

NOTICE OF ORDER

Highways Act 1980 – Section 119

Pendle Borough Council
Part of Public Footpaths 30 and 32 Brierfield Public Footpath Diversion 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 **19 March 2020**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert part of footpath 30 running from a point just south of footpath 31 at Grid Reference SD 8590 3556 (Point A) to the junction with footpath 32 at Little Tom's Farm at Grid Reference SD 8594 3552 (Point B) to a new line running from a point just south of footpath 31 at Grid Reference SD 8590 3556 (Point A) to a point on footpath 32 just west of Little Tom's Farm at Grid Reference SD 8592 3552 (Point C) and will divert part of footpath 32 from a point just west of Little Tom's Farm at Grid Reference SD 8592 3552 (Point C) to a point on footpath 32 east of Little Tom's Farm at Grid Reference SD 8600 3549 (Point D) to a new line south of the existing buildings between the same two points.

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 Please quote reference number ROW/3239340 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 Pendle Borough Council's Reception desk at Number One Market Street, Market Street, Nelson. Contact Sarah Southworth, Sarah.Southworth@pendle.gov.uk tel. 01282 661661.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 2 April 2020]

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, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 14 May 2020]

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 full copies 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 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.

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, 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).

Within 14 weeks of the start date [by 25 June 2020]

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

11TH MARCH.

2019

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

BOROUGH COUNCIL OF PENDLE

**PART OF PUBLIC FOOTPATHS 30 and 32 BRIERFIELD
PUBLIC FOOTPATH DIVERSION ORDER 2019**

**Howard Culshaw
Head of Legal Services
Town Hall Market Street
Nelson
Lancashire
BB9 7LG**

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

BOROUGH COUNCIL OF PENDLE

**PART OF PUBLIC FOOTPATHS 30 and 32 BRIERFIELD
PUBLIC FOOTPATH DIVERSION ORDER 2019**

This order is made by the Borough Council of Pendle ("the authority") under Section 119 of the Highways Act 1980 ('the 1980 Act') because it appears to the authority that in the interests of the owner of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

John Steven Hall and Barbara Ann Hall have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Lancashire County Council have been consulted as required by section 120(2) of the 1980 Act.

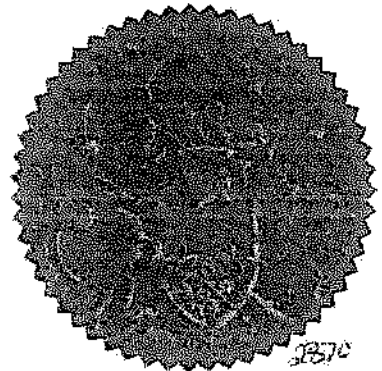
BY THIS ORDER:

1. The public right of way over the land situate at Little Tom's Farm in the parish of Brierfield and shown by a bold continuous line on the map contained in this order and described in Part 1 of the Schedule to this order shall be stopped up after 14 days from the date of confirmation of this order.
2. There shall at the end of 14 days from the date of confirmation of this order be a public footpath over the land situate at Little Tom's Farm in the parish of Brierfield described in Part 2 of the Schedule and shown by a bold broken line on the map attached to this order.

The **COMMON SEAL** of the
BOROUGH COUNCIL OF PENDLE
was hereunto affixed this *Eleventh*
11 day of *March* 2019
in the presence of



Head of Legal Services



SCHEDULE

PART 1

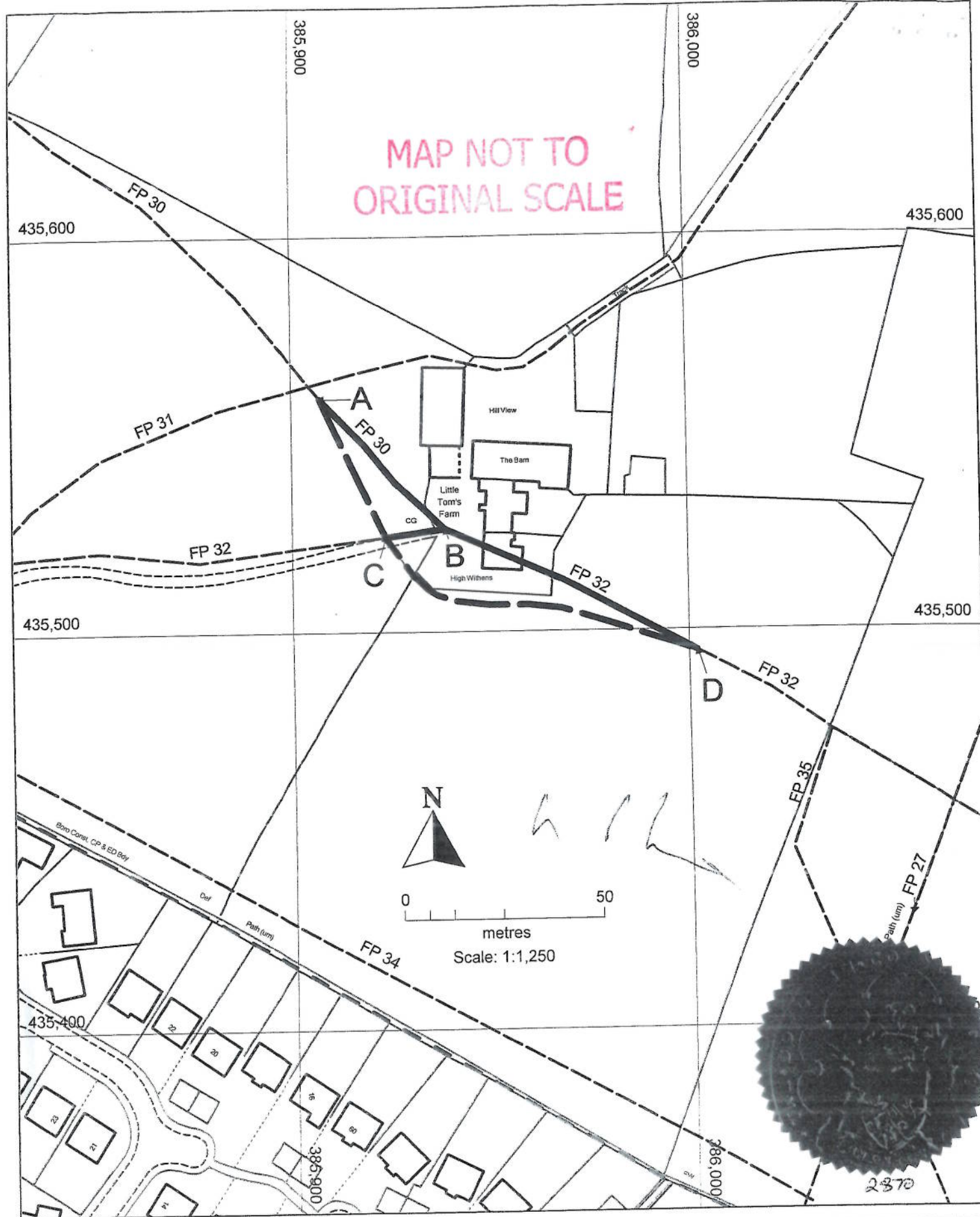
DESCRIPTION OF EXISTING PATH OR WAY

Section of footpath as shown on the order map	Position (All distances and directions are approximate)	Width
Part of footpath 30 Brierfield marked by a bold continuous line and shown as A – B	Starting from Grid Reference at SD 8590 3556 (Point A) just south of footpath 31 the footpath runs for 45m in a SE direction to the junction with footpath 32 at Little Tom's Farm Grid Reference SD 8594 3552 (Point B).	The entire width
Part of footpath 32 Brierfield marked by a bold continuous line and shown as C – B – D	Starting from a point on the tarmac drive just west of Little Tom's Farm at Grid Reference SD 8592 3552 (Point C) the footpath runs 15m E to the junction of footpath 30 at Little Tom's Farm at Grid Reference SD 8594 3552 (Point B) and then runs 70m ESE to Grid Reference SD 8600 3549 (Point D).	The entire width

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Section of footpath as shown on the order map	Position (All distances and directions are approximate)	Width
A footpath marked by a bold broken line and shown as A – C	Starting just south of footpath 31 at Grid Reference SD 8590 3556 (Point A) the path runs 40m SSE to the junction with footpath 32 just west of Little Tom's Farm at Grid Reference SD 8592 3552 (Point C).	2 metres
A footpath marked by a bold broken line and shown as C – D	Starting from a point just west of Little Tom's Farm at Grid Reference SD 8592 3552 (Point C) the footpath runs for 87m in a generally ESE direction to re-join footpath 32 Grid Reference SD 8600 3549 (Point D).	2 metres



Proposed diversion of public footpaths 30 and 32 Brierfield at Little Tom's Farm

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Scale 1:1250
File Reference: R2/14/194
Date: 7th December 2018
Drawn: T Partridge

Footpath to be diverted

Proposed diversion

Other footpaths