

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Derbyshire County Council
The Derbyshire County Council (Bridleway and Byway Open to All Traffic
along Back Lane – Darley Dale) 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 **15 August 2017**

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

The Inquiry will be held at **Derbyshire Dales District Council, Town Hall, Bank Road, Matlock, Derbyshire, DE4 3NN** on **Tuesday 16 January 2018** 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 Bridleway and a Byway Open to All Traffic along Back Lane in Darley Dale.

A-B – Bridleway along Back Lane in Darley Dale from Point A (Ordnance Survey Grid Reference ('GR') SK2841 6319) proceeding along Back Lane in a generally north north easterly direction to Point B ('GR') SK 2869 6397), a total distance of 870 metres or thereabouts, with a width varying between 2.8 and 8.2 metres.

B-C – Byway Open to All Traffic along Back Lane in Darley Dale from Point B (Ordnance Survey Grid Reference ('GR') SK2869 6397) proceeding along Back Lane in a generally north north easterly then east north easterly then north north easterly direction to Point C ('GR') SK2920 6545) a total distance of 1627 metres or thereabouts, with a width varying between 4.4 and 11.6 metres.

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. Please quote reference number ROW/3177165 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at Derbyshire County Council, County Hall, Matlock, Derbyshire, DE4 3AG by prior appointment, Monday to

Friday during normal office opening times (9:00am to 5:00pm) – Tel 01629 538 465.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by 10 October 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 21 November 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 19 December 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);

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.

- 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 21 JANUARY 2016

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR
THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (BRIDLEWAY AND BYWAY OPEN TO
ALL TRAFFIC ALONG BACK LANE - DARLEY DALE) MODIFICATION ORDER
2016

CASE NO: 36485
DMMO NO: X3268

JOHN McELVANEY
MATLOCK

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (BRIDLEWAY AND BYWAY OPEN TO ALL TRAFFIC ALONG BACK LANE - DARLEY DALE) MODIFICATION ORDER 2016

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 Darley Dale 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 20 January 2016.
2. The Definitive Map and Statement for the County Of Derbyshire for Darley Dale 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 (Bridleway and Byway Open to All Traffic along Back Lane – Darley Dale) Modification Order 2016.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be added
A-B	Bridleway along Back Lane in Darley Dale from Point A (Ordnance Survey Grid Reference ("GR") SK2841 6319) proceeding along Back Lane in a generally north north easterly direction to Point B ("GR") SK2869 6397), a total distance of 870 metres or thereabouts, with a width varying between 2.8 and 8.2 metres.
B-C	Byway Open to All Traffic along Back Lane in Darley Dale from Point B (Ordnance Survey Grid Reference ("GR") SK2869 6397) proceeding along Back Lane in a generally north north easterly then east north easterly then north north easterly direction to Point C ("GR") SK2920 6545), a total distance of 1627 metres or thereabouts, with a width varying between 4.4 and 11.6 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 Metres	Width	Remarks
66	SK26SE	Bridleway from north side of Sydnope Hill (GR SK 2841 6319) east of Buxton Terrace proceeding along track enclosed by dry stone walls known as Back Lane in a generally north north easterly direction to junction with Butcher's Lane (GR SK 2869 6397)	Stone/tarmac/natural/sunken at south end	870	Varying between 2.8 and 8.2 metres as shown between the solid lines on the 2 nd edition Ordnance Survey map of 1898	Cattle grid SK 2841 6320 Modification Order 2016 DCC Ref: X3268
58	SK26SE SK26NE	Byway Open to All Traffic from junction with Butcher's Lane (GR SK 2869 6397) proceeding along track enclosed by dry stone walls known as Back Lane in a generally north north easterly then east north easterly then north north easterly direction to junction with Flash Lane (GR SK 2920 6545)	Tarmac/Aggregate Conglomerate /Natural/Stone	1627	Varying between 4.4 and 11.6 metres as shown between the solid lines on the 2 nd edition Ordnance Survey map of 1898	Modification Order 2016 DCC Ref: X3268

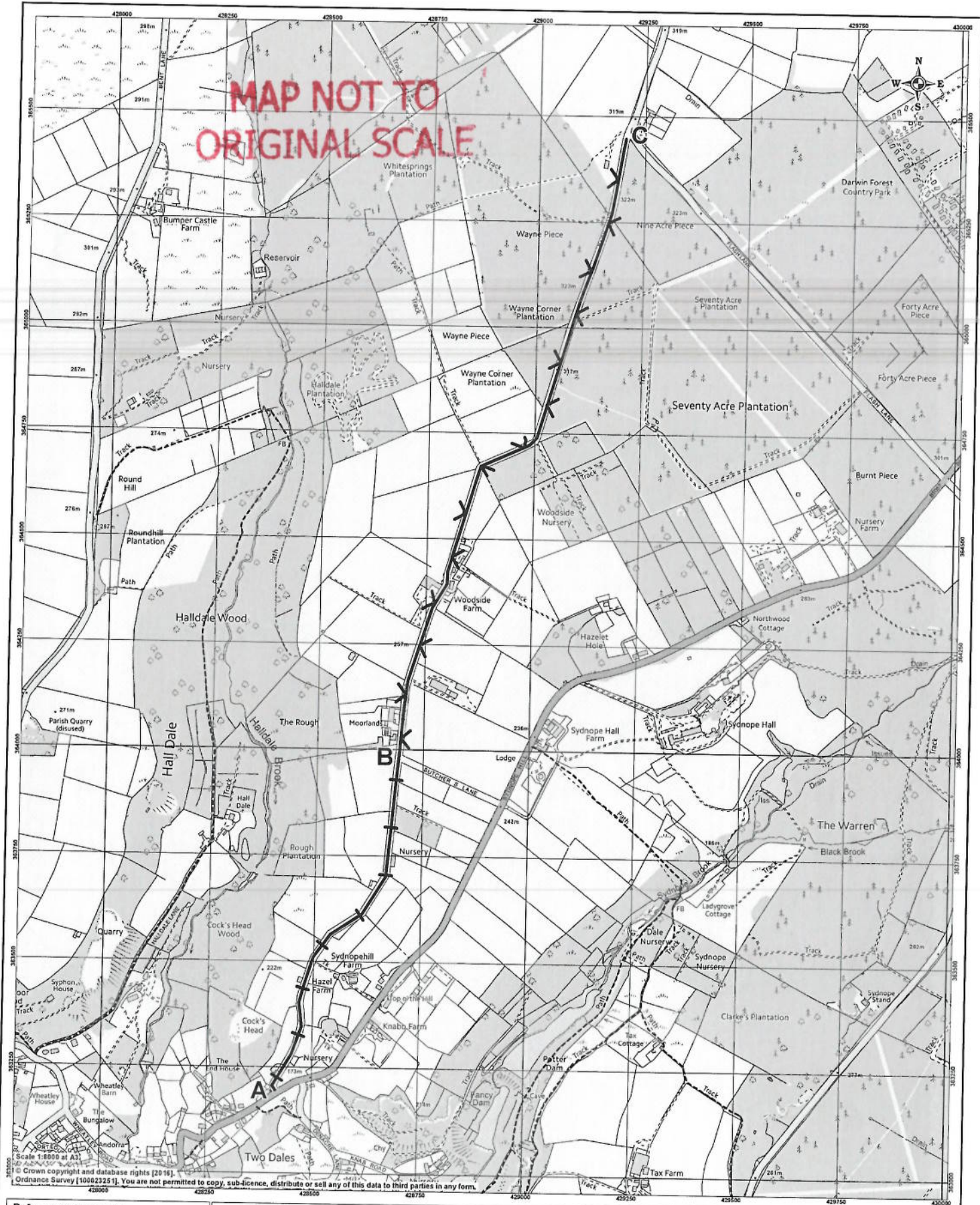
THE COMMON SEAL of the Derbyshire)
County Council was hereunto)
Affixed the Twenty-first day of January)
Two Thousand and Sixteen)
in the presence of:-)


Director of Legal Services

Number in Seal
Book

2016/54

MAP NOT TO ORIGINAL SCALE



Ref: TE/DC/X3268/Order/2016

DERBYSHIRE
County Council
Improving life for local people

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

Produced by Public Rights of Way on 19 August 2015

Wildlife and Countryside Act 1981 Section 53

The Derbyshire County Council (Bridleway and Byway Open to All Traffic along Back Lane - Darley Dale) Modification Order 2016

Key:
Bridleway to be added
Byway Open to All Traffic to be added
Existing Footpaths

