

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Tameside Metropolitan Borough Council
(Elizabeth Street / Turner Lane, Ashton under Lyne) Modification Order
2016.

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 **18 July 2017**

Consideration of the Order will take the form of a hearing.

The Hearing will be held at **Conference Room 2, Guardsman Tony Downes House, 5 Manchester Road, Droylsden, M43 6SF** on **Tuesday 14 November 2017** 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 footpath from Point A on the Order Map (GR: 393844 – 399884) at Turner Lane in an easterly direction for a distance of 26 metres to point B on the Order Map (GR: 393868 – 399879) at Elizabeth Street. It has a width of between 1.4 and 1.6 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 ROW/3171684 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 Ashton Customer Services, Clarence Arcade, Stamford Street, Ashton-under-Lyne, OL6 7PT during normal office hours. Tel No. 0161 342 3040.

As the Authority have indicated that they will not be supporting the Order at the Hearing, the case for the Order will be presented by Mrs Denise Pinder. They will be expected to adhere to the following timetable as if they were the authority.

Timetable for sending in statements of case

Within 8 weeks of the start date by 12 September 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, although 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 12 weeks of the start date by 10 October 2017

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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).

All parties must keep to the timetable set out above and ensure that statements of case 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 hearing

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 hearing.

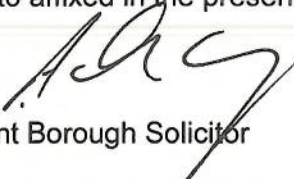
WILDLIFE AND COUNTRYSIDE ACT 1981
THE TAMESIDE METROPOLITAN BOROUGH COUNCIL DEFINITIVE MAP AND
STATEMENT
THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (ELIZABETH STREET /
TURNER LANE, ASHTON UNDER LYNE) MODIFICATION ORDER 2016

This Order is made by Tameside Metropolitan Borough Council, under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Secretary of State (who has directed the Council to that effect) that the Tameside Metropolitan Borough Council Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53 (3)(c) (i) of the Act namely the discovery by him of evidence which (when considered with all other available evidence available to him) shows that a right of way 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, being a right of way such that the land over which the right subsists is a public path.

The Tameside Metropolitan Borough Council hereby Order that:

1. For the purposes of this Order the relevant date is 8 August 2016.
2. The Tameside Metropolitan Borough Council Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Tameside Metropolitan Borough Council Definitive Map (Elizabeth Street / Turner Lane, Ashton under Lyne) Modification Order 2016.

The Common Seal of Tameside
Metropolitan Borough Council was
On 3 November 2016
Hereunto affixed in the presence of:


Assistant Borough Solicitor



81901

SCHEDULE

PART I

Modification of Definitive Map

Description of public right of way to be added

Public footpath from point A on the order map (GR: 393844 - 399884) at Turner Lane in an easterly direction for a distance of 26 metres to point B on the order map (GR: 393868 - 399879) at Elizabeth Street. It has a width of between 1.4 and 1.6 metres.

PART II

Modification of Definitive Statement

Add:

Path No.	Status	Length Metres	Width Metres	Description	Comments
ASH 146	Footpath	26	Between 1.4 and 1.6	From the cul-de-sac end of Turner Lane (GR: 393844 - 399884) in an easterly direction for a distance of 26 metres to Elizabeth Street (GR: 3938668 - 399879).	Surface is rolled stone chippings throughout. There are no limitations associated with this route.

Modification Order

Elizabeth Street, Ashton

Scale 1:1000

Compiled by MH on 2 December 2014

Robin Monk
Executive Director of Place
Council Offices
Wellington Road
Ashton-under-Lyne
OL6 6DL



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Additional information: Engineering Service Tel : 0161 342 3704

