

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Derbyshire County Council
Addition of a Bridleway from Parkside Drive to Canal Towpath and
upgrading to Bridleway of Public Footpath Nos 60 (part) and 20 –
Alfreton (now Parish of Ironville) 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 **7 May 2019**.

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

The Inquiry will be held at 10:00 am at **Ironville Church Hall, Casson Street, Ironville, Derbyshire, NG16 5NN** on **Tuesday 22 October 2019** .

The effect of the Order, if confirmed without modifications, will be to alter the definitive map and statement for the area by

- (1) adding a Bridleway in Alfreton (now Parish of Ironville) from Ordnance Survey Grid Reference ("GR") SK 4380 5169 (Point A on the map attached to the Order) and proceeding in a generally easterly direction to GR SK 4382 5169 (Point B on the map attached to the Order), a distance of 16 metres or thereabouts. The width of the path varies between 2.3 and 6 metres as shown on the Second Edition 1:2500 Ordnance Survey Map of 1898;
- (2) upgrading to a Bridleway that part of Public Footpath no 60 in Alfreton (now Parish of Ironville) from the aforementioned Point B (GR SK 4382 5169) and proceeding in a generally easterly direction to Point C on the map attached to the Order (GR SK 4402 5168), a distance of 202 metres or thereabouts. The width of the path varies between 2.5 and 6.2 metres as shown on the Second Edition 1:2500 Ordnance Survey Map of 1898, **and**;
- (3) upgrading to a Bridleway, Public Footpath No 20 in Alfreton (now Parish of Ironville) from the aforementioned Point C (GR SK 4402 5168), proceeding in a generally east south easterly direction to Point D on the map attached to the Order (GR SK 4424 5164), a distance of 227 metres or thereabouts. The width of the path varies between 2 and 2.8 metres as shown on the Second Edition 1:2500 Ordnance Survey Map of 1898.

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 444 5722. Email: Bethan.Baldry@planninginspectorate.gov.uk. Please quote reference number ROW/3207429 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 Derbyshire County Council, County Hall, Matlock Derbyshire DE4 3AG. Contact point: Ms Linda Phillips, telephone number 01629 538352. The County Council's own reference number for the Order is LJP/855.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 2 July 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 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 13 August 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 24 September 2019]

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.

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).

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.

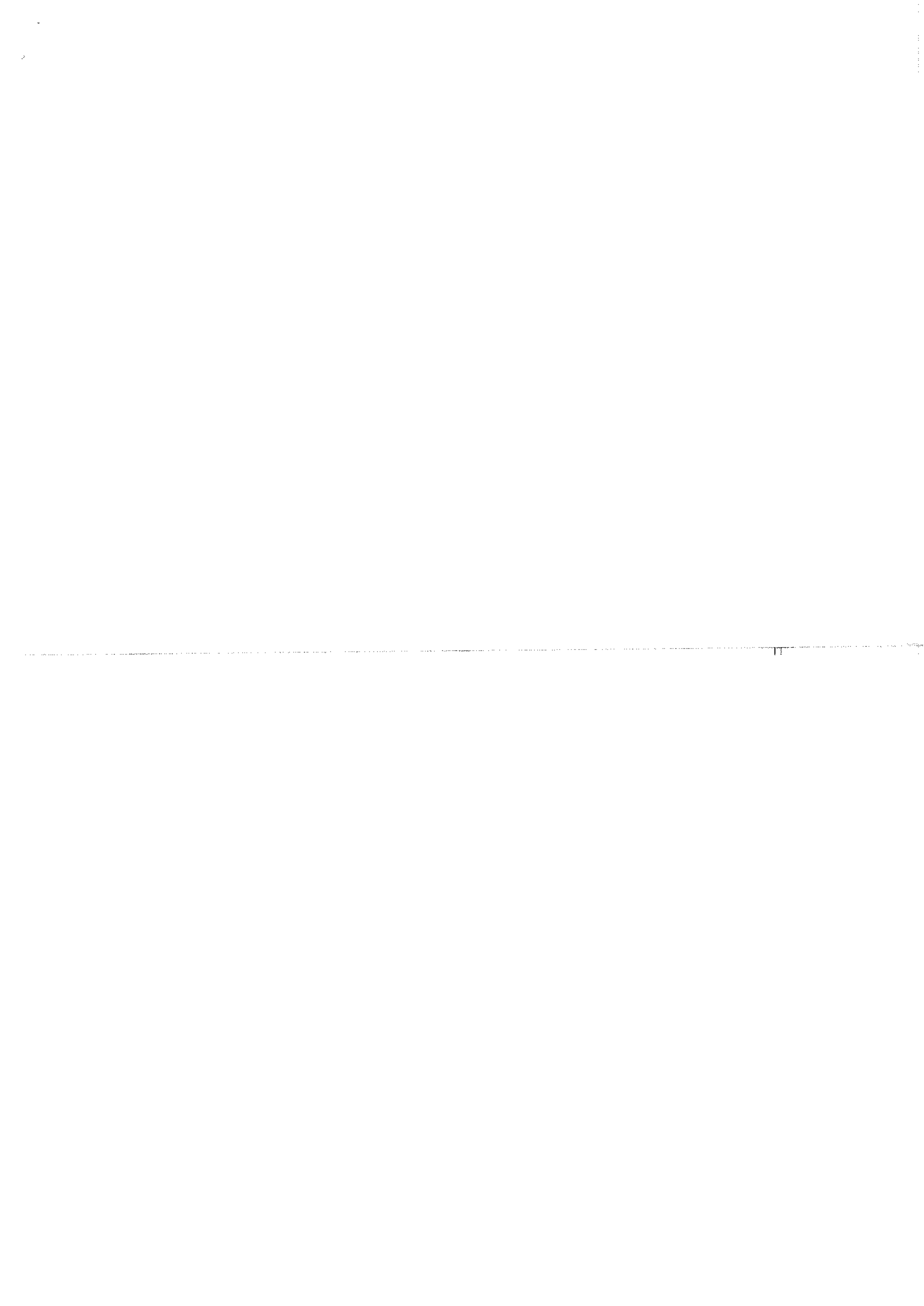
DATED 11 MAY 2017

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR
THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (ADDITION OF A
BRIDLEWAY FROM PARKSIDE DRIVE TO CANAL TOWPATH AND
UPGRADING TO BRIDLEWAY OF PUBLIC FOOTPATH NOS 60 (PART)
AND 20 - ALFRETON (NOW PARISH OF IRONVILLE))
MODIFICATION ORDER 2017

JOHN McELVANEY
MATLOCK



WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (ADDITION OF A BRIDLEWAY
FROM PARKSIDE DRIVE TO CANAL TOWPATH AND UPGRADING TO
BRIDLEWAY OF PUBLIC FOOTPATH NOS 60 (PART) AND 20 –
ALFRETON (NOW PARISH OF IRONVILLE) MODIFICATION ORDER 2017

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 Alfreton requires modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) and 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 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.

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 10 May 2017.
2. The Definitive Map and Statement for the County of Derbyshire for Alfreton 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 (Addition of a Bridleway from Parkside Drive to Canal Towpath and Upgrading to Bridleway of Public Footpath Nos 60 (part) and 20 – Alfreton (now Parish of Ironville) Modification Order 2017.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be added
A-B	Bridleway in Alfreton (now Parish of Ironville) from Point A (Ordnance Survey Grid Reference ("GR") SK 4380 5169),

proceeding in a generally easterly direction to Point B (GR SK 4382 5169), a distance of 16 metres or thereabouts.

The width of the path varies between 2.3 and 6 metres as shown on the Second Edition 1:2500 Ordnance Survey Map of 1898.

B-C Description of Path or Way to be upgraded

Part of Public Footpath No 60 in Alfreton (now Parish of Ironville) from the aforementioned Point B (GR SK 4382 5169), proceeding in a generally easterly direction to Point C (GR SK 4402 5168), a distance of 202 metres or thereabouts.

The width of the path varies between 2.5 and 6.2 metres as shown on the Second Edition 1:2500 Ordnance Survey Map of 1898.

C-D

Public Footpath No 20 in Alfreton (now Parish of Ironville) from the aforementioned Point C (GR SK 4402 5168), proceeding in a generally east south easterly direction to Point D (GR SK 4424 5164), a distance of 227 metres or thereabouts.

The width of the path varies between 2 and 2.8 metres as shown on the Second Edition 1:2500 Ordnance Survey Map of 1898.

PART II

Modification of Definitive Statement

Variation to add of particulars of Path or Way

Path No	1/10,000 OS Sheet Ref No	Status and Description of Route	Nature of Surface	Length Metres	Width	Remarks
12	SK45SW	Bridleway in the Parish of Ironville from E side of Parkside Drive, NE of the Old Bridge (GR SK 4380 5169) in an E direction joining the canal towpath then E along the N side of the canal, passing	Tarmac Stone Natural	445	Varying between 2 and 6.2 metres as shown on the Second Edition 1:2500 Ordnance Survey	Bridge: GR SK 4424 5164 Modification Order 2017 DCC Ref: X2874

beneath the arch
under the railway and
ESE to the county
boundary bridge (GR
SK 4424 5164) W of
Pye Hill Road.

Map of
1898

13 SK45SW Footpath in the Parish
of Ironville from
junction with
Bridleway No 12 (GR
SK 4402 5168) along
canal towpath in an
ESE then SE then S
direction to (GR SK
4444 5094) at the
boundary of former
Alfreton and Heanor
Urban Districts.

Stone
Natural

920
metres

Varying
between
2.8 and
11.5
metres as
shown on
the Second
Edition
1:2500
Ordnance
Survey
Map of
1898
except
where the
route
narrows to
2.1 metres
under the
bridge (GR
SK 4403
5167) and
1.1 metres
alongside
the bridge
abutment
(GR SK
4438 5134)

Bridge: GR SK
4441 5133
Modification
Order 2017
DCC Ref: X2874

Formerly part of
Footpath No 60,
Alfreton

20 SK45SW Footpath in the Parish
of Ironville from the
parish boundary of
Riddings (GK SK
4287 5142) in an ENE
direction along canal
towpath to join
Bridleway No 12 E of
Parkside Drive (GR
SK 4382 5169).

Stone
Natural

1,000
metres

Varying
between 2
and 8.7
metres as
shown on
the Second
Edition
1:2500
Ordnance
Survey
Map of
1898
except
where the

Bridge: GR SK
4345 5160
Modification
Order 2017
DCC Ref: X2874

Formerly part of
Footpath No 60,
Alfreton

route
narrows to
1.8 metres
under the
bridge (GR
SK 4366
5165) and
under the
bridge (GR
SK 4380
5168)

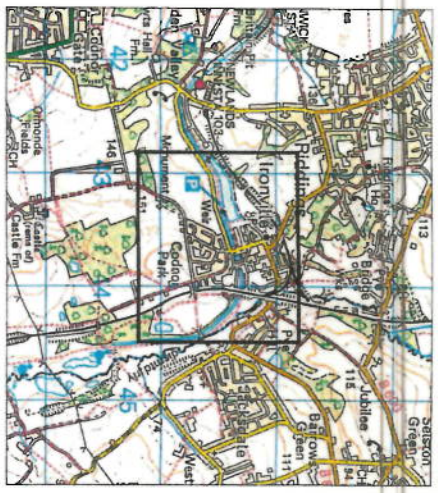
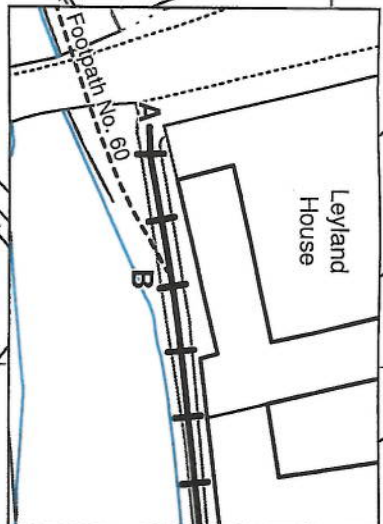
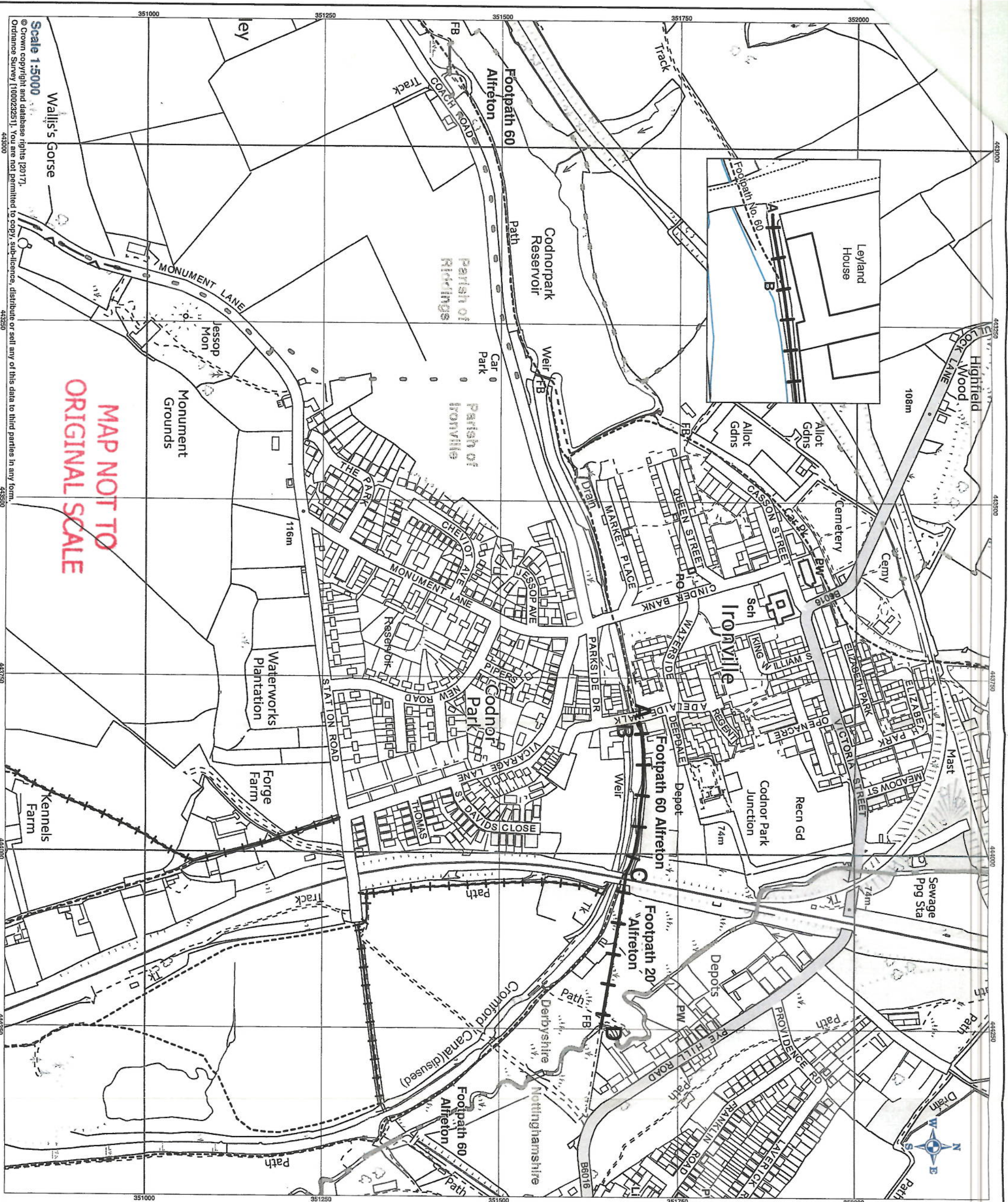
THE COMMON SEAL of the Derbyshire
County Council was hereunto affixed the
eleventh day of May Two Thousand and
Seventeen in the presence of:-)

EWid

W Director of Legal Services

Number in Seal
Book

2017 / 436



The Derbyshire County Council
 (Addition of a Bridleway
 from Parkside Drive to Canal
 Toppath and Upgrading to
 Bridleway of Public Footpath
 Nos 60 (part) and 20 Alfreton
 (now Parish of Ironville))
 Modification Order 2017.

- KEY**
- Bridleway to be added: B
 - Footpath to be upgraded to Bridleway: B
 - Other Footpaths: C
 - Other Bridleways: D
 - Restricted byway: V
 - Parish Boundary: - - -
 - County Boundary: - - -



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

Produced by Public Rights of Way on 28 April 2017
 Ref: TEDW/2874/O/Order/2017

MAP NOT TO ORIGINAL SCALE

Scale 1:5000
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