

EXPLANATORY STATEMENT

Wildlife and Countryside Act 1981 Explanatory Statement to Accompany Definitive Map Modification Order

THE EAST SUSSEX (PUBLIC RESTRICTED BYWAY PIDDINGHOE 15) DEFINITIVE MAP MODIFICATION ORDER 2021

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Public footpaths, bridleways, restricted byways and byways open to all traffic are recorded on definitive maps and statements. These maps and statements provide conclusive legal evidence of the existence of public rights. East Sussex County Council is responsible for the definitive map and statement for East Sussex and has a duty to amend it when evidence suggests that it is inaccurate or incomplete. Such amendments are made by means of modification orders made under section 53 of the Wildlife and Countryside Act 1981. These orders do not come into effect until confirmed: if there are any objections which are not subsequently withdrawn, the Council must refer the order and objections to the Department for Environment, Food and Rural Affairs which will decide whether or not to confirm the order.

The Restricted Byway will have a width of between 3 and 4 metres. This statement explains various aspects of the Order.

Following a successful Appeal by the Applicant, East Sussex County Council has been directed by The Secretary of State to make an Order to record the claimed route on the Definitive Map and Statement.

The Order will come into effect only after it has been confirmed: making and advertising the Order simply provides an opportunity for objections or representations to be made.

Any representation or objection relating to the Order must be sent in writing to Rights of Way, East Sussex County Council, Communities, Economy and Transport, West Block B Floor, County Hall, St Anne's Crescent, Lewes BN7 1UE or by emailing definitive.map@eastsussex.gov.uk, quoting reference RWO 197 not later than 28 January 2022. Applicants are requested to state the grounds on which it is made.

The East Sussex County Council will be willing to discuss the concerns of those considering objecting or making representations relating to the Order. Any queries or concerns may be discussed by contacting: Rights of Way, East Sussex County Council, Communities, Economy and Transport, West Block B Floor, County Hall, St Anne's Crescent, Lewes BN7 1UE or by emailing definitive.map@eastsussex.gov.uk, or by telephoning 0345 60 80 193, quoting reference RWO 197 not later than 28 January 2022

The right of objection to an Order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to Orders are normally awarded against objectors only in cases of unreasonable behaviour.

If any objections are made and not withdrawn then the Council will have to refer the Order to the Department of the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then hear the objections at a public inquiry or hearing, or in writing if the objectors agree. The Inspector can confirm an Order, confirm it with modifications, or refuse to confirm it. If no objections are received the council will be able to confirm the Order itself but it has no power to modify Orders.