

Andrew Farrow
Chief Officer (Planning & Environment)
Prif Swyddog (Cynllunio a'r Amgylchedd)



Hawarden Community Council
Mrs Sharron Jones
113 The Highway
Hawarden
Deeside
CH5 3DL

Your Ref/Eich Cyl
Our Ref/Ein Cyf RS/SLJ/11/3/303
Date/Dyddiad 15 October 2018
Ask for/Gofynner am Suzanne Jones
Direct Dial/Rhif Union 01352 704729
Fax/Ffacs 01352 756444

Dear Mrs Jones,

THE FLINTSHIRE COUNTY COUNCIL (PUBLIC FOOTPATH Nos. 48 AND 52 IN THE COMMUNITY OF HAWARDEN) DEFINITIVE MAP MODIFICATION ORDER 2018

The above Order was made by the County Council on the 9th October 2018. I enclose a copy of the Order together with a Notice of confirmation and an explanatory statement.

Yours sincerely,



For Chief Officer (Planning, Environment and Economy)

County Hall, Mold. CH7 6NF
www.flintshire.gov.uk
Neuadd y Sir, Yr Wyddgrug. CH7 6NF
www.siryfflint.gov.uk



The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawu gohebiath yn y Gymraeg neu'r Saesneg

DATED

9th October

2018

THE FLINTSHIRE COUNTY COUNCIL
(PUBLIC FOOTPATH Nos. 48 AND 52 IN THE COMMUNITY OF HAWARDEN)
DEFINITIVE MAP MODIFICATION ORDER 2018

Andrew Farrow
Chief Officer (Planning, Environment and Economy)
Flintshire County Council
County Hall
Mold
Flintshire
CH7 6NF

RS/SLJ/11/3/303

DEFINITIVE MAP MODIFICATION ORDER

SECTION 53 WILDLIFE AND COUNTRYSIDE ACT 1981

THE FLINTSHIRE COUNTY COUNCIL
(PUBLIC FOOTPATH Nos. 48 & 52 IN THE COMMUNITY OF HAWARDEN)
DEFINITIVE MAP MODIFICATION ORDER 2018

This Order is made by Flintshire County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Statement of Rights of Way for the County of Clwyd require modification in consequence of the occurrence of events specified in Section 53(3)(c)(iii) of the Act, namely, the discovery of evidence which (When considered with all relevant evidence available to it) shows:

1. 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;

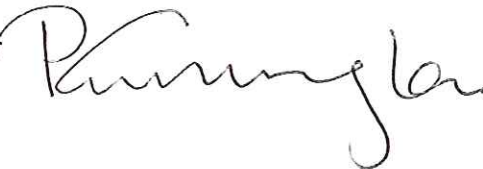
The authority has consulted with every local authority whose area includes the land to which the Order relates.

The Flintshire County Council **HEREBY ORDERS** that:-

1. For the purposes of this Order the relevant date is 9 October 2018
2. The Definitive Map of Public Rights of Way for the Council of Clwyd shall be modified as described in Parts I and parts II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Flintshire County Council (Public Footpath Nos. 48 and 52 in the Community of Hawarden) Definitive Map Modification Order 2018.

**THE COMMON SEAL of FLINTSHIRE
COUNTY COUNCIL** was hereunto affixed
this 9th October 2018 in the presence of:-

Chair



Chief Officer (Governance)



SCHEDULE

PART I

Modification of Definitive Map

Description of path to be deleted

Public Footpath No. 48 in the Community of Hawarden, in the County of Flintshire commencing at NGR 33125 36591 running in a north-easterly, then an east-north-easterly direction for a total distance of approximately 186 metres to NGR 33140 36601, as indicated by a bold broken line between points A and B on the map contained in this Order.

Description of path to be added

Public Footpath No. 52 in the Community of Hawarden, in the County of Flintshire commencing at NGR 33125 36591 running in a north-easterly, then in an east-north-easterly direction for a total distance of approximately 186 metres to NGR 33140 36601, as indicated by a bold broken line between points A and B on the map contained in this Order.

PART II

Modification of Definitive Map

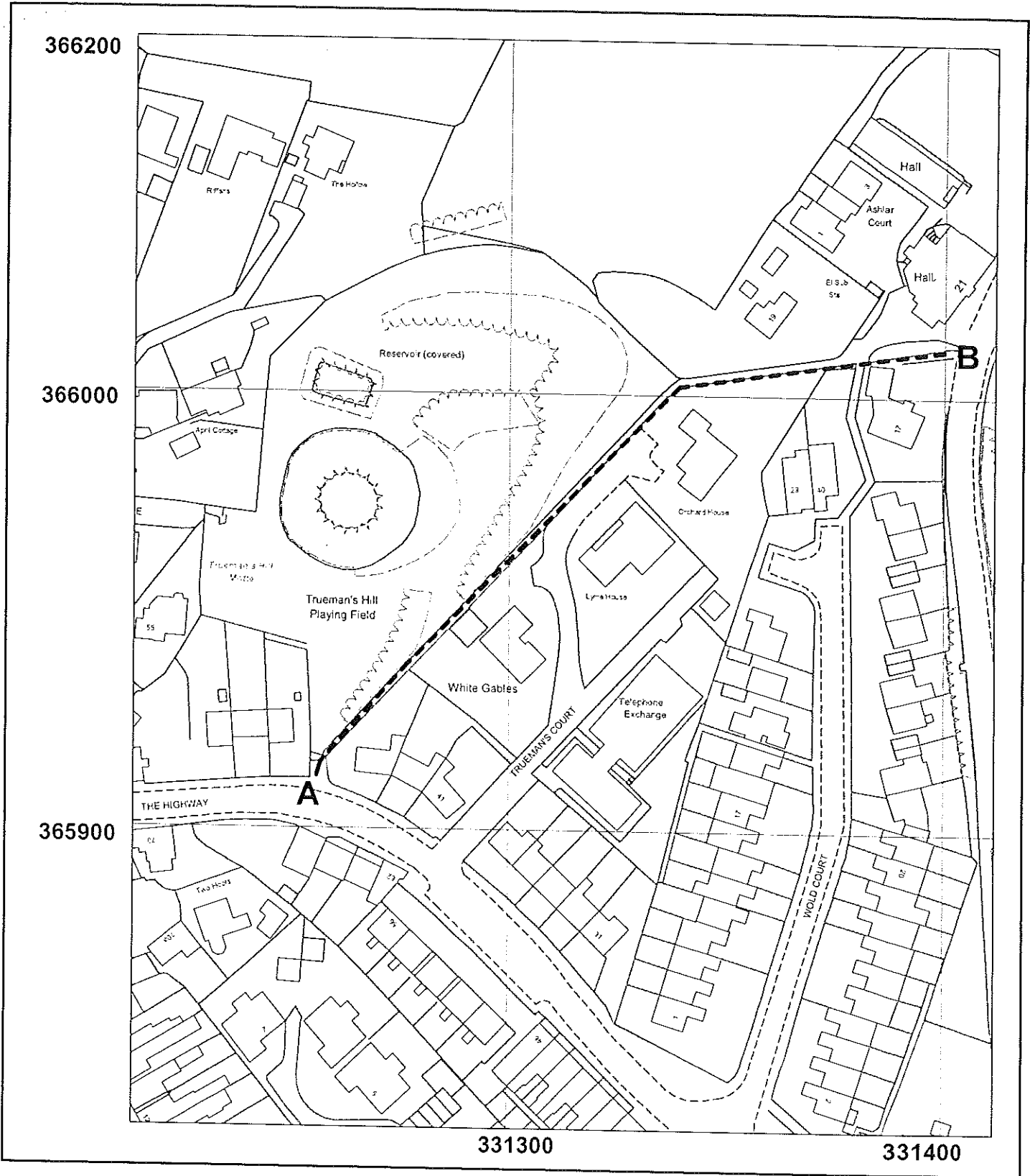
That part of the Statement relating to the Community of Hawarden shall be modified as follows:

Public Footpath No. 48

In Column (1):	Delete:	48
In Column (2):	Delete:	FP
In Column (3):	Delete:	A550 Gladstone Way
In Column (4):	Delete:	The Highway
In Column (5):	Delete:	4 feet

Public Footpath No. 52

In Column (3):	Delete:	A550 by Masonic Hall
	Insert:	A550 Gladstone Way
In Column (4):	Delete:	Hawarden Village
	Insert:	The Highway
	Delete:	3 feet



THE FLINTSHIRE COUNTY COUNCIL
PUBLIC FOOTPATH No. 48 IN THE COMMUNITY OF HAWARDEN
RENUMBERING TO PUBLIC FOOTPATH 52 IN THE COMMUNITY OF HAWARDEN

FOOTPATH TO BE RENUMBERED A ----- B



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Planning and Environment
 Flintshire County Council,
 County Hall, Mold,
 Flintshire, CH7 6NF.
 Chief Officer: Mr Andrew Farrow

Scale: 1/2500
 OS Map SJ 31/65
 Plotted 20/01/2017

THIS IS AN EXPLANATORY STATEMENT AND DOES NOT FORM PART OF THE ORDER

THE FLINTSHIRE COUNTY COUNCIL
(PUBLIC FOOTPATH No. 48 IN THE COMMUNITY OF HAWARDEN)
DEFINITIVE MAP MODIFICATION ORDER 2018

Under the provisions of the Wildlife and Countryside Act 1981, the County Council, in its capacity as Surveying Authority, is required to prepare and keep under continuous review a definitive map and statement of public rights of way. When evidence comes to light of any errors or omissions, the County Council must investigate and, where appropriate, make orders to correct these.

The Flintshire County Council (hereinafter called 'the Council') has made an Order to correct an anomaly on the definitive map and statement. The details of this, and the remedy, is listed below:

1. Public Footpath No. 48 in the community of Hawarden has been depicted incorrectly and the aim of the Order is to correct this anomaly.

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.

Objections or representations to the Order must be made in writing by 20th November 2018 and must include particulars of the grounds relied on. They should be sent to:

Planning, Environment and Economy (Chief Officer)
Flintshire County Council
County Hall
Mold
Flintshire
CH7 6NF

Please quote reference RS/SLJ/11/3/303 on all correspondence.

The Council will be willing to discuss the concerns of those considering objecting or making representations relating to the Order.

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 behavior.

If any objections are made and not withdrawn, the Council will refer the Order and objections to the National Assembly for Wales for determination. An Inspector can confirm an Order, confirm it with modifications, or refuse to confirm it. If no objections are received to the Order, the Council will be able to confirm the Order itself as an unopposed Order, but it does not have the power to modify the Order.

NOTICE OF MODIFICATION ORDER

SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981
DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE
COUNTY OF CLWYD

THE FLINTSHIRE COUNTY COUNCIL
(PUBLIC FOOTPATH No. 48 IN THE COMMUNITY OF HAWARDEN)
DEFINITIVE MAP MODIFICATION ORDER 2018.

The above Order made on the 9th October 2018, if confirmed as made, will modify the definitive map and statement for the area by:

- 1) Adding to it a public footpath, in the Community of Hawarden, in the County of Flintshire, commencing at NGR 33125 36591 running in a north-easterly, then in an east-north-easterly direction for a total distance of approximately 186 metres at NGR 33140 36601 as indicated by a bold broken black line between points A and B on the Order map.
- 2) Deleting from it Public Footpath, in the Community of Hawarden, in the County of Flintshire, commencing at NGR 33125 36591 running in a north-easterly, then in an east-north-easterly direction for a total distance of approximately 186 metres at NGR 33140 36601 as indicated by a bold broken black line between points A and B on the Order map.
- 3) Varying the relevant particulars contained in the Statement accompanying the Definitive Map.

A copy of the Order and the Order Map may be seen free of charge during opening hours at Hawarden Post Office and at reasonable hours at the Planning and Environment reception, Flintshire County Council, County Hall, Mold, Flintshire. Copies of the Order and map may be bought at County Hall for £5.00

Any representation or objection relating to the Order may be sent in writing to the Chief Officer Planning and Environment at the address below (quoting reference RS/SLJ/11/3/303) no later than 20th November 2018, and must include particulars of the grounds relied on.

If no representations or objections are duly made to the Order, or if any so made are withdrawn, the Flintshire County Council, instead of submitting the Order to the National Assembly for Wales, may itself confirm the Order. If the Order is submitted to the National Assembly for Wales, any representations or objections which have been duly made and not withdrawn will be sent with it.

Dated 19th October 2018



Andrew Farrow
Planning, Environment and Economy (Chief Officer)
Flintshire County Council
County Hall
Mold
Flintshire
CH7 6NB
RS/SLJ/11/3/303

HYSBYSIAD O ORCHYMYN ADDASU

ADRAN 53 DEDDF BYWYD GWYLLT A CHEFN GWLAD 1981
MAP SWYDDOGOL A DATGANIAD O HAWLIAU TRAMWY CYHOEDDUS AR
GYFER SIR CLWYD

GORCHYMYN CYNGOR SIR Y FFLINT (LLWYBR CYHOEDDUS RHIF 48 YNG NGHYMUNED PENARLÂG) GORCHYMYN ADDASU MAP DIFFINIOL 2018.

Bydd y Gorchymyn uchod, a wnaethpwyd ar 9 Hydref 2018, os caiff ei weithredu, yn addasu'r map diffiniol a'r datganiad ar gyfer yr ardal drwy:

- 1) Ychwanegu llwybr troed cyhoeddus ato, yng Nghymuned Penarlâg, yn Sir y Fflint, yn dechrau yn NGR 33125 36591 i gyfeiriad y gogledd ddwyrain, ac yna i gyfeiriad y dwyrain—gogledd-ddwyrain am bellter o tua 186 metr yn NGR 33140 36601 fel y nodir â llinell doredig ddu rhwng pwynt A a B ar y Map Gorchymyn.
- 2) Ei ddileu o'r Llwybr Troed Cyhoeddus, yng Nghymuned Penarlâg, yn Sir y Fflint, yn dechrau yn NGR 33125 36591 ac yn mynd i gyfeiriad y gogledd ddwyrain, ac yna i gyfeiriad y dwyrain-gogledd-ddwyrain am bellter o tua 186 metr yn NGR 33140 36601 fel y nodir â llinell doredig ddu rhwng pwynt A a B ar y Map Gorchymyn.
- 3) Addasu'r manylebau perthnasol a gynhwysir yn y datganiad sy'n cyd-fynd â'r Map Diffiniol.

Mae copi o'r Gorchymyn a Map y Gorchymyn i'w gweld am ddim yn ystod oriau agor Swyddfa Sir y Swyddfa Bost Penarlâg ac yn ystod oriau rhesymol yn swyddfa Gynllunio a'r Amgylchedd, Cyngor Sir y Fflint, Neuadd y Sir, yr Wyddgrug, Sir y Fflint. Gellir prynu copïau o'r Gorchymyn a'r map yn Neuadd y Sir am £5.00.

Gallwch anfon unrhyw sylw neu wrthwynebiad i'r Gorchymyn yn ysgrifenedig at Brif Swyddog Cynllunio a'r Amgylchedd i'r cyfeiriad isod (gan ddyfynnu cyfeirnod RS/SLJ/11/3/303) erbyn 20 Tachwedd 2018 fan bellaf, a rhaid nodi ar ba sail y gwneir y sylwadau neu'r gwrthwynebiadau.

Os na dderbynnir unrhyw sylw na gwrthwynebiad i'r Gorchymyn, neu os bydd rhai a wneir yn cael eu tynnu'n ôl, gall Cyngor Sir y Fflint gadarnhau'r gorchymyn yn hytrach na'i gyflwyno i Lywodraeth Cymru. Os caiff y Gorchymyn ei gyflwyno i Lywodraeth Cymru, bydd unrhyw sylw neu wrthwynebiad sydd wedi ei wneud a heb ei dynnu'n ôl yn cael ei anfon gyda'r Gorchymyn.

Dyddiedig 19 Hydref, 2018



Andrew Farrow
Cynllunio, Amgylchedd ac Economi (Prif Swyddog)
Cyngor Sir y Fflint
Neuadd y Sir
Yr Wyddgrug
Sir y Fflint
CH7 6NB
RS/SLJ/11/3/303