

NOTICE OF ORDER

Highways Act 1980

City of Bradford Metropolitan District Council
Public Footpath No. 65 (Ilkley)(Part) Between Sandholme Drive
and Public Footpath No. 65/65a (Ilkley) Burley Woodhead Ilkley
Public Path (Extinguishment) Order 2018

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 **13 April 2021**.

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

The Inquiry will be held Virtually on **28 September 2021 at 10.00am**.

The effect of the Order, if confirmed without modifications, will be to extinguish that part of Public Footpath No 65 (Ilkley) as shown by a continuous bold black line on plan no. 66666/T236/Order Plan annexed to this Order. It forms part of the Public Footpath No 65 (Ilkley) extending between points marked A and B on the Order map continuing in a north easterly direction for 184 metres and a surface of grass.

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 Please quote reference number ROW/3246728 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 Customer Services, Ground Floor, City Hall, Bradford BD1 1HY and Ilkley Library, Station Road, Ilkley LS29 8HA during normal office hours. **N.B. Due to Covid-19 restrictions, Customer Services may be closed. It is suggested that you contact the Council to make arrangements to view or obtain copies of documents.** Contact at Bradformd MDC: Afzal Khalifa, tel: Office) 01274 432083, Email: afzal.khalifa@bradford.gov.uk

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 08 June 2021]

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 20 July 2021]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ 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 31 August 2021]

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 (including 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 (including 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 (including copies of any supporting

¹ 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.

documents – although none should not 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 inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

**HIGHWAYS ACT 1980 – SECTION 118B
SPECIAL EXTINGUISHMENT ORDER FOR CERTAIN HIGHWAYS WHICH CROSS
LAND OCCUPIED FOR THE PURPOSES OF A SCHOOL**

**PUBLIC FOOTPATH NO. 65 (ILKLEY)(PART) BETWEEN
SANDHOLME DRIVE AND PUBLIC FOOTPATH NO. 65/65A (ILKLEY)
BURLEY WOODHEAD ILKLEY**

PUBLIC PATH (EXTINGUISHMENT) ORDER 2018

THIS ORDER is made by **CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL** (hereinafter referred to as “the Council”) under Section 118B (4) of the Highways Act 1980 (“the 1980 Act”) because it appears to the Council that as respects the relevant highway described in Article 1 below (“the highway”) –

- (a) the Council are the highway authority for the area;
- (b) the highway crosses land occupied for the purposes of a school; and
- (c) it is expedient, for the purpose of protecting the pupils or staff from –
 - (i) violence or threat of violence,
 - (ii) harassment
 - (iii) alarm or distress arising from unlawful activity, or
 - (iv) any other risk to their health or safety arising from such activity,

that the highway should be stopped up.

The police authority, West Yorkshire Police, for the area in which the highway lies has been consulted as required by section 118B(6) of the 1980 Act.

The City of Bradford Metropolitan District Council have consented to the making of Order as required by section 120(2)(a) of the 1980 Act

BY THIS ORDER:

- 1 The public right of way over the land situated between Sandholme Drive and Public Footpath No. 65/65A (Ilkley), Burley Woodhead, Ilkley, West Yorkshire

shown by a continuous bold line on the map attached to this Order and described in the Schedule to this Order shall be extinguished after 28 days from the date of confirmation of this Order.

2. WHERE immediately before the date of confirmation of this Order there is apparatus under, in, on, along or across the footpath referred to in Part 1 of the Schedule hereto, belonging to statutory undertakers for the purposes of carrying on their undertakings the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
3. THIS Order may be cited as the "City of Bradford Metropolitan District Council Public Footpath No. 65 (Ilkley)(Part) between Sandholme Drive and Public Footpath No. 65/65A (Ilkley), Burley Woodhead, Ilkley (Public Footpath (Extinguishment) Order) 2018".

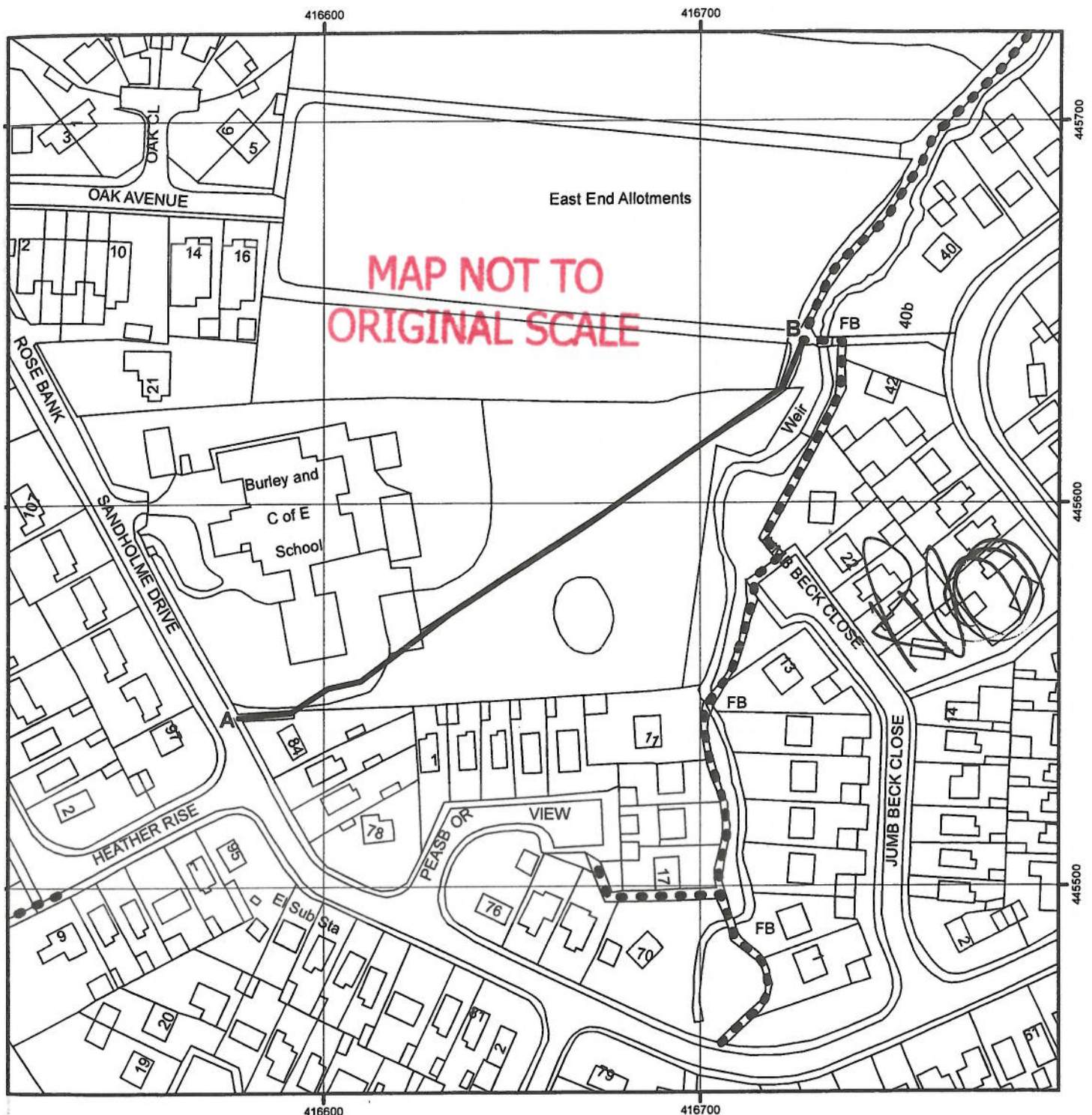
SCHEDULE

Description of site of existing path or way to be extinguished

1. That part of Public Footpath No 65 (Ilkley) in the former County Borough of Bradford as shown by a continuous bold black line on the map annexed hereto, commencing at Point A on the attached plan and continuing in a north easterly direction for approximately 184 metres with a width of approximately 1.2 metres and a surface of grass to Point B on the attached plan being part of Public Footpath No. 65 (Ilkley).

The grid references are; Point A - SE 165 455, Point B - SE 167 456

All distances are measured on the map.

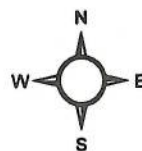


Proposed Special Extinguishment of Part of Public Footpath No. 65 (Ilkley) at Burley Woodhead Primary School, Sandholme Drive, Burley in Wharfedale
Section 118B Subsection (1)(b) of the Highways Act 1980 (for purposes of school security)

Legend

- A — B Footpath to be extinguished
- • • • • Unaffected Footpath

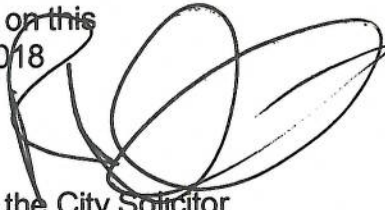
Reference: 66666/T236/Order Plan



| | |
|------------|------------|
| Scale | 1:1,500 |
| OS Sheet | SE 1645 |
| Drawn By | FP |
| Checked By | JB |
| Date | 18/04/2018 |

**THE COMMON SEAL of CITY OF
BRADFORD METROPOLITAN DISTRICT COUNCIL**

was hereunto affixed on this
21st day of August 2018
in the presence of:-



Authorised by the City Solicitor



28939

In pursuance of the powers in that behalf conferred by Schedule 6 of the Highways Act 1980 the Council hereby confirms the foregoing Order.

**THE COMMON SEAL of CITY OF
BRADFORD METROPOLITAN DISTRICT COUNCIL**

was hereunto affixed on this

day of 20

in the presence of:-

Authorised by the City Solicitor

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

**SPECIAL EXTINGUISHMENT ORDER FOR CERTAIN HIGHWAYS
WHICH CROSS LAND OCCUPIED FOR THE PURPOSES OF A SCHOOL**

PUBLIC FOOTPATH NO 65 (ILKLEY)(PART)

**BETWEEN SANDHOLME DRIVE AND
PUBLIC FOOTPATH NO 65/65A (ILKLEY)**

BURLEY WOODHEAD

ILKLEY

PUBLIC PATH (EXTINGUISHMENT) ORDER 2018

ORDER

CORP/PCD/LD/401913

Made: 21st August 2018

Confirmed:

Coming into effect:

**City Solicitor
Legal and Democratic Services
City of Bradford Metropolitan District Council
City Hall
BRADFORD
BD1 1HY**