

NOTICE OF ORDER WILDLIFE & COUNTRYSIDE ACT 1981

BOROUGH COUNCIL OF CALDERDALE
(Woodroyd Gardens to Rose Grove Lane)
Order No. 1, 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 **23 October 2018**.

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

The Inquiry will be held at **Committee Room D, Halifax Town Hall, Crossley Street, HALIFAX HX1 1UJ** on **24th April 2019** 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 1.2 metres wide commencing at its junction with Woodroyd Gardens at grid reference SE05032411 (Point A on the Order Map) and running in a generally easterly, south-south easterly, then easterly direction terminating at the junction with Rose Grove Lane at grid reference SE05132407 (Point E on the Order Map), a distance of approximately 81 metres.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle 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/3206702 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 Halifax Customer First, Horton Street, Halifax, HX1 1QE between 9am and 5pm, Monday to Friday (tel: 01422 288001).

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 18 December 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 29 January 2019]

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 27 March 2019]

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).

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.

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

MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

**WEST YORKSHIRE METROPOLITAN COUNTY COUNCIL
MODIFIED DEFINITIVE MAP AND STATEMENT**

**BOROUGH COUNCIL OF CALDERDALE
(WOODROYD GARDENS TO ROSE GROVE LANE)
ORDER NO. 1, 2017**

This Order is made by the Borough Council of Calderdale under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the West Yorkshire Metropolitan County Council Modified Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) of the Act, namely,

the discovery by the authority of evidence which (when considered with all other evidence available to them) 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 the order relates. The Borough Council of Calderdale hereby orders that:

- 1 For the purposes of this order the relevant date is 9 December 2016.
- 2 The West Yorkshire Metropolitan County Council Modified Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
- 3 This Order shall take effect on the date it is confirmed and may be cited as the Borough Council of Calderdale (Woodroyd Gardens to Rose Grove Lane) Order No. 1, 2017.

SCHEDULE

**PART I
MODIFICATION OF DEFINITIVE MAP**

Description of path or way to be added

A public footpath (Sowerby Bridge No. 174) 1.2 metres wide indicated by a bold broken line on the plan attached to this order commencing at its junction with Woodroyd Gardens at grid reference SE05032411 (marked A) and running in a generally easterly, south south easterly, then easterly direction to its termination on Rose Grove Lane at grid reference SE05132407 (marked E), a distance of approximately 81 metres.

**PART II
MODIFICATION OF DEFINITIVE STATEMENT**

Addition of Particulars of Paths or Ways

Path no.	Map ref	Description of route	Nature of surface	Approx. length Metres	Width Metres	General
Sowerby Bridge 174	SE 02 SE 0524	Footpath commencing at its junction with Woodroyd Gardens and proceeding in a generally easterly, thence south south easterly and easterly direction to Rose Grove Lane.	Asphalt and concrete Earth and stone	20 112	1.2 1.2	2 sets of steps Footpath added by Order No. 1 2017.

**THE CORPORATE COMMON SEAL
OF THE BOROUGH COUNCIL OF CALDERDALE**

was hereunto affixed
this 13th day of January 2017
In the presence of

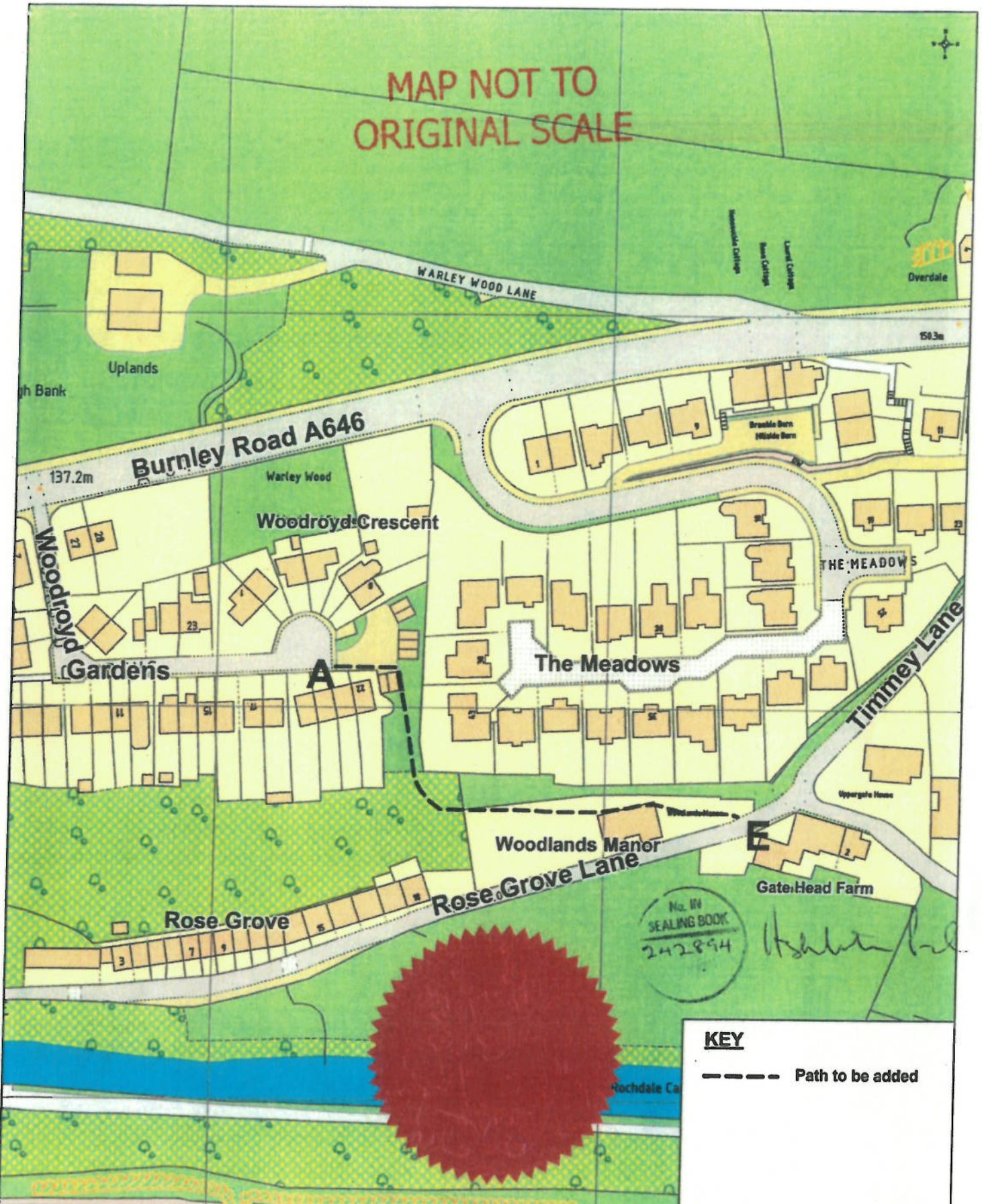


Ashutosh Paul

ASHUTOSH PAUL

PRINCIPAL SOLICITOR

MAP NOT TO ORIGINAL SCALE



KEY

----- Path to be added

Calderdale
Council

Economy & Environment
HIGHWAYS & TRANSPORTATION

Town Hall, Crossley Street, Halifax
West Yorkshire, HX1 1UJ
01422 288002

Website: www.calderdale.gov.uk
Email: highwaysandengineering@calderdale.gov.uk

© Crown Copyright and database right 2017.
Ordnance Survey Licence No. 100023069.

Woodroyd Gardens to Rose Grove Lane,
Luddendenfoot

Sheet Ref: SE02NE 0625

Date: 06/01/2017

Scale 1:1250

Drawn By: PC