

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Derbyshire County Council
Public Bridleway No. 18 (Part) and Public Footpath No. 31 (Part) - Parish of
Bradwell Modification Order 2010

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 **4 April 2019**.

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 modify the Definitive Map and Statement for the area by:

- **Adding** to them Bridleway No. 18 in the Parish of Bradwell from Point A (Ordnance Survey Grid Reference "GR") (GR SK 1786 8066) proceeding in a generally south easterly then north easterly direction to Point B (GR SK 1791 8066). Then turning in a generally southerly direction then generally north easterly direction to Point C (GR SK 1800 8068) a distance of 245 metres or thereabouts, as shown on the Order map. The width of the path shall be 3 metres;
- **Adding** to them Bridleway No. 18 in the Parish of Bradwell from Point F (GR SK 1821 8100) proceeding in a generally south south easterly, then south south westerly then in a south south easterly direction to Point H (GR SK 1824 8083), a distance of 183 metres or thereabouts. as shown on the Order map. The width of the path shall be 3 metres;
- **Downgrading** part of Bridleway No. 18 in the Parish of Bradwell from the aforementioned Point A (GR SK 1786 8066) proceeding in a generally south easterly, then easterly direction to Point D (GR SK 1793 8058). Then in a generally north easterly direction through Point E (GR SK 1796 8061) to the aforementioned Point C (GR SK 1800 8068), a distance of 235 metres or thereabouts, as shown on the Order map. The width of the path shall vary between 2 and 3 metres, and;
- **Deleting** from the Definitive Map and Statement for the area the full width of that part of Bridleway No. 18 in the Parish of Bradwell from the aforementioned Point F (GR SK 1821 8100) proceeding in a generally north north easterly direction to Point G (GR SK 1824 8105), a distance of 62 metres or thereabouts, as shown on the Order map.

Any queries relating to this Order should be referred to Bethan Baldry at The Planning Inspectorate, Rights of Way Section, 3A Eagle Wing, Temple Quay House, 2 The

Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 4445722. Email: Bethan.Baldry@planninginspectorate.gov.uk. Please quote reference number ROW/3196601 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 Monday to Friday during normal office opening times (9.00 a.m. to 5 p.m.) at Derbyshire County Council, County Offices, Matlock, Derbyshire DE4 3AG Contact point: Ms Angela Greatorex, telephone: 01629 538241.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 18 April 2019]

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 30 May 2019]

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 11 July 2019]

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 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.

DATED 16 SEPTEMBER 2010

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR
THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (PUBLIC BRIDLEWAY NO. 18
(PART) AND PUBLIC FOOTPATH NO. 31 (PART) - PARISH OF
BRADWELL) MODIFICATION ORDER 2010

CASE NO: 882
DMMO NO: X02885

JOHN McELVANEY
MATLOCK

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

**THE DERBYSHIRE COUNTY COUNCIL (PUBLIC BRIDLEWAY NO. 18
(PART) AND PUBLIC FOOTPATH NO. 31 (PART) - PARISH OF
BRADWELL) MODIFICATION ORDER 2010**

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 Bradwell require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i), (ii) & (iii) 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 right of way referred to in this order 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 and 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 and that there is no public right of way over land shown in the map and statement as a highway of any description, or 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 Derbyshire County Council hereby order that:

1. For the purpose of this order the relevant date is 15th September 2010.
2. The Definitive Map and Statement for the County Of Derbyshire for the Parish of Bradwell 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 (Public Bridleway No. 18 (part) and Public Footpath No. 31 (part) - Parish of Bradwell) Modification Order 2010.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be added
A - B - C	Bridleway No 18 in the Parish of Bradwell from Point A (Ordnance Survey Grid Reference "GR") (GR SK 1786 8066) proceeding in a generally south easterly then north easterly direction to Point B (GR SK 1791 8066). Then turning in a generally southerly direction then generally north easterly direction to Point C (GR SK 1800 8068) a distance of 245 metres or thereabouts. The width of the path shall be 3 metres.

F - H Description of Path or Way to be added
Bridleway No. 18 in the Parish of Bradwell from Point F (GR SK 1821 8100) proceeding in a generally south south easterly, then south south westerly then in a south south easterly direction to Point H (GR SK 1824 8083), a distance of 183 metres or thereabouts. The width of the path shall be 3 metres.

A - D - E - C Description of Public Right of Way to be downgraded to Footpath
That part of Bridleway No. 18 in the Parish of Bradwell from the aforementioned Point A (GR SK 1786 8066) proceeding in a generally south easterly, then easterly direction to Point D (GR SK 1793 8058). Then in a generally north easterly direction through Point E (GR SK 1796 8061) to the aforementioned Point C (GR SK 1800 8068), a distance of 235 metres or thereabouts. The width of the path shall vary between 2 and 3 metres.

F - G Description of Public Right of Way to be deleted
The full width of that part of Bridleway No. 18 in the Parish of Bradwell from the aforementioned Point F (GR SK 1821 8100) proceeding in a generally north north easterly direction to Point G (GR SK 1824 8105), a distance of 62 metres or thereabouts.

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	Nature of Surface	Length	Width	Remarks
18	SK/18 SE	Bridleway from bridle gate at SE end of the adopted section of Edge Lane (GR SK 1784 8067) SE of Edge Cottage, climbing hillside through well defined holloway bounded by banks, in a SE then NE then S then NE direction to stone posts at junction with Footpath No 44. Then continuing NE along grass trackway cut into hillside on SE side of a dry stone wall to junction with Footpath No 19. Then continuing S then SSE along W side of dry stone wall to bridle gate, before	Natural ground Grass	845 metres	3 metres (10 feet as detailed in 1820 Inclosure Award)	Fieldgate: GR SK 1824 8083 3 bridle gates: GR SK 1784 8067 GR SK 1813 8089 GR SK 1821 8089 Stone posts (gap): GR SK 1800 8068 Modification Order 2010 DCC Ref: X2885 Inclosure Award 1820

continuing downhill across open field to field gate on W side of Brough Lane (GR SK 1824 8083) at Alderdale Gate.

31	SK/18 SE	Footpath from junction with Bridleway No. 18 (GR SK 1786 8066) SE of Edge Cottage, in SE direction along grass track climbing steeply adjacent to hedgerow then dry stone wall. Then E then NE, continuing through stone squeeze stile and along level grass path to junction with Footpath No 44. Then turning sharply SSE and ascending hillside, following N side of dry stone wall in SE then ESE direction to the parish boundary with Brough and Shatton (GR SK 1824 8028) W of Robin Hood's Cross.	Natural ground Grass	637 metres	Varies between 2 and 3 metres	Stone squeeze stile: GR SK 1794 8059 Modification Order 2010 DCC Ref: X2885 Includes part of Bridleway No 18 downgraded to Footpath and renumbered as a result of this Order Inclosure Award 1820
44	SK/18 SE	Footpath from junction with Bridleway No 18 (GR SK 1800 8068) at stone posts, in a generally SW direction along level grass path with a width varying between 2 and 3 metres on SE side of dry stone wall, to junction with Footpath No 31 (GR SK 1796 8061) SE of Edge Cottage.	Natural ground Grass	82 metres	Varies between 2 and 3 metres	Modification Order 2010 DCC Ref: X2885 Formerly part of Bridleway No 18 downgraded to Footpath and renumbered as a result of this Order

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



A28V, Director of Legal Services

Number in Seal
Book 2010/941



Wildlife and Countryside Act 1981 Section 53

The Derbyshire County Council
 (Public Bridleway No 18 (part)
 and Public Footpath No 31
 (part) - Parish of Bradwell)
 Modification Order 2010

KEY

- Bridleway to be added
- Bridleway to be deleted
- Bridleway to be downgraded to footpath
- Existing footpaths
- Existing bridleway

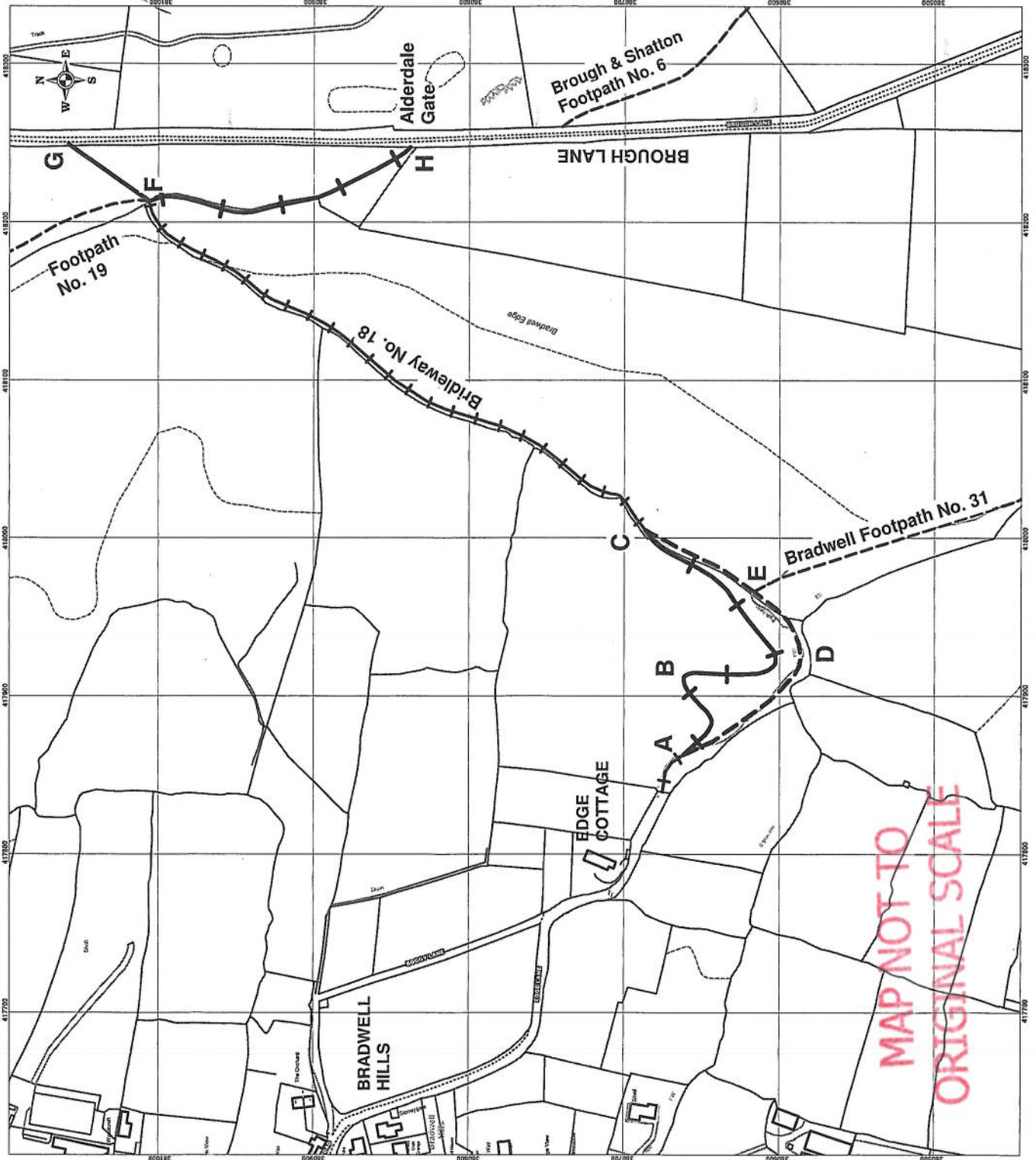
Ref: PE/JB/X2885/Order/2010

Scale 1:2500



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MAP NOT TO ORIGINAL SCALE