

Wildlife and Countryside Act 1981

The Definitive Map and Statement for the County of Essex

The Essex County Council Definitive Map Modification No.682 (Restricted Byways 42 Birch and 24 Copford, Colchester Borough) Order 2021

This Order is made by Essex County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 "the Act" because it appears to the Secretary of State (who has directed the authority to that effect) that the Definitive Map and Statement for the County of Essex requires modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) & (ii) namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows (i) that rights of way which are not shown in the map and statement subsist or are reasonably alleged to subsist over land in the area to which the map relates, being rights of way to which this Part applies and (ii) that highways shown in the map and statement as highways of a particular description ought to be there shown as a highway of a different description.

The authority has consulted with every local authority whose area includes the land to which the order relates. The Essex County Council hereby order that:

1. For the purpose of this order the relevant date is 3 September 2021.
2. The Definitive Map and Statement for the County of Essex shall be modified as described in Part I and Part 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 Essex County Council Definitive Map Modification No.682 (Restricted Byways 42 Birch and 24 Copford, Colchester Borough) Order 2021

Given under the Common Seal of the Essex County Council this 14th day of October in the year Two Thousand and twenty one

The COMMON SEAL of the ESSEX)
COUNTY COUNCIL was hereunto)
Affixed in the presence of:)



Solicitor

E0292



**Essex County
Council**

2021.10.14

14:48:50

+01'00'

SCHEDULE**PART I****Modification of Definitive Map****Description of path or way to be added**

A length of restricted byway numbered 42 Birch, from the unclassified road by Hellens Farm at point A on the order plan in a northerly and north westerly direction for a distance of 240 metres to the junction with bridleway 2 Birch at Point B. From there it continues in a northerly direction for a distance of 245 metres to Point C at the south westerly corner of Potash Wood. From here it heads west for a distance of 327 metres to Point D at the south west corner of Seller Wood, where it turns north for a distance of 254 metres until it reaches Point E at the parish boundary with Copford where it continues as restricted byway 24.

Description of path or way to be upgraded

Footpath 24 Copford, from the parish boundary with Birch at point E on the Order Plan, in a northerly direction for a distance of approximately 304 metres to Point F at Easthorpe Road is upgraded to restricted byway.

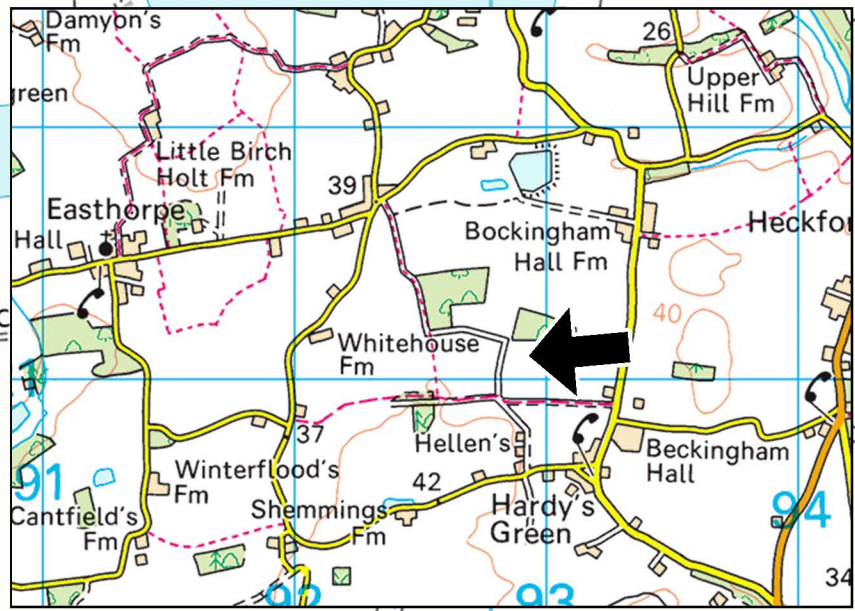
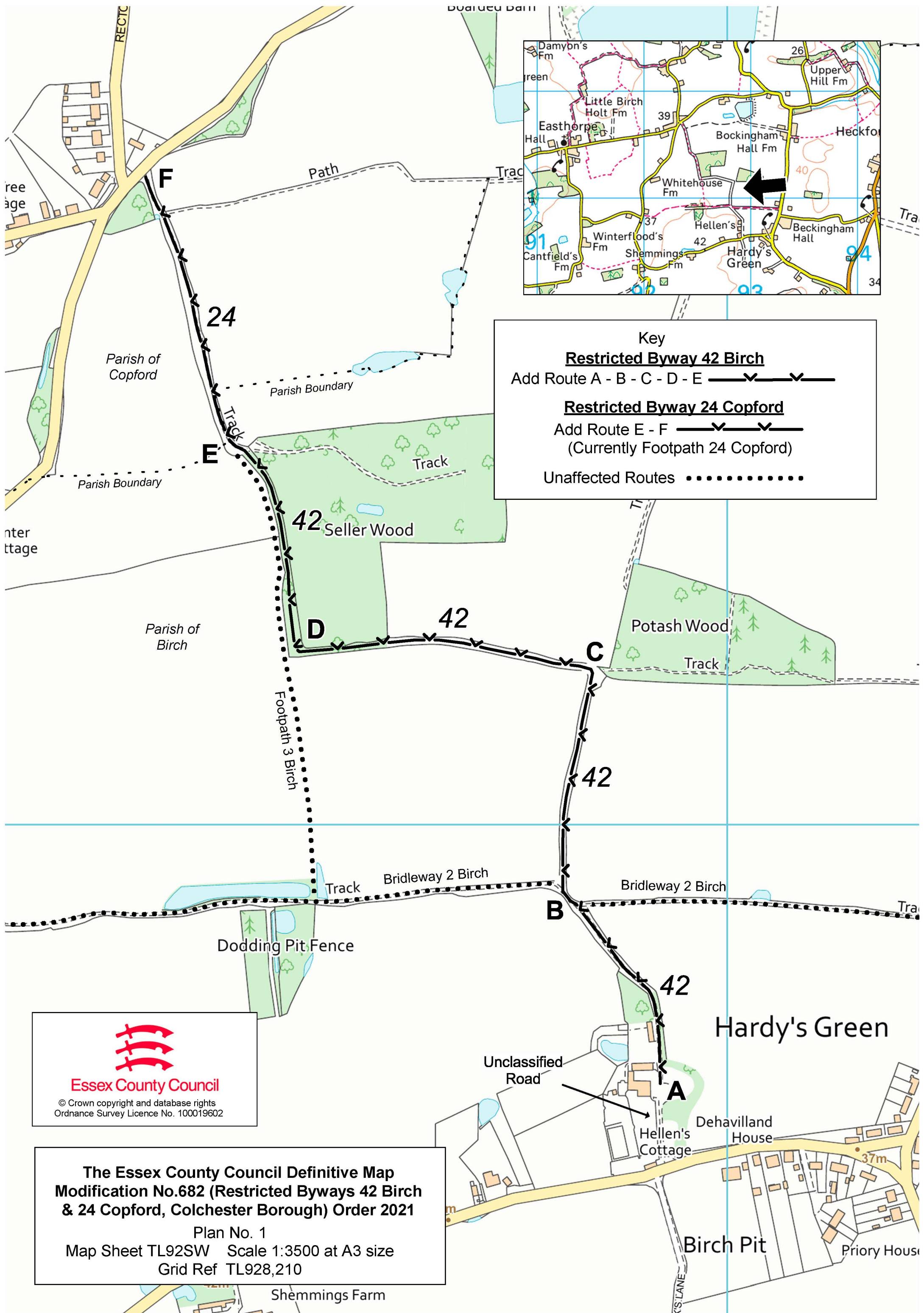
PART II**Modifications of Definitive Statement****Variations of particulars of path or way**

The statement for the parish of Copford shall be amended as follows: -

OS Sheet No.	Path No.	Classification	Position and Description
92SW 9221	24	RWBY	From Easthorpe Road in a southerly direction to the Parish boundary where it continues as RWBY 42 Birch and meets with FP 3 Birch. The width of the way is the whole of the area shaded on Order Plan 2, varying between 7 and 16 metres, with the proviso that any ditches beside the way are not included

The statement for the Parish of Birch shall be amended as follows :-

OS Sheet No.	Path No.	Classification	Position and Description	Remarks
92SW 9221	3	FP	Starts at the junction with BR 2, runs north, west of Seller Wood to the parish boundary with Copford where it joins RBWY 24 via a footbridge	
92SW 9220-9221	42	RBWY	From the unclassified road by Hellens Farm in a generally northerly direction to Potash Wood then turning west to Sellars Wood where it runs parallel to the southern boundary before turning north to join with Footpath 3 Birch and RBWY 24 Copford . The width of the way is the whole of the area shaded on Order plan 2, varying between 4 and 16 metres, with the proviso that any ditches beside the way are not included.	



Key

Restricted Byway 42 Birch
Add Route A - B - C - D - E ————

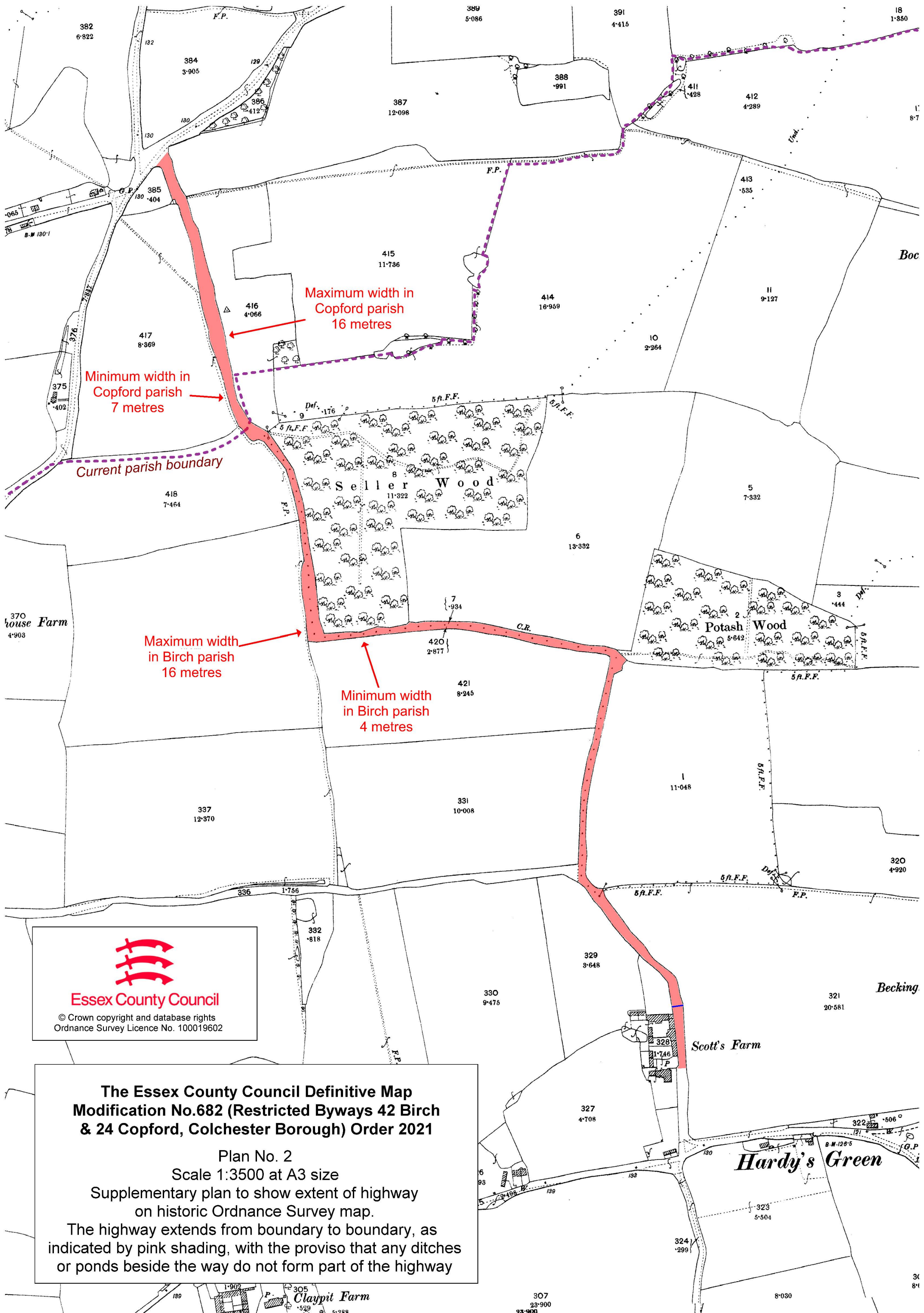
Restricted Byway 24 Copford
Add Route E - F ————
(Currently Footpath 24 Copford)

Unaffected Routes


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**The Essex County Council Definitive Map
Modification No.682 (Restricted Byways 42 Birch
& 24 Copford, Colchester Borough) Order 2021**

Plan No. 1
Map Sheet TL92SW Scale 1:3500 at A3 size
Grid Ref TL928,210



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**The Essex County Council Definitive Map
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Plan No. 2

Scale 1:3500 at A3 size

Supplementary plan to show extent of highway
on historic Ordnance Survey map.

The highway extends from boundary to boundary, as
indicated by pink shading, with the proviso that any ditches
or ponds beside the way do not form part of the highway