

# NOTICE OF ORDER

## Town and Country Planning Act 1990 Section 257

Allerdale Borough Council  
(Public Footpath 223003 Land Off Strawberry How Road Cockermouth)  
Public Path Stopping Up Order (No. 1) 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 7 January 2020.

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

The Inquiry will be held at **The Oval Centre, Salterbeck Drive, Salterbeck, Workington CA14 5HA** on **Tuesday 9<sup>th</sup> June 2020** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to stop up that section of public footpath 223003 located within an open field to the north of Tom Rudd Beck and to the east of Bellbrigg Lonning in Cockermouth. It extends for a length of approximately 335m from a field gate adjacent to 36 Bellbrigg Lonning and extends easterly to a further field gate on the eastern boundary of the same field from Grid Reference 313050,530303 to 313371, 530267 as shown on the order map.

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/3230978 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 Allerdale Borough Council, Allerdale House, Workington, Cumbria CA14 3YJ between the hours of 9:00am and 4:45pm Monday to Friday. Contact Sara Brook, tel 01900 702746

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

### **Within 8 weeks of the start date by [by 3 March 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 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 14 April 2020]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case (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.) 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 12<sup>th</sup> May 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 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

Postponed - date to be re-arranged

**ALLERDALE BOROUGH COUNCIL  
PUBLIC PATH STOPPING UP ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257**

**(PUBLIC FOOTPATH 223003 LAND OFF STRAWBERRY HOW ROAD  
COCKERMOUTH) PUBLIC PATH STOPPING UP ORDER (NO.1) 2019**

This order is made by Allerdale Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely: the Reserved Matters application 2/2018/0155 for the erection of 224 dwellings (Phase 2) following approval 2/2016/0670 relating to land off Strawberry How Road, Cockermouth, Cumbria (subsequent to outline approvals with reference 2/2014/0381 and 2/2016/0670).

**BY THIS ORDER:**

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be stopped up as provided below.
2. The stopping up of the footpath shall have effect on the confirmation of this order.
3. Where immediately before the date on which the footpath is stopped up there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

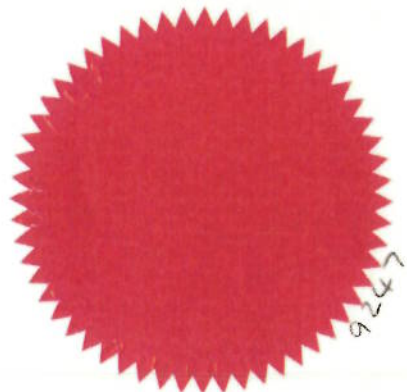
Made: 14 February 2019

The Common Seal of the Allerdale Borough Council  
was hereto affixed  
in the presence of:



Kevin Kerrigan  
Head of Development Services

Allerdale Borough Council  
Allerdale House  
Workington  
Cumbria  
CA14 3YJ



**Schedule Part 1**

Description of site of existing path or way

A section of public footpath 223003 located within an open field to the north of Tom Rudd Beck and to the east of Bellbrigg Lanning in Cockermouth. Extending for a length of approximately 335m from a field gate adjacent to 36 Bellbrigg Lanning and extends easterly to a further field gate on the eastern boundary of the same field, Grid Reference 313050, 530303 (Point A) to 313371, 530267 (Point B) shown by a bold black line on the attached map.



**MAP NOT TO ORIGINAL SCALE**



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 ALLERDALE BOROUGH COUNCIL  
 PUBLIC PATH STOPPING UP ORDER  
 TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257  
 (PUBLIC FOOTPATH 223003 LAND OFF STRAWBERRY HOW ROAD COCKERMOUTH) PUBLIC PATH STOPPING UP ORDER (NO.1) 2019  
 Scale 1:2500 - Land off Strawberry How, Cockermouth, Cumbria  
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