

Definitive Map of Rights of Way for Leicestershire
Register of Definitive Map Modification Order Applications

Short Description: From De Ruthyn Close to Willesley Lane, Moira			
Application No.:	M972	Legal Services Ref. No.:	HTWMT/
Application Status:	Research		

Geographical Location				
Path No:	P3 & P112	Route name (if known):		
Settlement:	Moira			
Parish:	Ashby Woulds			
District/Borough:	North West Leicestershire			
Nearest Town/City:	Ashby de la Zouch			
Start Location:				
Start Grid Refs:	Landranger:	SK 323 157	Eastings,Northings:	432350,315790
End Location:				
End Grid Refs:	Landranger:	SK 327 159	Eastings,Northings:	432730,315900
Start Grid Refs:	Landranger:	SK 323 158	Eastings,Northings:	432380,315800
End Location:				
End Grid Refs:	Landranger:	SK 326 160	Eastings,Northings:	432650,316060

Applicant's Name, Address & Postcode: The Friends of Beehive Wood, Moira, Swadlincote, Derbyshire			
Date Received:	10 May 2013	Date Determined:*	
Application Stage(s): <ul style="list-style-type: none"> 15/09/2013 Additional Evidence Forms and more accurate plans received from applicant 14/04/2014 Information and plans forwarded to Legal Services for preliminary consultations to be commenced. 			

For Further Information			
Case Officer:	Samantha Ireson		
Telephone:	0116 305 0001	Fax:	0116 305 7014
Email:	footpaths@leics.gov.uk		

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Additional Documents	N/A
Inspector's Decision	N/A

* Note the Determination Date is the occasion on which Leicestershire County Council formally decided whether or not to make an order in response to this application.

10 May 2013

Geoffrey Pendery
Rights of Way Officer
Rights of Way Service
Travel Choice & Access Team
Environment and Transport Department
Leicestershire County Council
County Hall
Glenfield
Leicester
LE3 8RJ

Dear Geoffrey,

Application for Definitive Map Modification Order
Public Rights of Way –Beehive Wood (Moir)

The local community has been able to access Beehive Wood and walk through freely using the paths for well over 20 years as evidenced in the 17 Public Rights of Way Evidence Forms referred to below, and further planting took place in 1996 as part of the planning scheme required by the local council, under a Section 106 Agreement, before permission was granted to build the Daybell Estate.

In 2012 Beehive Wood was sold to a new owner and access to the wood has been blocked. The bridge across the stream between the Daybell Estate and the wood has been removed and fencing erected to stop access and stiles that had been in place removed.

Friends of Beehive Wood has been established by members of the local community with the aim of having access to the wood restored and its future safeguarded from unsympathetic development. The local community in conjunction with the Friends of Beehive Wood have gathered together a series of documents to support its objective of having free access to the wood as allowed by the previous owner.

Therefore, please find enclosed the following documentation:-

1. Public Rights of Way Evidence Forms-20 years + access (17 Forms)
2. Public Rights of Way Evidence Forms- under 20 years access (33 Forms)
3. A National Forest Map showing Beehive Wood, Sweethill. (Moir)
4. A Beehive Wood Scale Map.
5. A Beehive Wood Aerial Map.
6. Section 106 Agreement.
7. A De Ruthyn House Deed.
8. A3 Map showing Beehive Wood Footpaths.

I would like to draw your attention to the following items contained in the above documentation:-

3. A National Forest Map – this if nothing else implies that the wood is a local attraction and can be used by the general public.
6. Section 106 Agreement-it is our understanding having read the 106 Agreement that money was provided for tree planting etc in Beehive Wood to improve the area and for the benefit of the general public, and that this was part of the agreement for the building of the Daybell Estate. You will see in the Agreement a map with a hatched area which is the Beehive Wood. If this is correct, now that access has been denied, how does this affect the Section 106 Agreement?

7. De Ruthyn House Deed which is for Plot 49 now house number 15 – in the top left corner it states "Rev. A Forest Area Added April 1997, which relates to the forest area at the bottom of the page. Both of which I have highlighted.

Also please find enclosed the following documentation:-

- Form PT634 – Application for Definitive Map Modification Order
- Form PT635 – Notice - Application for Definitive Map Modification Order
- Form PT636 – Certificate of Service Notice.

I can also confirm that we have sent a copy of Form PT 635 the Notice – Application for Definitive Map Modification Order to Mrs Leontina Lopes Duarte, who we understand is the current (new) Landowner.

For any correspondence please reply to the following address which we are using as a "postal address":-

Friends of Beehive Wood
C/o The Replan
Moirs
DE12 6 DJ

Our email address – friendsofbeehivewood@gmail.com

Yours sincerely,



A. Gwilliam

Friends of Beehive Wood.

APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF LEICESTERSHIRE

Please complete this form and return it together with Form PT636, and any evidence you wish to submit, to: Rights of Way Service, Travel Choice & Access Team, Environment and Transport Department, Leicestershire County Council, County Hall, Glenfield, Leicester, LE3 8RJ.

~~We~~ FRIENDS OF BEEHIVE WOOD

of MOIRA, ASHBY WOUNDS, LEICESTERSHIRE

hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981, modifying the Definitive Map and Statement for the area by

☒ ~~adding a footpath/bridleway/byway open to all traffic~~

*deleting a footpath/bridleway/byway open to all traffic

*upgrading the footpath/bridleway

*downgrading the bridleway/byway open to all traffic

*varying the particulars in the Definitive Statement relating to the footpath/bridleway/byway open to all traffic

(*delete as appropriate)

which runs

from DE RUTHYN CLOSE, DAY BELL ESTATE, MOIRA
VIA BEEHIVE WOOD
 to WILLESLEY WOODSIDE

as shown on the attached plan.

~~We~~ attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

List of Documents

- ① PUBLIC RIGHTS OF WAY - EVIDENCE FORMS
- ② PUBLIC RIGHTS OF WAY - EVIDENCE FORMS
- ③ BEEHIVE WOOD, SWEETHILL, NATIONAL FOREST MAP
- ④ BEEHIVE WOOD, MOIRA, SCALE MAP
- ⑤ BEEHIVE WOOD, AERIAL PHOTOGRAPH
- ⑥ SECTION 106 AGREEMENT William
- ⑦ DE RUTHYN HOUSE DEEDS
- ⑧ LARGE A3 MAP SHOWING FOOTPATHS

Signed



A. Gwilliam

Dated

10/05/2013



NOTICE:

APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF LEICESTERSHIRE

Applicants must complete this notice and send a copy to all landowners and occupiers who may have an interest in the land affected by the application.

To: MRS. LEONTINA LOPES DUARTE
of: 38 PATERDALE, RUGBY, WARWICKSHIRE, CV21 1PQ

Notice is hereby given that on the 10/05/2013 (date),

~~We~~, FRIENDS OF BEEHIVE WOOD
of MOIRA, ASHBY WOODS, LEICESTERSHIRE

Made application to Leicestershire County Council, for an Order under Section 53(2) of the Wildlife and Countryside Act 1981, modifying the Definitive Map and Statement for the area by

*adding a footpath/bridleway/byway open to all traffic

*deleting a footpath/bridleway/byway open to all traffic

*upgrading the footpath/bridleway

*downgrading the bridleway/byway open to all traffic

*varying the particulars in the Definitive Statement relating to the footpath/bridleway/byway open to all traffic

(*delete as appropriate)

which runs
from DE RUTHYN, DAYBELL ESTATE, MOIRA - VIA BEEHIVE WOOD
to WILLESLEY WOODSIDE

as shown on the attached plan.

Signed...



A. Gwilliam

Dated

10/05/2013

10th May 2013

Mrs Duarte,
38 Patterdale,
Rugby,
Warwickshire,
CV21 1PQ

Dear Mrs Duarte,

FORM PT635
Application for Definitive Map Modification Order
Public Rights of Way-Beehive Wood (Moira)

We are a group known as Friends of Beehive Wood which has been formed by members of the local community who have had free access to Beehive Wood for many years. It is our understanding that since you have become the new owner of Beehive Wood, this access has been denied.

Therefore, on behalf of the local community, we have submitted an application and supporting documents to Leicester County Council for a public right of way through Beehive Wood to be granted; so restoring the access which the local community has previously enjoyed.

This attached Form PT635 is notification to you of this submission to the County Council which is the start of this process.

I am sure a representative from the council will be in touch with you in due course to explain the process in detail.

Please understand that we mean no offence, and we would like to resolve this matter as amicably as possible so that the local community can enjoy the benefit of this beautiful wood again.

Yours sincerely



Lisa Bromage
Friends of Beehive Wood

CERTIFICATE OF SERVICE OF NOTICE:

APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF LEICESTERSHIRE

Please complete this form and return it together with Form PT634, and any evidence you wish to submit, to: Rights of Way Service, Travel Choices & Access Team, Environment and Transport Department, Leicestershire County Council, County Hall, Glenfield, Leicester, LE3 8RJ.


1/We, FRIENDS OF BEEHIVE WOOD
of MOIRA, ASHBY WOODS, LEICESTERSHIRE

Hereby certify that the requirements of paragraph 2 of Schedule 14 of the Wildlife and Countryside Act 1981, have been complied with.

Names and addresses of owners and occupiers of land on whom Notice has been served

MRS LEONTINA LOPES DUARTE
38 PATERDALE
RUGBY
WARWICKSHIRE
CV21 1PQ

Signed



Dated

10/05/2013

A Gwilliam



THE NATIONAL
FOREST

Beehive Wood, Sweethill

A Hepworth Plc woodland near the centre of the
National Forest just outside Moira



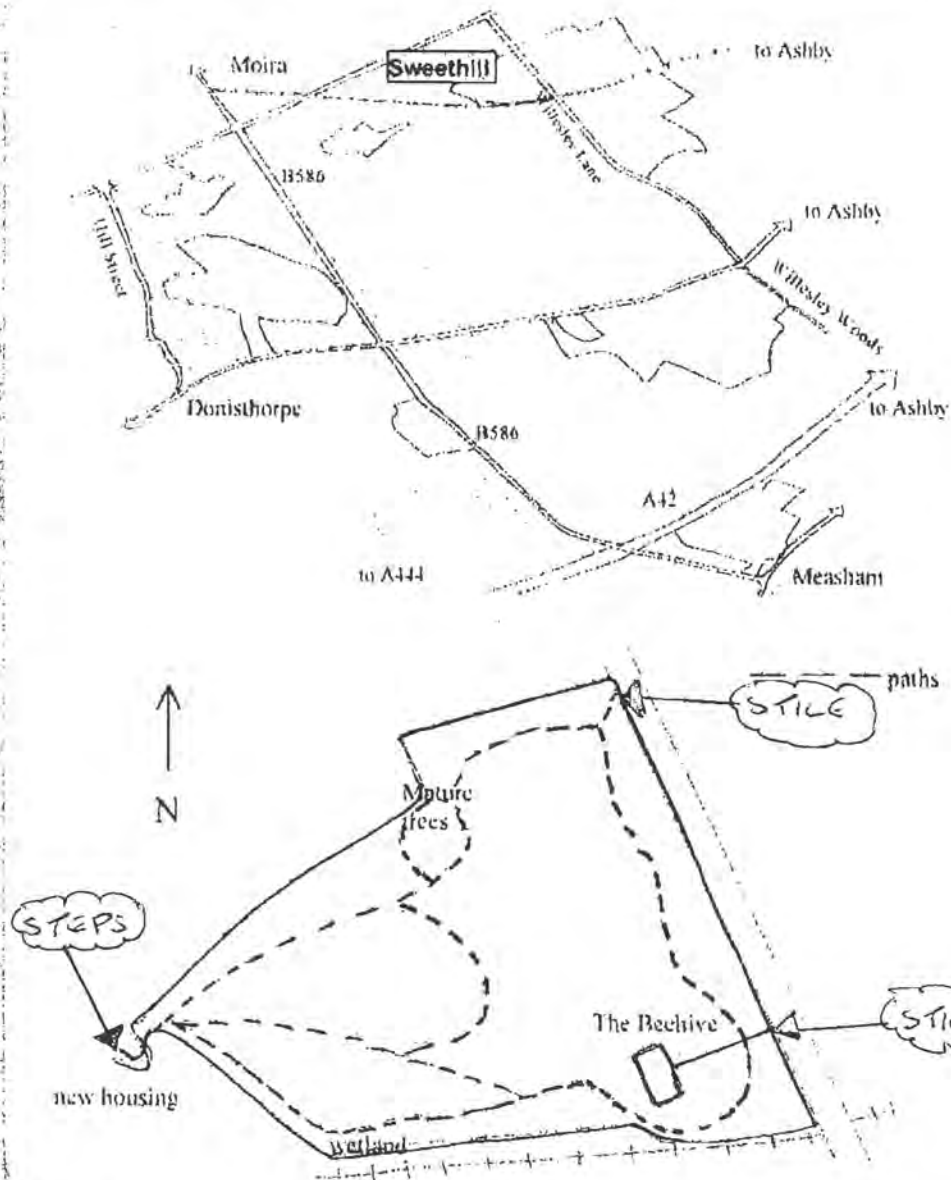
Stevensons no.8

Former farmland planted
in 1997 with native trees
and shrubs as part of the
adjacent housing
development.

A wetland at the bottom of
the site adjoining the
railway line has been
retained for its nature
conservation interest.

A small area of mature
woodland is home to a
variety of wildlife.

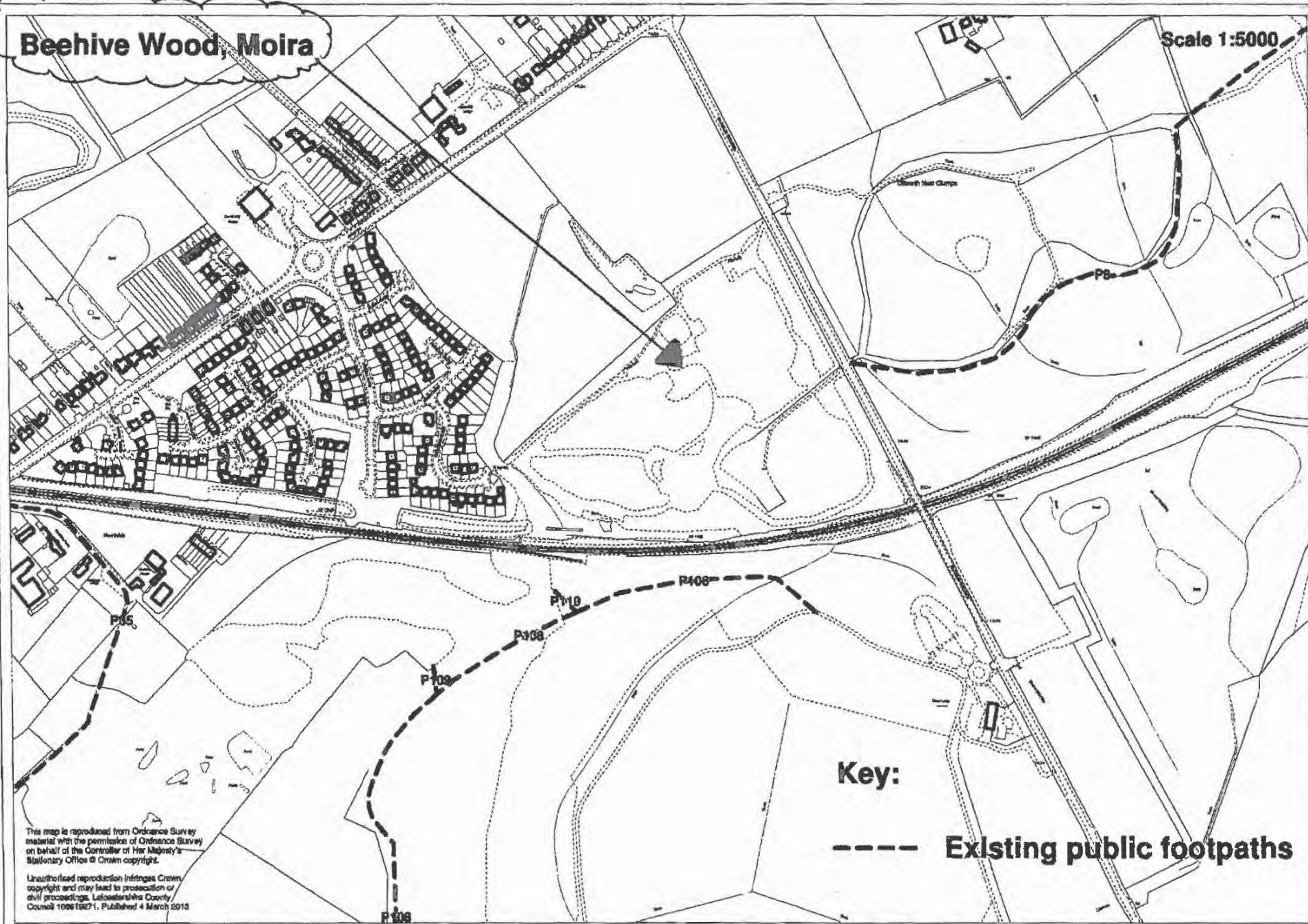
- The Heart of the Forest oak tree is at the end of Willesley Lane near the site
- Newfield Colliery Nature Reserve
- Chestnut Farm
- Conkers



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Beehive Wood, Moira

Scale 1:5000



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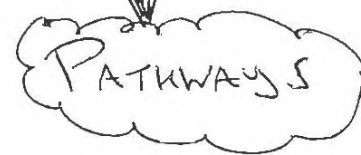
Key:

----- Existing public footpaths

Friends of Beehive Wood



Beehive Wood is the wood between the Daybell Estate and Willesley Woodside Road.



LT 298655

KINGSWOOD
ASHBY ROAD MOIRA

PLAN REFERRED TO
PLOT No. 49.

Screen wall or fence
Boundary line
Building line

SCALE 1:1250



These plans are
subject to the
planning and
building regulations
of the day.
They shall not
be used for
any other purpose.



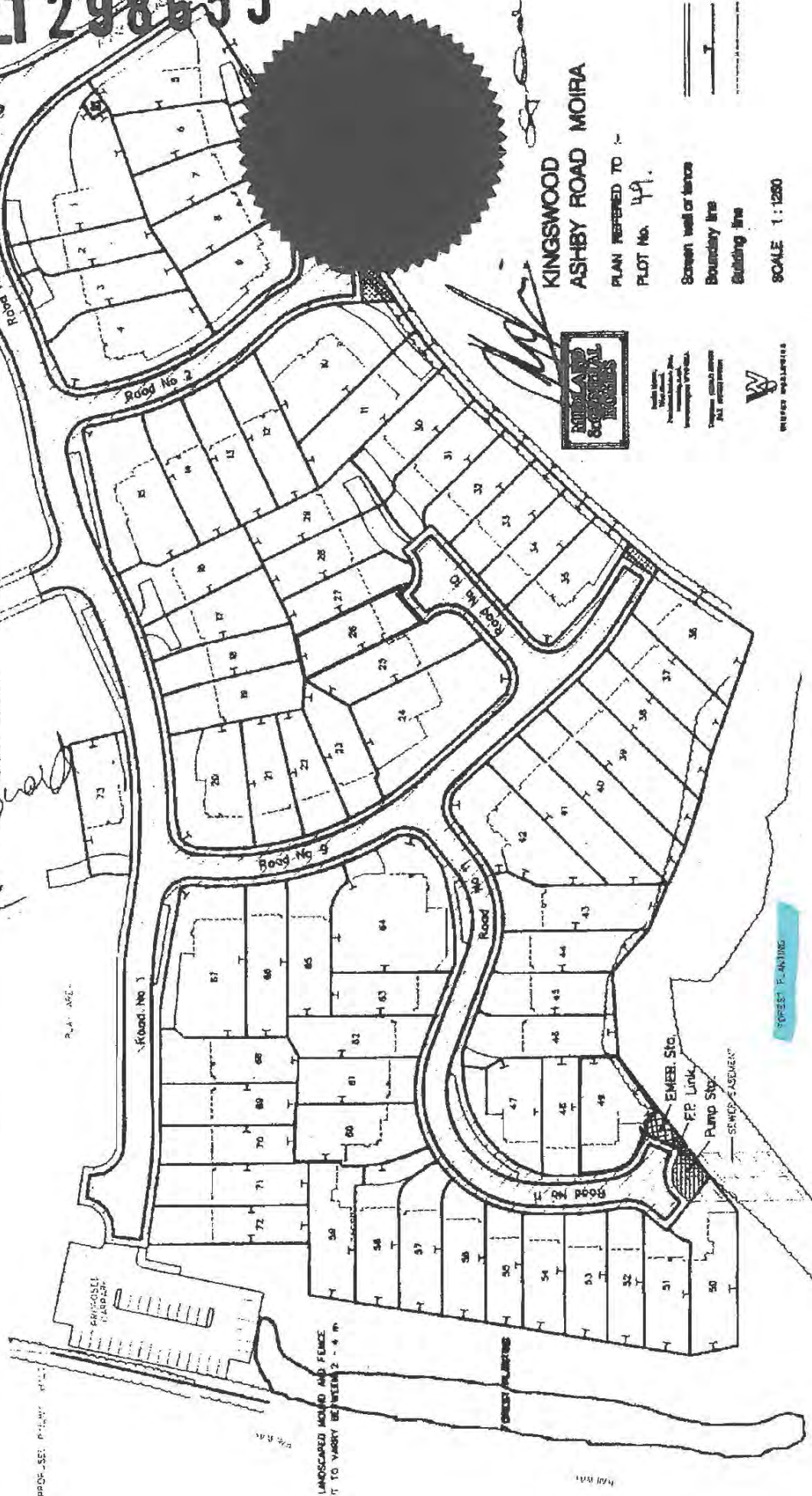
PLAN

Dr. M. J. ...
G. J. ...



See A. E.E. List's Estate Development, A1, April 1971.
See B. B. & Co. Ltd. 2-4-2 8-1. Ad. July 1972.
See C. E. & Co. Ltd. 2-4-2 8-1. Ad. July 1972.

7



(8)

Norris Hill

farm

Sweethill Oak

Dilworth New Clumps

WILLESLEY LANE

BEEHIVE WOOD

Sweethill Lodge

SWEETHILL

DAYBELL ROAD

REGAN ROAD

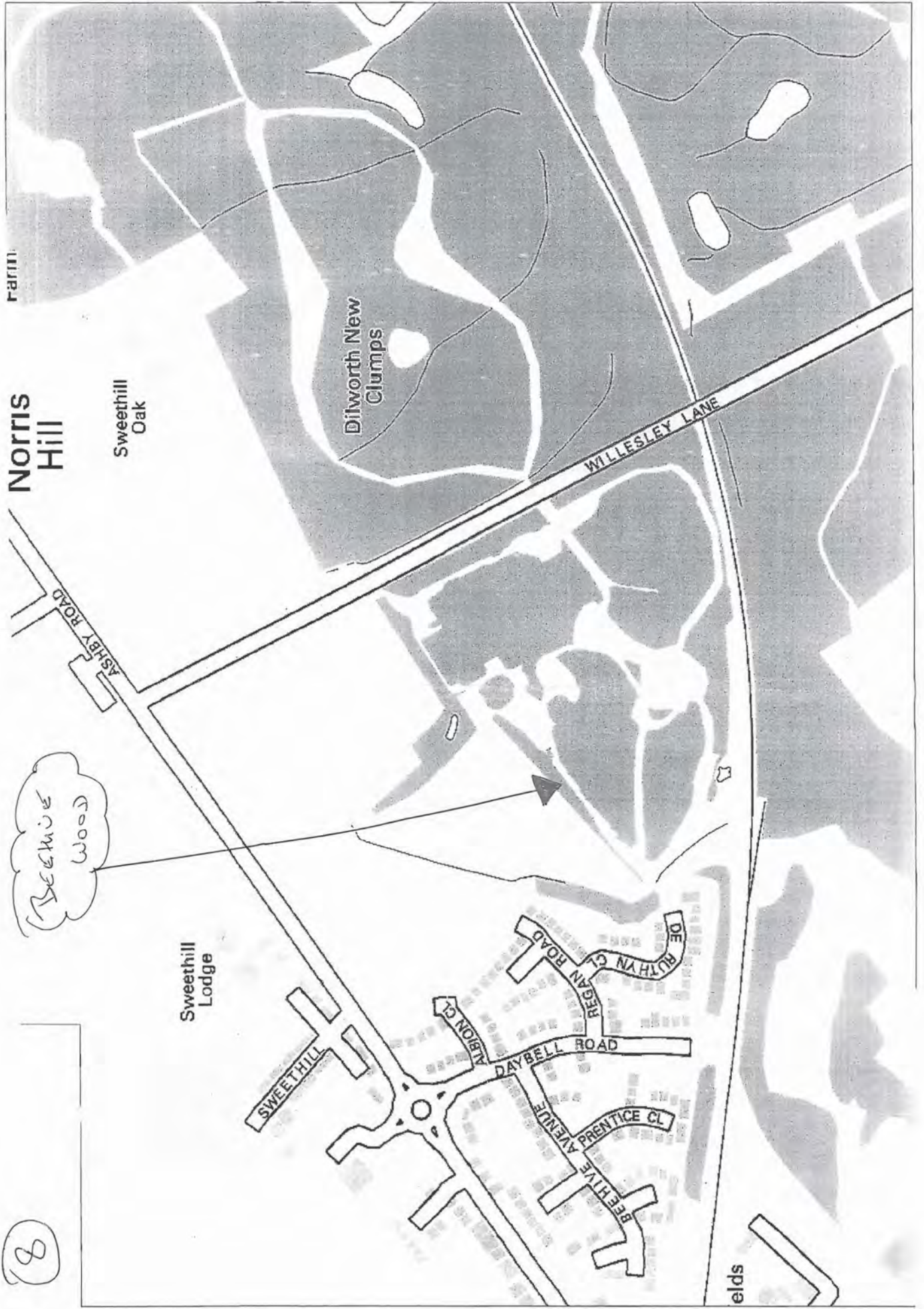
DE ROTHAM CL

PRENTICE CL

BEEHIVE AVENUE

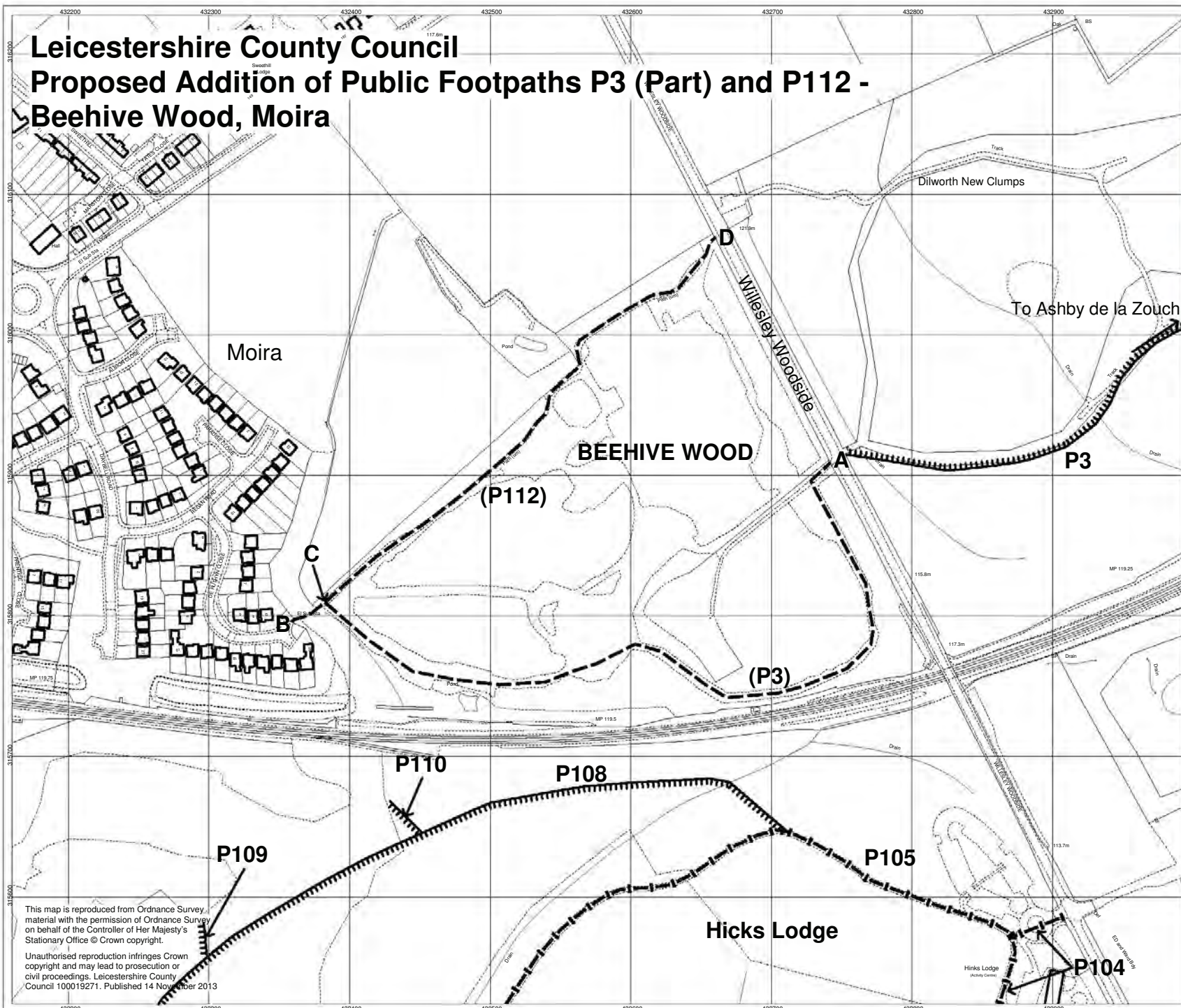
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elds



Leicestershire County Council




Proposed Addition of Public Footpaths P3 (Part) and P112 - Beehive Wood, Moira



Location Plan



Key

-  Public Footpaths to be added (A - B, C - D)
-  Existing public footpaths
-  Existing public bridleways

Environment & Transport Department,
County Hall, Glenfield,
Leicestershire LE3 8RJ
email footpaths@leics.gov.uk
Phil Crossland, Director



Plan No.M972

Scale 1:2500

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