

# **NOTICE OF ORDER**

## **Wildlife and Countryside Act 1981**

Lancashire County Council  
(Higher Boarsgreave, Bacup) Definitive Map Modification Order 2016

Notice is hereby given that the above referenced Order(s) has/have 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(s) issued a letter in which she proposed to make modifications to the Order(s) as drafted. Following advertisement of those proposals objections/representations have been received.

The **start date** for the above Order is **01 December 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 of Public Rights of Way for the area, by:

1. Adding a bridleway and upgrading footpaths 612 (part), 609, 616 and 617(part) Bacup to bridleway from the gate at the southern end of Cowpe Road at Higher Boarsgreave (point A on the Order Map), south east along a track through Higher Boarsgreave Farm then north-north-east up a track to where footpath 616 leaves it (point F on the Order Map), along the track to point G where it joins footpath 617 to the registered common land at point H on the Order Map.

The route to be added/upgraded is shown on the Order Map between points A-B-C-D-E-F-G-H, varies in width between 2.7 and 3 metres and is 360 metres long.

2. Deleting the full, unrecorded width of footpath 616 Bacup from where it leaves the track at an unmarked point (point F on the Order Map) across rough pasture for 20 metres to the unmarked junction with footpath 619 at point I on the Order Map .

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

### On the Order map

- Add point X at grid reference SD 8419 2056 and point Y at grid reference SD 8443 2071
- Extend the line showing "Bridleway to be upgraded or added" to include A-X and H-Y

### In the Order schedule

PART I MODIFICATION OF THE DEFINITIVE MAP:  
DESCRIPTION OF PATH OR WAY TO BE UPGRADED

- In line 1, delete "the gate at the end of"; in line 2, delete "point A" and substitute "point X", and in line 7, delete "330 metres" and substitute "360 metres";
- In line 11, after "point H" add "continuing for 80 metres to point Y on Rooley Moor Road...";

PART II MODIFICATION OF THE DEFINITIVE STATEMENT:  
VARIATION OF PARTICULARS OF PATH OR WAY

- For Bacup 612 - amend Position to read: "...past Higher Boarsgreave to a point on Cowpe Road (U7774) at SD 8419 2056 and continuing as Bridleway 682" and Length to: "0.12 km"
- For Bacup 682 - amend Position to read: "Bridleway from a point on Cowpe Road (U7774)(also recorded as Footpath 612) at SD 8419 2056 ..." and Length to: "0.10 km";
- For Bacup 616 - amend Position to read: "... continuing as Bridleway 617";
- For Bacup 617 - amend Kind of Path to "Bridleway" and Position to read "terminating at SD 8443 2071 at Rooley Moor Road."
- For Bacup 618 - amend Position to read: "at junction of Bridleways 616 and 617 and Footpath 619 ...";
- For Bacup 619 - amend Position to read: "at junction of Bridleways 616 and 617 and Footpath 618 ...".

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/3226086M1** 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 Legal & Democratic Services, PO Box 78, County Hall, PRESTON, PR1 8XJ. Contact point: Ms Samantha Myers, email [samantha.myers@lancashire.gov.uk](mailto:samantha.myers@lancashire.gov.uk), telephone (Office) 01772 536021. **Due to the current Covid-19 restrictions, you are advised to make contact with the Council before viewing documents. It may be possible to make alternative arrangements.**

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

**Within 8 weeks of the start date [by 26 January 2021]**

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modification(s) 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 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 modification(s), 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 09 March 2021]**

Everyone who has made an objection or representation following the proposed modification(s), 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.

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 inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r mods

384200

384300

384400

MAP NOT TO  
ORIGINAL SCALE

Boarsgreave

FP 619

FP 618

Sinks

FP 616

324.6m

FP 617

Sinks

Forges Cottage  
Larnside

420700

420700

FP 610

Pond

Waterfall

FP 609

*Signature*  
Authorized Signatory

420600

Higher Boarsgreave

FP 612

Well

A

294.7m

B

FP 612

420500

25063

FP 608

FP 606

0 15 30 60 Meters

Tank

FP 607

384200

384300

384400

- ▬▬▬ Bridleway to be upgraded or added A-B-C-D-E-F-G-H
- ■ ■ Footpath to be deleted F-I
- - - Public Footpaths



Steve Brown  
Executive Director  
for the Environment

Wildlife and Countryside Act 1981

Upgrade to Public Bridleway of Bacup Public Footpaths 612 (part), 609, 616 (part), 617 (part), addition of a  
short section of Public Bridleway and deletion of Bacup Footpath 616 (part) Application 804-538

1:1,500



The digitised Rights of Way information should be used for guidance only as its accuracy cannot be guaranteed. Rights of Way information must be verified on the current Definitive Map before being supplied or used for any purpose.

This Map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office (C) Crown Copyright.  
Unauthorised reproduction infringes Crown Copyright and may lead to Prosecution or civil proceedings. Lancashire County Council Licence No. 100023320