

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Sandwell Metropolitan Borough Council
Staffordshire (Rowley Regis) Definitive Map and Statement
The Borough Council of Sandwell (Dudley Road East, Brades Hall, Tividale,
Rowley Regis, West Midlands) Definitive Map Modification Order 2013

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **26 May 2016**.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **West Bromwich Town Hall, High Street, West Bromwich, B70 8DT** on **Tuesday 25 October 2016** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the Staffordshire (Rowley Regis) Definitive Map and Statement for the area by adding to them two footpaths one from the north side Dudley Road East, Brades Hall, Tividale, Oldbury, West Midlands to south west of the River Tarne the other a connecting footpath to the south east of the Gower Branch canal Oldbury as described on the map annexed to the order.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: helen.sparks@pins.gsi.gov.uk Please quote reference number FPS/G4620/7/2 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment during normal office hours (Monday to Thursday 9:00am – 5.30pm and Friday 9:00am – 5:00pm) at the main reception area of Sandwell Metropolitan Borough Council, Sandwell Council House, Freeth, St Oldbury, West Midlands, B69 3DE. To arrange a viewing, please contact Mr Bill King on Telephone Number (0121) 569 4057.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 21 July 2016]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 1 September 2016]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 27 September 2016]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

Sandwell Metropolitan Borough Council

Wildlife and Countryside Act 1981

Staffordshire (Rowley Regis) Definitive Map and Statement

The Borough Council of Sandwell (Dudley Road East, Brades Hall, Tividale, Rowley Regis, West Midlands) Definitive Map Modification Order 2013

This order is made by the Borough Council of Sandwell under section 53(2)(a) of the Wildlife and Countryside Act 1981 ('the Act') because it appears to that authority that the Staffordshire (Rowley Regis) Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) of the Act, namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) show that rights of way which are not shown in the map and statement subsist or are reasonably alleged to subsist over land marked ABCDEFG and HC on the map annexed hereto and thereafter should be shown as two footpaths on the said definitive map and statement as prescribed by the 1st and 2nd schedules to the order.

There are no other local authorities whose area includes the land to which the order relates. The Borough Council of Sandwell hereby order that:

1. For the purposes of this order the relevant date is 3rd December 2013
2. The Rowley Regis Definitive Map and Statement shall be modified as described in Parts I and II of each of the two Schedules numbered 1 and 2 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 Borough Council of Sandwell (Dudley Road East, Brades Hall, Tividale, Rowley Regis, West Midlands) Definitive Map Modification Order 2013.

The COMMON SEAL of
THE BOROUGH COUNCIL OF SANDWELL
was hereto affixed this 3rd day of December 2013
in the presence of:-


SERVICE MANAGER - LEGAL
(Authorised Signatory)



SCHEDULE 1

PART I

Modification of The Staffordshire (Rowley Regis) Definitive Map

Description of paths or ways to be added (as indicated on map annexed to order)

Position:

Footpath at Brades Hall Tividale Oldbury West Midlands ABCDEFG as Path No 99 from north side Dudley Road East to a point near south west side River Tame more particularly leading north easterly through ABCD east to south easterly through DEF and north to north westerly through FG

Length(s)

Approximate centre line measurements in metres

AB:163.7 BC:102.6 CD:30.0 DE: 244.7 EF: 54.8 FG:156.4

Width and Surface

ABCDE 1.8 metre compacted earth/unspecified material, EFG 1.0 metre field path

PART II

Modification of The Staffordshire (Rowley Regis) Definitive Statement

Variation of particulars of paths or ways

Path No	99
Type of path	FP
Path commences at	North side Dudley Road East Oldbury
Path finishes at	Land south west of River Tame Dudley Road East Oldbury
Documents creating or modifying the right of way and other relevant information	The Borough Council of Sandwell (Dudley Road East Brades Hall Tividale Rowley Regis West Midlands) Definitive Map Modification Order 2013

SCHEDULE 2

PART I

Modification of The Staffordshire (Rowley Regis) Definitive Map

Description of paths or ways to be added (as indicated on map annexed to order)

Position:

Footpath at Brades Hall Tividale Oldbury West Midlands HC as Path No 100 connecting with Path No 99 at point C north west of a religious temple building leading to but not crossing towpath and associated undertakings of the Gower Branch Canal at point H

Length(s)

Approximate centre line measurement: HC 7.05 metres

Width and Surface

HC 1 metre field path

PART II

Modification of The Staffordshire (Rowley Regis) Definitive Statement

Variation of particulars of paths or ways

Path No	100
Type of path	FP
Path commences at	North side of Footpath 99 on land north west of a religious temple at Dudley Road East Oldbury
Path finishes at	Abutting Gower Branch canal undertakings south east side Dudley Road East Oldbury
Documents creating or modifying the right of way and other relevant information	The Borough Council of Sandwell (Dudley Road East Brades Hall Tividale Rowley Regis West Midlands) Definitive Map Modification Order 2013

SANDWELL MBC

SECTION 53(2) WILDLIFE
AND COUNTRYSIDE ACT
1981 AND SCHEDULE 15

STAFFORDSHIRE (ROWLEY REGIS)
DEFINITIVE MAP AND STATEMENT
LAND AT DUDLEY ROAD EAST
BRADES HALL TIVIDALE
OLDBURY WEST MIDLANDS

PROPOSED ADDITION OF
FOOTPATH 99
ABCDEF FG
FOOTPATH 100
HC

DRAWING NO. WLK/TEMPLE ORDER
OS LICENCE NO. 1000321 19 2007
DATE 7TH FEB 2012
SCALE 1:2500

MAP NOT TO
ORIGINAL SCALE

