

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Derbyshire County Council
(Restricted Byways Along New Lane and Part of Monument Lane - Parishes of
Codnor, Ironville and Riddings) Modification Order 2013

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 April 2016**.

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

The Inquiry will be held at **Ironville Church Hall, Casson Street, Ironville, Notts, NG16 5NN** on **Tuesday 13 September 2016** 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 a Restricted Byway from Point A (Ordnance Survey Grid Reference ("GR") SK 4238 5057) proceeding in a generally east north easterly direction to Point B (GR SK 4306 5073), a distance of 705 metres or thereabouts as shown on Order Map 1. Also by adding to them a Restricted Byway from Point C (GR SK 4318 5098) proceeding in a generally north easterly direction turning to a generally easterly direction to Point D (GR SK 4352 5122), a distance of 468 metres or thereabouts as shown on Order Map 2.

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/U1050/7/99 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by prior appointment at County Hall, Matlock, Derbyshire, DE4 3AG Monday to Friday during normal office opening times (9.00 am to 5 pm). To arrange a viewing please contact Ms Linda Phillips on Telephone Number 01629 538352.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 17 June 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 29 July 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 16 August 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

30 MAY

2013

WILDLIFE AND COUNTRYSIDE ACT 1981

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

**THE DERBYSHIRE COUNTY COUNCIL (RESTRICTED BYWAYS ALONG
NEW LANE AND PART OF MONUMENT LANE – PARISHES OF CODNOR,
IRONVILLE AND RIDDINGS) MODIFICATION ORDER 2013**

**CASE NO: 855
DMMO NO: X2874**

**JOHN McELVANEY
MATLOCK**



WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (RESTRICTED BYWAYS ALONG NEW LANE AND PART OF MONUMENT LANE – PARISHES OF CODNOR, IRONVILLE AND RIDDINGS) MODIFICATION ORDER 2013

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 Codnor, Ironville and Riddings require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) of the Act, that is to say, the discovery by that authority of evidence which when considered with all other relevant evidence available to them shows that the rights of way referred to in this order which are not shown in the map and statement subsist or are 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 29 May 2013.
2. The Definitive Map and Statement for the County of Derbyshire for the Parishes of Codnor, Ironville and Riddings shall be modified as described in Part I and Part II of the Schedule and shown on the maps 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 (Restricted Byways along New Lane and part of Monument Lane – Parishes of Codnor, Ironville and Riddings) Modification Order 2013.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on maps	Description of Path or Way to be added
A-B (Map 1)	Restricted Byway from Point A (Ordnance Survey Grid Reference ("GR") SK 4238 5057) proceeding in a generally east north easterly direction to Point B (GR SK 4306 5073), a distance of 705 metres or thereabouts.
C-D (Map 2)	Restricted Byway from Point C (GR SK 4318 5098) proceeding in a generally north easterly direction turning to a generally easterly direction to Point D (GR SK 4352 5122), a distance of 468 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
Parish of Riddings 77	SK45SW	Restricted Byway from junction of New Road and Codnor Lane (GR SK 4238 5057) in an ENE direction to the junction of New Road with Castle Lane and Monument Lane (GR SK 4306 5073).	Tarmac Stone	705 metres	Varying between 5.1 and 6 metres as shown shaded in grey on Map 1 attached to the Derbyshire County Council Definitive Map Modification Order No. X2874	Way extends into parish of Codnor (parish boundary bisects the way)
Parish of Ironville 19	SK45SW	Restricted Byway from the entrance of driveway to the Jessop Monument grounds on Monument Lane (GR SK 4318 5098) in NNE then NE direction then E direction to junction of Monument Lane and Station Road (GR SK 4352 5122).	Tarmac	468 metres	Varying between 6.2 and 7.8 metres as shown shaded in grey on Map 2 attached to the Derbyshire County Council Definitive Map Modification Order No. X2874	Gate at GR SK 4336 5121 Way extends into parish of Riddings (parish boundary bisects the way over a length of c. 228 metres from GR SK 4318 5098)

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
The thirtieth day of May)
Two Thousand and Thirteen)
in the presence of:-)

E Wild

E Director of Legal Services

Number in Word
Book

2013 / 537



Wildlife and Countryside Act 1981 S.53

The Derbyshire County Council
 (Restricted Byways along
 New Lane and part of
 Monument Lane - Parishes of
 Codnor, Ironville and Riddings)
 Modification Order 2013

Map 1

KEY

Restricted Byway to be added

A ——— V ——— B

Existing Restricted Byway

— V — V — V —

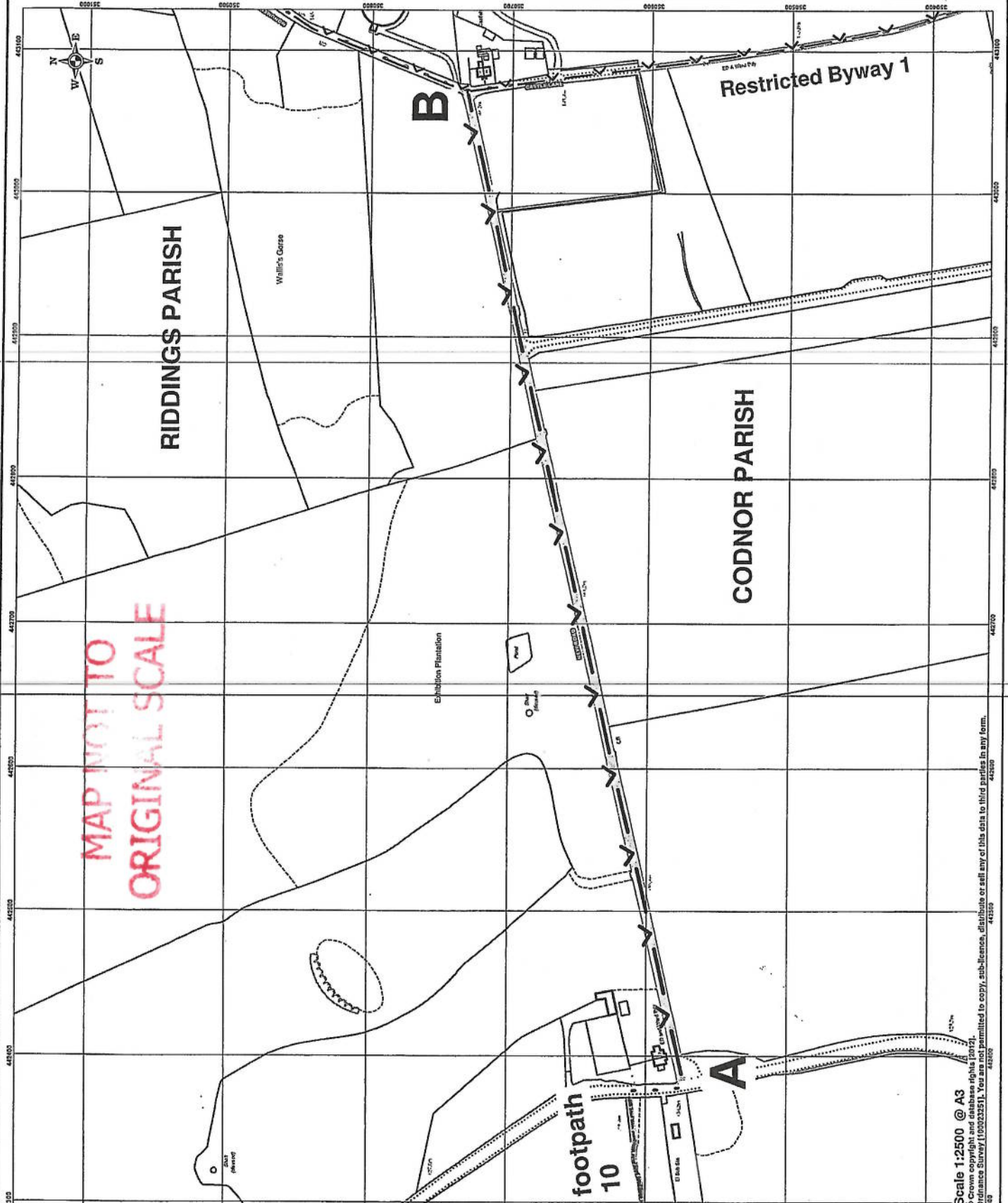


DERBYSHIRE
 County Council
 Improving life for local people

IAN W. STEPHENSON
 Head of Environmental Services

Shard House
 Dale Road South
 Malleck
 Derbyshire
 DE4 3RY

Produced by Public Rights of Way on 7 January 2013
 Ref: PEL032021/00102013



MAP NOT TO ORIGINAL SCALE

Scale 1:2500 @ A3

© Crown copyright and database right 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.63

The Derbyshire County Council
(Restricted Byways along
New Lane and part of
Monument Lane - Parishes of
Codnor, Ironville and Riddings)
Modification Order 2013

Map 2

KEY

Restricted Byway to be added



Existing Restricted Byway

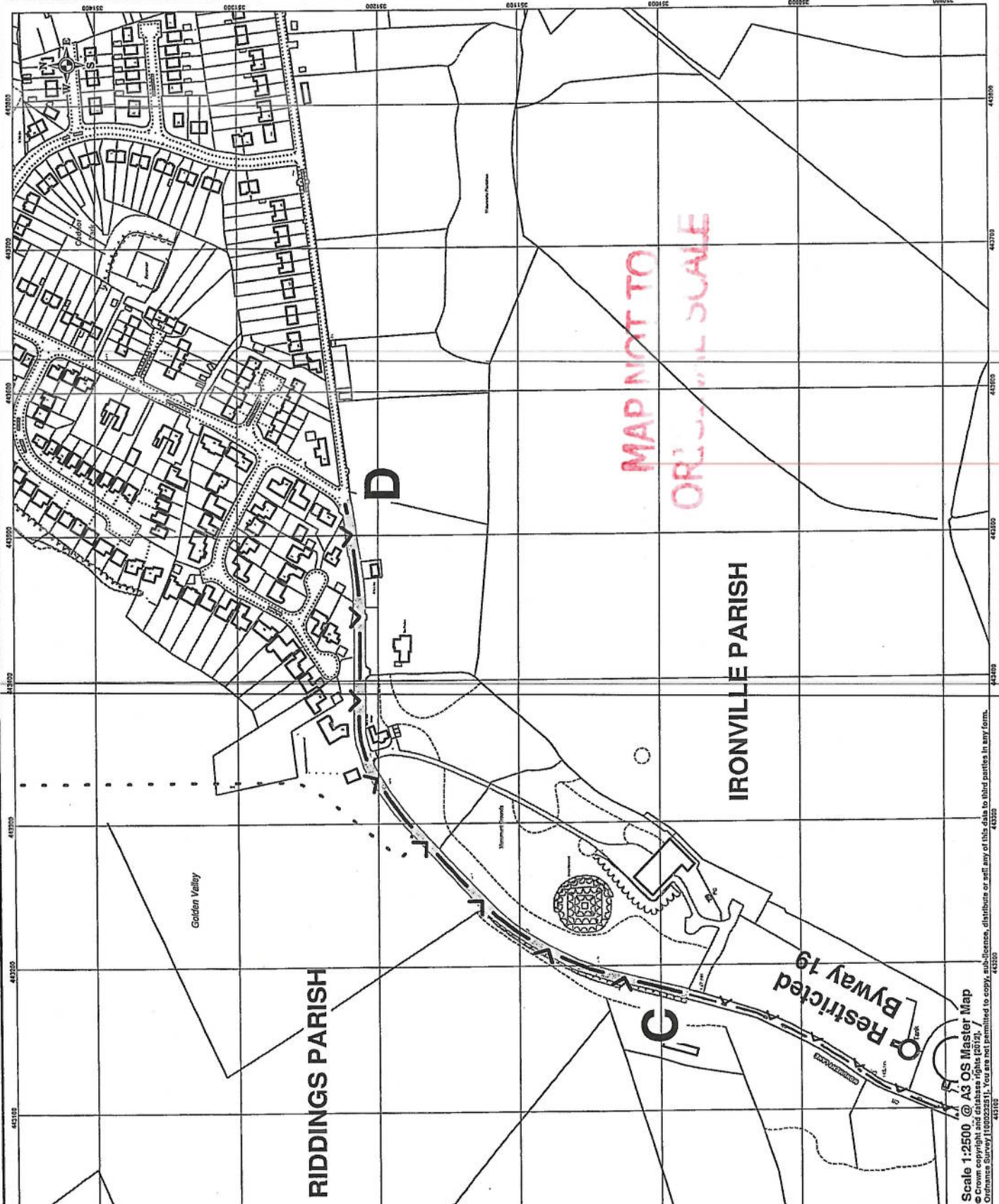


DERBYSHIRE
County Council
Improving life for local people

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

Shard House
Dale Road South
Riddings
Derbyshire
DE4 3RY

Produced by Public Rights of Way on 7 January 2013
Ref: RWB/2012/0000213



Scale 1:2500 @ A3 OS Master Map

© Crown copyright and database rights (2012).
All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of Ordnance Survey. It is illegal to copy, sub-license, distribute or sell any of this data to third parties in any form.