

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Cheshire West and Chester Council
The Cheshire West and Chester Borough Council (Upgrading of
Footpath No 2 Bradley to Bridleway) Modification Order 2014

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 **06 June 2017**

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

The Inquiry will be held at **High Street Methodist URC Church, High Street, Malpas, SY14 8NR** on **24 October 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 upgrading to Bridleway Footpath No 2, Bradley commencing at the easterly termination of Bradley Green (UX 1224) OS grid reference SJ 5117 4568 and running in an easterly direction for a distance of approximately 940 metres to the westerly termination of Bradley Farm Lane (UX 1207) and the Tushingham-cum-Grindley parish boundary at OS grid reference SJ 5204 4544.

Any queries relating to this Order should be referred to Jean McEntee 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 5437 Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number ROW/3168535 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 Public Rights of Way, Highways Office, Guilden Sutton Lane, Chester, CH3 7EX during normal office hours 9am-4pm during weekdays, Telephone: 01606 271 822.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by 01 August 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 12 September 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 26 September 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

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.

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

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR CHESHIRE WEST AND
CHESTER

The Cheshire West and Chester Borough Council (Upgrading of
Footpath No 2 Bradley to Bridleway) Modification Order 2014

This Order is made by the Cheshire West and Chester Borough Council under Section 53 (2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement for Cheshire West and Chester requires modification in consequence of the occurrence of an event specified in

Section 53 (3) (c) (ii), namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.

The Authority has consulted with every local authority whose area includes the land to which the Order relates. The Cheshire West and Chester Borough Council hereby Orders that:

1. For the purposes of this Order the relevant date is the 7th October 2014
2. The Definitive Map and Statement for Cheshire West and Chester shall be modified as described in Parts I and II of the Schedule hereto and shown on the map attached to this Order.
3. The Order shall take effect on the date it is confirmed and may be cited as "The Cheshire West and Chester Borough Council (Upgrading of Footpath No 2 Bradley to Bridleway) Modification Order 2014"

THE COMMON SEAL OF CHESHIRE
WEST AND CHESTER COUNCIL was affixed this
Seventh day of October
Two thousand and fourteen
In the presence of:



Authorised Signatory

SCHEDULE

PART I

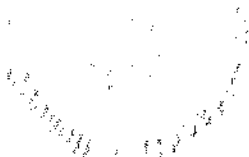
MODIFICATION OF THE DEFINITIVE MAP

Description of public right of way to be upgraded to Byway Open to All Traffic

Footpath No 2 Bradley upgrading to Bridleway

Footpath No 2, in the Parish of Bradley upgrading to Bridleway, commencing at the easterly termination of Bradley Green (UX 1224) OS grid reference SJ 5117 4568 (point A on Plan No MO552A) and running in an easterly direction for a distance of approximately 940 metres to the westerly termination of Bradley Farm Lane (UX 1207) and the Tushingham-cum-Grindley parish boundary at OS grid reference SJ 5204 4544 (point B on Plan No MO552A).

7' wide (2.136 metres) between OS grid reference SJ 5117 4568 and OS grid reference SJ 5139 4563 as described on the Parish Survey of 1955 and variable width of 2.7 and 2.9 metre between OS grid reference SJ 5139 4563 and OS grid reference SJ 5151 4565 as shown between broken black lines on the Ordnance Survey 25" 3rd edition and variable width of 2.5 and 2.9 metres between OS grid reference SJ 5151 4565 and OS grid reference SJ 5191 4552 as shown broken black lines on the Ordnance Survey 25" 3rd edition and variable width 5.5 metres and 7.4 metres between Ordnance Survey grid reference SJ 5191 4552 and OS grid reference SJ 5204 4544 as shown between solid black lines on the Ordnance Survey 25" 3rd edition



SCHEDULE

PART II

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of paths or ways

DEFINITIVE STATEMENT

RELEVANT DATE: 7th October 2014

PARISH: BRADLEY **PATH NUMBER:** BRIDLEWAY 2

GRID REFERENCES:

FROM: SJ 5117 4568

TO: SJ 5204 4544

COMMENCEMENT AND TERMINATION:

commencing at the easterly termination of Bradley Green (UX 1224) OS grid reference SJ 5117 4568 and running in an easterly direction for a distance of approximately 940 metres to the westerly termination of Bradley Farm Lane (UX 1207) and the Tushingam-cum-Grindley parish boundary at OS grid reference SJ 5204 4544

APPROXIMATE LENGTH: 940 metres

WIDTHS:

7' wide (2.136 metres) between OS grid reference SJ 5117 4568 and OS grid reference SJ 5139 4563 as described on the Parish Survey of 1955 and Variable width of 2.7 and 2.9 metre between OS grid reference SJ 5139 4563 and OS grid reference SJ 5151 4565 as shown between broken black lines on the Ordnance Survey 25" 3rd edition and

Variable width of 2.5 and 2.9 metres between OS grid reference SJ 5151 4565 and OS grid reference SJ 5191 4552 as shown broken black lines on the Ordnance Survey 25" 3rd edition and

Variable width 5.5 metres and 7.4 metres between Ordnance Survey grid reference SJ 5191 4552 and OS grid reference SJ 5204 4544 as shown between solid black lines on the Ordnance Survey 25" 3rd edition

NATURE OF SURFACE:

metalled/cinder/earth between OS grid reference SJ 5117 4568 and OS grid reference SJ 5139 4563 as described on the Parish Survey of 1955 then pasture from OS grid reference SJ 5139 4563 to OS grid reference SJ 5191 4552 then earth from OS grid reference SJ 5191

4552 to OS grid reference SJ 5204 4544 SJ 5117 4568 and OS grid reference SJ 5139 4563 as described on the Parish Survey of 1955 then pasture from OS grid reference SJ 5139 4563 to OS grid reference SJ 5191 4552 then earth from OS grid reference SJ 5191 4552 to OS grid reference SJ 5204 4544

LIMITATIONS OR CONDITIONS OF USE:

Field gate at OS grid reference SJ 5117 4568 as shown on the Parish Survey 1955

Field gate at OS grid reference SJ 5139 4563 as shown on the Parish Survey 1955

Field gate at OS grid reference SJ 5151 4565 as shown on the Parish Survey 1955

Field gate at OS grid reference SJ 5191 4552 as shown on the Parish Survey 1955

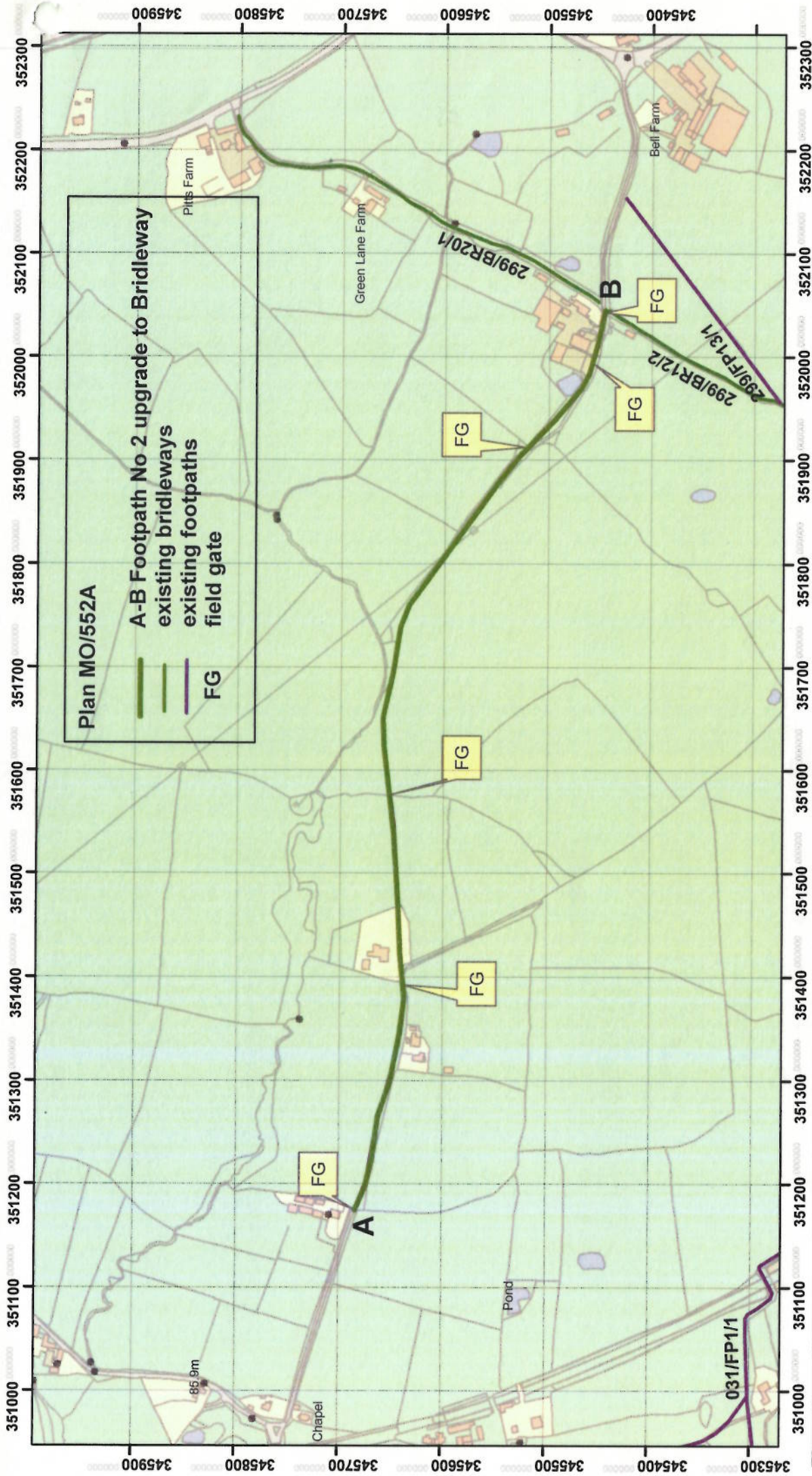
Field gate at OS grid reference SJ 5199 4545 as shown on the Parish Survey 1955

Field gate at OS grid reference SJ 5204 4544 as shown on the Parish Survey 1955

OTHER PARTICULARS:

Added by "The Cheshire West and Chester Borough Council (Upgrading of Footpath No 2 Bradley to Bridleway) Modification Order 2014

Order made on: 7th October 2014



**Wildlife and Countryside Act 1981
 The Cheshire West and Chester Borough Council (Upgrading of
 Footpath No 2 Bradley to Bridleway) Modification Order 2014**



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