

# NOTICE OF ORDER

## HIGHWAYS ACT 1980 SECTION 119 WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 53A(2)

The Council of the City of Wakefield  
Public Path Diversion Order and Definitive Map and Statement Modification  
Order No 7, 2016 Public Footpath Normanton 31

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 August 2017**.

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

The Hearing will be held at Committee Room B, County Hall, Bond Street, Wakefield, West Yorkshire, WF1 2QW ON 09 January 2018 at 10:00am.

The effect of the Order, if confirmed without modifications, will be to divert the public footpath 1.2 m wide shown by a bold solid line on the plan annexed hereto commencing at its junction with Woodhouse Crescent at point A on the plan at map reference 3858 2168 proceeding in an southerly direction for 101 metres to its junction with Queen Elizabeth Drive at point C on the plan at map reference 3859 2158 with a spur commencing at point B at grid reference 3859 2160 proceeding easterly then southerly for 48 metres to its junction with Queen Elizabeth Drive at point D at grid reference 3862 2158 to a 2.0 metre wide public footpath shown by the bold dashed line on the plan annexed hereto commencing at its junction with Woodhouse Crescent at point A on the plan at map reference 3858 2168 proceeding in a south westerly direction for 116 metres thence easterly for 58 metres to its junction with Queen Elizabeth Drive at point C at map reference 3859 2158 continuing to point D at grid reference 3862 2158 then continuing in an easterly direction for 61 metres thence north westerly for 154 metres to its junction Woodhouse Crescent at point A on the plan at map reference 3858 2168.

The above order, when confirmed, will also modify the Council of the City of Wakefield Definitive Map and Statement by deleting from it the path or way referred to in paragraph 1 of the of the order and the definitive statement shall be modified as described in Part 3 of the Schedule to the order.

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](mailto:clive.richards@pins.gsi.gov.uk) Please quote reference number ROW/3174305 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 Customer Services Counter, Wakefield One, Burton Street, Wakefield WF1 2EB (Tel: 01924 306090) and at Normanton Library, Market Street, Normanton WF6 2AR (Tel: 01924 302525) during normal opening hours.

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

#### **Within 8 weeks of the start date [by 17 October 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 14 November 2017]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing must ensure their statement of case<sup>1</sup> 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

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<sup>1</sup> 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.

PUBLIC PATH DIVERSION ORDER  
AND DEFINITIVE MAP & STATEMENT  
MODIFICATION ORDER NO7, 2016  
PUBLIC FOOTPATH NORMANTON-31

HIGHWAYS ACT 1980 SECTION 119  
WILDLIFE AND COUNTRYSIDE ACT  
1981 SECTION 53A(2)

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ORDER

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L/AF/107/5634

Made: 1<sup>st</sup> August 2016

Confirmed:

Coming into effect:

B Livesey  
City Solicitor  
County Hall  
Wakefield  
WF1 2QW

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER  
HIGHWAYS ACT 1980, SECTION 119  
WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53(A)(2)  
COUNCIL OF THE CITY OF WAKEFIELD  
PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP & STATEMENT  
MODIFICATION ORDER NO 7, 2016  
PUBLIC FOOTPATH NORMANTON NO 31

This order is made by The Council of the City of Wakefield under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interest of the landowner it is expedient that the line of the path should be diverted.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears that the Council of the City of Wakefield Definitive Map & Statement requires modification in consequence of an occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely the diversion (as authorised by this order) of a highway shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The public footpath over the land situated at Normanton and shown by a solid bold line on the map contained in the Order and described in Part 1 of the Schedule to this Order shall be stopped up on confirmation of this Order.
2. There shall be on the date of confirmation of this Order a public footpath over the land at Normanton described in Part II of the Schedule and shown by a bold dashed line on the map contained in this Order.
3. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
5. The definitive map and statement shall be modified as described in Part III of the Schedule to this Order.

## SCHEDULE

### PART 1

#### Description of site of existing path or way

A public footpath 1.2 m wide shown by a bold solid line on the plan annexed hereto commencing at its junction with Woodhouse Crescent at point A on the plan at map reference 3858 2168 proceeding in an southerly direction for 101 metres to its junction with Queen Elizabeth Drive at point C on the plan at map reference 3859 2158 with a spur commencing at point B at grid reference 3859 2160 proceeding easterly then southerly for 48 metres to its junction with Queen Elizabeth Drive at point D at grid reference 3862 2158.

### PART 2

#### Description of site of alternative highway

A 2.0 metre wide public footpath shown by the bold dashed line on the plan annexed hereto commencing at its junction with Woodhouse Crescent at point A on the plan at map reference 3858 2168 proceeding in a south westerly direction for 116 metres thence easterly for 58 metres to its junction with Queen Elizabeth Drive at point C at map reference 3859 2158 continuing to point D at grid reference 3862 2158 then continuing in a easterly direction for 61 metres thence north westerly for 154 metres to its junction Woodhouse Crescent at point A on the plan at map reference 3858 2168.

### PART 3

#### Modification of Definitive Statement

Add new statement entry as follows:-

Normanton Public Footpath No 31

Map Reference – SE 32 SE 3821

Footpath commencing at its junction with Woodhouse Crescent proceeding south westerly, easterly then north westerly to its junction with Woodhouse Crescent.

Nature of Surface – Tarmac 389m with a width of 2.0m





MAP NOT TO ORIGINAL SCALE


Attlee Court

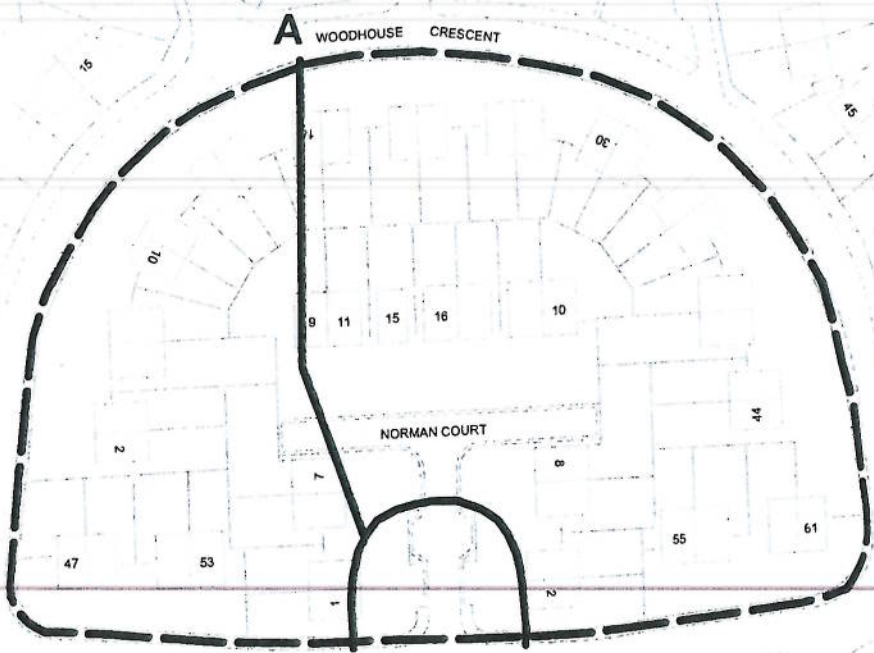
GARTH AVENUE

HENDERSON AVENUE

Path to be stopped up:   
Path to be created: 

Grid References  
A : GR 3858 2168  
B : GR 3859 2158  
C : GR 3862 2158

0  0.05883  
kilometres  
Scale: 1:1,250



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