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| **Order Decision** |
| On papers on file |
| **by Alan Beckett BA MSc MIPROW** |
| **An Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs** |
| **Decision date: 26 August 2021** |

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| **Order Ref: ROW/3201724M2** |
| * This Order is made under Section 53 (2) (b) of the Wildlife and Countryside Act 1981 (‘the 1981 Act’) and is known as the Derbyshire County Council (Footpath from the junction of Hyde Bank Road and St Georges Road to Public Bridleway 180 – New Mills) Modification Order 2012. |
| * Derbyshire County Council (‘the Council’) submitted the Order for determination to the Secretary of State for Environment, Food and Rural Affairs. * The Order is dated 15 November 2012. The Order was the subject of interim decisions dated 16 December 2019 and 29 January 2021 in which I proposed to confirm the Order subject to modifications which required advertisement. |
| **Summary of Decision: The Order is confirmed subject to the modifications set out in the Formal Decision.** |
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Procedural Matters

1. The effect of the Order, if confirmed with the modifications that I previously proposed would be to (a) add to the Definitive Map and Statement a public bridleway from the junction of Hyde Bank Road and St Georges Road to a point on public bridleway 180 (as shown on the modified order plan) with a width of 3 metres other than at a pinch point at SK 0024 8587 where the width is 1.5 metres.
2. In my interim decision dated 29 January 2021, I proposed to confirm the Order subject to the modification described in paragraph1 above. As the modifications proposed in my interim decision would show as a highway of one description a way which is shown in the Order as a highway of another description and would affect land not affected by the Order as submitted, I was required by virtue of Paragraph 8(2) of Schedule 15 to the 1981 Act to give notice of my proposal to modify the Order and to give an opportunity for objections and representations to be made to the proposed modifications.
3. A single representation was received following advertisement of the notice and deposit of the associated documents relating to the proposed modifications; the representation from the Dark Peak Bridleways Association supported the proposed modifications.

###### Conclusions

1. Bearing in mind the above, I conclude that the Order should be confirmed subject to the modifications set out in paragraph 15 of my interim decision dated 29 January 2021.

###### Formal Decision

1. I confirm the Order subject to the following modifications:

in the Order (but not the Order map key) replace any reference to footpath with bridleway;

in the schedule part 1, between ‘Bridleway’ and ‘in’, insert ‘with a width of 3 metres except at SK 0024 8587 where the width is 1.5 metres for approximately 3 metres’;

in the schedule part 2 delete ‘Approx’ from ‘Approx width’;

in the Schedule part 2 under width delete ‘2.0 metres’ and insert ‘3.0 metres except at SK 0024 8587 where the width is 1.5 metres for approximately 3 metres’;

in the Order map and Order map key replace the broken black line representing a footpath with a solid line with crossbars to represent a bridleway;

in the Order map key replace ‘Footpath to be added’ with ‘Bridleway to be added’.

Alan Beckett

Inspector

