

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Lancashire County Council
(Edenfield to Helmshore Road via Irwell Vale) Definitive Map Modification
Order 2016

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 **9 September 2019**.

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

The Inquiry will be held at **The Business Centre, Futures Park, Bacup, Lancashire, OL13 0BB** on **Tuesday 10 March 2020** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement of Public Rights of Way for the area, by deleting part of Ramsbottom Footpath 130 marked H-X on the Order Map, Upgrade parts of Ramsbottom Footpaths 128, 130 and 131 to bridleway between points 1-B-C-D-F and E-D on the Order Map. Add a bridleway from Ramsbottom Footpath 131 to a point on Ramsbottom Footpath 130 shown between points F-G on the Order Map. Upgrade to bridleway part of Ramsbottom Footpath 130 shown between points G-H on the Order Map. Add a bridleway from a point on Ramsbottom Footpath 130 along Aitken Street and Milne Street to a junction with Haslingden Footpath 387 shown between points H-I on the Order Map and upgrade Haslingden Footpaths 387 and 388 to bridleway between points I-J-K on the Order Map.

Any queries relating to this Order should be referred to Helen Sparks 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 5646.

Email: helen.sparks@planninginspectorate.gov.uk. Please quote reference number ROW/3224741 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 Lancashire County Council, County Hall, Fishergate, Preston, Lancashire, PR1 8XJ between the hours of 9am and 5pm Monday to Friday. To arrange a viewing of the documents, please contact Mrs Saleha Khalid on Telephone Number 01772 536098.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [~~by 4 November 2019~~]

Amended to 25 November 2019 following a request from Lancashire County Council

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 16 December 2019~~]

Amended to 06 January 2020 in consequence of changing the previous deadline

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 11 February 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

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.

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.

Notice of order for inquiry

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE
COUNTY OF LANCASHIRE**

**THE LANCASHIRE COUNTY COUNCIL
(EDENFIELD TO HELMSHORE ROAD VIA IRWELL VALE)
DEFINITIVE MAP MODIFICATION ORDER 2016**

This Order is made by Lancashire County Council ("the Authority") 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 of Public Rights of Way for the County of Lancashire require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i),(ii)&(iii) namely the discovery by the Surveying Authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way 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, namely a bridleway; that a highway shown in the map and statement as a highway of a particular description, namely a footpath, ought to be there described as a highway of a different description, namely a bridleway and also there is no public right of way over part of the land shown in the map and statement as a highway, of any description

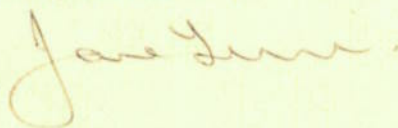
The Authority have consulted with every local authority whose area includes the land to which the Order relates. Lancashire County Council hereby order that:

1. For the purposes of this Order, the "relevant date" is 30 November 2016.
2. The Definitive Map and Statement of Public Rights of Way for the County of Lancashire shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Lancashire County Council (Edenfield to Helmsshore Road via Irwell Vale) Definitive Map Modification Order 2016.

Dated this 30 day of November 2016

THE COMMON SEAL of the)
Lancashire County Council)
was hereunto affixed in the presence of)

Authorised Signatory



25739

SCHEDULE

PART I

MODIFICATION OF THE DEFINITIVE MAP

All distances are given in metres and lengths are approximate.

DESCRIPTION OF PATH OR WAY TO BE DELETED

The deletion of part of Ramsbottom Footpath 130 shown as a bold line marked H-X on the Order Map. The full width to be deleted.

DESCRIPTION OF PATH OR WAY TO BE ADDED AND UPGRADED

The upgrading to bridleway of parts of Ramsbottom Footpaths 128, 130 & 131 (shown between points 1-B-C-D-F and E-D on the Order Maps);

The addition of a bridleway from a point on Ramsbottom Footpath 131 to a point on Ramsbottom Footpath 130 (shown between points F-G on the Order Map);

The upgrading to bridleway of part of Ramsbottom Footpath 130 (shown between points G-H on Order Map);

The addition of a bridleway from a point on Ramsbottom Footpath 130 along Aitken Street and Milne Street to a junction with Haslingden Footpath 387 (shown between points H-I on Order Map);

The upgrading to bridleway of Haslingden Footpaths 387 & 388 (shown between points I-J-K on Order Map).

The width of the bridleways varies between 1.75 to 7.5 metres and the extent of the width is shown shaded on the Order Maps.

The length of bridleways is approximately 2.3 kilometres.

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

Add to the Definitive Statement for Ramsbottom the following:

Ramsbottom 278:

No. of path: "278"

Kind of path: "Bridleway"

Position: "Bridleway from Blackburn Road at SD 7971 2025 in a generally south south westerly direction along a bounded track adjacent to the A56 Trunk Road and known as Hardsough Lane. At SD 7968 2010 the route meets Bridleway 279 and then turns to continue in a generally north westerly direction past Grange House and Hardsough Farm descending to a bend in the track at SD 7944 2027 and then continues in a generally south westerly direction downhill to pass in front of a row of terraced houses to a junction with Footpath 131 at SD 7928 2014 then in a generally north westerly direction across the East Lancashire Railway gated level crossing via an unmarked junction with Footpath 130 at SD 7925 2016, an unmarked junction with Footpath 125 at SD 7924 2018, Hardsough Fold and crosses Irwell Vale bridge to the former Haslingden boundary at SD 7920 2023. The bridleway continues as Haslingden Bridleway 388. All compass directions given are approximate."

Length: "0.80 km"

Other particulars:

"Width: Varying in width from 3.5 metres to 5.5 metres between SD 7971 2025 and SD 7928 2014 and between 3.5 metres and 7 metres between SD 7928 2014 and SD 7920 2023"

Limitations: Railway gates at either side of single track railway at SD 7927 2015."

Ramsbottom 279:

No. of path: "279"

Kind of path: "Bridleway"

Position: "Bridleway from a point at the western end of the adopted section of Church Lane (U2979) (also recorded as part of Footpath 128) at SD 7981 1983 in a generally westerly direction along the route known as Church Lane, crossing the A56 Trunk Road via Church Lane bridge to a junction with part of Footpath 128 at SD 7960 1986 then in a generally north north easterly direction along an enclosed path immediately to the west of the A56 trunk road via a junction with Footpath 130 at SD 7963 1991 to a junction with Bridleway 278 (Hardsough Lane) at SD 7968 2010. All compass directions given are approximate."

Length: "0.46 km"

Other particulars:

"Width: Varying in width between 4.5 and 5.5 metres between SD 7981 1983 and SD 7963 1991 and between 1.75 metres and 3 metres between SD 7963 1991 and SD 7968 2010"

Limitations: None"

Add to the Definitive Statement for Haslingden the following:

Haslingden 411:

No. of path: "411"

Kind of path: "Bridleway"

Position: "Bridleway commencing at former boundary with Ramsbottom on west end of Irwell Vale Bridge at SD 7920 2023 as a continuation of Ramsbottom Bridleway 278 in a north westerly direction along Aitken Street to SD 7916 2026 and then in a generally south westerly direction along Bowker Street to a junction with Footpath 390 at SD 7910 2022 and then in a generally north westerly direction along Milne Street and continuing up the track, via a junction with Footpath 387 at SD 7900 2030 over the bridge over the disused railway, to a junction with Footpath 386 near Raven Shore at SD 7866 2050. It continues in a generally westerly direction to a junction with Helmshore Road near Irongate at SD 7827 2045. All compass directions given are approximate."

Length: "1.07 km"

Other particulars:

"Width: Varying between 3 and 7.5 metres

Limitations: SD 7872 2047 – Field gate and adjacent stile"

The statements to be amended for Ramsbottom 125, 128, 130 and 131 and Haslingden 386, 387 and 390 to read as follows:

Ramsbottom 125:

No. of path: "125"

Kind of path: "Footpath"

Position: "Path No. 124 (River Irwell) northwards crossing Bridleway 278 at SD 7924 2018 and continuing to Rawtenstall boundary."

Length: "1.48 miles"

Ramsbottom 128:

"No. of path: "128"

Kind of path: "Footpath"

Position: "Public Footpath known as Church Lane from Market Street adjacent to Edenfield Parish Church at SD 7987 1983 in a generally westerly direction along a tarmac road to SD 7981 1983 from where Bridleway 279 continues. Footpath 128 then runs from the junction of Bridleway 279 west of Church Lane Bridge at SD 7960 1986 in a generally southerly and then south westerly direction to junction with Footpath 126 at Alder Bottom at SD 7905 1932. All compass directions given are approximate."

Length:

"SD 7987 1983 to SD 7981 1983 – 0.06 km,
SD 7960 1986 to SD 7905 1932 – 0.76 km"

Ramsbottom 130:

No. of path: "130"

Kind of path: "Footpath"

Position: "Public Footpath from junction with Bridleway 279 at SD 7963 1991 north westwards to junction with Footpath 131 at SD 7927 2013 and terminating west of level crossing at junction with Bridleway 278 at SD 7925 2016 "

Length: "0.48 km"

Ramsbottom 131:

No. of path: "131"

Kind of path: "Footpath"

Position: "Public Footpath from junction with Bridleway 278 (Hardsough Lane) at SD 7928 2014 south east of level crossing in a south westerly direction adjacent to the railway to junction with Footpath 130 at SD 7927 2013."

Length: "0.02 km"

Haslingden 386:

No. of Path: "386"

Kind of path: "Footpath"

Position: "From junction of paths 383 and 384 to junction with Bridleway 411 at SD 7866 2050."

Length: "0.25 miles"

Haslingden 387:

No. of Path: "387"

Kind of path: "Footpath"

Position: "Footpath from a junction with Bridleway 411 at SD 7900 2030 south east to Irwell Vale Mill."

Length: "0.02 km"

Haslingden 390:

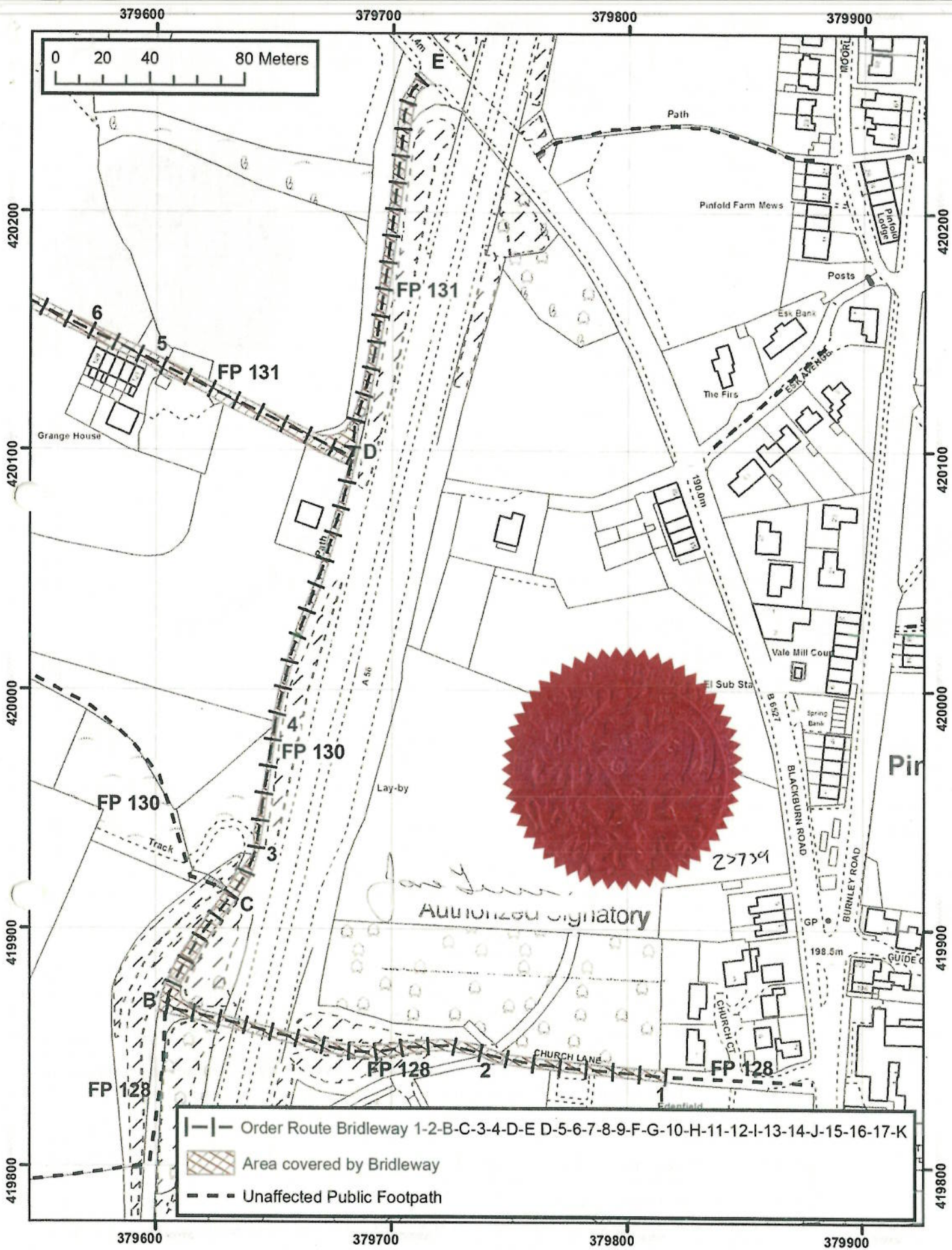
No. of path: "390"

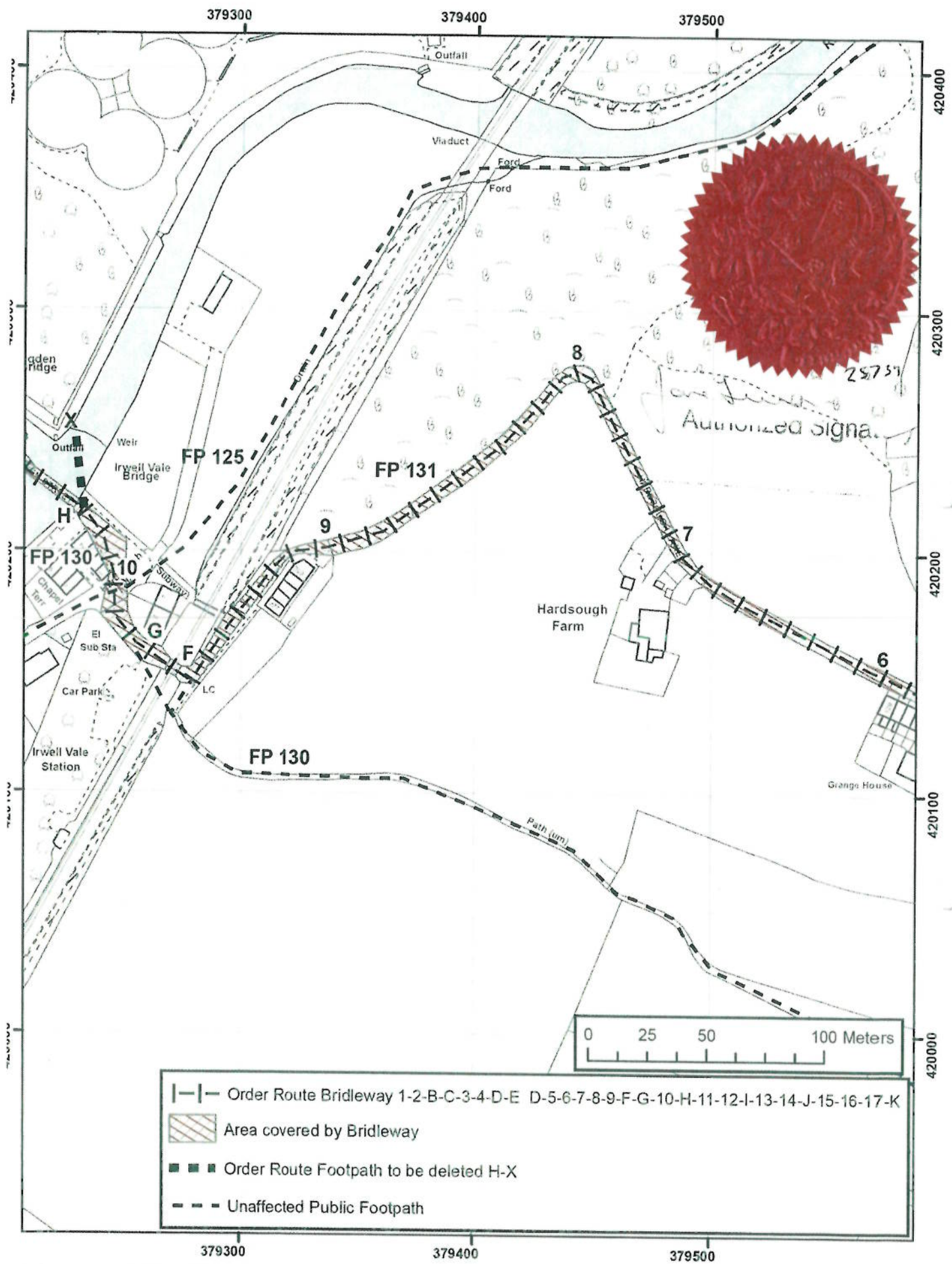
Kind of path: "Footpath"

Position: "From junction with Bridleway 411 at south east side of row of three houses at junction of Milne Street and Bowker Street, Irwell Vale , in southerly direction crossing Borough Boundary to join Ramsbottom Urban District path no. 122"

Length: "0.06 miles"

Delete from the Definitive Statement the entry for FP 388 Haslingden.





Andrew Mullaney
Head of Planning and Environment

Wildlife and Countryside Act 1981
The Lancashire County Council (Edenfield to Helmshore Road via Irwell Vale)
Definitive Map Modification Order 2016

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Plan 2/5

