

Wildlife and Countryside Act 1981
Explanatory Statement to Accompany Definitive Map Modification Order
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. Oxfordshire County Council is responsible for the Definitive Map and Statement for Oxfordshire and has a duty to amend them when evidence suggests that they are 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 If there are objections which are not subsequently withdrawn, the council must refer the Order and objections to the Department for Environment, Food and Rural Affairs which will decide whether or not to confirm the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 council has made a Modification Order under section 53 of the Act to add a public footpath to the definitive map and statement from Footpath No. 33 (the Oxford Canal towing path) at grid reference SP 4872 1350 (Point G on the order plan), running northeast over the canal bridge for approximately 18 metres to the metalled footpath recorded on the List of Streets to the rear of 35 Osbourne Close at SP 4873 1351 (Point K).

Oxfordshire County Council has made this Order because there is sufficient evidence to suggest that a public right of way on foot subsists or is reasonably alleged to subsist and therefore this should be shown on the map and statement. This evidence consists of documentary evidence. The evidence on which the decision is based is set out in the determination report available at <https://letstalk.oxfordshire.gov.uk/03790-kidlington>. The report appendices are available on request from countrysideaccesslegal@oxfordshire.gov.uk

Objections or representations relating to the Order must be made in writing to Countryside Access – Research and Legal Record, Oxfordshire County Council, County Hall, Oxford OX1 1ND, or countrysideaccesslegal@oxfordshire.gov.uk no later than **25 October 2024**, and must include particulars of the grounds relied on. To be relevant, objections or representations should relate only to the question of the existence or status of rights of way. If there are any objections which are not withdrawn, the council must refer the Order and objections to the Department for Environment, Food and Rural Affairs who will appoint an independent Inspector to consider the Order and hear the objections, normally by holding a public inquiry. Objectors will be contacted prior to this if it appears that the representations or objections do not relate to any matters that an Inspector can take into consideration. The Inspector cannot, for example, consider the suitability of the way for public use or any other effects of confirming an Order.

The inspector may confirm the Order, with or without modifications, or may decide that the Order should not be confirmed. Alternatively, the matter may be determined through written representations or a hearing. If there are no objections to the order, or if any made are withdrawn, the council may confirm the Order, and the Definitive Map and Statement will then be modified.

The Council will be willing to discuss the concerns of those objecting or making representations relating to the order. Please contact the Countryside Access – Research and Legal Record Officer on **01865 328948**. The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. The council's costs involved in dealing with objections to orders are normally awarded against objectors only in cases of unreasonable behaviour.

For further information about definitive maps and statements and associated modification orders, see the booklet *A guide to definitive maps and changes to public rights of way* (NE112), available from Natural England at <https://www.gov.uk/government/publications/definitive-maps-of-public-rights-of-way-change-the-legal-records>

GDPR and Data Protection Act: *The County Council will consider all correspondence, objections and representations received in response to this order. They may be disseminated widely for these purposes and made available to the public.*