

NOTICE OF ORDER

Wildlife and Countryside Act 1981 Section 53

Cumbria County Council
(Parish of Broughton Moor: District of Allerdale) Definitive Map
Modification 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. Following an earlier inquiry, the Inspector appointed to determine the Order issued a letter in which he/she proposed to make modifications to the Order as drafted. Following advertisement of those proposals, objections have been received.

The **start date** for the above Order is **26 February 2019**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case which contain evidence in respect of the modified part of the Order **and** new evidence in respect of the unmodified part of the Order.

The effect of the Order, if confirmed **without** modifications, will be to modify the definitive map and statement for the area by adding a length of public footpath in Broughton Moor from Chapel Terrace at GR 305062 533323 south-south-eastwards for about 5 metres to gate at GR 305064 533318 continuing south-south-eastwards for a further 36 metres to a gap at GR 305082 533288 then south eastwards for about 4 metres to a gate at GR 305085 533286 turning south-south-westwards for a further 3 metres to join FP 219014 at GR 305084 533282. The width of the path will be 3 metres between GR 305062 533323 to GR 305085 533286 and 4 metres between GR 305085 533286 to GR 305084 533282.

The effect of the proposed modifications would be to modify the southern end of the claimed route from that set out in the Order, by moving the line in a broadly south-easterly direction from a point broadly adjacent to the northern boundary of Sunstones, to a point at GR 305088 533285 (a new point X on the Order Map), at a gap beside the field gate which enters the access strip which lies to the east side of Sunstones, and then in a broadly south-south-easterly direction into the woodland where it re-joins the definitive line at GR

305094 533270 (a new point Y on the Order Map), via the following modifications to the Order and Order Map:

In the Order schedule

In **Part 1: Modification of the Definitive Map**

- Delete 'References on plan' "A-B-C-D-E" and substitute "A-X-Y";
- Amend 'Description of length of right of way to be added' to: "A new length of public footpath in Broughton Moor from Chapel Terrace at Point A (GR 305062 533323) south south eastwards for about 47 metres to a gap at Point X (GR 305088 533285) continuing south south eastwards for a further 16 metres to join Footpath 219014 at Point Y (GR 305094 533270)";
- Delete 'Width' as stated and substitute "A to Y = 3m"

In **Part 2: Limitations and Conditions**

- Delete two field gates listed and amend details for gap to "Grid reference: 305088 533285" and "Width 1.0m"

In **Part 3: Modification of Definitive Statement**

- Amend 'Width' to "3m"; amend 'Length' to 63 metres; amend 'Description' to read "From Chapel Terrace Broughton Moor south south eastwards to a gap at GR 305088 533285; then south south eastwards to join FP 219014";
- Delete 'Limitations & Conditions' as listed and substitute 1.0m gap at GR 305088 533285";

On the Order map

- Add point X at GR 305088 533285 and Point Y at GR 305094 533270;
- Amend the line of "Footpath to be added" via Points X and Y.

Any queries relating to this Order should be referred to David Bourton 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 5240. E-mail: david.bourton@planninginspectorate.gov.uk. Please quote reference number FPS/3188167M on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at the offices of the Countryside Mapping Team, Cumbria County Council, The Parkhouse Building, Kingmoor Business Park, Carlisle CA6 4SJ, and may be inspected free of charge during normal office hours.

Timetable for sending in statements of case and comments

Within 8 weeks of the start date [by 23 April 2019]

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modifications or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after receiving it the Secretary of State will send a full copy 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 everyone who has made an objection or representation following the proposed modifications, the applicant and any other person who has previously written to us in respect of the Order.

Within 14 weeks of the start date [by 11 June 2019]

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

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 w/r mods