



## Order Decision

Inquiry held on 19 March 2019

**by Sue M Arnott FIPROW**

**an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs**

**Decision date: 16 September 2019**

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### **Order Ref: ROW/3200267**

- This Order is made under Section 53(2)(b) of the Wildlife and Countryside Act 1981. It is known as the Public Footpath No. 83 (Baildon) Between Pennithorne Avenue, Northgate and Moorgate (Via High Fold and Low Fold) Baildon (Modification) Order 2014.
- The Order is dated 4 March 2014. It proposes to modify the definitive map and statement for the area by adding footpaths linking Pennithorne Avenue, Northgate and Moorgate in Baildon, as shown on the Order map and described in the Order schedule.
- There were five objections outstanding, together with one representation in support, when Bradford Metropolitan District Council submitted the Order for confirmation to the Secretary of State for Environment, Food & Rural Affairs.
- In accordance with Paragraph 8(2) of Schedule 15 to the Wildlife and Countryside Act 1981 I have given notice of my proposal to confirm the Order with modifications. No objections have been submitted in response.

**Summary of Decision: The Order is confirmed subject to the modifications previously proposed.**

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### **Reasons**

1. If confirmed with the modifications set out in paragraph 53 of my interim Order Decision issued on 30 April 2019, the Order would record on the definitive map and statement only three of the four linked sections of the public footpath claimed between Pennithorne Avenue, Northgate and Moorgate in Baildon (B-E-D, C-D and D-F) and as originally shown on the Order map.
2. No objections have been submitted to my proposal to modify the Order so as to remove references to the addition of section A-E and to correct a minor administrative error.

### **Conclusion**

3. Having regard to the above and all other matters raised at the inquiry and in the written representations, I conclude that the Order should be confirmed subject to the modifications that have been advertised.
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## Formal Decision

4. I confirm the Order subject to the following modifications<sup>1</sup>:

In the Order: Article 3

- Correct the date of the Order title as cited to "2014";

In the Order schedule

**In Part 1: Modification of the Definitive Map - Description of path or way to be added:**

- Amend first paragraph to read: "A Public Footpath in the Parish of Baildon as shown by a broken black line on the map 66660T52/OrderPlan annexed hereto, commencing at Pennithorne Avenue at SE 15335 39952 (marked B) and continuing in a south easterly direction for 24.5 metres with a width of 1.4 metres; to SE 15351 39936 (marked E) where there is a step.";
- Delete third paragraph;
- Delete "Section A-E has a mostly earth and grassed surface."

**In Part II: Modification of Definitive Statement – Variation of particulars of path or way:**

- Delete from 'Description of Route': "Two branch footpaths ..." and substitute "Also footpath branching ...";
- Delete from 'Nature of Surface': "Grass and earth";
- Delete from 'Approximate Length': "30.5";

On the Order map

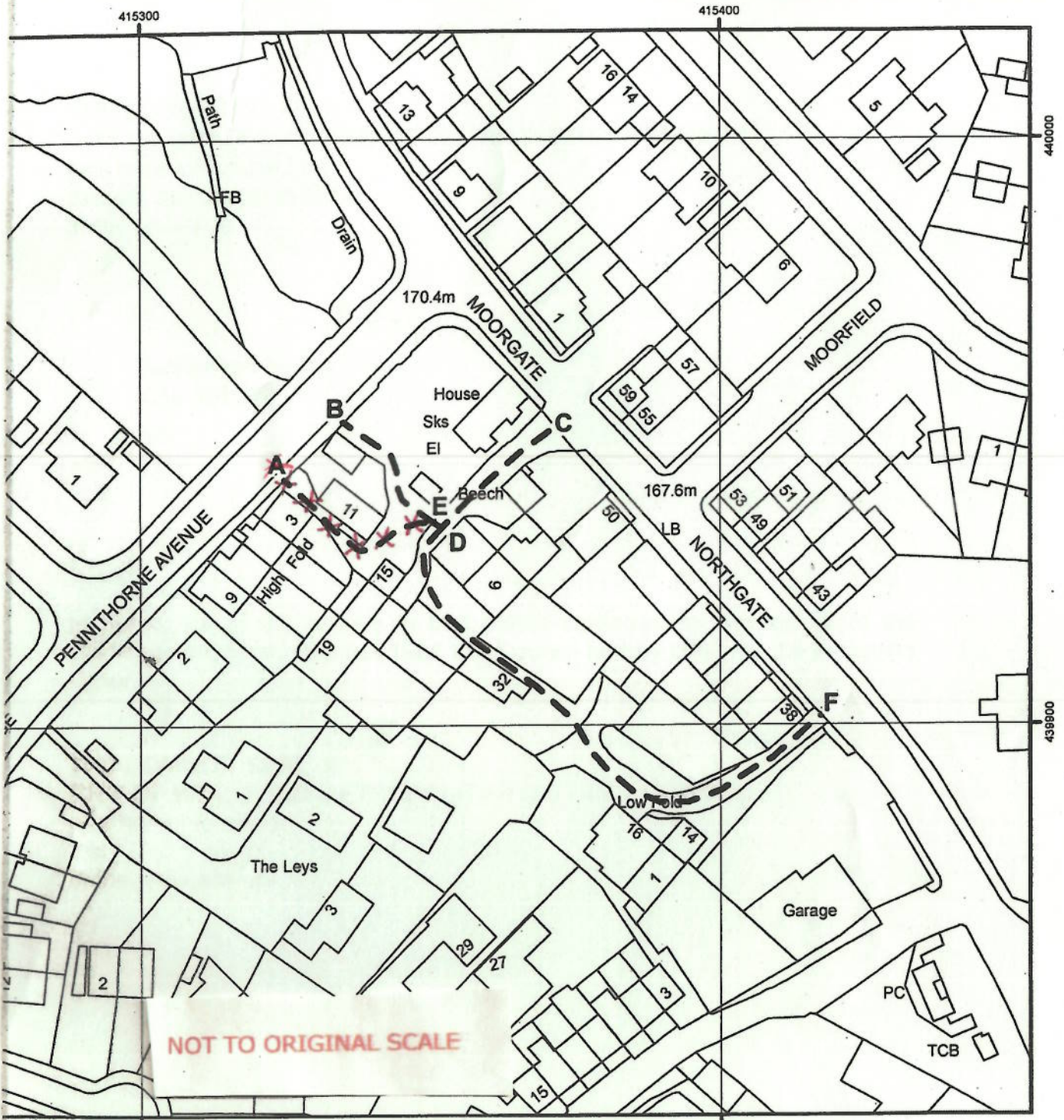
- Amend the line of "Footpath to be added" to remove section A-E as shown.

*Sue Arnott*

**Inspector**

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<sup>1</sup> Substituted text underlined



Definitive Map Modification Order to add public footpath to the Definitive Map and Statement of Intention between Pennithorne Avenue, Moorgate and Northgate (via High and Low Fold), Baildon in accordance with Section 53 Wildlife and Countryside Act 1981

P.D.

<b>Legend</b> --- Footpath to be added		Scale	1:1000
		OS Sheet	SE 1539 NW
	Drawn By	FP	
	Checked By	JB	
	Date	11/02/2014	

Reference: 66660/T52/OrderPlan

