

# NOTICE OF ORDER

## Wildlife and Countryside Act 1981

Derbyshire County Council  
(Footpath from Moor Lane to Public Footpath No. 19 – Parish of Kirk Ireton) Modification Order 2019

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 [the 8<sup>th</sup> of August 2019]

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

The Inquiry will be held at **Kirk Ireton Village Hall, Main Road, Kirk Ireton, Derbyshire, DE6 3LE** on **25 Feb 2020** 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 to them a footpath from Moor Lane (Point A at Ordnance Survey Grid Reference SK 2645 5054) to Public Footpath No. 19 in the Parish of Kirk Ireton (Point B at Ordnance Survey Grid Reference SK 2671 5072).

Any queries relating to this Order should be referred to Bethan Baldry 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 5722. Email: Bethan.Baldry@planninginspectorate.gov.uk. Please quote reference number ROW3228901 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 Offices, County Hall, MATLOCK, DE4 3AG. Contact point: Angela Greateorex, email [Angela.Greateorex1@derbyshire.gov.uk](mailto:Angela.Greateorex1@derbyshire.gov.uk), telephone (Office) 01629 538241.

### **Timetable for sending in statements of case and proofs of evidence**

**Within 8 weeks of the start date by [by 3 October 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 14 November 2019]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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 28 January 2020]**

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

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<sup>1</sup> 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.

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 24 January 2019**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR  
THE COUNTY OF DERBYSHIRE**

**THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM MOOR LANE  
TO PUBLIC FOOTPATH NO.19 – PARISH OF KIRK IRETON)  
MODIFICATION ORDER 2019**

**CASE NO: 68153  
DMMO NO: X4070**

**JANIE BERRY  
DIRECTOR OF LEGAL SERVICES  
DERBYSHIRE COUNTY COUNCIL  
COUNTY HALL  
MATLOCK  
DERBYSHIRE  
DE4 3AG**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE**

**THE DERBYSHIRE COUNTY COUNCIL (FOOTPATH FROM MOOR LANE  
TO PUBLIC FOOTPATH NO.19 – PARISH OF KIRK IRETON)  
MODIFICATION ORDER 2019**

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 Kirk Ireton require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) 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.

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 23 January 2019.
2. The Definitive Map and Statement for the County of Derbyshire for the Parish of Kirk Ireton 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 (Footpath from Moor Lane to Public Footpath No.19 – Parish of Kirk Ireton) Modification Order 2019.

**THE COMMON SEAL** of the Derbyshire )  
County Council was hereunto )  
Affixed the 24th day of January )  
Two Thousand and Nineteen )  
in the presence of:- )



PP Director of Legal Services

Number in Seal  
Book

2019/99



## SCHEDULE

### PART I

#### Modification of Definitive Map

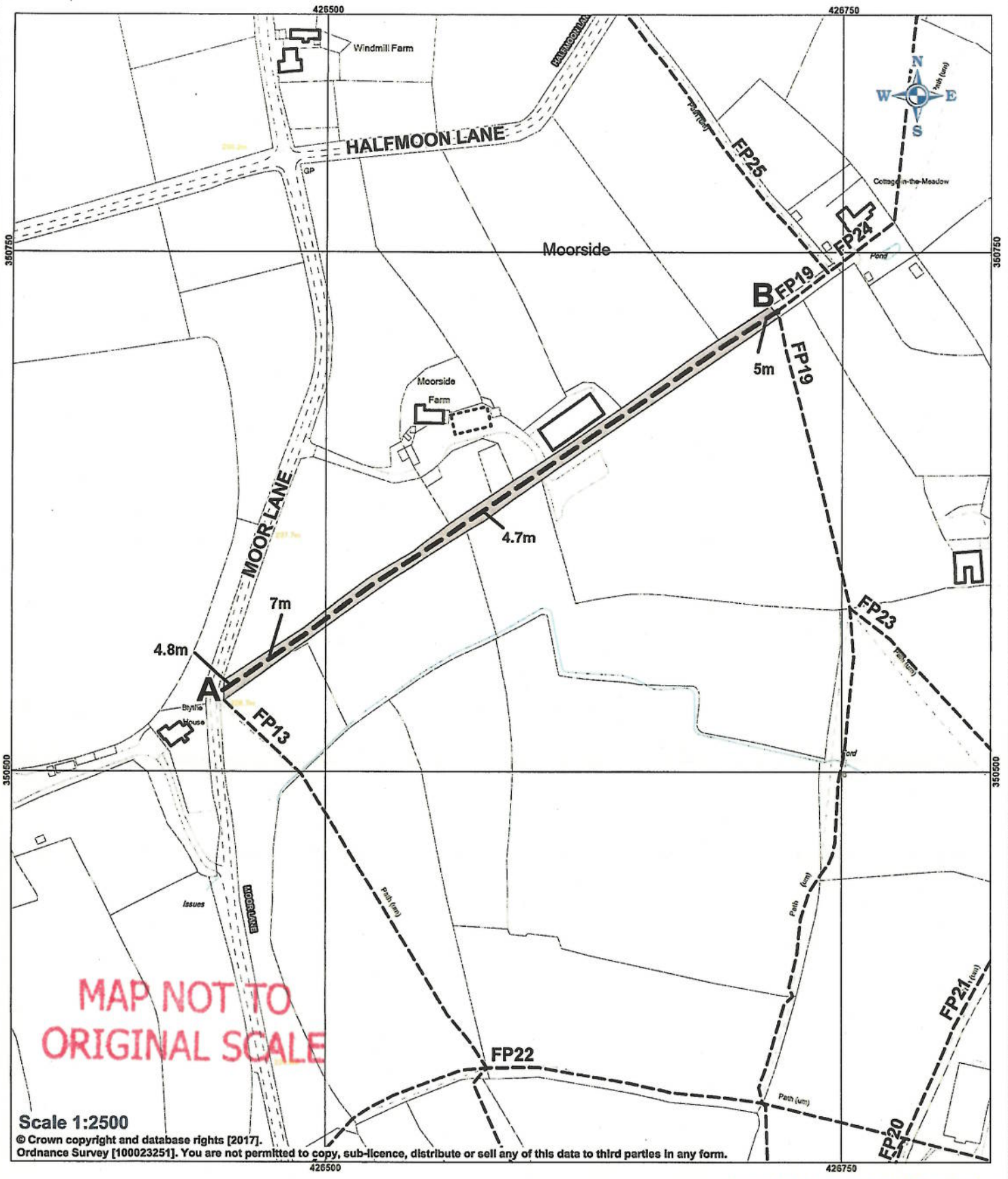
Section as indicated on map	Description of Path or Way to be added
A-B	Public Footpath in the parish of Kirk Ireton from Point A (Ordnance Survey Grid Reference "GR" SK 2645 5054) proceeding in a generally north easterly direction to Point B (GR SK 2671 5072), a total distance of 323 metres or thereabouts with the width varying between 4.7 metres and 7 metres as shown shaded grey on the Order Plan.

### 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	Width	Remarks
33	SK25SE	Public Footpath in the parish of Kirk Ireton from Moor Lane (GR SK 2645 5054) proceeding in generally north easterly direction to Public Footpath No. 19 (GR SK 2671 5072).	Stone and natural ground.	323 metres	Varies between 4.7 metres and 7 metres as shown shaded grey on the Order Plan	Modification Order: DCC Ref. X4070 Footpath added to Definitive Map and Statement.



Scale 1:2500

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Ref: TE/CH/X4070/Order/2019  
 Date: 5 November 2018

**Wildlife and Countryside Act 1981 Section 53**  
**The Derbyshire County Council**  
**(Footpath from Moor Lane to Public**  
**Footpath No. 19- Parish of Kirk Ireton)**  
**Modification Order 2019**

**DERBYSHIRE**  
 County Council

**Mike Ashworth**  
 Strategic Director  
 Economy, Transport & Environment  
 Derbyshire County Council  
 Shand House  
 Dale Road South  
 Matlock  
 DE4 3RY

**Key:** Public Footpath to be added ————  
 Existing Public Footpath - - - - -

