

# **NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53**

City of Bradford Metropolitan District Council  
Public Footpath No. 83 (Baildon)  
Between Pennithorne Avenue Northgate and Moorgate  
(via High Fold and Low Fold) Baildon (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 **16 October 2018**.

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

The Inquiry will be held at **The Ernest Saville Room, City Hall, Bradford, BD1 1HY** on **Tuesday 19 March 2019** 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 following footpath:-

Public Footpath No. 83 (Baildon) - marked A-E, B-E, E-D, C-D and D-F - 183.5 metres in length as shown by a broken black line on the Order Map numbered 66660/T52/OrderPlan commencing at Moorgate (SE 15371 39951 - Point C) proceeding in a south westerly (via SE 15351 39933 - Point D) then south easterly and then north easterly direction via High and Low Fold to Northgate (SE 15417 39902 - Point F). There are two branch footpaths north from High Fold to Pennithorne Avenue (SE 15351 39933 - Point D, via Point E to SE 15325 39942 - Point A) and (SE 15351 39936 - Point E to SE 15335 39952 - Point B).

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: [clive.richards@pins.gsi.gov.uk](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number ROW/3200267 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 the Customer Services Office, Ground Floor, City Hall, Bradford, BD1 1HY during normal office hours.

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

**Within 8 weeks of the start date by [by 18 December 2018]**

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 29 January 2019]**

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 19 February 2019]**

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

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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.

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**

**THE MODIFIED DEFINITIVE MAP AND STATEMENT FOR THE  
METROPOLITAN COUNTY OF WEST YORKSHIRE**

**CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL**

**PUBLIC FOOTPATH NO. 83 (BAILDON)  
BETWEEN PENNITHORNE AVENUE NORTHGATE AND MOORGATE  
(VIA HIGH FOLD AND LOW FOLD) BAILDON (MODIFICATION) ORDER  
2014**

This Order is made by the City of Bradford Metropolitan District Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the modified definitive map and statement for the Metropolitan County of West Yorkshire require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) namely, that a right of way which is not shown on 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 to which this Part of the Act applies.

The authority have consulted with every local authority whose area includes the land to which the Order relates. The City of Bradford Metropolitan District Council hereby order that:-

1. For the purpose of this Order the relevant date is 9<sup>th</sup> September 2013.
2. The modified definitive map and statement for the Metropolitan County of West Yorkshire shall be modified as described in Part I and Part II of the Schedule and shown on the map 66660/T52/OrderPlan attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the "City of Bradford Metropolitan District Council (Public Footpath No. 83 (Baildon) between Pennithorne Avenue Northgate and Moorgate (via High Fold and Low Fold) Baildon) (Modification) Order 2013".

**SCHEDULE**

**PART I  
Modification of Definitive Map**

**Description of path or way to be added**

A Public Footpath in the Parish of Baildon as shown by a broken black line on the map 66660T52/OrderPlan annexed hereto, commencing at Pennithorne Avenue at SE 15325 39942 (marked A) and continuing in a south easterly

direction for 30.5 metres with a width of 1.4 metres and a surface of mostly earth and grass to SE 15351 39936 (marked E) where there is a step.

Continuing from the step at point E in a south easterly direction for 2.5 metres with a width of 1.8 metres with a roughly metalled and earth surface to SE 15351 39933 (marked D).

An additional branch also from Pennithorne Avenue at SE 15335 39952 (marked B) continuing in a south easterly direction for 24.5 metres with a width of 1.4 metres with a sealed asphalt surface to SE 15351 39936 (marked E).

A further branch leaves Moorgate at SE 15371 39951 (marked C) continuing in a south westerly direction for 27 metres with a width of 1.8 metres and a roughly metalled surface to SE 15351 39933 (marked D).

The footpath continues from SE 15351 39933 (marked D) in a south easterly direction with a width of 1.8 metres, narrowing to 1.0 metres adjacent to property number 32 Low Fold for approximately 25 metres, then widening again to 1.8 metres in a north easterly direction and with a mostly earth or roughly metalled surface to SE 15417 39902 (marked F) on Northgate. The length from D – F is 99 metres.

Section A – E has a mostly earth and grassed surface.

Section B – E has a sealed asphalt surface.

Section E - D has a roughly metalled and earth surface.

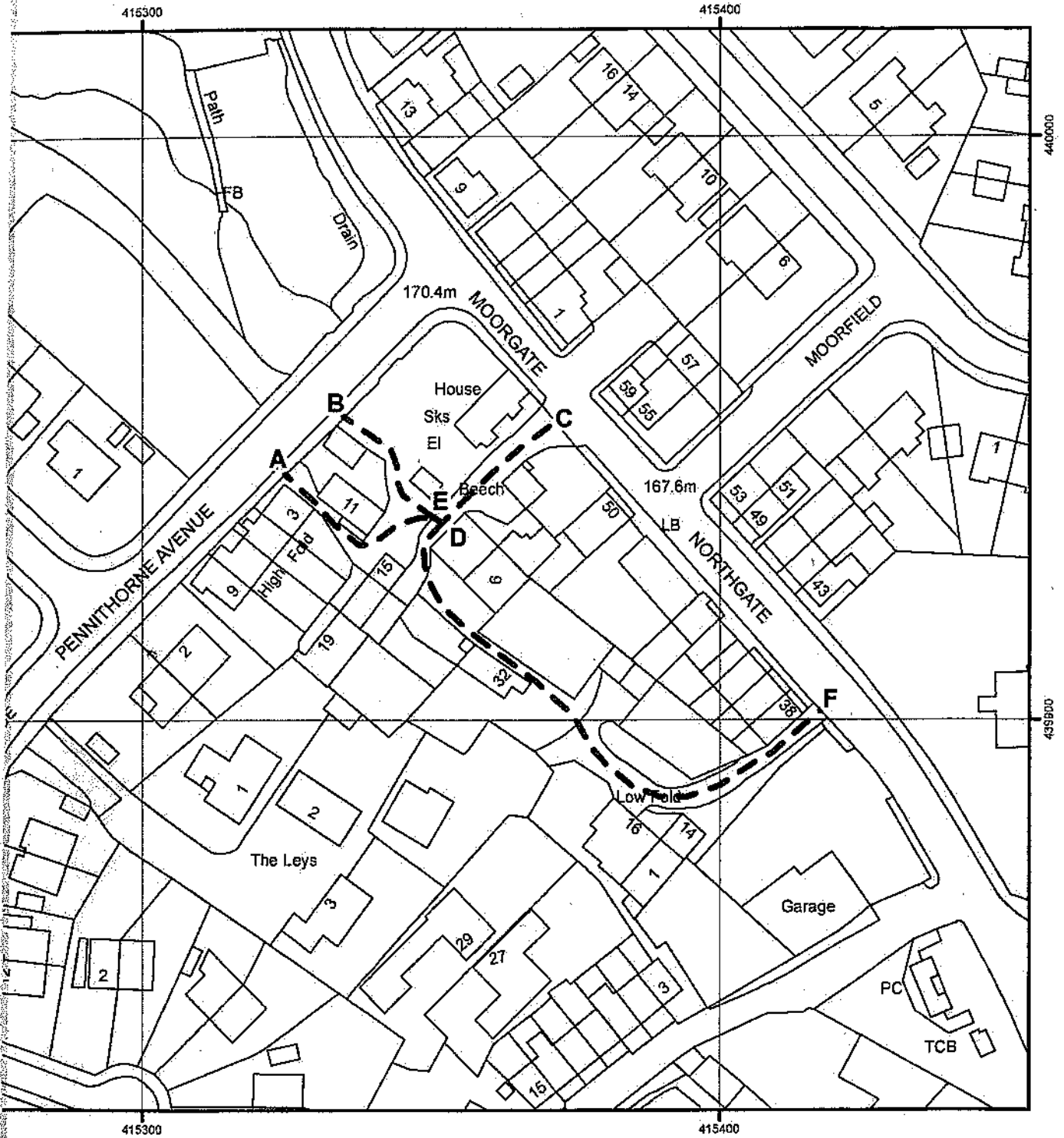
Section C – D is roughly metalled.

Section D – F is mostly earth or roughly metalled.

The footpath is to be identified as Public Footpath 83 (Baldon).

**PART II**  
**Modification of Definitive Statement**  
**Variation of particulars of path or way**

Path No	Map Reference	Description of Route	Nature of Surface	Approximate Length		Approximate Width		General
				Miles	Metres	Feet	Metres	
83	SE 1539 NW	Footpath commencing at Moorgate proceeding in a south westerly then south easterly and then north easterly direction via High and Low Fold to Northgate. Two branch footpaths north from High Fold to Pennithorne Avenue.	Earth and roughly metalled  Sealed asphalt and roughly metalled Grass and earth		126		Min 1.0 – Max 1.8	1 step  Relevant Date – 9 <sup>th</sup> September 2013
					27		Min 1.4 – Max 1.8	
					30.5		1.4	



Initiative Map Modification Order to add public footpath to the Definitive Map and Statement between Pennithorne Avenue, Moorgate and Northgate (via High and Low Fold), Baildon in accordance with section 53 Wildlife and Countryside Act 1981

P.D.

<b>Legend</b> Footpath to be added		Scale	1:1000
		OS Sheet	SE 1539 NW
Reference: 66660/T52/OrderPlan		Drawn By	FP
		Checked By	JB
		Date	11/02/2014





**WILDLIFE AND COUNTRYSIDE ACT 1981**

**CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL**

**PUBLIC FOOTPATH NO. 83 (BAILDON)**

**BETWEEN PENNITHORNE AVENUE MOORGATE AND NORTHGATE  
(VIA HIGH FOLD AND LOW FOLD)  
BAILDON**

**(MODIFICATION) ORDER 2014**

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**ORDER**

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**LEG/DEV/SPN/72300**

**Made: 4<sup>th</sup> March 2014**

**Confirmed:**

**Coming into effect:**

**Suzan Hemingway  
City Solicitor  
City of Bradford Metropolitan  
District Council  
City Hall  
Bradford  
BD1 1HY**