

NOTICE OF ORDER

Wildlife and Countryside Act 1981 Section 53

Derbyshire County Council
(Upgrading to Bridleway of Public Footpath No. 17 (Part) and 18 – Parish of Pleasley); 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 **6 July 2018**.

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

The Inquiry will be held at the **New Houghton Community Centre, 13 Rotherham Road, New Houghton, Mansfield, Nottinghamshire NG19 8TE, on Wednesday 5 December 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 upgrading to a bridleway part of Public Footpath No. 17 in the Parish of Pleasley from a point at grid reference SK 5154 6505 and proceeding for a distance of 1143 metres or thereabouts in a generally south easterly, then north easterly, then south easterly then north easterly direction to a point at grid reference SK 5242 6511, with a width of 3.5 metres, **and** by upgrading to a bridleway Public Footpath No. 18 in the Parish of Pleasley from a point at grid reference SK 5242 6511 and proceeding for a distance of 57 metres or thereabouts in a generally easterly direction to a point at grid reference SK 5248 6512, with a width of 3.5 metres.

Any queries relating to this Order should be referred to Tara Davies 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 5779. Email: tara.davies@pins.gsi.gov.uk. Please quote reference number ROW/3189289 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 during normal office hours (9.00am to 5.00pm) at County Hall, Matlock, Derbyshire DE4 3AG. Please contact Angela Greatorex on 01629 538241.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 31 August 2018]

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 12 October 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 7 November 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

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.

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

DATED 15 SEPTEMBER 2016

WILDLIFE AND COUNTRYSIDE ACT 1981

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

**THE DERBYSHIRE COUNTY COUNCIL (UPGRADING TO BRIDLEWAY OF
PUBLIC FOOTPATH NO. 17 (PART) AND 18 – PARISH OF PLEASLEY)
MODIFICATION ORDER 2016**

**CASE NO: 58432
DMMO NO: X3879**

**JOHN McELVANEY
MATLOCK**

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (UPGRADING TO BRIDLEWAY OF PUBLIC FOOTPATH NO. 17 (PART) AND 18 – PARISH OF PLEASLEY) MODIFICATION ORDER 2016

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 Parish of Pleasley require modification in consequence of the occurrence of an event specified in section 53(3)(c)(ii) of the Act, namely, the discovery by that authority of evidence which when considered with all other relevant evidence available to them shows that the highway referred to in this order and shown on the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.

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 14 September 2016.
2. The Definitive Map and Statement for the County Of Derbyshire for the Parish of Pleasley shall be modified as described in Part I and Part II of the Schedule and shown on the map 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 (Upgrading to Bridleway of Public Footpath No. 17 (part) and 18 – Parish of Pleasley) Modification Order 2016.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be upgraded to Bridleway
A-B	Part of Public Footpath No. 17 in the Parish of Pleasley from Point A (Ordnance Survey Grid Reference ("GR") SK 5154 6505) proceeding in a generally south easterly then north easterly then south easterly then north easterly direction to Point B (GR SK 5242 6511), a distance of 1143 metres or thereabouts, with a width of 3.5 metres.
B-C	Public Footpath No. 18 in the Parish of Pleasley from Point B (Ordnance Survey Grid Reference ("GR") SK 5242 6511) proceeding in a generally easterly direction to Point C (GR SK 5248 6512), a distance of 57 metres or thereabouts, with a width of 3.5 metres.

PART II

Modification of Definitive Statement

Variation of particulars of Path or Way

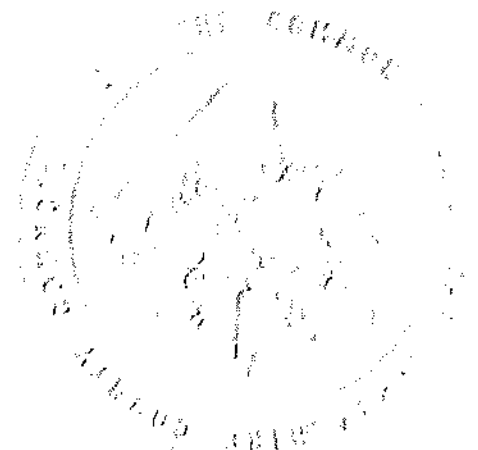
Path No	1/10,000 OS Sheet Ref No	Status and Description of Route in the parish of Pleasley	Nature of Surface	Length	Width	Remarks
18	SK/56 NW	Bridleway from E end of adopted highway SE of Bridleway 16 (5154 6505), in a generally SE direction along Outgang Lane passing around the E side of the traffic barrier. Then continuing SE then NE then SE passing around the side of the traffic barrier then continuing SE then NE then E to the county boundary with Nottinghamshire (5248 6512).	Tarmacadam	1143 metres	3.5 metres reduced to 1.5 metres at the traffic barriers located on Outgang Lane.	Automatic traffic barriers: 5157 6502; 5219 6498 Culvert beneath road: 5248 6512 Modification Order 2016 DCC Ref: X3879 Formerly part of Footpath 17 and all of Footpath 18 upgraded to bridleway and renumbered Bridleway 18.
17	SK/56 NW	Footpath from Bridleway 18 on Outgang Lane (5242 6511) NE of the War Memorial, in a NE direction across one field to the parish boundary with Shirebrook (5250 6517).	Grass	92 metres		Metal handgate: 5242 6511 Modification Order 2016 DCC Ref: X3879 Part of footpath upgraded to bridleway and renumbered Bridleway 18.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto)
Affixed the Fifteenth day of September)
Two Thousand and Sixteen)
in the presence of:-)

Karen D. Riley
Asst. Director of Legal Services

Number in Seal Book

2016/711





Wildlife and Countryside Act 1981
The Derbyshire County Council
(Upgrading to Bridleway
of Public Footpath No 17 (Part)
and 18 - Parish of Pleasley)
Modification Order 2016

Ref: ETC/PW/X3879/Order2016

Key:

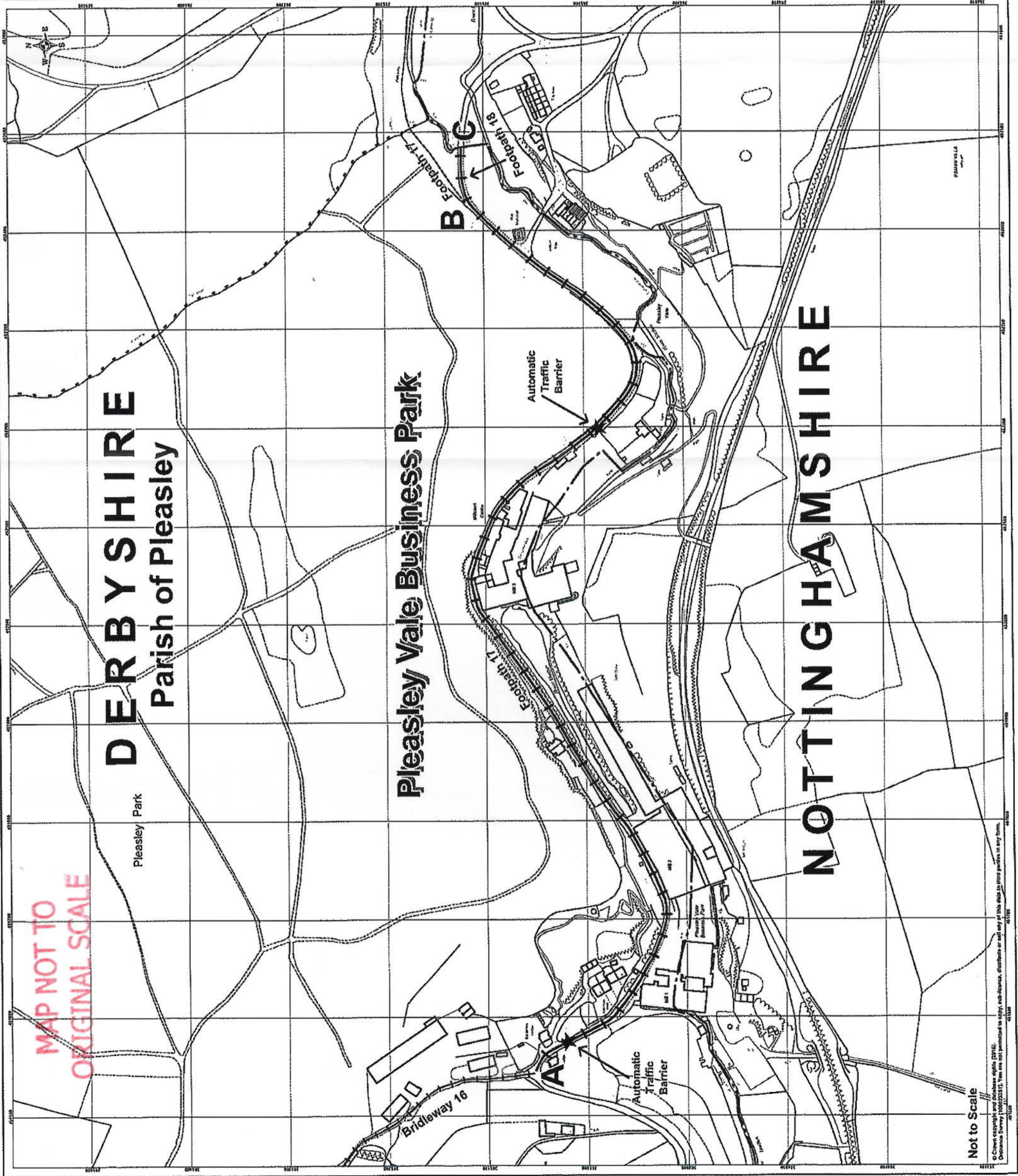
- Footpath to be upgraded
- Unaffected Bridleway
- Unaffected Footpath
- County Boundary



Improving life for local people

Mike Ashworth
 Strategic Director - Economy, Transport & Communities
 Shand House
 Dale Road South
 Maltlock
 Derbyshire
 DE4 3RY

Produced by Public Rights of Way on 7 July 2016



MAP NOT TO ORIGINAL SCALE

Not to Scale

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