

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Tameside Metropolitan Borough Council
The Tameside Metropolitan Borough Council (Ashton Moss)
Modification Order 2015

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 **23 May 2017**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the definitive Map and Statement for the area by upgrading lengths of footpaths to bridleway at Ashton Moss. The bridleway will run between Sandy Lane in Droylsden and Rayner Lane in Ashton under Lyne.

Any queries relating to this Order should be referred 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/3168965 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 Dukinfield Town Hall, King Street, Dukinfield, SK16 4LA during normal office hours.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date by 6 June 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, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date by 18 July 2017

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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, 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).

Within 14 weeks of the start date by 29 August 2017

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

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

WILDLIFE AND COUNTRYSIDE ACT 1981
THE TAMESIDE METROPOLITAN BOROUGH COUNCIL DEFINITIVE MAP AND STATEMENT
THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (ASHTON MOSS) MODIFICATION
ORDER 2015

This Order is made by Tameside Metropolitan Borough Council, under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Council that the Tameside Metropolitan Borough Council Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(ii) of the Act namely—

The discovery by it of evidence which (when considered with all other relevant evidence available to it) shows that highways shown in the map and statement as footpaths ought to be there shown as a bridleway.

The Tameside Metropolitan Borough Council hereby Order that:

1. For the purposes of this Order the relevant date is 11 July 2015.
2. The Tameside Metropolitan Borough Council Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule 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 Tameside Metropolitan Borough Council Definitive Map (Ashton Moss) Modification Order 2015.

The Common Seal of Tameside
Metropolitan Borough Council was
On 23 November 2015
Hereunto affixed in the presence of:


Assistant Borough Solicitor



87053

SCHEDULE

PART I

Modification of Definitive Map

Description of public right of way to be upgraded

Footpath Droylsden 59 from point A on the order map (SJ9157698817) at the cul-de-sac end of Sandy Lane in a southerly direction for a distance of 30 metres to point B on the order map (SJ9159198792) at the junction with Footpath Ashton 109. It has a width of 1.8 metres, defined by a tarmac surface throughout.

Footpath Ashton 109 from point B on the order map (SJ9159198792) at the junction with Footpaths Droylsden 59 in a generally south easterly direction for a distance of 161 metres to point C on the order map (SJ9172598709) at the junction with Footpath Ashton 110. It has a tarmac surface with a width of 1.8 metres (SJ9159198792 to SJ9160398777) and a stoned surface with a width of between 2.6 and 3.4 metres (SJ9160398777 to SJ9172598709).

Footpath Ashton 110 from Point C on the order map (SJ9172598709) at the junction with Footpath Ashton 109 in a generally south easterly direction for a distance of 212 metres to point D on the order map (SJ9186898553) at the junction with Bridleway Ashton 7 at Rayner Lane. It has a width of between 2.3 and 2.8 metres, defined by a stoned surfaced throughout.

PART II

Modification of Definitive Statement

Existing Statement:

Path No.	Status	Length Metres	Width Metres	Description	Comments
110	Footpath	193		From junction with path 109 to junction with paths 7 and 8 north west of Rose Cottage	

Statement to be replaced with:

Path No.	Status	Length Metres	Width Metres	Description	Comments
110	Bridleway	403	1.8 between SJ9157698817 and SJ9160398777, then varying from 2.3 and 3.4 between SJ9160398777 and SJ9186898553	From the cul-de-sac end of Sandy Lane (SJ9157698817) in a generally southerly direction for 50 metres along a tarmac surface to (SJ9160398777) then continuing in a generally south easterly direction for 353 metres along a compacted stone surface to (SJ9186898553) at the junction of Bridleway Ashton 7 at Rayner Lane.	2.4 metre wide bridge with concrete surface at SJ9161298770

Modification Order

Upgrade of footpaths to bridleway

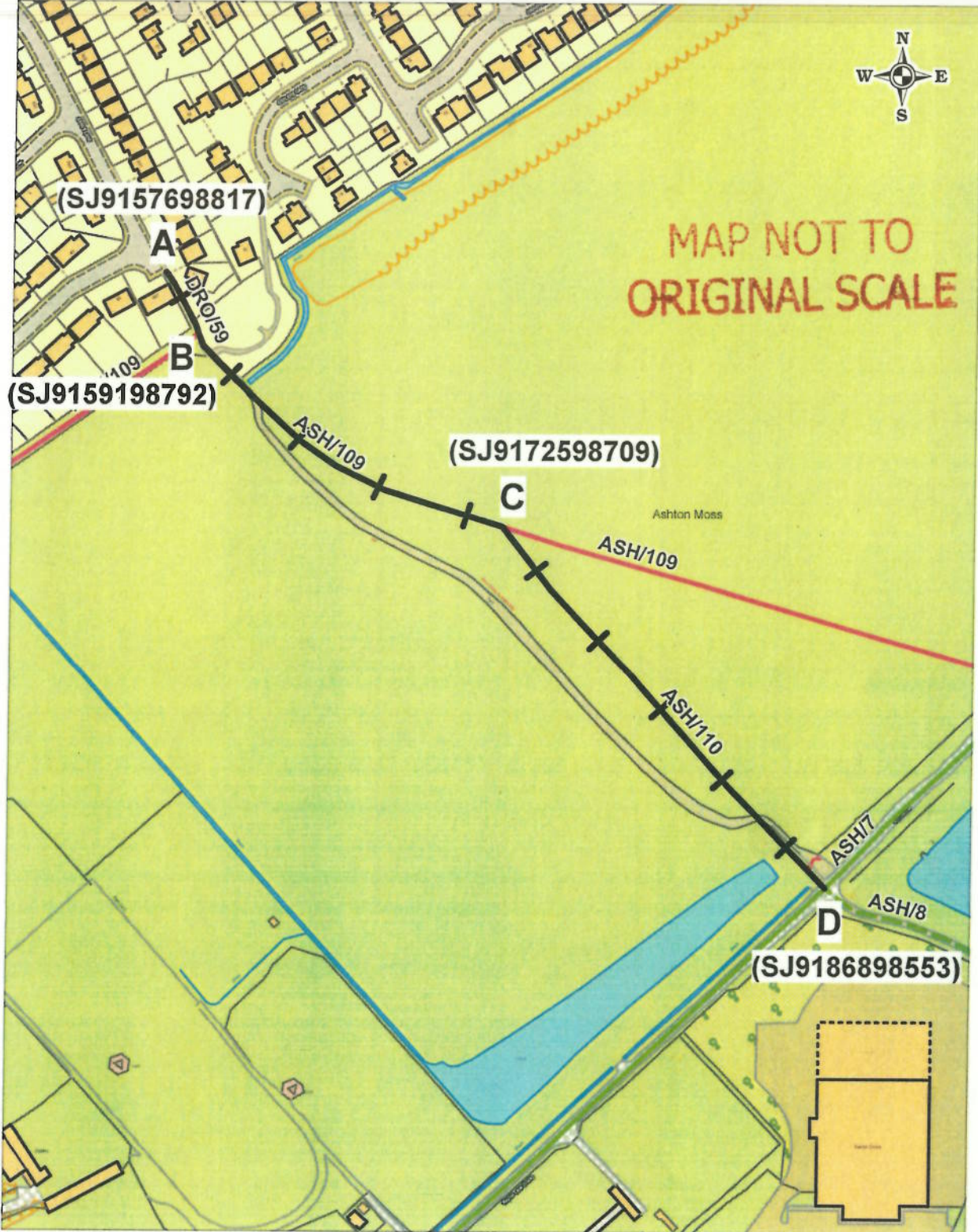
Scale 1:2500

Compiled by MH on 2 March 2015

Robin Monk
Executive Director of Place
Council Offices
Wellington Road
Ashton-under-Lyne
OL6 6DL



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—+— Footpaths to be upgraded to bridleway

— Existing definitive bridleway

— Existing definitive footpath

- - - Existing definitive restricted byway

Existing Statement:

Path No.	Status	Length Metres	Width Metres	Description	Comments
109	Footpath	531		From Droylsden U.D. boundary east of railway to junction with paths 7 and 9 north east of Rose Cottage	

Statement to be replaced with:

Path No.	Status	Length Metres	Width Metres	Description	Comments
109	Footpath	384	Varying between 1.5 2.0	From Bridleway 7 at Rayner Lane (SJ9195998642) in a generally north westerly direction for 244 metres to meet Bridleway 110 (SJ9172598709). The path continues from Bridleway 110 (SJ9159198792) in a generally south westerly direction for 140 metres to the Audenshaw Ward boundary (SJ9147898713). The path continues as Footpath Audenshaw 1.	Timber kissing gate at SJ9159098791

Remove:

Path No.	Status	Length Metres	Width Metres	Description	Comments
59	Footpath	25		To U.D. Boundary from Sandy Lane. The path starts at the end of Sandy Lane and continues to the U.D. Boundary	Surface is mainly clinker, with rough places. No notices. No obstructions.