

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Derbyshire County Council
The Derbyshire County Council (Footpath from B5057 via Gold Close to
Public Footpath No 7 - Parish of South Darley) Modification Order 2010

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 18 January 2017

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

The Inquiry will be held at The Lady Whitworth Room, The Whitworth Centre, Station Road, Darley Dale, Matlock, DE4 2EQ on Wednesday 21 June 2017 at 10.00am.

The effect of the Order, if confirmed without modifications will be to modify the definitive map and statement by adding; Public Footpath 48, Parish of South Darley from Point A (Ordnance Survey grid reference ('GR') SK 2695 6185) proceeding in a generally east south easterly direction to point B (GR SK 2699 6184) then in a generally north north easterly direction to Point C (GR SK 2701 6192) a distance of 120 metres or thereabouts. The width of the path varies between 2.0 and 8.1 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 FPS/U1050/7/108 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 County Hall, Matlock, Derbyshire, DE4 3AG by prior appointment, Monday to Friday during normal office opening times (9:00am – 5:00pm) – Tel 01629 538241.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date 15 March 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 26 April 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 24 May 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

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.

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 SEPTEMBER 2010

WILDLIFE AND COUNTRYSIDE ACT 1981

**DEFINITIVE MAP AND STATEMENT FOR
THE COUNTY OF DERBYSHIRE**

**THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM B5057 VIA
GOLD CLOSE TO PUBLIC FOOTPATH NO 7 - PARISH OF SOUTH
DARLEY) MODIFICATION ORDER 2010**

**CASE NO: 17872
DMMO NO: X02753**

**JOHN McELVANEY
MATLOCK**

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM B5057 VIA GOLD CLOSE TO PUBLIC FOOTPATH NO 7 - PARISH OF SOUTH DARLEY) MODIFICATION ORDER 2010

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 Parish of South Darley 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 order that:

1. For the purpose of this order the relevant date is 15th September 2010.
2. The Definitive Map and Statement for the County Of Derbyshire for the Parish of South Darley 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 (Footpath from B5057 via Gold Close to Public Footpath No 7 - Parish of South Darley) Modification Order 2010.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be added
A - B - C	Public Footpath No 48, Parish of South Darley from Point A (Ordnance Survey Grid Reference ("GR") SK 2695 6185) proceeding in a generally east south easterly direction to Point B (GR SK 2699 6184) then in a generally north north easterly direction to Point C (GR SK 2701 6192), a distance of 120 metres or thereabouts. The width of the path varies between 2.0 and 8.1 metres.

PART II

Modification of Definitive Statement

Variation of particulars of Path or Way

Path No	1/10,000 OS Sheet Ref No	Status and Description of Route	Nature of Surface	Length	Width	Remarks
48	SK/26 SE	Footpath from E side of B5057 (Eversleigh Rise) (GR SK 2695 6185) S of its junction with Lime Kiln Lane at Darley Bridge, in an ESE direction along Gold Close with a width varying between 7.9 and 8.1 metres. Then NNE beside E boundary of house No 15 and along stone surfaced access track which varies in width between 2.1 and 2.9 metres. Then leaving track and continuing briefly NNE with a width of 2 metres to junction with path No 7 (GR SK 2701 6192) SE of the Three Stags Head Public House.	Tarmac Stone Grass	120 metres	Varies between 2.0 and 8.1 metres	Modification Order 2010 DCC Ref: X2753

THE COMMON SEAL of the Derbyshire)
 County Council was hereunto)
 Affixed the Sixteenth day of September)
 Two Thousand and Ten)
 in the presence of:-)

Karen Riley
 Asst. Director of Legal Services



Number in Seal
 Book 2010/939



Wildlife & Countryside Act 1981 S.53
The Derbyshire County Council
(Footpath from B5057 via Gold
Close to Public Footpath No 7 -
Parish of South Darley)
Modification Order 2010

KEY

Footpath to be added — — — — —

Existing footpaths - - - - -

Plan Ref: **PE/LT/X2753/Order/2010**



Produced by **Public Rights of Way**
 Environmental Services Department
 Telephone (01629) 580000
 Fax (01629) 585143

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