

NOTICE OF ORDER

SECTION 257 TOWN AND COUNTRY PLANNING

ACT 1990

Copeland Borough Council
Public Footpath No. 403001 Diversion Order No. 1 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 **3 August 2018**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert that length of Public Footpath No. 403001 at Mill Hill, Cleator Moor, Cumbria running in a southerly direction for approximately 157.7 metres from a point at grid reference 301129.26E/516232.16N to a point at grid reference 301137.2E/516076.9N **and** create an alternative footpath commencing at a point at grid reference 301129.26E/516232.16N then running in a southeast direction for approximately 21.4 metres to a point at grid reference 301144.4E/516217.14N, then continuing in a south-southeast direction for approximately 78.2 metres to a point at grid reference 301163.85E/516141.32.N, then in a south-southeast direction for approximately 22.3 metres to a point at grid reference 301166.07E/516118.98N, then in a south-southwest direction for approximately 27.4 metres to a point at grid reference 301162.33E/516091.86N, then in a west/southeast direction for approximately 14.9 metres to a point at grid reference 301150.97E/516092.89N and then in a southwest direction for approximately 17.8 metres to a point at grid reference 301137.2E/516076.9N. The alternative footpath will have a width of two 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 our reference number ROW/3196250 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 Copeland Borough Council's offices at The Market Hall, The Market Place, Whitehaven, Cumbria CA28 7JG during the following hours:

Monday: 9am-5pm
Tuesday: 9am-5pm
Wednesday: 10am-5pm
Thursday: 9am-5pm
Friday: 9am-4.30pm

Please telephone the Copeland Direct team on 01946 598300 for appointments.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 17 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, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 28 September 2018]

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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, 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).

Within 14 weeks of the start date [by 9 November 2018]

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order(s) must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received 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 w/r

PUBLIC FOOTPATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
THE COPELAND BOROUGH COUNCIL
PUBLIC FOOTPATH NO. 403001
DIVERSION ORDER NO 1 2016


This Order is made by Copeland Borough Council under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with outline planning permission No.4/12/2259/OO1 and the subsequently approved reserved matters No. 4/16/2181/OR1 granted under Part III of the Town and Country Planning Act 1990 by Copeland Borough Council namely the erection of 66 houses on land at Mill Hill, Cleator Moor, Cumbria.

BY THIS ORDER

1. The footpath over the land shown by a bold black line on the attached plan and described in Part 1 of the Schedule to this Order shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Copeland Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached plan.
3. The diversion of the footpath shall have effect on the date on which Copeland Borough Council certify that the terms of Article 2 above have been complied with.
4. 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.

THE COMMON SEAL of COPELAND
BOROUGH COUNCIL was hereunto affixed

In the presence of:


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Legal Services Manager



THE SCHEDULE

PART 1

Description of the site of the existing footpath to be diverted

That length of Public Footpath No 403001 at Mill Hill, Cleator Moor, Cumbria commencing at Point A OS grid reference 301129.26E/516232.16N then running in a southerly direction for approximately 157.7 metres and ending at Point B OS grid reference 301137.2E/516076.9N as indicated by a bold black line on the attached plan.

PART 2

Description of the site of the alternative footpath

Commencing at Point A OS grid reference 301129.26E/516232.16N then running in a southeast direction for approximately 21.4 metres to Point C OS grid reference 301144.4E/516217.14N; then continuing in a south-southeast direction for approximately 78.2 metres to Point D OS grid reference 301163.85E/516141.32N; then in a south-southeast direction for approximately 22.3 metres to Point E OS grid reference 301166.07E/516118.98N; then in a south-southwest direction for approximately 27.4 metres to Point F OS grid reference 301162.33E/516091.86N; then in a west-southeast direction for approximately 14.9 metres to Point G OS grid reference 301150.97E/516092.89N; and then in a southwest direction for approximately 17.8 metres to Point B OS grid reference 301137.2E/516076.9N as indicated by bold black dashes on the attached plan.

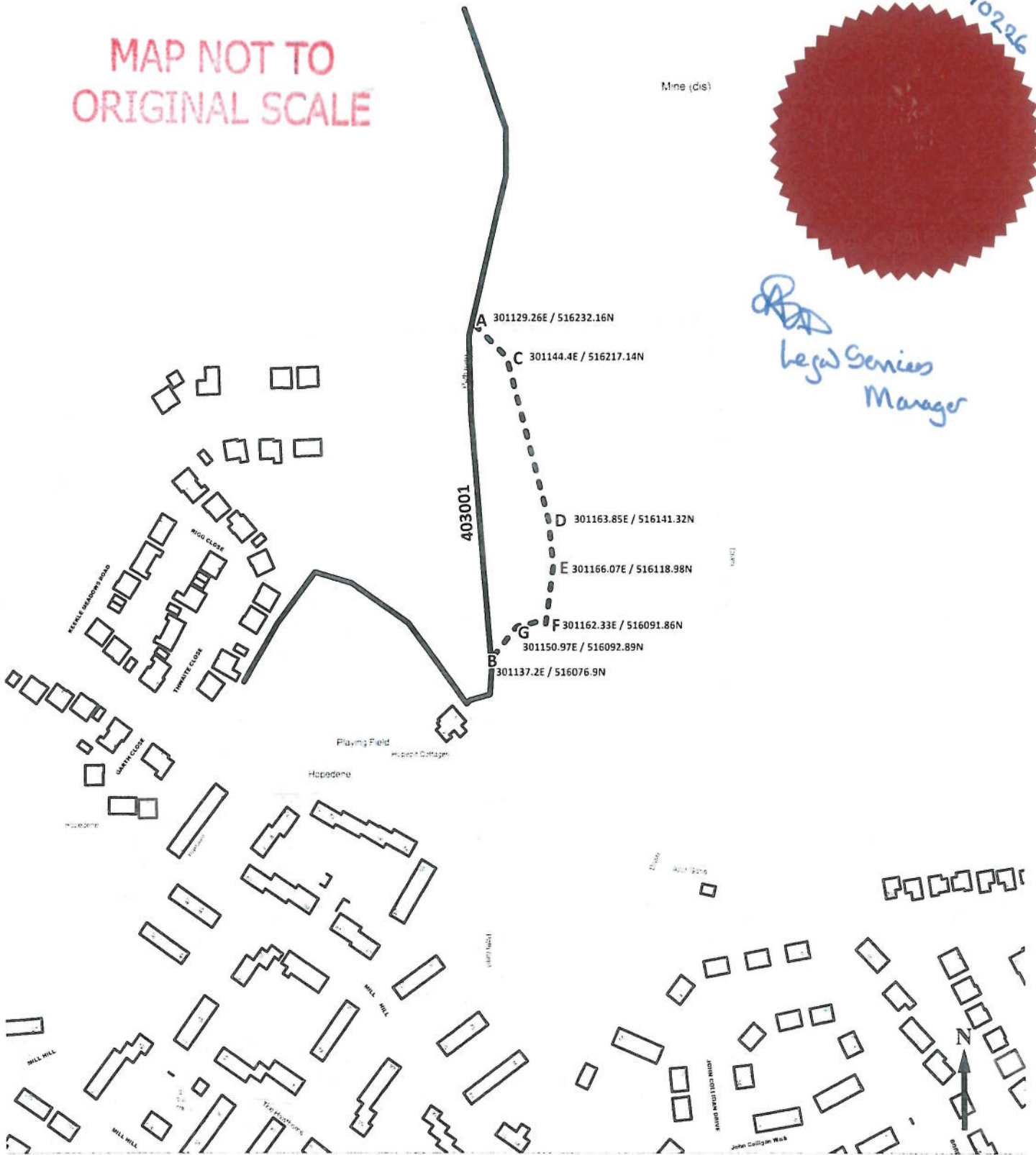
The width of the diverted footpath will be 2 metres and will be fenced off from the agricultural land by a 1 metre high stock-proof fence and to the south (development side) by a close boarded timber fence.

THE COPELAND BOROUGH COUNCIL
 PUBLIC FOOTPATH NO. 403001 (PART)
 DIVERSION ORDER NO.1 2016

MAP NOT TO
 ORIGINAL SCALE



*Legal Services
 Manager*



- Proposed Footpath Diversion
- Existing Footpath - No. 403001

Legal and Democratic Services
 Copeland Borough Council
 Whitehaven Commercial Park
 Moresby Parks
 Moresby
 Whitehaven
 CA28 8YD

