860 (point R). Width: from OS Grid Reference SO3419 6884 to OS Grid Reference SO3344 6867, 30 feet as set out in the 1819 Inclosure Award for the township of Willey in the parish of Presteigne, and from OS Grid Reference SO3344 6867 to the C1004 road at OS Grid Reference SO3321 6860 having a variable width of between 3 metres and 5 metres (9.8 to 16.4 feet) as shown on the 1903 1:2500 scale Ordnance Survey plan. Total length approximately 1019 metres.



**PROPOSED UPGRADE OF BRIDLEWAY TO RESTRICTED BYWAY**  
 P-Q-R-S-T-U-V  
**PROPOSED UPGRADE OF FOOTPATH TO RESTRICTED BYWAY**  
 W-X-Y-Z  
**PROPOSED ADDITION OF RESTRICTED BYWAY**  
 A-B-C-D-E-F-G-H-I-J-K-L-M-N-O-P-Q-R-S-T-U-V-W-X-Y-Z



WILLOUGHBY A COUNTY UNDER ACT 1981  
 HEREFORDSHIRE COUNCIL  
 UPGRADE OF BRIDLEWAYS LNH1, LNH10, AND VEZ AND ADDITION OF RESTRICTED BYWAYS LNH9 AND LNH9 LINGEN AND WILLEY  
 MODIFICATION ORDER 2015  
 DWG No.: 8228-4217/228-GEN  
 SCALE: 1:17500 @ A2

MAP NOT TO  
 ORIGINAL SCALE

	PUBLIC FOOTPATH
	RESTRICTED BYWAY
	PROPOSED RESTRICTED BYWAY

Barber, Beatty Living Places  
 Unit 3, Thorn Business Park  
 Redditch Industrial Estate  
 Hereford HR2 6JT  
 Tel: 01492 525252  
 Email: [planning@redditch.gov.uk](mailto:planning@redditch.gov.uk)

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