

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Cornwall Council
(Addition of Restricted Byway from road U6036 to Bridleway 62
Camborne) (Penponds) Modification Order 2016

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 **13 January 2017**.

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

The Inquiry will be held at **The Council Offices, Dolcoathe Avenue, Camborne, Cornwall, TR14 8SX** on **Tuesday 27 June 2017** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding to them a length of Restricted Byway in the Parish of Camborne commencing at Unclassified Road U6036 ("Mill Road") in Penponds approximately 15 metres west-north-west of "Mill Cottage" at Ordnance Survey Grid Reference (OSGR) SW 6321/3869 shown as point "A" on the Order Map thence running in a generally south-south-easterly direction for 190 metres and terminating at Bridleway Number 62 Camborne approximately 90 metres north of "40 New Road" at OSGR SW 6328/3852 shown as point "B" on the Order Map.

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/D0840/7/24 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the offices of Cornwall Council at either Truro One Stop Shop, Pydar House, Pydar Street, Truro, Cornwall, TR1 1XU or Camborne One Stop Shop, Dolcoathe Avenue, Camborne, Cornwall, TR14 8SX. To arrange a viewing, please contact the relevant One Stop Shop via Cornwall Information Centre on Telephone Number 0300 1234 100.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 10 March 2017]

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 - 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 21 April 2017]

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 full copies to the Authority. Copies will also be sent to 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 - 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 full copy to the Authority. Copies will also be sent to 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 - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 30 May 2017]

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.

DATED

6 AUGUST

2015

WILDLIFE AND COUNTRYSIDE ACT 1981

**DEFINITIVE MAP AND STATEMENT FOR
THE COUNTY OF DERBYSHIRE**

**THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM PUBLIC
FOOTPATH NO. 36 TO PUBLIC FOOTPATH NO. 37 – PARISH OF SOUTH
DARLEY) MODIFICATION ORDER 2015**

**CASE NO: 50234
DMMO NO: X3676**

**JOHN McELVANEY
MATLOCK**

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM PUBLIC FOOTPATH NO. 36 TO PUBLIC FOOTPATH NO. 37 – PARISH OF SOUTH DARLEY) MODIFICATION ORDER 2015

This order is made by Derbyshire County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Secretary of State who has directed the authority to that effect that the Definitive Map and Statement in respect of the Parish of South Darley require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) of the Act, namely, the discovery by that authority of evidence which when considered with all other relevant evidence available to them shows that the right of way referred to in this order which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates.

The authority has consulted with every local authority whose area includes the land to which the order relates. The Derbyshire County Council hereby orders that:

1. For the purpose of this order the relevant date is 5 August 2015.
2. The Definitive Map and Statement for the County Of Derbyshire for the Parish of South Darley shall be modified as described in Part I and Part II of the Schedule and shown on the map to the order.
3. This order shall take effect on the date when it is confirmed and may be cited as the Derbyshire County Council (Footpath from Public Footpath No. 36 to Public Footpath No. 37 – Parish of South Darley) Modification Order 2015.

SCHEDULE

PART I

Modification of Definitive Map

Section as
indicated on
map
A-B

Description of Path or Way to be added

Footpath in the Parish of South Darley from Point A (Ordnance Survey Grid Reference ("GR") SK 2626 6107) proceeding in a generally west south westerly direction to Point B (GR SK 2621 6106), a total distance of 57 metres or thereabouts, and a width of 1.5 metres.

PART II

Modification of Definitive Statement

Variation to add of particulars of Path or Way

Path No	1/10,000 OS Sheet Ref No	Status and Description of Route	Nature of Surface	Length	Width	Remarks
49	SK26SE	Footpath from junction with path No 36 (SK 2626 6107) in WSW direction to junction with path No 37 (SK 2621 6106).	Tarmac Grass	57 metres	1.5 metres	Modification Order 2015 DCC Ref: X3676

THE COMMON SEAL of the Derbyshire)
County Council was hereunto)
Affixed the Sixth day of August)
Two Thousand and Fifteen)
in the presence of:-)

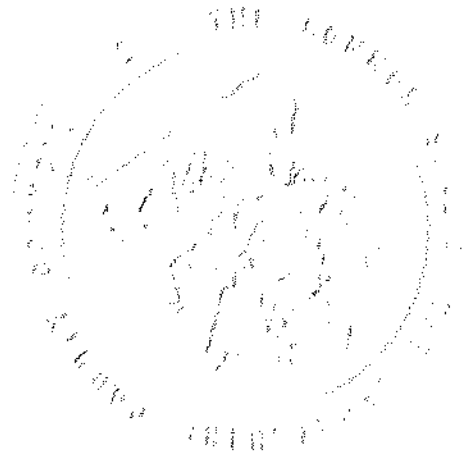
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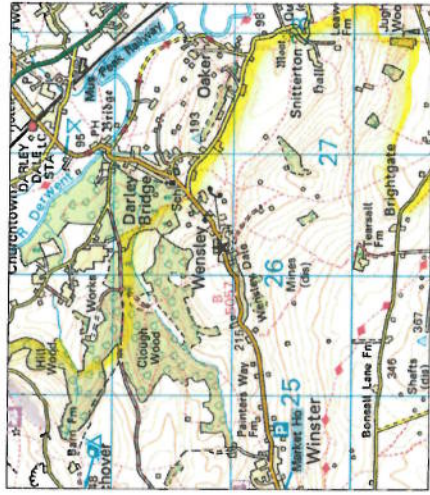
Director of Legal Services

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Number in Seal
Book

2015/676





Wildlife and Countryside Act 1981 S.53
The Derbyshire County Council
(Footpath from Public Footpath
No 36 to Public Footpath No 37
Parish of South Darley)
Modification Order 2015

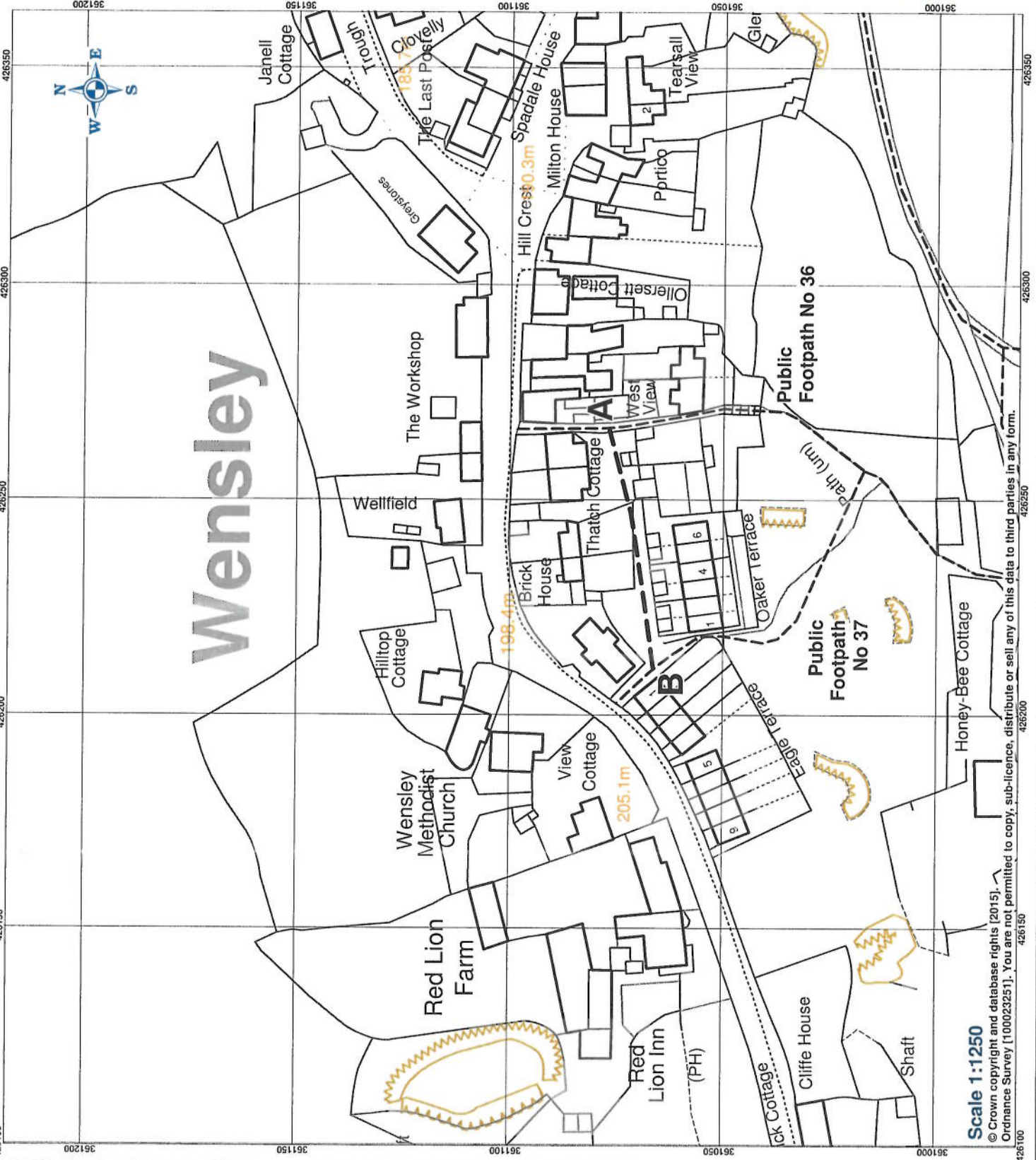
KEY

Footpath to be added — — — — —
 Existing Footpaths - - - - -



Mike Ashworth
 Strategic Director - Economy, Transport & Environment
 Shand House
 Dale Road South
 Matlock
 Derbyshire
 DE4 3RY

Produced by Public Rights of Way on 1 November 2013
 Ref: TE/DC/X3676/Order/2015



Scale 1:1250

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