### WILDLIFE AND COUNTRYSIDE ACT 1981 THE DEFINITIVE MAP AND STATEMENT FOR THE WARMINSTER AND WESTBURY RURAL DISTRICT COUNCIL AREA DATED 1953 AND THE DEVIZES RURAL DISTRICT COUNCIL AREA DATED 1952 BOTH AS MODIFIED UNDER THE PROVISIONS OF THE WILDLIFE AND COUNTRYSIDE ACT 1981

### THE WILTSHIRE COUNTY COUNCIL SHEET ST95NW PARISH OF KEEVIL – KEEVIL 23 AND THE WILTSHIRE COUNTY COUNCIL SHEET ST96SW PARISH OF SEEND – SEEND 57 RIGHTS OF WAY MODIFICATION ORDER 21 2008

This Order is made by Wiltshire 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 for the Warminster and Westbury Rural District Council Area dated 1953 and the Definitive Map and Statement for the Devizes Rural District Council Area dated 1952 both as modified under the Wildlife and Countryside Act 1981 require modification in consequence of the occurrence of events specified in Section 53(3)(c)(i) and Section 53(3)(c)(ii), namely the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:

- 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;

The authority have consulted with every local authority whose area includes the land to which the order relates.

The Wiltshire County Council hereby order that:

- 1. For the purposes of this order the relevant date is 2 July 2008.
- 2. The Definitive Map and Statement for the Warminster and Westbury Rural District Council Area dated 1953 and the Definitive Map and Statement for the Devizes Rural District Council Area dated 1952 both as modified under the provisions of the Wildlife and Countryside Act 1981 shall be modified as described in Parts I and 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 Wiltshire County Council (Sheet ST95NW)(Keevil 23)(Sheet ST96SW)(Seend 57) Rights of Way Modification Order No 21 2008.

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THE COMMON SEAL OF THE WILTSHIRE COUNTY COUNCIL was hereunto affixed this 2<sup>nd</sup> day of July 2008 In the presence of:

## SCHEDULE

# PART I

# MODIFICATION OF DEFINITIVE MAP

Parish	Path no	Description of path to be upgraded	Modified under Section 53(3) as specified
Keevil	23	Length of restricted byway shown by broken line and small arrowheads marked A-B-C on the plan annexed hereto. Width 6.1 metres between points A – B. Width 3 metres between points B-C. Gate at Y. Length 196 metres.	53(3)(c)(ii) 1
Seend	57	Length of restricted byway shown by broken line and small arrowheads marked C – D on the plan annexed hereto. Width 3 metres. Length 4 metres.	53(3)(c)(i)

## SCHEDULE

### PART II

### **MODIFICATION OF DEFINITIVE STATEMENT**

Parish	Path no	Description of path or way	Modified under Section 53(3) as specified
Keevil	23	Restricted byway from the southern end of Seend 57 at the parish boundary at Seend Hea Leading south to the Trowbridge – Devizes Road A361 at ST92265 59683 Length 196 metres Width 6.1 metres from A361 to ST 92235 5987 Width 3 metres at ST92235 59875 to junction v Seend 57	5
		Limitations: Gate compliant with BS5709 at ST 92265 59689	
Seend	57	Restricted byway from the southern end of u/c6076 at the Corn Mill, Seend Head south to its junction with Keevil 23 at the parish boundary. Length 4 metres Width 3 metres	53(3)(c)(i)

