

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Derbyshire County Council  
(Footpath from School Lane to Storth Lane - Parish of Pinxton) Modification  
Order 2012

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 23 September 2016

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

The Inquiry will be held at **The Hub, Shiners Way, South Normanton DE55 2AA** on **Tuesday 21 February 2017** at 10.00am.

The effect of the Order, if confirmed without modifications, will be modify the Definitive Map and Statement for the area by:-

Adding to them a Footpath in the Parish of Pinxton from Point A (Ordnance Survey Grid Reference ("GR") SK 4484 5589) in a generally easterly direction to Point B (GR SK 4491 5590). Then in a generally south easterly direction to Point C (GR SK 4499 5583), a total distance of 180 metres or thereabouts, as shown on the order map.

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/U1050/7/106 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 Monday to Friday during normal office opening times (9:00am to 5:00pm). Telephone: 01629 538465.

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

#### **Within 8 weeks of the start date [by 18 November 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 30 December 2016]**

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 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 24 January 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

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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.



DATED

16 AUGUST

2012

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR  
THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM SCHOOL  
LANE TO STORTH LANE - PARISH OF PINXTON) MODIFICATION  
ORDER 2012

CASE NO: 29649  
DMMO NO: X3201

JOHN McELVANEY  
MATLOCK

## WILDLIFE AND COUNTRYSIDE ACT 1981

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

#### THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM SCHOOL LANE TO STORTH LANE - PARISH OF PINXTON) MODIFICATION ORDER 2012

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 Pinxton 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 15 August 2012.
2. The Definitive Map and Statement for the County of Derbyshire for the Parish of Pinxton 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 School Lane to Storth Lane - Parish of Pinxton) Modification Order 2012.

### SCHEDULE

#### PART I

##### Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be added
<b>A-B-C</b>	Footpath in the Parish of Pinxton from Point A (Ordnance Survey Grid Reference ("GR") SK 4484 5589) in a generally easterly direction to Point B (GR SK 4491 5590). Then in a generally south easterly direction to Point C (GR SK 4499 5583), a total distance of 180 metres or thereabouts.

**PART II**

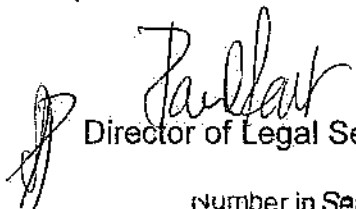
Modification of Definitive Statement

Variation of particulars of Path or Way

**Parish of Pinxton**

Path No	1/10,000 OS Sheet Ref No.	Status and Description of Route	Nature of Surface	Length	Width	Remarks
26	SK45NW	Footpath from NE end of School Lane (GR SK 4484 5589) adjacent to Storth Farm House, in a generally E direction running through gardens to the rear of house Nos 3 to 15 Honeycroft Court to GR SK 4491 5590. Then SE along Old Storth Lane to N side of Storth Lane (GR SK 4499 5583) opposite its junction with Broome Acre.	Natural ground Tarmac with grass verges.	180 metres	2.0 metres between GR SK 4484 5589 and GR SK 4491 5590. Then varying between 6.0 and 10.6 metres along Old Storth Lane as shown on the plan attached to the Derbyshire County Council (Footpath from School Lane to Storth Lane - Parish of Pinxton) Modification Order 2012.	Modification Order 2012 DCC Ref: X3201

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

  
 Director of Legal Services

number in Seal  
 Book 2012/275



**Wildlife and Countryside Act 1981 S.53**  
**The Derbyshire County Council**  
**(Footpath from School Lane to**  
**Storth Lane - Parish of Pinxton)**  
**Modification Order 2012**

**KEY**

Footpath to be added



**DERBYSHIRE**  
 County Council  
 Improving life for local people

**IAN W. STEPHENSON** Strategic Director of Environmental Services

Shand House  
 Dale Road South  
 Mallock  
 Derbyshire  
 DE4 3RY

Produced by Public Rights of Way on 10 July 2012  
 Ref: PE/GM/3201/Order/2012

