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Bristol, BS1 6PN

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Cllr M Morris
The Brambles
Church Lane
Morton, ALFRETON
Derbtshire
DE55 6GU

Your Ref:
Our Ref: FPS/U1050/7/90
Date: 18 May 2015

Dear Sir

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Derbyshire County Council

(Upgrading of Public Footpath No. 18 to Bridleway - Parish of Shirland and Higham)
Modification Order 2012

(Bridleway from Public Footpath No. 46 (Formerly Part of Public Footpath No. 18) to
Stonebroom Industrial Estate - Parish of Shirland and Higham) Modification Order 2012

(Upgrading to Bridleway of Public Footpath No. 3 - Parish of Morton and Public Footpath No.
46 (Formerly Part of Public Footpath No. 18) - Parish of Shirland and Higham) Modification
Order 2012

Further to my letter of 02 April 2015, I can advise you that an inquiry into the above Order will be held at 10.00am on Tuesday 20 October 2015, at Stretton Village Hall, Main Road, Stretton, Alfreton, Derbyshire. DE55 6EW. The inquiry is currently scheduled to last two days.

The length of the inquiry will partly depend on the number of witnesses who give evidence. To ensure we have allowed enough inquiry time, please let me know as soon as possible whether you intend to call witnesses, and if so, how many. Please let me know within 7 days if you think more time is needed.

Whilst most inquiries will be completed within the scheduled period, some may be shorter and some need to be extended, depending on the amount of evidence produced or the number of people wishing to be heard. It is therefore very important that if you wish to speak, give evidence or contribute to the inquiry in any way, that you attend on the opening day.

It would be useful for the Inspector if you could confirm whether or not you will be attending the inquiry. You should notify me immediately if your circumstances change or you change your mind nearer the date of the inquiry.

It is open to anyone who has made an objection or representation and anyone else with an interest in the Order to attend the Inquiry. However, if you have asked to be heard, you are expected to attend (or send a representative¹³). If this does apply to you, please ensure that

¹³ Please refer to paragraphs 4.11 and 8.4 of our booklet *Definitive Map and Public Path Orders*

you are familiar with paragraph 8.4 of our booklet *Definitive Map and Public Path Orders* concerning costs. If you will be unable to attend, please notify me in writing immediately.

If you are responsible for instigating a petition, we trust that you will pass these details to all the signatories.

The **start date** for this Order is as stated on the enclosed notice of order.

The enclosed notice, which will appear on our website, contains information about the Order, where queries about the Order should be directed, when and where documents relating to the Order can be inspected by the public and the **timetable for sending statements of case and proofs of evidence**. Please ensure you read the notice carefully.

All parties must keep to the timetable to ensure that statements of case are with us on time. If you plan to attend and give evidence, you will need to submit a statement of case, along with copies of any documents you wish to submit in evidence and a list of those documents. Late documents will be returned. As I have given details of the timetable, I will not send you reminders.

If you are disabled and concerned about what facilities will be available at the Inquiry, you should write to or contact the Council to confirm that the provisions to meet your specific needs will be available. Additionally, please contact the Council if you would like to know what equipment (over head projector, screen etc.) will be available at the venue for you to use.

Please ensure our case reference number is quoted in all correspondence.

Yours faithfully

Bart Bartkowiak
(Rights of Way Section)

Definitions:

Statement of case – *a written statement containing full particulars of the case which a person proposes to put forward at a hearing or inquiry; it includes copies of any supporting documents which that person intends to refer to or put in evidence, and a list of those documents.*

Proof of evidence - *a document containing the written evidence which a person at a public inquiry will speak about. It should not rehearse all of the available evidence but should focus on the matters in dispute. It should not contain supporting documents.*

INQ7

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Derbyshire County Council

(Upgrading of Public Footpath No. 18 to Bridleway - Parish of Shirland and Higham)
Modification Order 2012

(Bridleway from Public Footpath No. 46 (Formerly Part of Public Footpath No. 18) to
Stonebroom Industrial Estate - Parish of Shirland and Higham) Modification Order 2012
(Upgrading to Bridleway of Public Footpath No. 3 - Parish of Morton and Public Footpath
No. 46 (Formerly Part of Public Footpath No. 18) - Parish of Shirland and Higham)
Modification Order 2012

Notice is hereby given that the above referenced Orders have 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 Orders.

The **start date** for the above Orders is 18 May 2015.

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

The Inquiry will be held at **Stretton Village Hall, Main Road, Stretton, Alferton, Derbyshire. DE55 6EW** on **Tuesday 20 October 2015** at 10.00am.

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

- Upgrading to Bridleway Public Footpath No. 18 in the Parish of Shirland and Higham from Point A (Ordnance Survey Grid Reference ("GR") SK 4154 5988) proceeding in a generally south-south-easterly direction through Points B (GR SK 4158 5981) and C (GR SK 4159 5979) to Point D (GR SK 4160 5978), a distance of 117 metres or thereabouts as shown on the order map.
- Adding a Bridleway in the Parish of Shirland and Higham from Point A (Ordnance Survey Grid Reference ("GR") SK 4151 5995) proceeding in a generally south-south-westerly direction to Point B (GR SK 4146 5985), a distance of 110 metres or thereabouts, as shown on the order map.
- Upgrading to Bridleway Public Footpath No. 3 in the Parish of Morton from Point A (Ordnance Survey Grid Reference ("GR") SK 4140 6016) proceeding in a generally south-south-easterly direction to Point B (GR SK 4150 5996), a distance of 222 metres or thereabouts and Public Footpath No. 46 in the Parish of Shirland and Higham from Point B (GR SK 4150 5996) proceeding in a generally south-south-easterly direction to Point C (GR SK 4154 5989), a distance of 86 metres or thereabouts, as shown on the order map.

Any queries relating to this Order should be referred to Bart Bartkowiak at The Planning Inspectorate, Rights of Way Section, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5223. Email: bart.bartkowiak@pins.gsi.gov.uk. Please quote reference number FPS/U1050/7/90 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 the offices of the Derbyshire County Council, County

Hall, Matlock DE4 3AG (Corporate Resources Reception) from 9.00am to 5.00pm Monday to Friday. Appointments can be made by telephoning 01629 538466.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 13 July 2015]

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, although 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 24 August 2015]

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 copies to the Authority, 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, although 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 copy to the Authority, 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, although these will be available to view at the Authority's offices).

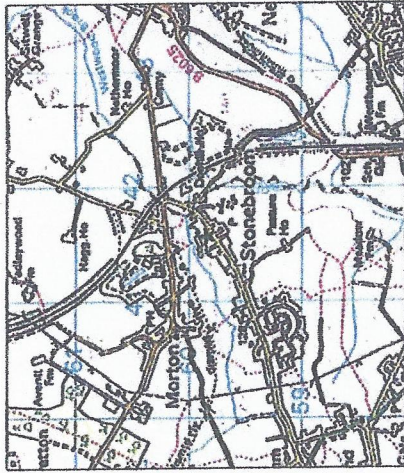
4 weeks before the date of the inquiry [by 22 September 2015]

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);
- 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.

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.



Wildlife and Countryside Act 1981 S.53
The Derbyshire County Council
(Upgrading of Public Footpath
No. 18 to Bridleway - Parish of
Shirland and Higham)
Modification Order 2012

KEY

Footpath to be upgraded to Bridleway

Existing footpaths



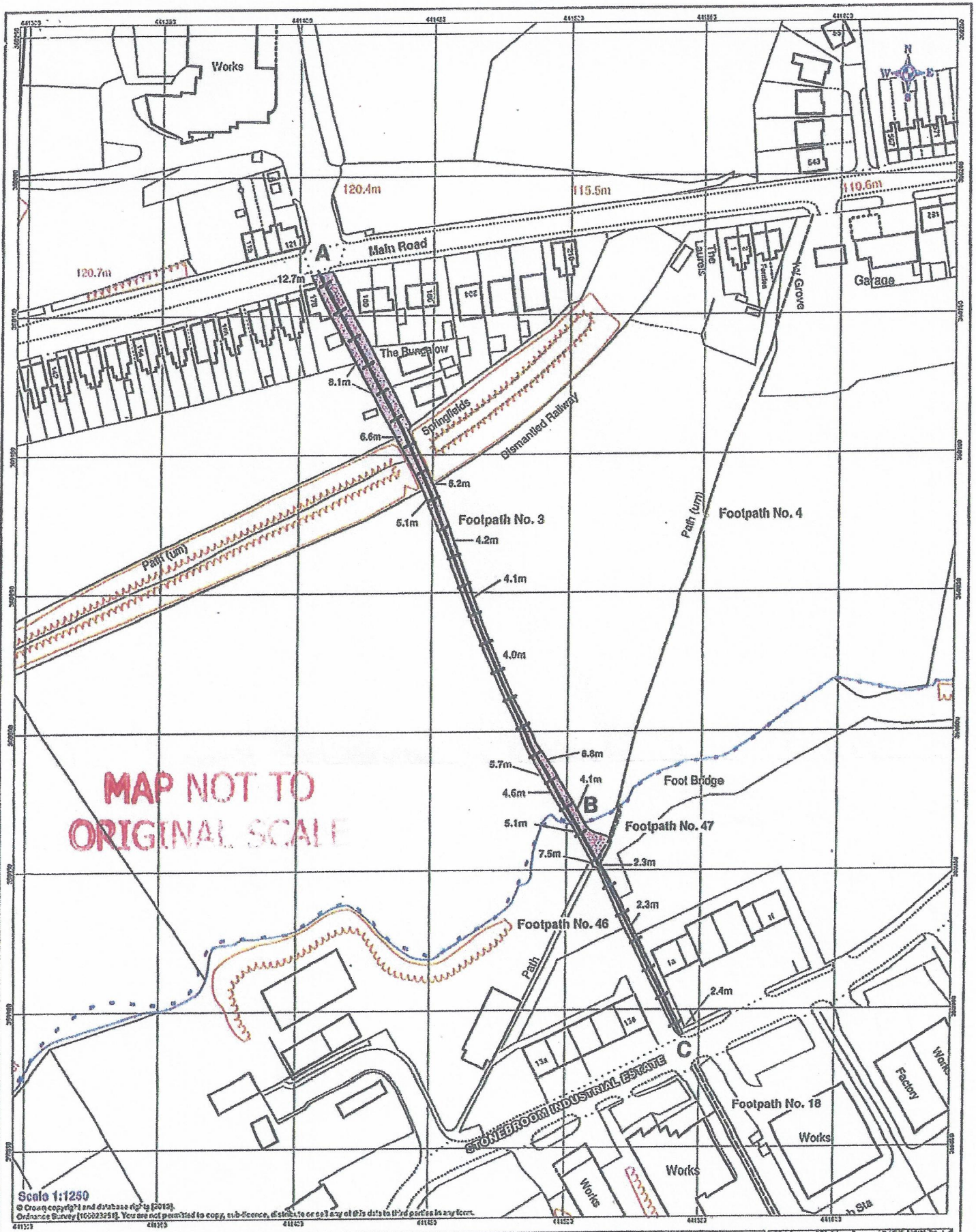
IAN W. STEPHENSON
 Strategic Director of Environmental Services
 Shand House
 Dale Road South
 Matlock
 Derbyshire
 DE4 3RY

Produced by Public Rights of Way on 15 March 2012
 Ref: PE/GM/3461/Order/2012



Scale 1:1250

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MAP NOT TO ORIGINAL SCALE

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Ref: PE/GM/X3772/Order/2012

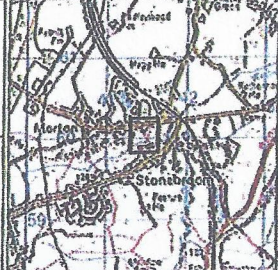
Wildlife and Countryside Act 1981 Section 53

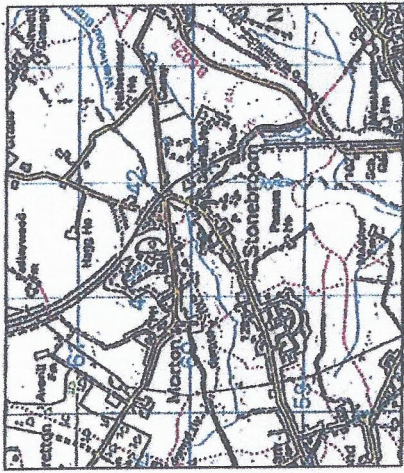
The Derbyshire County Council (Upgrading to Bridleway of Public Footpath No. 3 - Parish of Morton and Public Footpath No. 46 (formerly part of Public Footpath No. 18) - Parish of Shirland and Higham) Modification Order 2012



IAN W. STEPHENSON
 Survey Director of Environment & Streets
 Strand House
 Dea's Road South
 Matlock
 Derbyshire
 DE4 3RY
 Produced by A&C's E-Maps of Wex on 16 March 2012

Key:
 Footpath to be upgraded to Bridleway
 Existing footpaths





Wildlife and Countryside Act 1981 S.53
 The Derbyshire County Council
 (Bridleway from Public Footpath No. 46
 (formerly part of Public Footpath No. 18)
 to Stonebroom Industrial Estate -
 Parish of Shirland and Higham)
 Modification Order 2012

KEY

Bridleway to be added

Existing footpaths



DERBYSHIRE
 County Council
 Improving life for local people

IAN W. STEPHENSON
 Strategic Director of Environmental Services

Shand House
 Dale Road South
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Produced by Public Rights of Way on 15 March 2012
 Ref: PE/GM/377/Order2012

