

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53
The Metropolitan Borough of Barnsley (West Riding of Yorkshire
County Council Definitive Map & Statement) (Hoyland Nether)
Modification Order (No. 16) 2017

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 **24 October 2017**.

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

The Inquiry will be held at **Milton Hall, Fitzwilliam Street, Elsecar, Barnsley S74 8EZ** on **17 April 2018** 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 a public footpath running from the northern end of Lifford Place at Elsecar, Barnsley, north easterly to Strafford Avenue (SE 30 SE 3869 0050 3875 0052).

Any queries relating to this Order should be referred to Clive Richards 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 4445502; Email: clive.richards@pins.gsi.gov.uk Please quote reference number ROW/3181095 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 the Branch Library, High Croft, Hoyland, Barnsley S74 9AF (Tel: 01226 743434) during normal opening hours.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 19 December 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 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 January 2018]

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 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).

4 weeks before the date of the inquiry [by 20 March 2018]

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.

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE METROPOLITAN BOROUGH OF BARNSELY
(WEST RIDING OF YORKSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT) (HOYLAND NETHER)
MODIFICATION ORDER (NO. 16) 2017**

A.C. Frostdick, LL.B. DipLG,
Executive Director of Core Services &
Solicitor to the Council,
Town Hall,
Barnsley,
S70 2TA.

BARNSELY METROPOLITAN BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE METROPOLITAN BOROUGH OF BARNSELY
(WEST RIDING OF YORKSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT) (HOYLAND NETHER)
MODIFICATION ORDER (NO. 16) 2017**







THIS ORDER is made by Barnsley Metropolitan Borough 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 for the former West Riding of Yorkshire requires modification in consequence of the occurrence of an event specified in section 53(3) (c) (i) of the Act namely the discovery by the Council of evidence which, when considered with all other relevant evidence available to it 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

THE authority has consulted with every local authority whose area includes the land to which this Order relates

THE Barnsley Metropolitan Borough Council hereby order that:

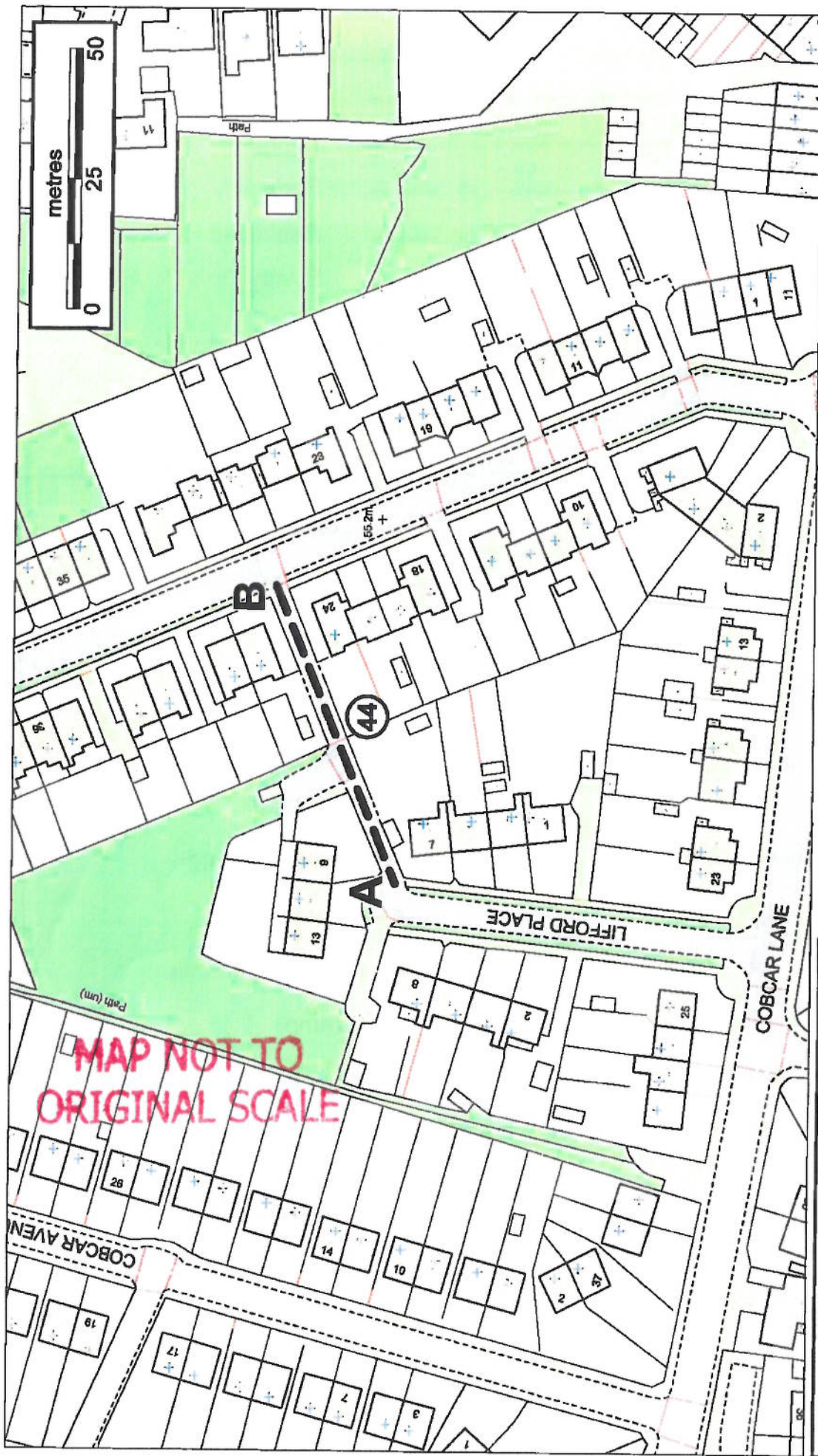
1. For the purposes of this Order the relevant date is 20 April 2017.
2. The Definitive Map and Statement for the former West Riding of Yorkshire shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Metropolitan Borough of Barnsley (West Riding of Yorkshire County Council Definitive Map and Statement) (Hoyland Nether) Modification Order (No. 16) 2017.

GIVEN under the Common Seal of Barnsley Metropolitan Borough Council this 22nd day of May Two thousand and seventeen

	Right of way stopped up
	Footpath
	Bridleway
	Restricted Byway
	Byway Open to All Traffic
	Numbers in circles refer to the identification number of the path on the definitive map and statement

cb	cart bridge	d	direction post
fb	foot bridge	n	notice
rb	former railway bridge	p	post or bollard
culv	culvert	r	rail or bar
fg	field gate	stp	steps
kg	kissing gate	wm	waymark
wg	wicket gate	lc	level crossing
g	other gate	cg	cattle grid
s	stile	ss	stepping stones
up	underpass	rmp	ramp
gap	gap in fence, hedge or wall		

Notation referred to in The Metropolitan Borough of Barnsley (West Riding of Yorkshire County Council Definitive Map and Statement) (Hoyland Nether) Modification Order (No. 16) 2017



Footpath to be added to the Definitive Map & Statement

Map 1 referred to in The Metropolitan Borough of Barnsley (West Riding of Yorkshire County Council Definitive Map and Statement) (Hoyland Nether) Modification Order (No. 16) 2017

Drawn by BMBC	Scale 1 : 1000
Map 1	-

MAP NOT TO ORIGINAL SCALE

THE SCHEDULE

PART I

Modification of the Definitive Map

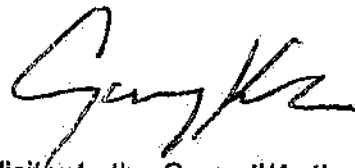
<u>Annexed Map Ref.</u>	<u>Modification</u>	<u>Path/ Way No.</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Width(s) en route</u>
1	Footpath addition	44	Point A	Point B	65 metres	3.5 metres

PART II

Particulars to be added to the Definitive Statement

<u>Path No.</u>	<u>Map Ref</u>	<u>Description of Route</u>	<u>Nature of Surface</u>	<u>Length</u>	<u>Width(s) en route</u>	<u>General</u>
44	SE 30 SE 3869 0050 3875 0052	Footpath commencing at the northern end of Lifford Place and proceeding north east to Stafford Avenue	Tarmac	65 metres	3.5 metres	-

THE COMMON SEAL of Barnsley)
Metropolitan Borough Council)
was hereunto affixed in the)
presence of:- *dc*)



No. 376
IN REGISTER

Executive Director of Core Services & Solicitor to the Council/Authorised Signatory
(Full Council 186(b) 9.11.2011 – Officer delegated decision 20.4.2017)