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| **Order Decision** |
| Site visit on 10 November 2020 |
| **by Sue Arnott fiprow** |
| **an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs** |
| **Decision date: 10 June 2021** |

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| **Order Ref: ROW/3237069M** |
| * This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981. It is known as the Derbyshire County Council (Footpath from Station Road to Public Footpath No. 2 via Calico Lane – Whaley Bridge) Modification Order 2018. |
| * The Order is dated 8 February 2018. It proposes to modify the definitive map and statement for the area by recording a public footpath between Station Road, Furness Vale, and Footpath No. 2 (Whaley Bridge) beside the Peak Forest Canal, as shown on the Order map and described in the Order schedule. |
| * There was one objection outstanding when Derbyshire County Council submitted the Order for confirmation to the Secretary of State for Environment, Food & Rural Affairs. * In accordance with Paragraph 8(2) of Schedule 15 to the Wildlife and Countryside Act 1981 I have given notice of my proposal to confirm the Order with modifications. Two objections and one representation have been submitted in response. |
| |  | | --- | | **Summary of Decision: The Order is confirmed, subject to the modifications set out in the Formal Decision below.** | |

Reasons

1. If confirmed with the modification set out in paragraph 60 of my interim Order Decision issued on 13 January 2021, the Order would record on the definitive map and statement a public footpath as originally proposed but with a reduced width between the points marked on the Order map as C and D.
2. Objections to my proposed modification were lodged by two parties, both raising concerns about public safety and conservation matters. However, these are not matters that are relevant to the determination of this Order which is based on the premise that long-standing use by the public has already established a public footpath here.
3. A representation submitted by a statutory undertaker raised no objection to the modification I proposed.

Formal Decision

1. I therefore confirm the Order subject to the following modification:

In Part II of the Order schedule - Modification of the Definitive Statement: amend width of “Point C to D” so as to read “1.5 metres”.

Sue Arnott

**Inspector**

