



## Order Decision

Site visit on 14 August 2017

**by Sue M Arnott FIPROW**

**an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs**

**Decision date: 18 January 2018**

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### **Order Ref: ROW/3169114**

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981. It is known as the Derbyshire County Council (Footpath from Glossop Road (A626) to Public Bridleway No.109 at Bankwood Gate – Parish of Charlesworth) Modification Order 2010.
- The Order is dated 16 September 2010. It proposes to modify the definitive map and statement for the area by recording a public footpath in Charlesworth Parish, as shown on the Order map and described in the Order schedule.
- There were three objections outstanding<sup>1</sup> when Derbyshire County Council submitted the Order for confirmation to the Secretary of State for Environment, Food and Rural Affairs.
- In accordance with Paragraph 8(2) of Schedule 15 to the Wildlife and Countryside Act 1981 I have given notice of my proposal to confirm the Order with modifications. No objections have been submitted in response.

**Summary of Decision: The Order is confirmed subject to the modifications previously proposed.**

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### **The Main Issues**

1. If confirmed with the modifications set out in paragraph 26 of my interim Order Decision issued on 18 September 2017 the Order would record on the definitive map and statement a public footpath between Glossop Road and Long Lane in the Parish of Charlesworth but on a slightly different alignment to that originally proposed.
2. No objections have been submitted to my proposal to modify the Order so as to alter the line to be recorded for this public footpath at its eastern and western ends, as is now marked on the (modified) Order map as X-Y-B-C-Z-D.

### **Conclusion**

3. Having regard to the above and all other matters raised in the written representations, I conclude that the Order should be confirmed subject to the modifications that have been advertised.

*(Continued)*

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<sup>1</sup> One was subsequently withdrawn.

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## **Formal Decision**

4. I confirm the Order subject to the following modifications:

On the Order map

- Add points X, Y and Z
- Delete the Order route A-Y and substitute X-Y
- Delete the Order route C-D and substitute C-Z-D

In the Order schedule: Part I

*Section as indicated on map:*

- Delete "A-B-C-D" and substitute "X-Y-B-C-Z-D"

*Description of Path or Way to be added:*

- In line 2 delete Point A and substitute Point X;
- In lines 2 & 3 delete "SK 0090 9393 proceeding" and substitute "SK 0089 9386 proceeding first north west to Point Y (GR SK 0083 9389) then";
- In line 5 before "to Point D" insert "via Point Z (GR SK 0011 9376)";

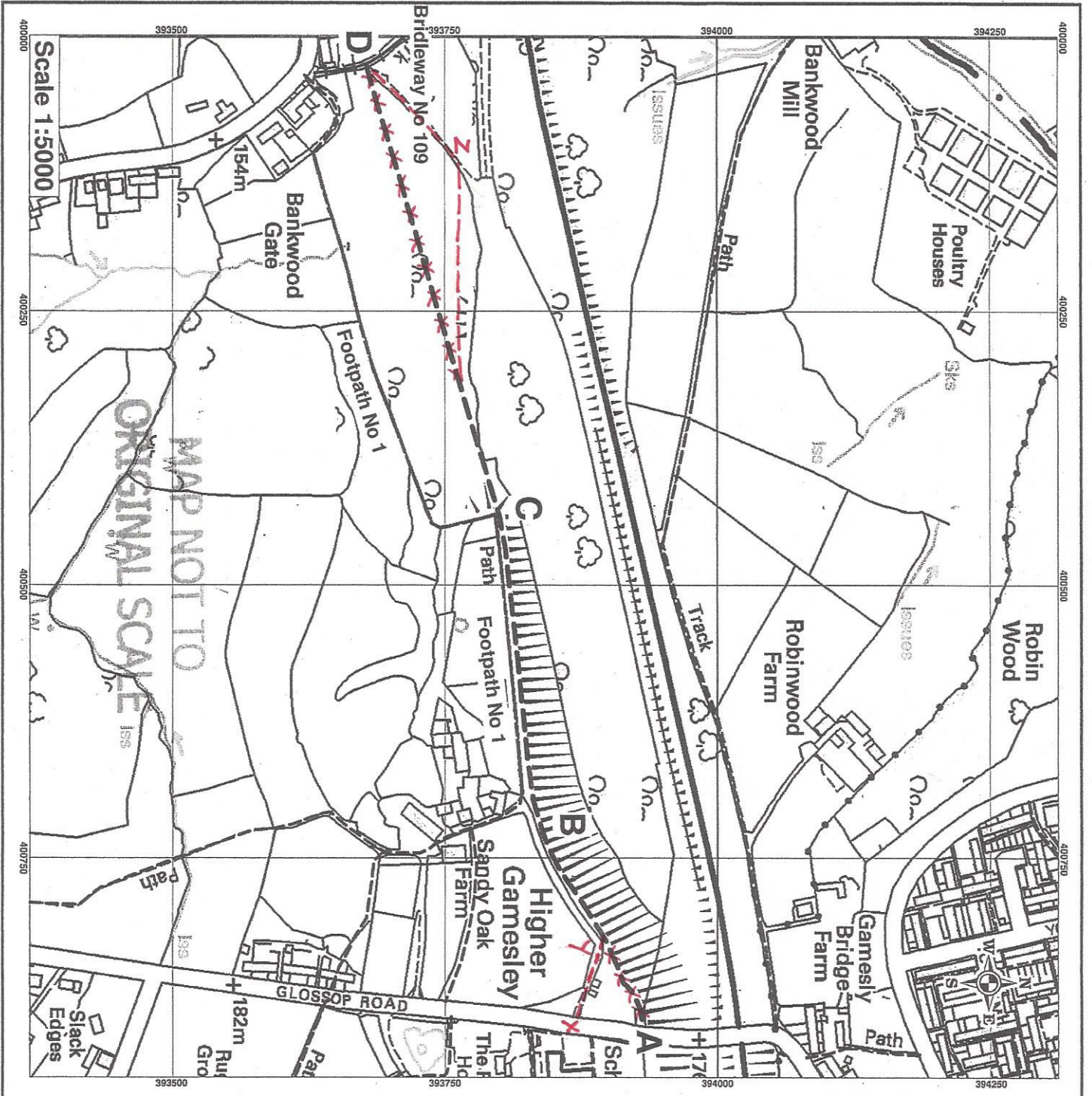
In the Order schedule: Part II

Status and Description of Route

- In line 4, delete "(SK 0090 9393) NW" and substitute "(SK 0089 9386) W";
- In line 8 delete "SW" and substitute "NW";
- In lines 16 & 17 delete "across field" and substitute "SW along track".

*Sue Arnott*

**Inspector**



MAP NOT TO ORIGINAL SCALE  
 ISS


Scale 1:5000



**Wildlife and Countryside Act 1981 S.53**  
**The Derbyshire County Council**  
**(Footpath from Glossop Road**  
**(A626) to Public Bridleway**  
**No. 109 at Bankwood Gate -**  
**Parish of Charlesworth)**  
**Modification Order 2010**

**KEY**

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

Plan Ref: **PE/GM/X2962/Order/2010**  

**DERBYSHIRE**  
**County Council**  
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