

# NOTICE OF ORDER

## Wildlife and Countryside Act 1981 – Section 53

Cumbria County Council  
(Parishes of Old Hutton 7 Homescales and New Hutton: District of  
South Lakeland) Definitive Map Modification Order (NO 2) 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 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 13 March 2020.

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 restricted byway at Old Croft in the parish of Old Hutton and Holmescales from junction with BW 560022 at GR 356510 490308 westwards for about 64 metres to centreline of bridge at parish boundary at GR 356454 490334; and  
Upgrading that section of public footpath no 559011 at Old Croft in the parish of New Hutton from centreline of bridge at parish boundary at GR 356454 490334 north westwards for about 171 metres to road at Lane Cottage at GR 356367 490477.

The effect of the proposed modifications would be to:

In the Order schedule

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

- For section A-B in 'Description of length of right of way to be added', delete "centreline of bridge ..." and substitute "bridge and adjacent ford ...";
- For section B-C in 'Description of length of right of way to be upgraded to restricted byway', delete "centreline of bridge ..." and substitute "bridge and adjacent ford ...";

- In **Part 2: Modification of Definitive Statement**
- Amend 'Width' for Path Numbers 560027 and 559011 by deleting "0.7 metres at bridge" and substitute in both cases: "widening (to a maximum of 6 metres) at bridge and ford as shown on the Ordnance Survey Second Edition 25":1 mile map published in 1898".

Any queries relating to this Order should be referred to Spencer Barrowman 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 5211. Email: [spencer.barrowman@planninginspectorate.gov.uk](mailto:spencer.barrowman@planninginspectorate.gov.uk) Please quote reference number ROW/3196947M 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 Kendal library, Stricklandgate, Kendal, Cumbria LA9 4PY and the offices of Cumbria County Council, Countryside Access Team, The Parkhouse Building, Kingmoor Business Park, Carlisle CA6 4SJ. Please contact Sandra Smith on 07920 711254.

### **Timetable for sending in statements of case and comments**

#### **Within 8 weeks of the start date [by 13 May 2020]**

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 24 June 2020]**

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 Orders 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.