

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Warrington Borough Council  
Rixton with Glazebrook Modification 2016 (Footpath No. 10)

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 **7 July 2017**

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

The Inquiry will be held at **Rixton with Glazebrook Community Hall, Manchester Road, Rixton, Warrington, WA3 6JZ** on **Tuesday 05 December 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 the footpath running from Rixton with Glazebrook Footpath No.10 at O.S grid reference SJ6936992376 in a north north easterly direction past a derelict stile then turning east north easterly alongside a fence line to its terminus at the boundary of Network Rail owned land at O.S Grid Reference SJ6951892444.

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/3171233 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 Warrington Borough Council, Legal Services, 5<sup>th</sup> Floor, Quattro, WA1 2NH during normal office hours of 9:00am – 17:00pm. Tel No. 01925 442118.

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

##### **Within 8 weeks of the start date by 1 September 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 13 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 07 November 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

---

<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.

**WILDLIFE AND COUNTRYSIDE ACT 1981  
WARRINGTON BOROUGH AREA DEFINITIVE MAP AND STATEMENT  
WARRINGTON BOROUGH COUNCIL  
RIXTON WITH GLAZEBROOK MODIFICATION ORDER 2016**

This Order is made by Warrington 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 the Warrington Borough area of Cheshire County requires modification in consequence of an event specified in section 53(3)(b) i.e the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment of the public of the way during that period raises a presumption that the way has been dedicated as a public path and section 53(c)(i) that a right of way 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, being a right of way such that the land over which the right subsists is a public path.

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

1. For the purposes of this order the relevant date is 6<sup>th</sup> September 2016
2. Warrington Borough Council area definitive map and statement shall be modified as described in Part I and Part II of the Schedules and shown in the map attached to the order.
3. This order shall take effect on the date it is confirmed and shall be cited as the Rixton with Glazebrook Modification Order 2016

**SCHEDULE  
PART I**

**Modification of Definitive Map  
Description of path or way to be added**

Running from Rixton with Glazebrook footpath no.10 at O.S. grid reference SJ6936992376 in a north north easterly direction past a derelict stile then turning east north easterly alongside a fence line to its terminus at the boundary of Network Rail owned land at O.S. grid reference SJ6951892444, shown by a bold dashed line A – B on the map. The footpath has a total length of 166 metres. The footpath is 1.8 metres wide.

**PART II  
Modification of Definitive Statement**

**Definitive statement as below:-**

Parish	No. of path	Status	Position	Length	Other particulars
Rixton with Glazebrook	10	Footpath	From Bank Street along access road past The Bungalow to road end then north north easterly past a derelict stile then turning east north easterly alongside a fence line to its terminus at the boundary of Network Rail owned land at O.S. grid reference SJ6951892444	279 metres	From O.S. grid reference SJ6936992376 to O.S. grid reference SJ6951892444 the footpath has a width of 1.8 metres. The footpath was extended by the definitive map modification order in 2016.

The Common Seal of **WARRINGTON** )  
**BOROUGH COUNCIL** was hereunto )  
Affixed in the presence of: - )

This 24th day of October 2016

  
Authorised Signatory

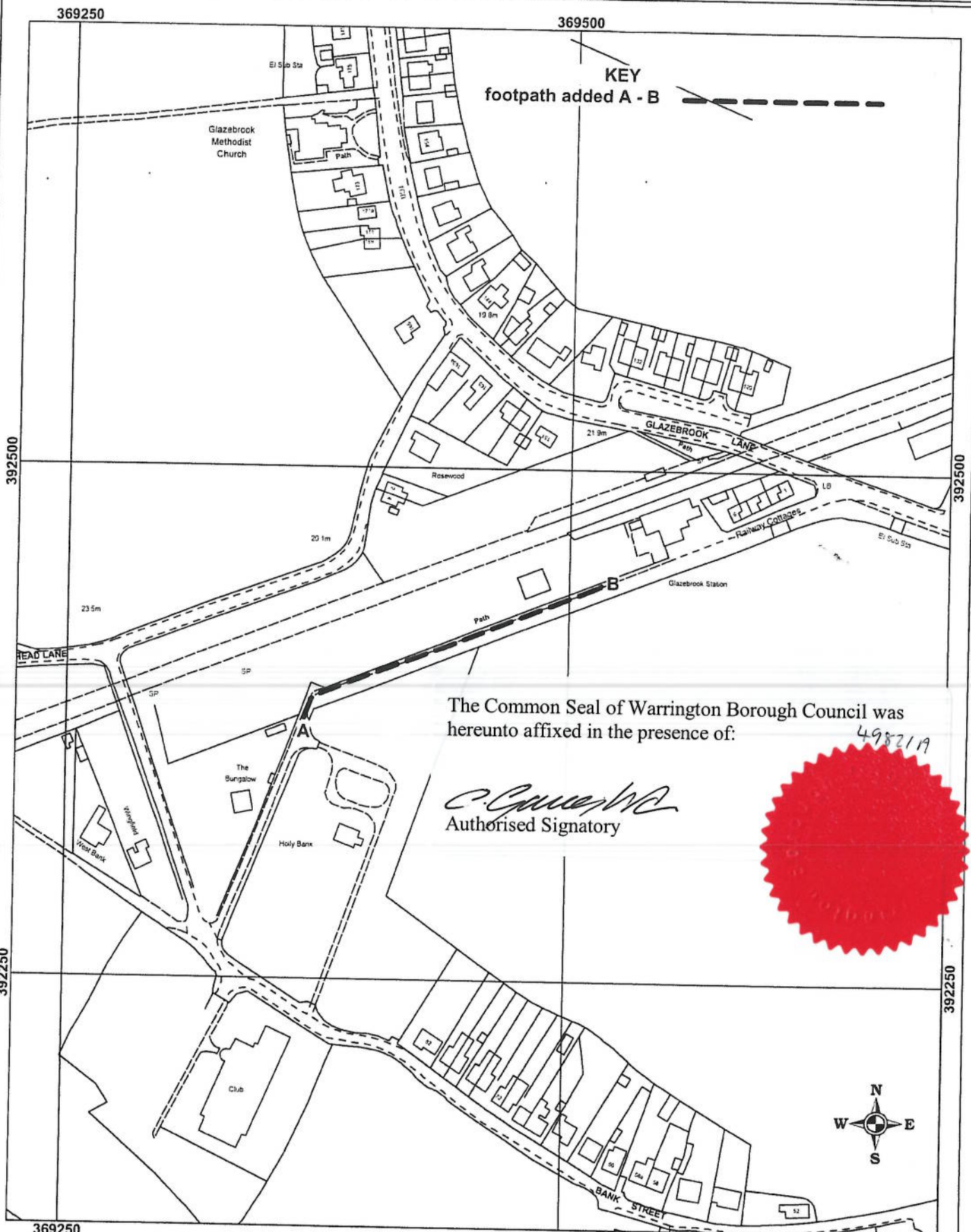


# Definitive Map Modification Order

Rixton with Glazebrook footpath no.10 extension  
Drawing no. ER/JT/DMMO/R10/1

Scale 1:2500

Warrington Borough Council  
Econ. Regen. Growth & Env.  
Newtown House  
Buttermarket Street Warrington  
WA1 2NH



The Common Seal of Warrington Borough Council was hereunto affixed in the presence of:

*C. Cawley*  
Authorised Signatory



