

# **NOTICE OF ORDER**

## **WILDLIFE & COUNTRYSIDE ACT 1981 – SECTION 53**

### **BOROUGH COUNCIL OF CALDERDALE**

#### **(Woodroyd Gardens to Rose Grove Lane) 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 she proposed to make modifications to the Order as drafted. Following advertisement of those proposals objections/representations have been received.

The **start date** for the above Order is **23 April 2020**.

Consideration of the Order will take the form of a public local inquiry. It is being held so that the Inspector can hear evidence in respect of the modified part of the Order and **new** evidence in respect of the unmodified part of the Order. **The Inspector cannot consider evidence which has already been heard or presented in relation to the unmodified part of the Order.**

The Inquiry will be held at **Halifax Town Hall, Wesley Court, Halifax HX1 1UJ** on **20 October 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 a public footpath 1.2 metres wide commencing at its junction with Woodroyd Gardens at grid reference SE05032411 (Point A on the Order Map) and running in a generally easterly, south-south easterly, then easterly direction terminating at the junction with Rose Grove Lane at grid reference SE05132407 (Point E on the Order Map), a distance of approximately 81 metres.

The effect of the proposed modifications would be to modify the Order by providing for the following:-

#### In the Order Schedule

- In Part I of the Schedule to the Order, under the description of the path or way to be added, in the last line recording the approximate length of the path, delete "81" and replace with "134"
- In Part II of the Schedule to the Order, under the heading "Approx. length Metres" delete "20" and "112" and replace with "21" and "113"

Any queries relating to this Order should be referred to Clive Richards 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 5502. Email: [clive.richards@planninginspectorate.gov.uk](mailto:clive.richards@planninginspectorate.gov.uk). Please quote reference number ROW/3206702m1 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 Halifax Customer First, Horton Street, Halifax, HX1 1QE between 9am and 5pm, Monday to Friday (tel: 01422 288001).

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

#### **Within 8 weeks of the start date by 18 June 2020**

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modifications 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 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 modifications, the applicant and anyone else who has previously written to us in respect of the Order.

#### **4 weeks before the date of the inquiry by 24 September 2020**

The Authority, everyone who has made an objection or representation following the proposed modifications, 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 the Secretary of State. As soon as possible after receiving them, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation following the proposed modifications, the applicant, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order;
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation following the proposed modifications, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order; and
- iii) all other proofs of evidence to the Authority, the applicant and anyone else who has either submitted a statement of case or who has previously written to us in respect of the Order .

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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.

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 mods