

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Derbyshire County Council
Bridleway along non-classified highway known as Monksdale Lane - Parishes of
Tideswell and Wheston) 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 **12 August 2016**.

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

The Inquiry will be held at **The Nightingale Centre, Great Hucklow, Buxton, Derbyshire, SK17 8RH** on **Tuesday 10 January 2017** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to add a Bridleway in the Parish of Tideswell from Point A (Ordnance Survey Grid Reference (GR) SK 1369 7523 proceeding in a generally southerly direction to Point B (GR) SK 1371 7515, continuing in the Parish of Wheston in a generally southerly direction to Point C (GR) SK 1373 7504. Then returning to the Parish of Tideswell, proceeding in a generally southerly direction to Point D (GR) SK 1387 7446, turning briefly in a generally north easterly direction, then in a generally south easterly direction, then generally south south westerly, then generally south easterly direction, then generally north north easterly, then in a generally east south easterly direction to Point E (GR) SK 1484 7414, a distance of 2110 metres or thereabouts with a width varying between 2.5 and 8.1 metres.

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 FPS/U1050/7/105 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 County Hall, Matlock, Derbyshire, DE4 3AG by prior appointment, Monday to Friday during normal office opening times (9.00am to 5pm). To arrange a viewing please contact Mr Peter Jackson on Telephone Number 01629 538465.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 7 October 2016]

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, although 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 18 November 2016]

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 copies to the Authority, 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, although 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 copy to the Authority, 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, although these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 13 December 2016]

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

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.

DATED

26 JUNE

2014

WILDLIFE AND COUNTRYSIDE ACT 1981

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

**THE DERBYSHIRE COUNTY COUNCIL (BRIDLEWAY ALONG NON-
CLASSIFIED HIGHWAY KNOWN AS MONKSDALE LANE – PARISHES OF
TIDESWELL AND WHESTON) MODIFICATION ORDER 2014**

**CASE NO: 21909
DMMO NO: X3185 & X3186**

**JOHN McELVANEY
MATLOCK**

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (BRIDLEWAY ALONG NON-CLASSIFIED HIGHWAY KNOWN AS MONKSDALE LANE – PARISHES OF TIDESWELL AND WHESTON) MODIFICATION ORDER 2014

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 Tideswell and Wheston 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 25 June 2014.
2. The Definitive Map and Statement for the County of Derbyshire for the Parishes of Tideswell and Wheston 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 along non-classified highway known as Monksdale Lane – Parishes of Tideswell and Wheston) Modification Order 2014.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be added
A-B-C-D-E	Bridleway in the Parish of Tideswell from Point A (Ordnance Survey Grid Reference ("GR") SK 1369 7523) proceeding in a generally southerly direction to Point B (GR SK 1371 7515), continuing in the Parish of Wheston in a generally southerly direction to Point C (GR SK 1373 7504). Then returning to the Parish of Tideswell, proceeding in a generally

southerly direction to Point D (GR SK 1387 7446), turning briefly in a generally north easterly direction, then in a generally south easterly direction, then generally south south westerly, then generally south easterly direction, then generally north north easterly, then in a generally east south easterly direction to Point E (GR SK 1484 7414), a distance of 2110 metres or thereabouts, with a width varying between 2.5 and 8.1 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	Approx. Length	Approx. Width	Remarks
46 (Parish of Tideswell)	SK17NW	Bridleway from S side of road, S of Monksdale House (GR SK 1369 7523), along the enclosed track known as Monksdale Lane, in a generally S direction to parish boundary (GR SK 1371 7515).	Natural Stone	90 metres	Varies between 3.7 and 8 metres as shown between the continuous solid lines on the Second Edition 1:2500 Ordnance Survey Map of 1898	Modification Order 2014 DCC Ref: X3185/6
8 (Parish of Wheston)	SK17NW	Bridleway from the parish boundary (GR SK 1371 7515) along the enclosed track known as Monksdale Lane, in a generally S direction to the parish boundary (GR SK 1373 7504).	Natural Stone	105 metres	Varies between 3.5 and 5.6 metres as shown between the continuous solid lines on the Second Edition 1:2500 Ordnance Survey Map of 1898	Modification Order 2014 DCC Ref: X3185/6

51
(Parish of
Tideswell)

SK17NW and
SK17SW
Bridleway from the
parish boundary (GR
SK 1373 7504) along
the enclosed track
known as Monksdale
Lane in a generally S
direction to junction
with Bridleway No 52
(GR SK 1387 7446),
then in a generally
NE, SE, SSW, SE,
NNE and then ESE
direction to the W side
of Meadow Lane (GR
SK 1484 7414), S of
Meadow Farm.

Natural
Stone

1915
metres

Varies
between 2.5
and 8.1
metres as
shown
between the
continuous
solid lines
on the
Second
Edition
1:2500
Ordnance
Survey Map
of 1898

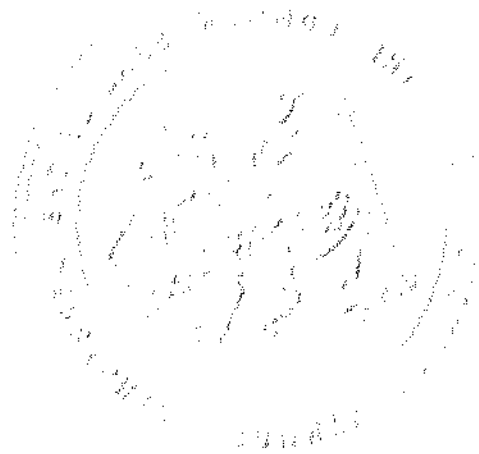
Modification
Order 2014
DCC Ref:
X3185/6

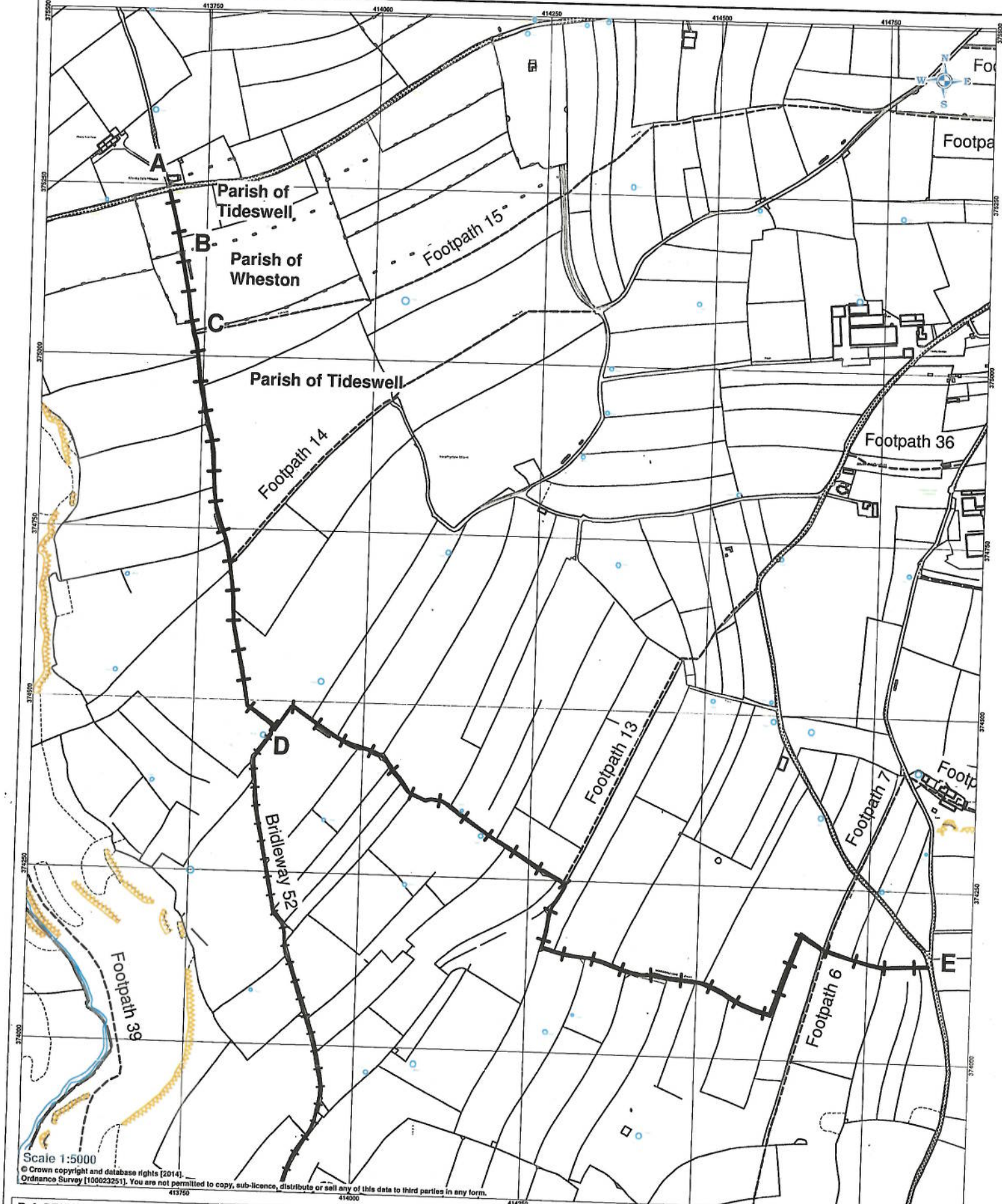
THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the twenty-sixth day of June Two)
Thousand and Fourteen in the presence)
of:-)


Director of Legal Services

Number in Seal
Book 2014 / 589.



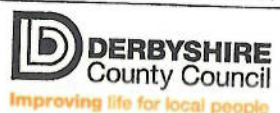




Scale 1:5000

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Ref: PE/JV/X3185/X3186/ORDER/2014



Mike Ashworth
 Strategic Director - Economy, Transport & Environment
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 Dale Road South
 Matlock
 Derbyshire
 DE4 3RY
 Produced by Public Rights of Way on 25 June 2014

Wildlife & Countryside Act 1981, Section 53

The Derbyshire County Council (Bridleway along non-classified highway known as Monkdale Lane - Parishes of Tideswell and Wheston) Modification Order 2014

- Key:
- Bridleway to be added
 - Existing Bridleways
 - Existing footpaths
 - Parish Boundary

