

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Cheshire West and Chester Council
(Addition of particulars to the Definitive Statement for Footpath No 19, Beeston)
Modification Order 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 3 September 2018.

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

CANCELLED

~~The Hearing will be held at **Wyvern House, The Drumber, Winsford, Cheshire CW7 1AH** on **Tuesday 8 January 2019** at 10.00am.~~

Consideration of the Order will now take the form of written submissions.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by adding the following description to the statement:

A public footpath commencing at Ivy Cottage, Moss Lane (c810) at OS grid reference SJ 55467 58342 then running in a north westerly direction for approximately 78 metres to the field boundary of Ivy Cottage at OS grid reference SJ 55401 58387 then running in a westerly direction for approximately 1073 metres to Moss Lane (c810) at OS grid reference SJ 54373 58610.

Any queries relating to this Order should be referred to Jean McEntee 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 444 5437. Email: jean.mcentee@pins.gsi.gov.uk
Please quote reference number ROW/3199856 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 Cheshire West & Chester Council, Public Rights of Way, Highways Office, Guilden Sutton Lane, Chester CH3 7EX between 9am-4pm Mondays to Fridays. Telephone: 01606 271822.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 29 October 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, 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 26 November 2018]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing 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).

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

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 hearing.

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR CHESHIRE WEST AND
CHESTER

The Cheshire West and Chester Borough Council (Addition of
particulars to the Definitive Statement for Footpath No 19, Beeston)
Modification Order 2017

This Order is made by the Cheshire West and Chester 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 City of Chester require modification in consequence of the occurrence of an event specified in

Section 53 (3) (c) (iii), namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that ...any other particulars contained in the map and statement require modification."

The Authority has consulted with every local authority whose area includes the land to which the Order relates. The Cheshire West and Chester Borough Council hereby Orders that:

1. For the purposes of this Order the relevant date is the 22 June 2017
2. The Definitive Map and Statement for Cheshire West and Chester shall be modified as described in Parts I and II of the Schedule hereto and shown on the map attached to this Order.
3. The Order shall take effect on the date it is confirmed and may be cited as "The Cheshire West and Chester Borough Council (Addition of particulars to the Definitive Statement for Footpath No 19, Beeston) Modification Order 2017"

THE COMMON SEAL OF CHESHIRE
WEST AND CHESTER COUNCIL was affixed this
Twenty-second of June 2017
In the presence of:



Authorised Signatory

SCHEDULE

PART I

MODIFICATION OF THE DEFINITIVE MAP

Addition of particulars

Public Footpath No 19, Beeston

A public footpath commencing at Ivy Cottage, Moss Lane (c810) at OS grid reference SJ 55467 58342 (point A on plan MO/560A) then running in a north westerly direction for approximately 78 metres to the field boundary of Ivy Cottage at OS grid reference SJ 55401 58387 (point C on plan MO/560A) then running in a westerly direction for approximately 1073 metres to Moss Lane (c810) at OS grid reference SJ 54373 58610 (point B on plan MO/560A) and shown by a purple line between points A to C to B on the attached plan MO/560A

An approximate length of 1151 metres

SCHEDULE

PART II

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of paths or ways

DEFINITIVE STATEMENT

RELEVANT DATE: 22 June 2017

PARISH: BEESTON PATH NUMBER: FOOTPATH 19

GRID REFERENCES:

FROM: SJ 55467 58342

TO: SJ 54373 58610

COMMENCEMENT AND TERMINATION:

Commencing at Ivy Cottage, Moss Lane (c810) at OS grid reference SJ 55467 58342 then running in a north westerly direction for approximately 78 metres to the field boundary of Ivy Cottage at OS grid reference SJ 55401 58387 then running in a westerly direction for approximately 1073 metres to Moss Lane (c810) at OS grid reference SJ 54373 58610

APPROXIMATE LENGTH: 1151 metres

WIDTHS: The width as shown on the Definitive Map base mapping Ordnance Survey 6":1 published date 1954 is variable between a width of 3.5 metres at the junction with Moss Lane (c810) at OS grid reference SJ 55467 58342 to 3.30 metres at the gate to the second segment of lane and widening to 5.60 metres at the field boundary at OS grid reference SJ 55401 58387.

The width of the footpath using s137A of the Highways Act 1980 guidelines for a cross field footpath and using the boundaries shown on the Definitive Map base mapping Ordnance Survey 6":1 published date 1954 between OS grid reference SJ 55363 58392 and OS grid reference SJ 55147 58397 and between OS grid reference SJ 55031 58474 and OSGR SJ 54417 58613 is 1 metre

The width of the footpath using s137A of the Highways Act 1980 guidelines for a field edge footpath and using the boundaries shown on the Definitive Map base mapping Ordnance Survey 6":1 published date 1954 using the boundaries shown on the Definitive Map and running between the historic end of Ivy Cottage garden at OS grid reference SJ 55401 58387 and OS grid reference SJ 55363 58392 and between OS grid reference SJ 55147 58397 and OS grid reference SJ 55031 58474 and between OS grid reference SJ 54417 58613 to the termination on Moss Lane at OS grid reference SJ 54373 58610 is 1.5metre

NATURE OF SURFACE:

grass

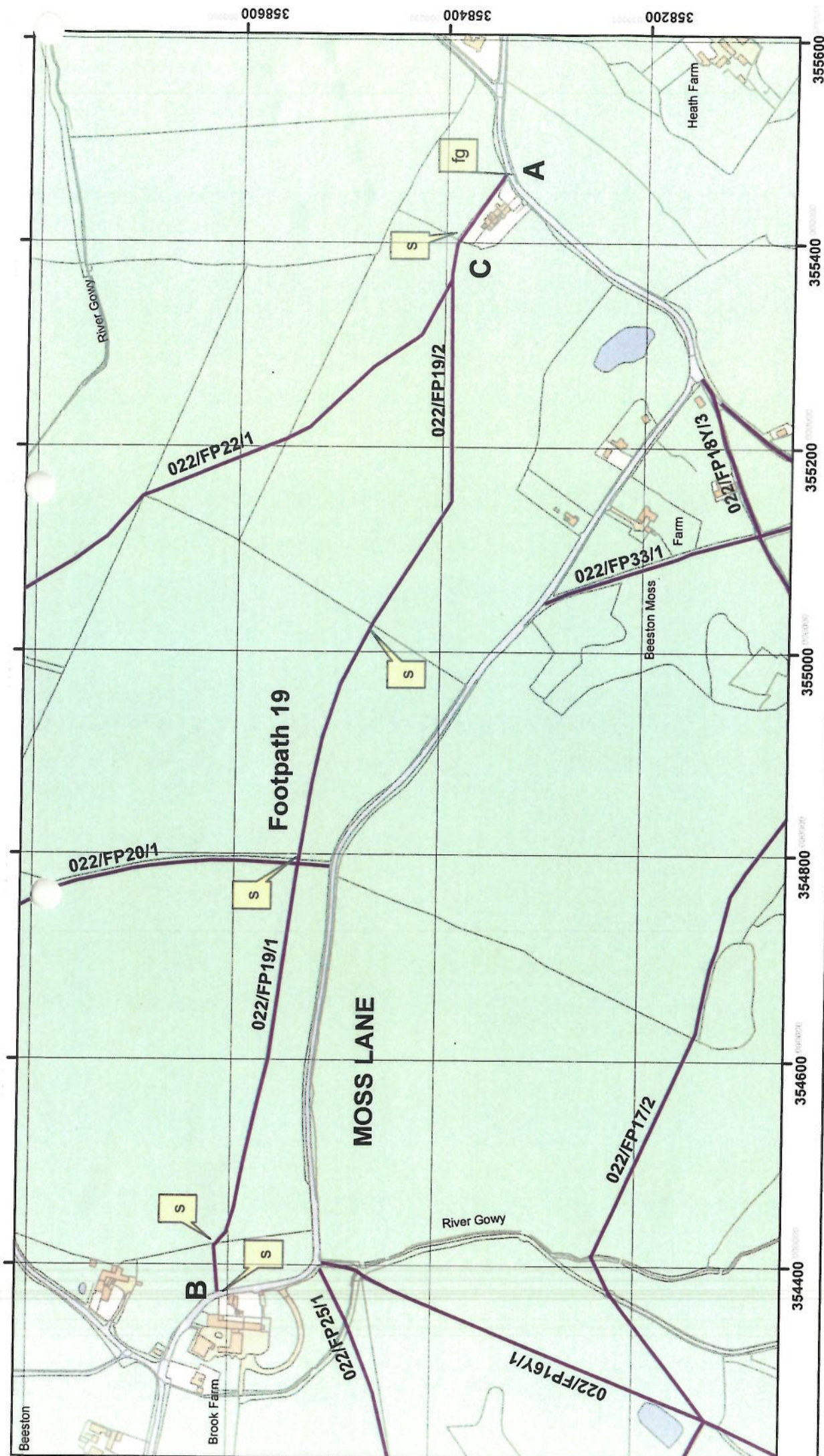
LIMITATIONS OR CONDITIONS OF USE:

As shown on the definitive Map parish survey dated 1951,
A field gate at the junction with Ivy Cottage and Moss lane at OS grid
reference SJ 55469 58342
A stile at the junction of the boundary of Ivy Cottage and field at OS grid
reference SJ 55401 58387
A stile at the field boundary at OS grid reference SJ 55620 58470
A stile at the field boundary at OS grid reference SJ 54790 58539
A stile at the field boundary at OS grid reference SJ 54417 58613
A stile at the junction with Moss Lane and the field boundary at OS grid
reference SJ 54373 58610

OTHER PARTICULARS:

Added by "The Cheshire West and Chester Borough Council (Addition of
particulars to the Definitive statement for Footpath No 19, Beeston)
Modification Order 2017"

Order made on: 22 June 2017



Wildlife and Countryside Act 1981
The Cheshire West and Chester Borough Council
(Addition of Particulars to the Definitive Statement for
Footpath No 19 Beeston) Modification Order 2017
Plan MO/560A

[Handwritten signature]

MAP NOT TO ORIGINAL SCALE
 Cheshire West and Chester



1:5,000