

# Public Notice

**Section 53 of the Wildlife and Countryside Act 1981  
Definitive Map and Statement for the County of Essex  
The Essex County Council Definitive Map Modification 676, Restricted Byways  
40 and 41, Birch, Colchester District Order 2020**

**NOTICE IS HEREBY GIVEN** that Essex County Council elected pursuant to paragraph 5(1) of Schedule 15 of the Act that the above Order shall have effect as two separate Orders. The second Order, which was unopposed, was confirmed on 3 March 2021.

The Secretary of State for the Environment, Food and Rural Affairs on 12 December 2022 confirmed the first Order and it took effect on that day.

The effect of the first Order is to modify the Definitive Map for the County of Essex by:

Upgrading a length of Footpath 13 Birch known as “Caper Lane” to restricted Byway number 40. This commences from Point A on Order Plan 1, in Maldon Road, and continues in a southerly direction for a distance of approximately 590 metres to meet Restricted Byway 39 Birch at Point B. From there it continues in a south westerly direction for a distance of 105 metres to meet Mill Lane. The width of the way incorporates the whole of the land parcel numbered 40 on Order Plan 1a (which is an extract of the 2nd 25” Ordnance Survey edition) and varies between 4 and 10 metres.

A copy of the Order and Order map may be seen free of charge during normal office hours at the Chelmsford Library, Market Road, Chelmsford, where copies will be available on request at a charge. Copies of the order and order map are available on Essex Highways website at:

<https://www.essexhighways.org/transport-and-roads/getting-around/public-rights-of-way/public-path-notice.aspx>) and have also been sent to Colchester Borough Council

If any person is aggrieved by this Order and desires to question its validity on the ground that it is not within the powers of section 53 or that any of the requirements of Schedule 15 have not been complied with in relation to it, he may within 42 days from the date of publication of this Notice make an application to the High Court under paragraph 12(1) of Schedule 15 to the Act.

Dated: 23 March 2023



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