

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Derbyshire County Council  
The Derbyshire County Council (footpath between Gadsby Rise and  
Footpath No 119 at Nether Heage - Ripley) 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 22 December 2016.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to add to the Definitive Map and Statement for the area a Footpath at Nether Heage in Ripley from Point A (Ordnance Survey Grid Reference ("GR") SK 3609 5061) proceeding in a generally southerly then westerly direction to Point B (GR SK 3607 5060), a distance of 31 metres or thereabouts, as shown on the Order Map.

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](mailto:charlotte.callaway@pins.gsi.gov.uk). Please quote reference number FPS/U1050/7/109 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 (9am – 5pm). Please call 01629 538241.

#### **Timetable for sending in statements of case and comments**

##### **Within 2 weeks of the start date [by 5 January 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, the applicant and any other person who has written to us in respect of the Order.

### **Within 8 weeks of the start date [by 16 February 2017]**

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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, 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).

### **Within 14 weeks of the start date [by 30 March 2017]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order(s) must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received 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 w/r

**DATED 27 SEPTEMBER 2012**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

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

**THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH BETWEEN GADSBY  
RISE AND FOOTPATH NO 119 AT NETHER HEAGE - RIPLEY)  
MODIFICATION ORDER 2012**

**CASE NO: 44339  
DMMO NO: X3584**

**JOHN McELVANEY  
MATLOCK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

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

**THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH BETWEEN GADSBY  
RISE AND FOOTPATH NO 119 AT NETHER HEAGE - RIPLEY)  
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 Ripley 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 26 September 2012.
2. The Definitive Map and Statement for the County of Derbyshire for Ripley 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 between Gadsby Rise and Footpath No 119 at Nether Heage - Ripley) 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</b>	Footpath at Nether Heage in Ripley from Point A (Ordnance Survey Grid Reference ("GR") SK 3609 5061) proceeding in a generally southerly then westerly direction to Point B (GR SK 3607 5060), a distance of 31 metres or thereabouts.

**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
131	SK35SE	Footpath from S side of turning head at NW end of Gadsby Rise (GR SK 3609 5061) in S direction along tarmac access road with footway between house Nos. 2 and 3. Then in W direction adjacent to S side of house No. 3 passing in front of garage plots to junction with Footpath No. 119 (GR SK 3607 5060) NE of Spanker Inn.	Tarmac	31 metres	Varies between 5.2 and 6.6 metres as shown shaded grey on the map attached to the Derbyshire County Council (Footpath between Gadsby Rise and Footpath No. 119 at Nether Heage - Ripley)	Modification Order 2012 DCC Ref: X3584

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

*Karen D Ripley*  
 Asst Director of Legal Services



Number in Seal Book

2012/1031





**Wildlife and Countryside Act 1981 S.53**  
**The Derbyshire County Council**  
**(Footpath between Gadsby Rise**  
**and Footpath No. 119 at Nether**  
**Heage - Ripley)**  
**Modification Order 2012**

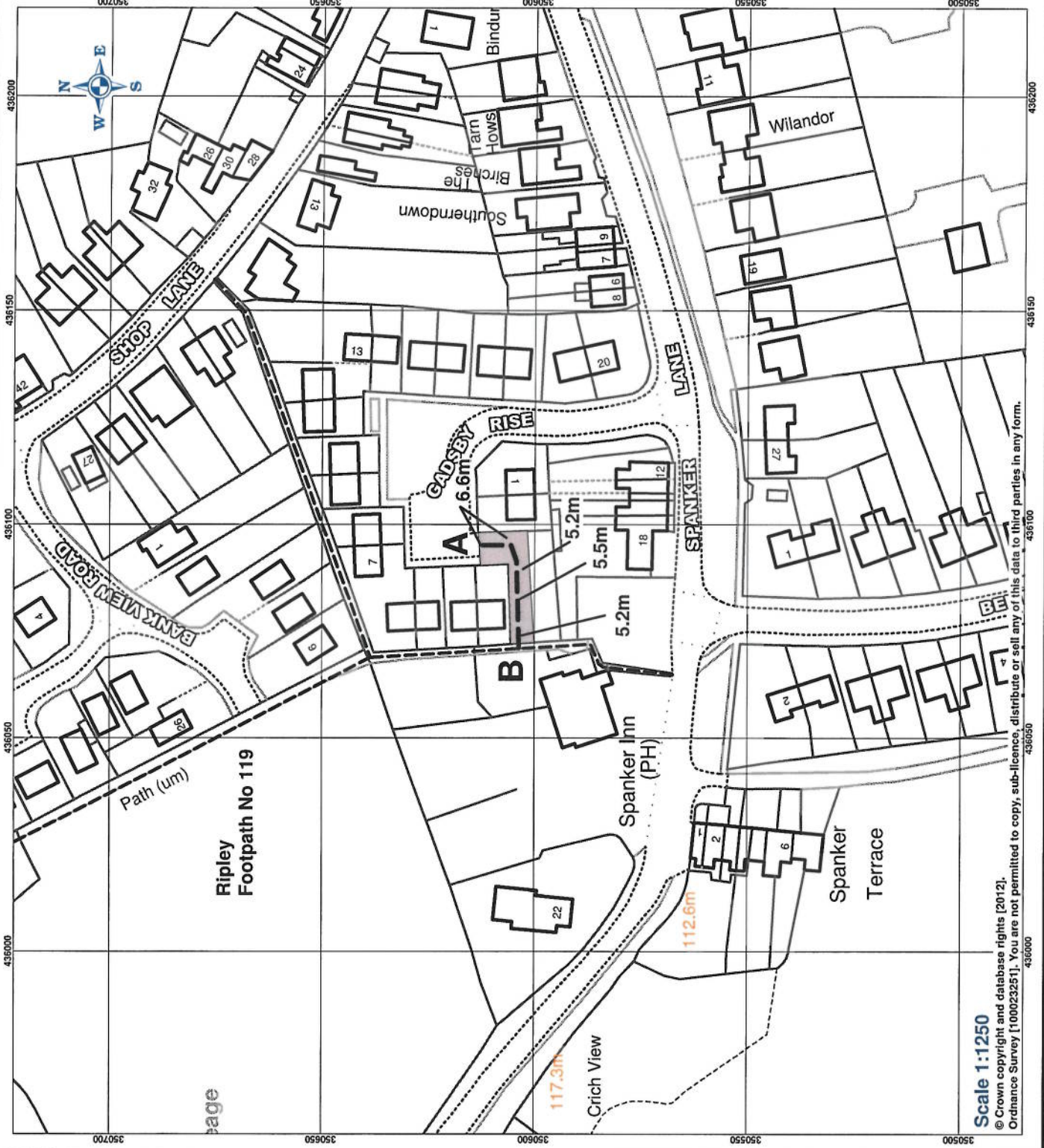
**KEY**

- Footpath to be added ———
- Existing footpaths - - - - -



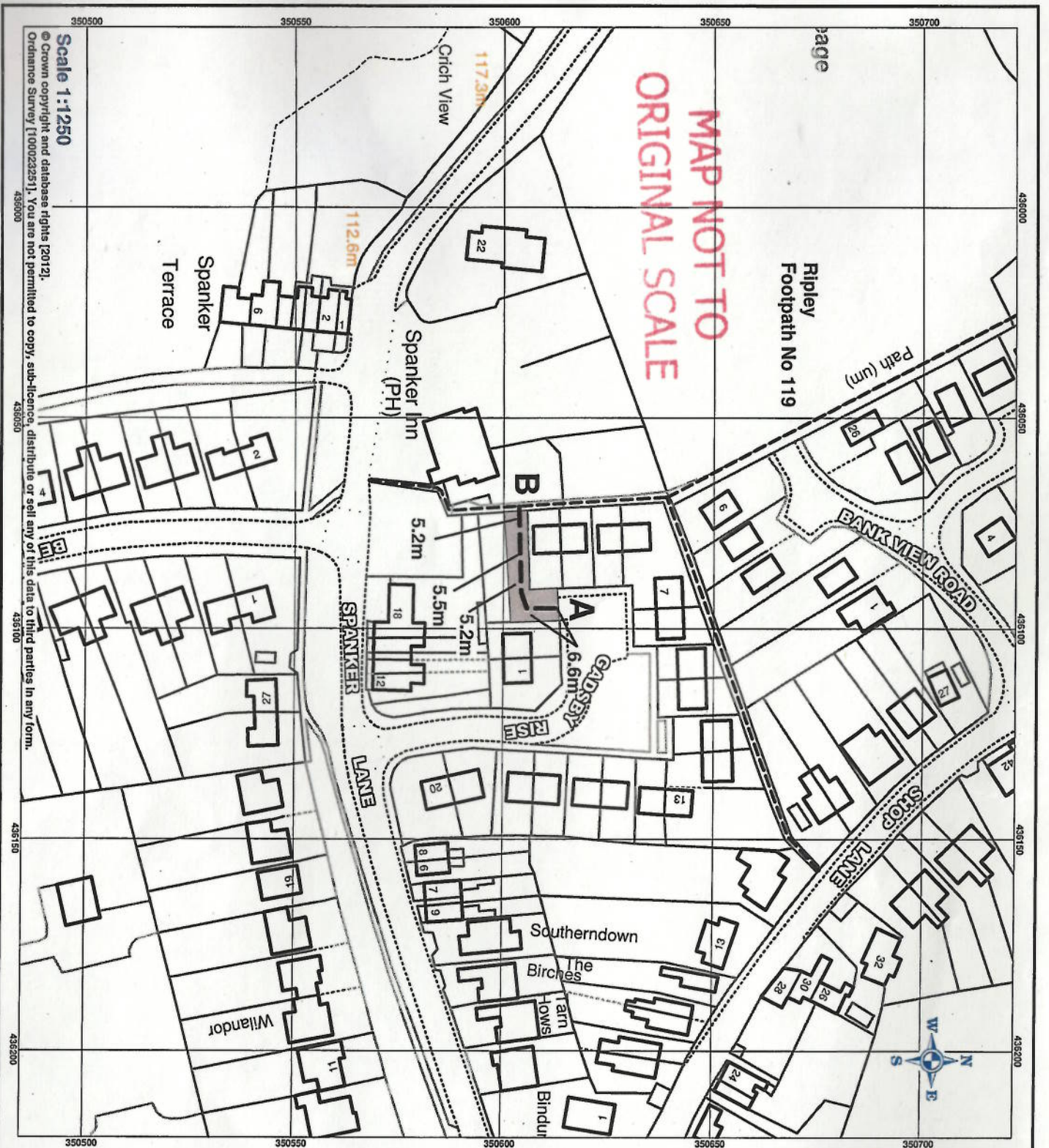
**IAN W. STEPHENSON** Inc. CIVIL, ARCH, SURV  
 Strategic Director of Environmental Services  
 Shand House  
 Dale Road South  
 Mallock  
 Derbyshire  
 DE4 3RY

Produced by Public Rights of Way on 21 September 2012  
 Ref: PE/GM/X3594/Order/2012



**Scale 1:1250**  
 © Crown copyright and database rights [2012].  
 Ordnance Survey [100023251]. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.





MAP NOT TO ORIGINAL SCALE

Scale 1:1250  
 © Crown copyright and database rights [2012].  
 Ordnance Survey [100023251]. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



**Wildlife and Countryside Act 1981 S.53**  
**The Derbyshire County Council**  
**(Footpath between Gadsby Rise and Footpath No. 119 at Nether Heage - Ripley)**  
**Modification Order 2012**

**KEY**

Footpath to be added ————

Existing footpaths - - - - -



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

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

Shard House  
 Dale Road South  
 Mallock  
 Derbyshire  
 DE4 3HY

Produced by Public Rights of Way on 21 September 2012  
 Ref: PE/GM/X3584/Order/2012



350700  
350650  
350600  
350550  
350500

436000  
435950  
435900  
435850  
435800

Page

Ripley  
Footpath No 119

Path (um)

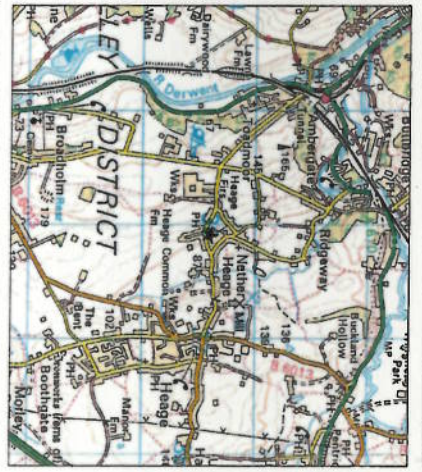
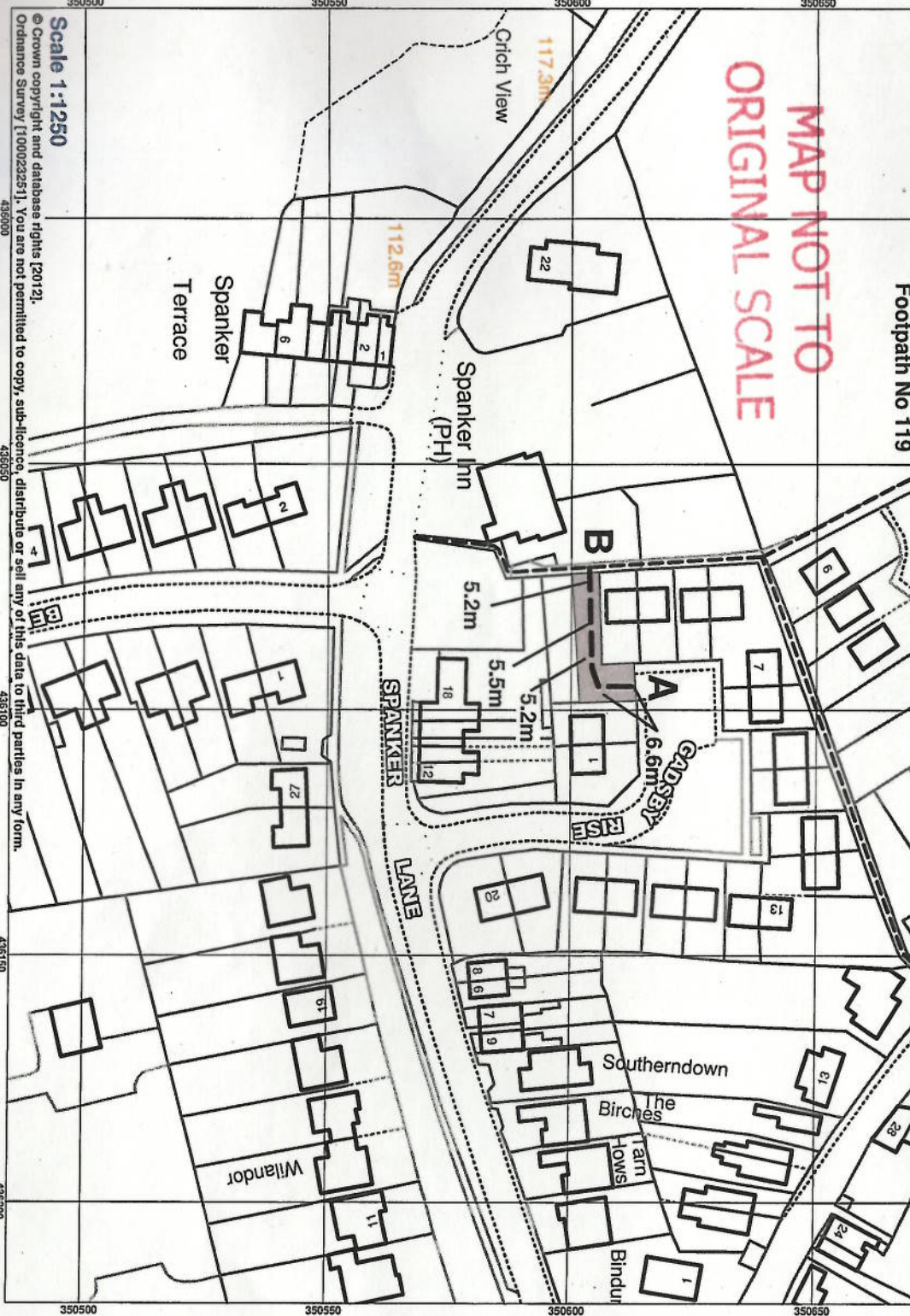
BANK VIEW ROAD

SHOP LANE

W  
N  
E  
S

435750  
435700  
435650  
435600

**MAP NOT TO ORIGINAL SCALE**



**Wildlife and Countryside Act 1981 S.53**

**The Derbyshire County Council**  
(Footpath between Gadsby Rise and Footpath No. 119 at Nether Heage - Ripley)

**Modification Order 2012**

**KEY**

Footpath to be added ————

Existing footpaths - - - - -



**IAN W. STEPHENSON** MR., CEM., ENV. MGR.  
Strategic Director of Environmental Services  
Shard House  
Dale Road South  
Mallock  
Derbyshire  
DE4 3HY

Produced by Public Rights of Way on 21 September 2012  
Ref: PE/GM/X3584/Order/2012

**Scale 1:1250**

© Crown copyright and database rights (2012).  
Ordnance Survey [100023251]. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

436000  
435950  
435900  
435850  
435800