

# This is an explanation of why the Order has been made

## STATEMENT OF REASONS

### WILDLIFE AND COUNTRYSIDE ACT 1981

#### MODIFICATION ORDER

Under the Wildlife and Countryside Act 1981, the County Council, as the Highway Authority for Nottinghamshire, has a duty to keep the Definitive Map and Statement under continuous review. Councils are under an obligation to consider fully evidence that has been discovered or presented to them and, if necessary, make Orders to add or delete, upgrade or downgrade, amend or reclassify public rights of way. A notice that such an Order has been made has to be advertised on the site of the paths in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

The Nottinghamshire County Council has made such an Order to add part of Edingley Footpath No.1 and Kirklington Footpath No.14 to the Definitive Map and Statement. This Statement has been prepared to explain various aspects of the Order.

#### THIS STATEMENT DOES NOT FORM PART OF THE ORDER

The Nottinghamshire County Council has made the Order because having considered the available evidence including:

- 1779 Halam and Edingley Inclosure Plan
- 1781 Halam and Edingley Inclosure Award
- 1846 Kirklington Tithe Award Plan
- 1863 London Gazette 27<sup>th</sup> November 1863 edition – in support of Railway plans evidence
- 1864 Midland Railway Plan and Schedule Mansfield to Southwell Railway No. 1
- 1864 Midland Railway - Newark to Mansfield Plan Railway No.2
- 1874 Hexgrave Park Estate Plan
- 1884 OS six inch to the mile. 1<sup>st</sup> Ed. Sheet XXIX.SW
- 1885 OS 25 inch to the mile Sheet XXIX.10
- 1910 Finance Act Record Plan
- 1910 Finance Act Working Plan
- 1910 Finance Act Valuation Books for the relevant parishes
- 1951 Parish Survey Schedules for Kirklington and Edingley
- 1961 Definitive Map Base Map. OS Sheet SK65 2 ½ inches to the mile

The Nottinghamshire County Council is satisfied that the Order complies with the following legal grounds and tests laid down in Part III of the Wildlife and Countryside Act, namely that the discovery of evidence which (when considered with all other relevant evidence available) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist.

**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 relating to the Order must be made in writing by 1<sup>st</sup> May 2026 to the Countryside Access Section at the address which is given in the notice.

The Nottinghamshire County Council will be willing to discuss the concerns of those considering objecting or making representations relating to the Order. Anyone wishing to do so may contact Sue Jarczewski in the Countryside Access Section on 0115 804 1308 between 9.00 am and 4.00 pm Mondays to Fridays inclusive.

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 may be awarded against objectors 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 for determination. An Inspector from the Planning Inspectorate will then consider 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 or if any objections received are subsequently withdrawn the Council will be able to confirm the Order itself but it has no power to modify Orders.

The Order will come into effect on the date of confirmation.

EPE.2841.16M  
16 March 2026