

NOTICE OF ORDER
Wildlife and Countryside Act 1981 Section 53
NOTTINGHAMSHIRE COUNTY COUNCIL

The Nottinghamshire County Council (Annesley Bridleway Nos. 2, 3
& 24 and Greasley Footpath No. 10 and Bridleway Nos. 11 & 85)
Modification Order 2016

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 exchange of written representations, the Inspector appointed to determine the Order issued a letter in which he 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 **6 April 2021**.

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 Inspector's proposed modifications only specifically confined to: -

(1) the validity (or otherwise) of a diversion order made in 1962 and
(2) the existence (or otherwise) of limitations present at the time the routes were dedicated (c 1774). As such, the key matters will be legal argument regarding the validity of the 1962 diversion order and the interpretation to be placed on mapping evidence.

The effect of the Order, if confirmed without modifications will be to modify the Definitive Map and Statement for the above areas by:

1. Adding the bridleway commencing from Ordnance Survey grid reference SK48585014 at the junction with Annesley Bridleway No.1 and terminating at SK 48934990 at the junction with Annesley Bridleway No.2.

2. Upgrading to a public bridleway the path commencing at grid reference SK48615000 at the junction with Annesley Bridleway No.4 then proceeding to SK 48934990 at the junction with Annesley Bridleway No. 24 then proceeding to SK49644997 at the junction of Annesley Bridleway No.3 and terminating at SK49895164 at the junction with Annesley Bridleway No.1.

3. Upgrading to a public bridleway the path commencing at grid reference SK49834950 at the junction with Greasley Bridleway No.11 and terminating at SK49644997 at the junction with Annesley Bridleway No.2.

4. Upgrading to a public bridleway the path commencing from grid reference SK49824880 at the junction with New Road by the southern corner of Callis Hagg Wood and terminating at SK50204923 at the junction with Greasley Footpath No.10 and Greasley Bridleway No.11.

5. Upgrading to a public bridleway the path commencing from grid reference SK50204923 at the junction with Greasley Footpath No.10 and Greasley Bridleway No. 85 and terminating at SK49834950 at the junction with Annesley Bridleway No.3.

6. Varying the particulars of Greasley Footpath No. 10 from grid reference SK50204923 at the junction with Greasley Bridleway Nos. 11 & 85, to grid reference SK50304923 at the junction with Hucknall Footpath No.35 by providing that the remaining section of the path which is not being upgraded is amended on the Definitive Statement.

The effect of the proposed modifications would be to provide for the following:

- In the preamble to the Order delete the proposed modification relating to section 53(3)(c)(iii) leaving the Order unmodified in respect of the reference to this section.
- At Part I of the Schedule to the Order delete the proposed modification relating to the 'Description of the path or way to be deleted'.
- At Parts I and II of the Schedule to the Order in respect of Annesley Bridleway No. 2 and Greasley No. 85 delete the Limitations and insert 'None'.
- At Part II of the Schedule to the Order insert a modification to describe the unaffected section of Annesley Footpath No 2 (between SK4860 4999 and SK 4885 4991) in consequence of the effect of the 1962 diversion order.
- On the Order map, in respect of Annesley Footpath No. 2, delete the symbols depicting 'Footpath to be upgraded to bridleway' and insert symbols to show 'Existing unaffected path'. On the insert plan (Annex 3 to the interim decision dated 20 February 2019) replace the solid line depicting 'Footpath to be Deleted' with a dashed line to show 'Unaffected Footpath' and amend the key accordingly.
- Annesley Bridleway No. 2 (between SK 4861 5000 and SK 4885 4991); add to the Definitive Map and Statement.
- Annesley Bridleway No. 2 (between SK 4885 4991 and SK 4989 5164); amend the particulars contained in Part I and Part II of the Modification Order.

- Annesley Footpath No. 3; amend the particulars contained in Part II of the Modification Order to reflect the proposed termination points being bridleways instead of footpaths.
- Annesley Bridleway No. 3; remove the proposed upgrading of Footpath 3.
- Annesley Bridleway No. 25; add to the Definitive Map and Statement on the basis of evidence discovered after the making of the Modification Order.
- Greasley Bridleway No. 11; amend the particulars in respect of the northernmost termini.

Any queries relating to this Order should be referred to Helen Sparks 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 5646. Email helen.sparks@planninginspectorate.gov.uk Please quote reference number ROW/3187903M2 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by contacting Mr Eddie Brennan, Countryside Access Team, Nottinghamshire County Council, County Hall, West Bridgford, Nottingham, NG2 6JF. As the office is currently closed to the public, copies of the documents can be requested by email from eddie.brennan@nottscc.gov.uk

Timetable for sending in statements of case and comments

Within 8 weeks of the start date [by 1 June 2021]

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 13 July 2021]

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 Order 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.

Notice of order for w/r mods