

Danielle Galvan  
Graveley Parish Council  
[parishclerk@graveley.org.uk](mailto:parishclerk@graveley.org.uk)

Hertfordshire County Council  
Postal Point CHN101  
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:** NH/249/MOD  
**Date:** 8<sup>th</sup> January 2021

Dear Danielle

**Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24)  
Modification Order 2016**

The above Order was made on 19<sup>th</sup> February 2016 and was advertised for the statutory period of 42 days.

No objections to the Order were received in respect of Green Lane (Graveley 21) and Turf Lane (Graveley 15/ Wymondley 24). As a result Hertfordshire County Council severed the Order and confirmed that part of it, in respect of Green Lane and Turf Lane, on 16<sup>th</sup> November 2017.

In respect of Milksey Lane (Graveley 18) this part of the Order was confirmed with modifications, on 13<sup>th</sup> November 2020, by an inspector following a public inquiry and written representations.

We are now serving you with notice of the confirmation of the Order.

Please find enclosed the following:

- A copy of the Inspector's decision to confirm the Order, with modifications, in respect of Milksey Lane (Graveley 18)
- A copy of the notices of confirmation of this Order; and
- A copy of the confirmed Order

Copies of these documents can also be found on our website at:  
[www.hertfordshire.gov.uk/rowapps](http://www.hertfordshire.gov.uk/rowapps) (look under 'G' for Graveley)

The effect of the Order as confirmed is to modify the Definitive Map and Statement by adding to them:

- a bridleway on Green Lane (Graveley 21)
- a greater width of footpath on Milksey Lane (Graveley 18)
- a restricted byway on Turf Lane (Graveley 15/ Wymondley 24), and

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

- deleting from them that part of Graveley Footpath 15 between points D and E on the Order Plan as it is already all-purpose public highway.

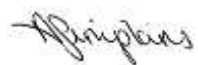
It is possible for anyone to question the validity of an order by making an application to the High Court within 42 days from the date of the publication of this confirmation. The grounds on which an appeal can be made are specified in paragraph 12 of Schedule 15 of the Wildlife and Countryside Act 1981.

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

- The legislation was not applied correctly when confirming this Order; or
- The County Council has not followed the required legal procedures

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 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

**The Hertfordshire County Council  
(Graveley 15, 18 and 21 and Wymondley 24)  
Modification Order 2016**

The above named Order, made on 19<sup>th</sup> February 2016, was confirmed without modifications by Hertfordshire County Council on 16<sup>th</sup> November 2017.

The effect of the Order as confirmed is to modify the Definitive Map and Statement by:-

Deleting from them the entire width of that part of Graveley Footpath 15 commencing from the junction with the public road known as Turf Lane at TL 2292 2796 (point D on the Order Plan) and continuing along Turf Lane in a generally south south westerly direction for approximately 90 metres to the southernmost point of Graveley Footpath 15 at TL 2290 2788 (point E on the Order Plan);

Adding to them a public bridleway commencing at the junction with Graveley Lane (also known as Pinch Lane)/Wymondley Bridleway 1 at TL 2294 2834 (point A on the Order Plan) and continuing along the track known as Green Lane in a generally south south easterly direction for approximately 180 metres to the junction with Milksey Lane/Graveley Footpath 18 and Turf Lane/Wymondley Restricted Byway 24 at TL 2299 2816 (point B on the Order Plan); and

Upgrading to restricted byway that part of Turf Lane/Graveley Footpath 15 commencing at the junction with Green Lane/Graveley 21 and Milksey Lane/Graveley 18 at TL 2299 2816 (point B on the Order Plan) and continuing along the track and Graveley/Wymondley parish boundary in a generally south south westerly direction for approximately 210 metres to the junction with the public road known as Turf Lane at TL 2292 2796 (point D on the Order Plan).

A copy of the confirmed Order may be seen free of charge at [www.hertfordshire.gov.uk/rowapps](http://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 [www.north-herts.gov.uk/home/planning/planning-advice-and-guidance/public-footpath-diversion](http://www.north-herts.gov.uk/home/planning/planning-advice-and-guidance/public-footpath-diversion) North Herts District Council, Council Offices, Gernon Road, Letchworth Garden City, SG6 3JF.

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 14<sup>th</sup> January 2021, make application for the purpose of the High Court.

Date 14<sup>th</sup> January 2021

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

**The Hertfordshire County Council  
(Graveley 15, 18 and 21 and Wymondley 24)  
Modification Order 2016**

The above named Order, made on 19<sup>th</sup> February 2016, was confirmed with modifications by an Inspector acting for the Secretary of State for the Environment on 13<sup>th</sup> November 2020.

The effect of the Order as confirmed is to modify the Definitive Statement by:-

Varying the particulars for Milksey Lane/Graveley Footpath 18 by recording a variable width between 1.83 metres and 8 metres as shown in the Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016.

A copy of the confirmed Order may be seen free of charge at [www.hertfordshire.gov.uk/rowapps](http://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 [www.north-herts.gov.uk/home/planning/planning-advice-and-guidance/public-footpath-diversion](http://www.north-herts.gov.uk/home/planning/planning-advice-and-guidance/public-footpath-diversion) North Herts District Council, Council Offices, Gernon Road, Letchworth Garden City, SG6 3JF.

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 14<sup>th</sup> January 2021, make application for the purpose of the High Court.

Date 14<sup>th</sup> January 2021



# **WILDLIFE AND COUNTRYSIDE ACT 1981**

## **The Definitive Map and Statement of Public Rights of Way in Hertfordshire**

### **Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016**

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 that authority 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), (ii) 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
- (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; or
- (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 6<sup>th</sup> December 2015.
2. The Definitive Map and Statement of Public Rights of Way in Hertfordshire shall be modified as described in Part II of the Schedule and shown on the plan attached to the 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 (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016.

#### **SCHEDULE**

##### **PART I**

#### **Modification of Definitive Map**

##### **Description of path or way to be deleted**

The entire width of that part of Graveley Footpath 15 commencing from the junction with the public road known as Turf Lane at TL 2292 2796 (point D on the Order Plan) and continuing along Turf Lane in a generally south south westerly direction for approximately 90 metres to the southernmost point of Graveley Footpath 15 at TL 2290 2788 (point E on the Order Plan).



The Hertfordshire County Council  
(Graveley 15, 18 and 21 and Wymondley 24)

Modification Order 2016

*Footpath to be recorded with additional width*

- Existing footpath
- Existing bridleway
- Bridleway to be added (A to B)/ footpath to be upgraded to bridleway (B to C)
- Footpath to be upgraded to restricted byway (B to D)
- Footpath to be deleted (D to E)
- Parish boundary

0 10 20 40 60 80 metres

Scale 1:1250

A1(M) motorway

Gantry

Shown on DM sheet no. 21

© Crown copyright and database rights 2016

Ordnance Survey 100019606

Use of this data is subject to terms and conditions.

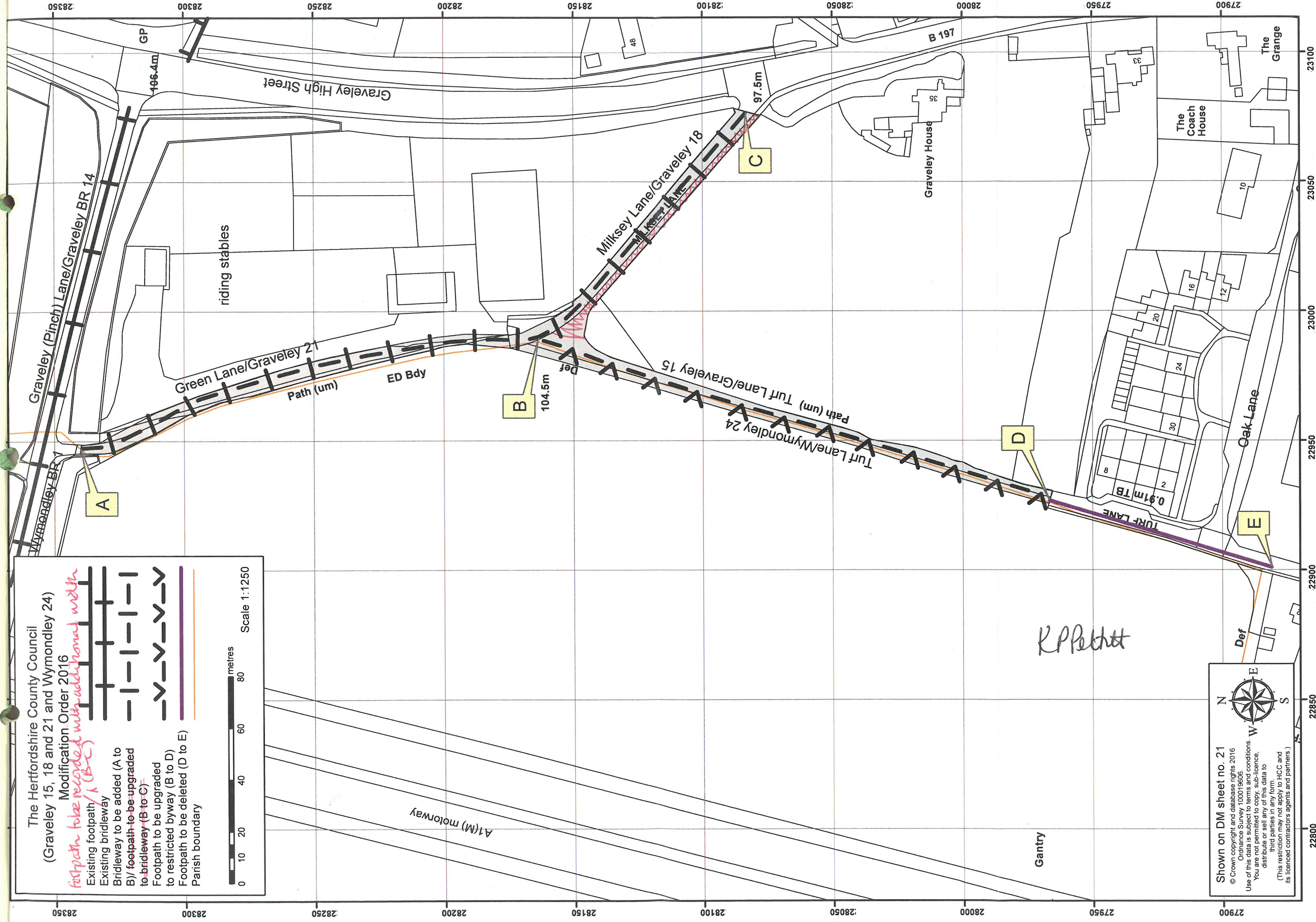
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

(This restriction may not apply to HCC and its licenced contractors agents and partners.)



Def

*K.P. Petch*





### Description of path or way to be added

A public bridleway commencing at the junction with Graveley Lane (also known as Pinch Lane)/Wymondley Bridleway 1 at TL 2294 2834 (point A on the Order Plan) and continuing along the track known as Green Lane in a generally south south easterly direction for approximately 180 metres to the junction with Milksey Lane/Graveley Bridleway 18 and Turf Lane/Wymondley Restricted Byway 24 at TL 2299 2816 (point B on the Order Plan).

Width: Between 4.5 metres and 7.5 metres as shown shaded grey on the Order Plan  
Limitations: None

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

Upgrading to restricted byway that part of Turf Lane/Graveley Footpath 15 commencing at the junction with Green Lane/Graveley 21 and Milksey Lane/Graveley 18 at TL 2299 2816 (point B on the Order Plan) and continuing along the track and Graveley/Wymondley parish boundary in a generally south south westerly direction for approximately 210 metres to the junction with the public road known as Turf Lane at TL 2292 2796 (point D on the Order Plan).

Width: Between 5.5 metres and 12 metres as shown shaded grey on the Order Plan  
Limitations: None

~~Upgrading to bridleway Milksey Lane/Graveley Footpath 18 commencing at the junction with Green Lane/Graveley 21 and Turf Lane/Graveley 15 at TL 2299 2816 (point B on the Order Plan) and continuing along the track in a generally south easterly direction for approximately 120 metres to the junction with Graveley High Street (public road) at TL 2307 2808 (point C on the Order Plan).~~

~~Width: Between 6 metres and 11 metres as 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 Graveley 21 as follows:

Path No	Status	HCC Map Ref
021	FP	HCC 021
Green Lane. Commences at the junction with Graveley Lane (also known as Pinch Lane)/Wymondley BR 1 at TL 2294 2834 and continues SSE along the track for approx. 180m to the junction with Milksey Lane/Graveley BR 18 and Turf Lane/Wymondley RB 24 at TL 2299 2816.		

**Width** Between 4.5m and 7.5m as shown in the Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016.



**Limitations** None

A new Statement shall be recorded for Wymondley 24 as follows:

Path No	Status	HCC Map Ref
---------	--------	-------------

024	RB	HCC 021
-----	----	---------

Turf Lane. Runs along the parish boundary between Graveley and Wymondley. Commences at the junction of Milksey Lane/Graveley ~~BR~~<sup>FP</sup> 18 and Green Lane/Graveley BR 21 at TL 2299 2816 thence SSW along the track for approx. 210m to the junction with Turf Lane (public road) at TL 2292 2796.

**Width** Between 5.5m and 12m as shown in the Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016.

**Limitations** None

The Statement for Graveley 15 shall be amended as follows:

Path No	Status	HCC Map Ref
---------	--------	-------------

015	RB	HCC 021
-----	----	---------

Turf Lane. Runs along the parish boundary between Graveley and Wymondley. Commences at the junction of Milksey Lane/Graveley ~~BR~~<sup>FP</sup> 18 and Green Lane/Graveley BR 21 at TL 2299 2816 thence SSW along the track for approx. 210m to the junction with Turf Lane (public road) at TL 2292 2796.

**Width** Between 5.5m and 12m as shown in the Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016.

**Limitations** None

The Statement for Graveley 18 shall be amended as follows:

Path No	Status	HCC Map Ref
---------	--------	-------------

018	<del>BR</del> <sup>FP</sup>	HCC 021
-----	-----------------------------	---------

Milksey Lane. Commences at junction of Turf Lane/Graveley RB 15 and Green Lane/Graveley BR 21 at TL 2299 2816, thence generally SE along the track for approx. 120m to the junction with Graveley High Street (public road) at TL 2307 2808.

**Width** Between <sup>1.83m</sup>~~6m~~ and <sup>8m</sup>~~11m~~ as shown in the Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016.

**Limitations** None



The Statement for Wymondley 1 shall be amended as follows:

Path No

Status

HCC Map Ref

001

BR

HCC 021

Commences from W end of Pinch Lane thence W, passing junction with Graveley BR 21 at TL 2294 2834, then under A1(M) and N and NW to northern parish boundary to join BR1 (Letchworth Garden City) S of Roxley Court.

**Width**

**Limitations**

IN WITNESS whereof the COMMON SEAL of HERTFORDSHIRE COUNTY COUNCIL was hereunto affixed this 19<sup>th</sup> day of February 2016

189/116

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

**Chief Legal Officer**



The foregoing order is hereby confirmed  
subject to the red ink modifications thereon

*Sue Arnott* 13 NOV 2020

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

*KP Pettitt*

Kathryn Pettitt  
Chief Legal Officer

The foregoing Order received an objection solely to the route between points B-C. As such, Hertfordshire County Council considered it appropriate to sever the Order (in exercise of its powers under paragraph 5 of Schedule 15 to the Wildlife and Countryside Act 1981) and to hereby confirm the remainder of the Order in respect of the routes A-B and B-D-E.

*KP Pettitt*  
Kathryn Pettitt  
Chief Legal Officer

Date: 16/11/17





## Order Decision

Inquiry held on 29 January 2019

Site visit on 26 February 2020

**by Sue M Arnott FIPROW**

**an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs**

**Decision date: 13 November 2020**

---

### Order Ref: ROW/3201752M

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981. It is known as the Hertfordshire County Council (Graveley 15, 18 and 21 and Wymondley 24) Modification Order 2016.
- The Order is dated 19 February 2016. It proposes to modify the definitive map and statement for the area by adding a bridleway, upgrading a footpath to restricted byway status and upgrading a footpath to a bridleway along Green Lane, Turf Lane and Milksey Lane respectively, in the parishes of Graveley and Wymondley, as described in the Order. Only the status of Milksey Lane is at issue here.
- There was one objection outstanding when Hertfordshire County Council submitted the Order for confirmation to the Secretary of State for Environment, Food & Rural Affairs.
- In accordance with Paragraph 8(2) of Schedule 15 to the Wildlife and Countryside Act 1981 I gave notice of my proposal to confirm the Order with modifications, to which three objections were submitted. I subsequently gave notice of my proposal to confirm the Order with further modifications; no objections have been received in response.

**Summary of Decision: The Order is confirmed subject to modifications previously proposed.**

---

### Reasons

1. If confirmed with the modifications set out in paragraph 53 of my interim Order Decision issued on 1 July 2020, the Order would not record on the definitive map and statement a bridleway as originally proposed. Further, the route at issue here, Footpath No 18 (Graveley), would not be recorded over the full width of the lane as shown in the Order as made but would exclude (a) a narrow strip along its southern side (in effect the raised roadside verge), (b) a small triangle of land near to its junction with Restricted Byway 15 in Graveley Parish (shown on the Order map as point B) and (c) an area on the south side of Milksey Lane immediately to the west of the gate at point C. Nevertheless, the Order *would* confirm the existence of a public right of way on foot over the remaining width of Milksey Lane shaded grey on the Order map. No limitations would be recorded on the definitive statement for Footpath 18 (Graveley).
2. There are no objections to these proposed modifications to the Order.

### Conclusion

3. Having regard to the above and to all other matters raised at the inquiry and in the written representations, I conclude the Order should be confirmed subject to the modifications that have been advertised and as set out below.
-

## **Formal Decision**

4. I confirm the Order subject to the following modifications:

### ***In the Order schedule***

- In **Part I: Modification of the Definitive Map - 'Description of public right of way to be upgraded'**: delete the entry for Milksey Lane;
- In **Part II: Modification of the Definitive Statement - 'Variation of particulars of path or way'**: amend 'Width' to read "Between 1.83m and 8m...";
- Change all references to 'Bridleway' (or 'BR') 18 to 'Footpath' (or 'FP') 18;

### ***On the Order map***

- Delete from the key "footpath to be upgraded to bridleway (B-C)" and amend "Existing footpath" to read "Existing footpath/footpath to be recorded with additional width (B-C);
- Amend the notation used on the map for B-C to that for the above and reduce the area shaded grey.

*Sue Arnott*

**Inspector**