

# NOTICE OF ORDER

## WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Derbyshire County Council  
(Upgrading to Bridleway to Public Footpath No.27 – Parish of Ockbrook  
and Public Footpath No.1 – Parish of Hopwell); 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 **27 June 2017**

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

The Inquiry will be held at **Ockbrook Parish Hall, Church Street, Ockbrook, Derby, DE72 3SL** on **Tuesday 28 November 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 a Bridleway Public Footpath No.27 in the Parish of Ockbrook and Public Footpath No.1 in the Parish of Hopwell.

**A-B** – Public Footpath No.27 in the Parish of Ockbrook from Point A (Ordnance Survey Grid Reference ('GR') SK 4264 3613), proceeding in a generally easterly direction, then generally east south easterly direction, turning to a generally south easterly direction to Point B (GR SK 4324 3593), a distance of 654 metres or thereabouts.

**B-C** – Public Footpath No.1 in the Parish of Hopwell from the aforementioned Point B (GR SK 4324 3593) proceeding for a short distance in a generally south easterly direction turning to a generally east north easterly direction to Point C (GR SK 4384 3613), a distance of 643 metres or thereabouts.

Any queries relating to this Order should be referred to Charlotte Callaway 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 5779. Email: [charlotte.callaway@pins.gsi.gov.uk](mailto:charlotte.callaway@pins.gsi.gov.uk). Please quote reference number ROW/3173659 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at County Hall, Matlock, Derbyshire, DE4 3AG, by prior appointment from Monday to Friday during normal office opening times of 9:00am to 5pm. Telephone 01629 538 352.

### **Timetable for sending in statements of case and proofs of evidence**

#### **Within 8 weeks of the start date by 22 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 3 October 2017**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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 31 October 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

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<sup>1</sup> 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

DATED 16 APRIL 2015

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR  
THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL  
(UPGRADING TO BRIDLEWAY OF PUBLIC FOOTPATH NO 27 - PARISH OF  
OCKBROOK AND PUBLIC FOOTPATH NO 1 - PARISH OF HOPWELL)  
MODIFICATION ORDER 2015

CASE NO: 896  
DMMO: X2779

JOHN McELVANEY  
MATLOCK

# WILDLIFE AND COUNTRYSIDE ACT 1981

## DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

### THE DERBYSHIRE COUNTY COUNCIL (UPGRADING TO BRIDLEWAY OF PUBLIC FOOTPATH NO 27 - PARISH OF OCKBROOK AND PUBLIC FOOTPATH NO 1 - PARISH OF HOPWELL) 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 that authority that the Definitive Map and Statement in respect of the Parishes of Ockbrook and Hopwell require modification in consequence of the occurrence of an event specified in section 53(3)(c)(ii) 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 highways referred to in this order and shown on the map and statement as highways of a particular description ought to be there shown as highways of a different description.

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 15 April 2015.
2. The Definitive Map and Statement for the County of Derbyshire for the Parishes of Ockbrook and Hopwell 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 (Upgrading to Bridleway of Public Footpath No 27 - Parish of Ockbrook and Public Footpath No 1 - Parish of Hopwell) Modification Order 2015.

## SCHEDULE

### PART I

#### Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be upgraded to bridleway
<b>A-B</b>	Public Footpath No 27 in the Parish of Ockbrook from Point A (Ordnance Survey Grid Reference ("GR") SK 4264 3613), proceeding in a generally easterly direction, then generally east south easterly direction, turning to a generally south easterly direction to Point B (GR SK 4324 3593), a distance of 654 metres or thereabouts.
<b>B-C</b>	Public Footpath No 1 in the Parish of Hopwell from the aforementioned Point B (GR SK 4324 3593) proceeding for a short distance in a generally south easterly direction

turning to a generally east north easterly direction to Point C (GR SK 4384 3613), a distance of 643 metres or thereabouts.

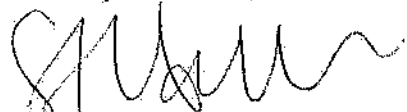
**PART II**

**Modification of Definitive Statement**

**Variation to upgrade particulars of Path or Way**

Path No.	1/10,000 OS Sheet Ref No	Status and Description of Route	Nature of Surface	Approx. Length	Approx. Width	Remarks
27 (Parish of Ockbrook)	SK43NW	Bridleway from E side of The Ridings (GR SK 4264 3613) between house Nos 92 and 84, in a generally E then ESE then SE direction to the parish boundary with Hopwell (GR SK 4324 3593) SW of Hopwell Nook.	Tarmac	654 metres	3 metres	Modification Order 2015 DCC Ref: X2779
13 (Parish of Hopwell)	SK43NW	Bridleway from the parish boundary with Ockbrook (GR SK 4324 3593) SW of Hopwell Nook for a short distance in a generally SE direction then in a generally ENE direction crossing Bridleway No. 10 and continuing to junction of Footpath Nos. 2 and 5 (GR SK 4384 3613) SW of Hopwell Hall.	Tarmac Concrete Stone	643 metres	3 metres	Modification Order 2015 DCC Ref: X2779

THE COMMON SEAL of the Derbyshire )  
 County Council was hereunto affixed the )  
 sixteenth day of April Two Thousand and )  
 Fifteen in the presence of:- )

  
 Director of Legal Services

Number in Seal Book  
 2015/356



Wildlife and Countryside Act 1981 S.53

The Derbyshire County Council  
 (Upgrading to Bridleway  
 of Public Footpath No 27  
 - Parish of Ockbrook  
 and Public Footpath No 1  
 - Parish of Hopwell)  
 Modification Order 2015

**KEY**

Footpath to be  
 upgraded to  
 bridleway



Existing footpaths



Existing bridleways

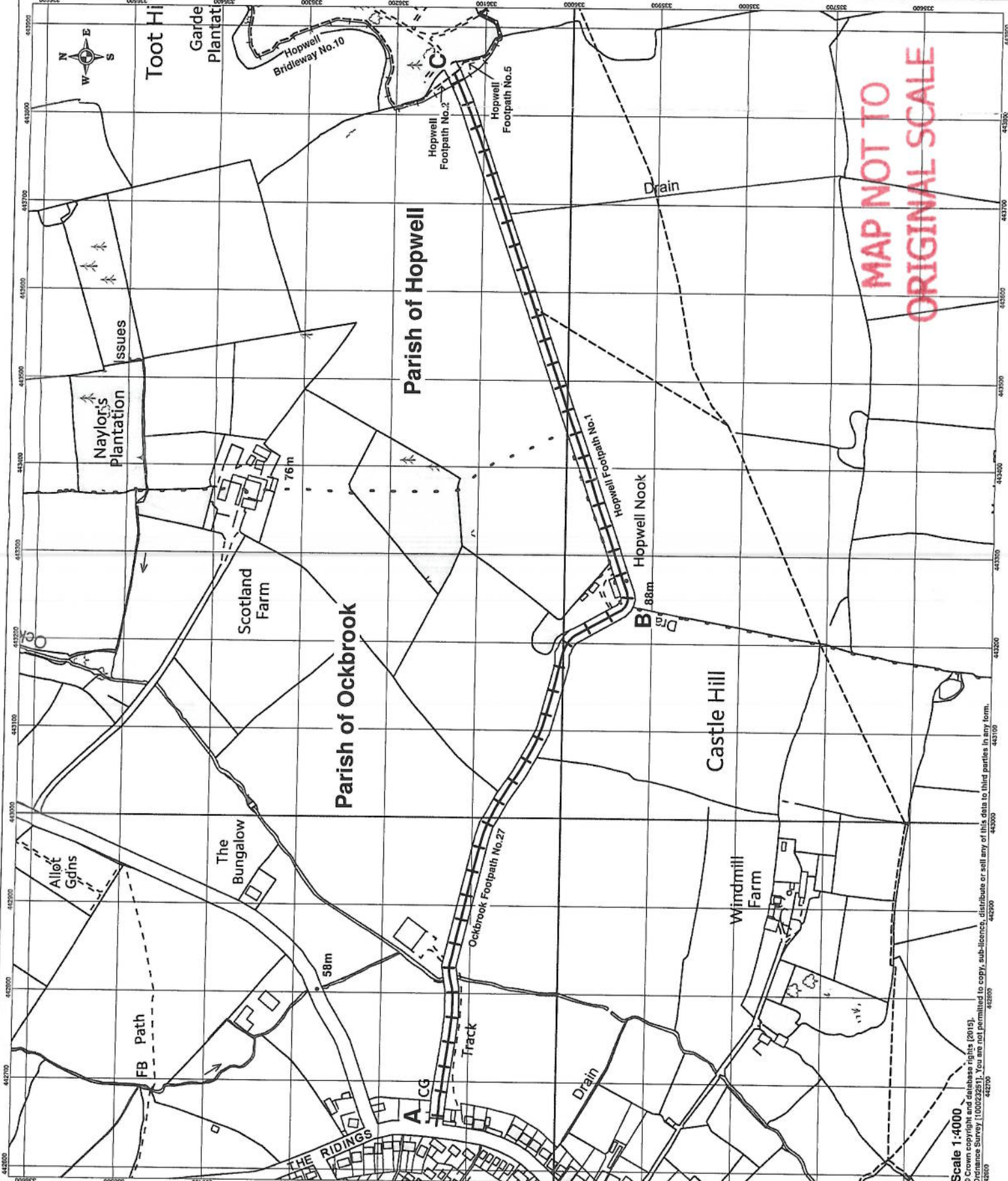


**DERBYSHIRE**  
 County Council  
 improving life for local people

Mike Ashworth  
 Strategic Director - Economy, Transport & Environment

Shand House  
 Dale Road South  
 Matlock  
 Derbyshire  
 DE4 3FY

Produced by Public Rights of Way on 30 October 2013  
 Ref: ET/AGX/2779/Order/2015



Scale 1:4000

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