

DERBYSHIRE COUNTY COUNCIL

NOTICE OF CONFIRMATION OF MODIFICATION ORDER

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (UPGRADING TO RESTRICTED BYWAY OF PUBLIC FOOTPATH NOS. 25 AND 21 (PART) – PARISH OF PILSLEY AND ADDITION OF A BYWAY OPEN TO ALL TRAFFIC ALONG TIMBER LANE BETWEEN PUBLIC FOOTPATH NOS. 21 AND 45 – PARISH OF AULT HUCKNALL) MODIFICATION ORDER 2017

On 8 March 2018 the Derbyshire County Council confirmed the above named Order.

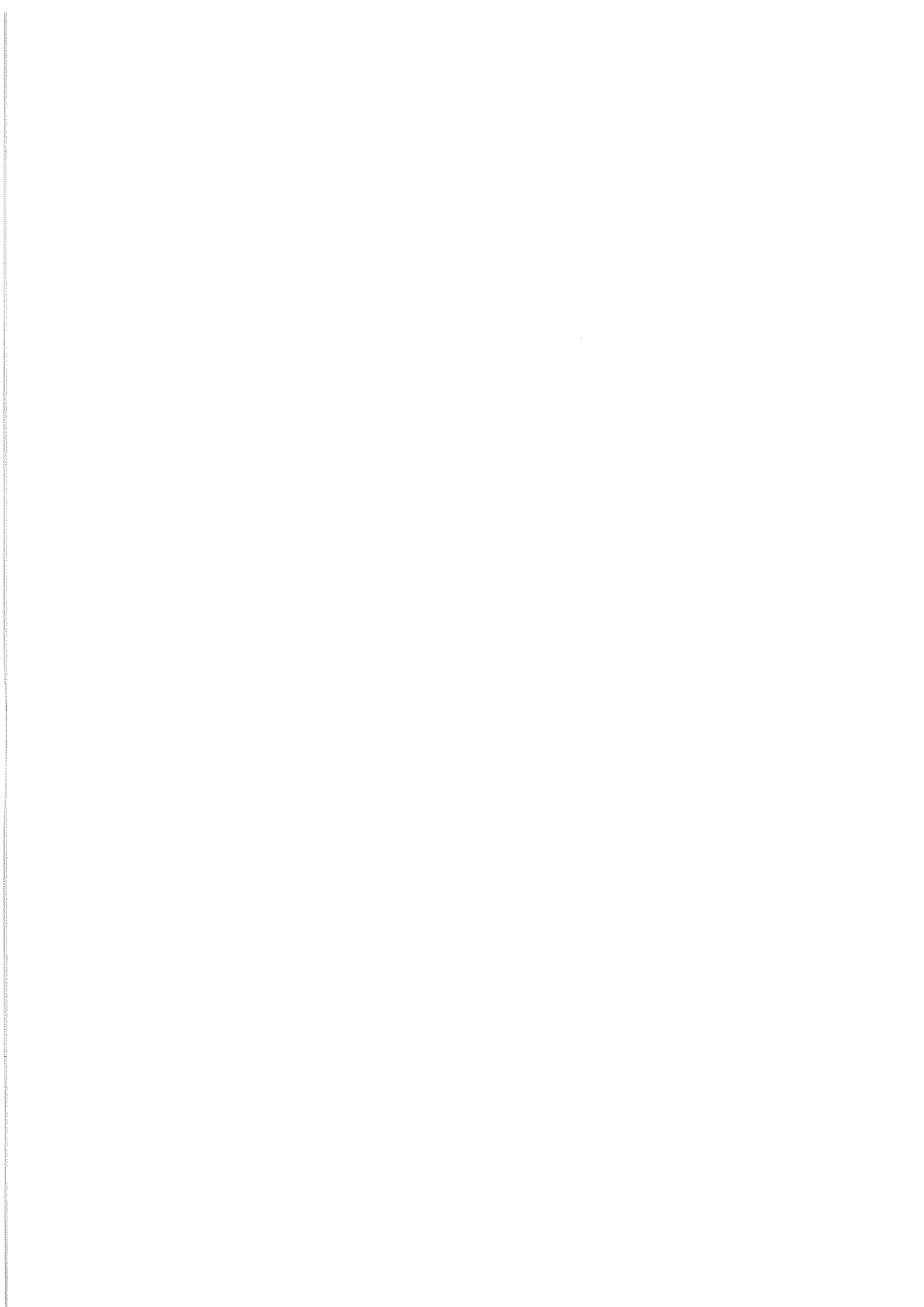
The effect of the Order, as confirmed is to modify the Definitive Map and Statement for the County of Derbyshire by upgrading to Restricted Byway Public Footpath Nos. 25 and 21 (part) in the Parish of Pilsley and by adding to them a Byway Open to All Traffic along Timber Lane in the Parish of Ault Hucknall.

A copy of the confirmed Order and the map may be seen free of charge at County Hall, Matlock during normal office hours where copies may be bought at the price of £1.00 or at Holmewood Post Office, 32 Heath Road, Chesterfield, S42 5RA during normal opening times.

The order comes into force on 8 March 2018, but if any person aggrieved by the order wants to question its validity, or that of any provision contained in it on the ground that it is not within the powers of the Wildlife and Countryside Act 1981, or on the ground that any requirement of the Act, or any regulation made under the Act has not been complied with in relation to the Order, he or she may, under Schedule 15 paragraph 12 of the Wildlife and Countryside Act 1981, within 6 weeks from the date of publication of this notice make an application to the High Court.

Dated 15 March 2018

John McElvaney
Director of Legal Services
County Hall
Matlock
Derbyshire
DE4 3AG



DATED 15 DECEMBER 2017

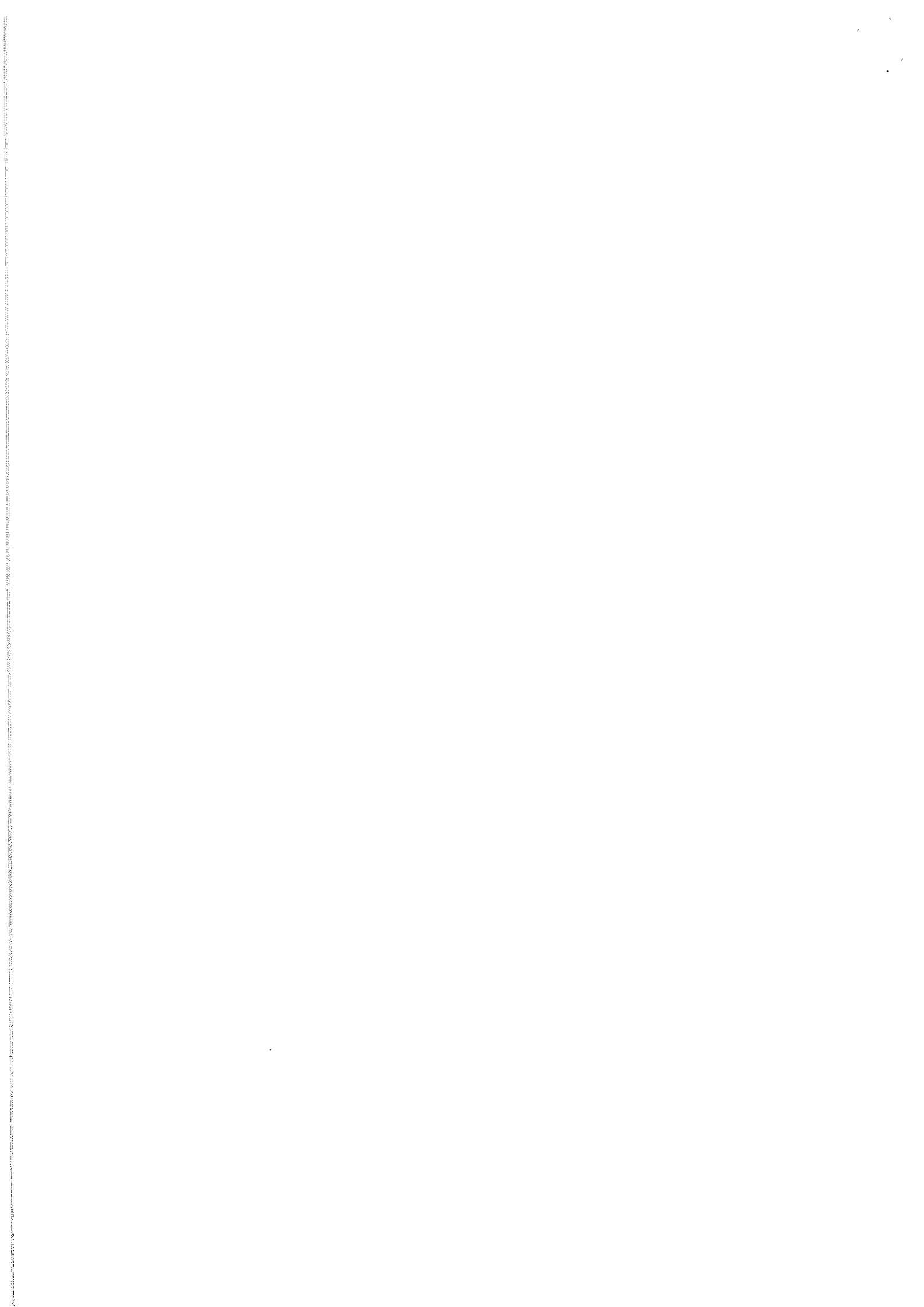
WILDLIFE AND COUNTRYSIDE ACT 1981

**DEFINITIVE MAP AND STATEMENT FOR
THE COUNTY OF DERBYSHIRE**

**THE DERBYSHIRE COUNTY COUNCIL (UPGRADING TO RESTRICTED
BYWAY OF PUBLIC FOOTPATH NOS. 25 AND 21 (PART) – PARISH OF
PILSLEY AND ADDITION OF A BYWAY OPEN TO ALL TRAFFIC ALONG
TIMBER LANE BETWEEN PUBLIC FOOTPATH NOS. 21 AND 45 –
PARISH OF AULT HUCKNALL) MODIFICATION ORDER 2017**

**CASE NO: 43923
DMMO NO: X3577**

**JOHN McELVANEY
MATLOCK**



WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF DERBYSHIRE

THE DERBYSHIRE COUNTY COUNCIL (UPGRADING TO RESTRICTED BYWAY OF PUBLIC FOOTPATH NOS. 25 AND 21 (PART) – PARISH OF PILSLEY AND ADDITION OF A BYWAY OPEN TO ALL TRAFFIC ALONG TIMBER LANE BETWEEN PUBLIC FOOTPATH NOS. 21 AND 45 – PARISH OF AULT HUCKNALL) MODIFICATION ORDER 2017

This order is made by Derbyshire County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Definitive Map and Statement in respect of the Parishes of Pilsley and Ault Hucknall require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) & (ii) of the Act, namely, the discovery by that authority of evidence which when considered with all other relevant evidence available to them shows:

1. That the right of way referred to in this order which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates.
2. That the highway referred to in this order and shown on the map and statement as a highway of a particular description ought to be there shown as a highway of a different description

The authority has consulted with every local authority whose area includes the land to which the order relates. The Derbyshire County Council hereby orders that:

1. For the purpose of this order the relevant date is 14 December 2017.
2. The Definitive Map and Statement for the County Of Derbyshire for the Parishes of Pilsley and Ault Hucknall shall be modified as described in Part I and Part II of the Schedule and shown on the map to the order.
3. This order shall take effect on the date when it is confirmed and may be cited as the Derbyshire County Council (Upgrading to Restricted Byway of Public Footpath Nos. 25 and 21 (part) – Parish of Pilsley and Addition of a Byway Open to All Traffic along Timber Lane between Public Footpath Nos. 21 and 45 – Parish of Ault Hucknall) Modification Order 2017.

SCHEDULE

PART I

Modification of Definitive Map

Section as indicated on map	Description of Public Right of Way to be upgraded
A - B	Public Footpath Number 25 in the Parish of Pilsley from Point A (Ordnance Survey Grid Reference ("GR") SK 4159 6399) proceeding in a generally easterly, then generally east south easterly, then generally southerly direction to Point B (GR SK 4197 6386), a distance of 435 metres or thereabouts.
B - C	Description of Public Right of Way to be upgraded Public Footpath Number 25 in the Parish of Pilsley from the aforementioned Point B (GR SK 4197 6386) proceeding in a generally easterly direction to Point C (GR SK 4217 6384), a distance of 200 metres or thereabouts.
C - D	Description of Public Right of Way to be upgraded Part of Public Footpath Number 21 in the Parish of Pilsley from the aforementioned Point C (GR SK 4217 6384) proceeding in a generally north easterly direction to Point D (GR SK 4239 6395), a distance of 255 metres or thereabouts.
D - E	Description of Path or Way to be added Byway Open to All Traffic in the Parish of Ault Hucknall from the aforementioned Point D (GR SK 4239 6395) proceeding in a generally north easterly direction to Point E (GR SK 4266 6419), a distance of 360 metres or thereabouts.
E - F	Description of Path or Way to be added Byway Open to All Traffic in the Parish of Ault Hucknall from the aforementioned Point E (GR SK 4266 6419) proceeding in a generally north easterly then north north easterly direction to Point F (GR SK 4280 6430), a distance of 195 metres or thereabouts.

PART II

Modification of Definitive Statement

Variation of particulars of Path or Way

Path No	1/10,000 OS Sheet Ref No	Status and Description of Route	Nature of Surface	Length metres	Width	Remarks
25	SK46SW	Restricted Byway in the Parish of Pilsley from the junction of Footpath No. 33 NW of Bridle Path Farm (GR SK 4159 6399) in an E, ESE then S direction along enclosed Seanor Lane through (GR SK 4197 6386) and continuing along the field edge in an E direction to junction with Footpath No. 21 (GR SK 4217 6384). Then in NE direction across open field to (GR SK 4239 6395) at the junction with Timber Lane on the Parish Boundary.	Natural Earth	890 metres	Varies between 4.4 and 9.7 metres as shown between the continuous lines on the 2nd edition 1:2500 Ordnance survey map of 1898, and 4.4 metres from the junction with Footpath No.21 to Broomriding Wood as shaded on Order plan.	Modification Order 2017 DCC Ref: X3577
50	SK46SW	Byway Open to All Traffic in the Parish of Ault Hucknall on the W side of Broomriding Wood along enclosed Timber Lane from the Parish Boundary (GR SK 4239 6395) over culvert 8.2m long 4m wide then in a NE direction. Then continuing NE over a	Natural Earth Tarmac	555 metres	Varies between 3.2 and 10.9 metres as shown between the continuous lines on the 2nd edition 1:2500 Ordnance survey map of 1898 as	Enclosure Award 1827 Modification Order 2017 DCC Ref: X3577

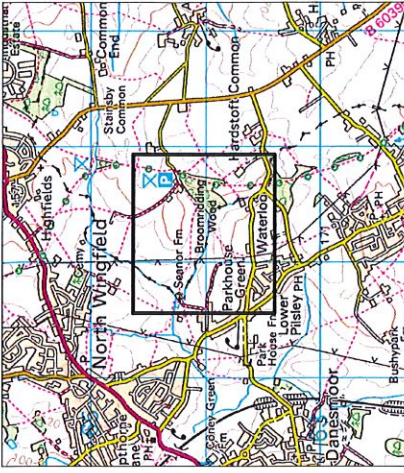
3.8m long 2.5m wide
bridge at (GR SK
4241 6398) to (GR
SK 4266 6419) on
the S side of
Broomriding Farm.
Then continuing NE
and NNE to junction
of Footpath No. 45
(GR SK 4280 6430)
SW of High House
Farm.

shaded on
the Order
plan.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto)
Affixed the Fifteenth day of December)
Two Thousand and Seventeen)
in the presence of:-)


pp Director of Legal Services

Number in Seal
Book 2017/1365



Wildlife and Countryside Act 1981 S.53
 The Derbyshire County Council
 (Upgrading to Restricted Byway of
 Public Footpaths Nos. 25 and 21 (part)
 - Parish of Pilsley and
 Addition of a Byway Open to All Traffic
 along Timber Lane between Public
 Footpath Nos. 21 and 45 - Parish of
 Ault Hucknall) Modification Order 2017

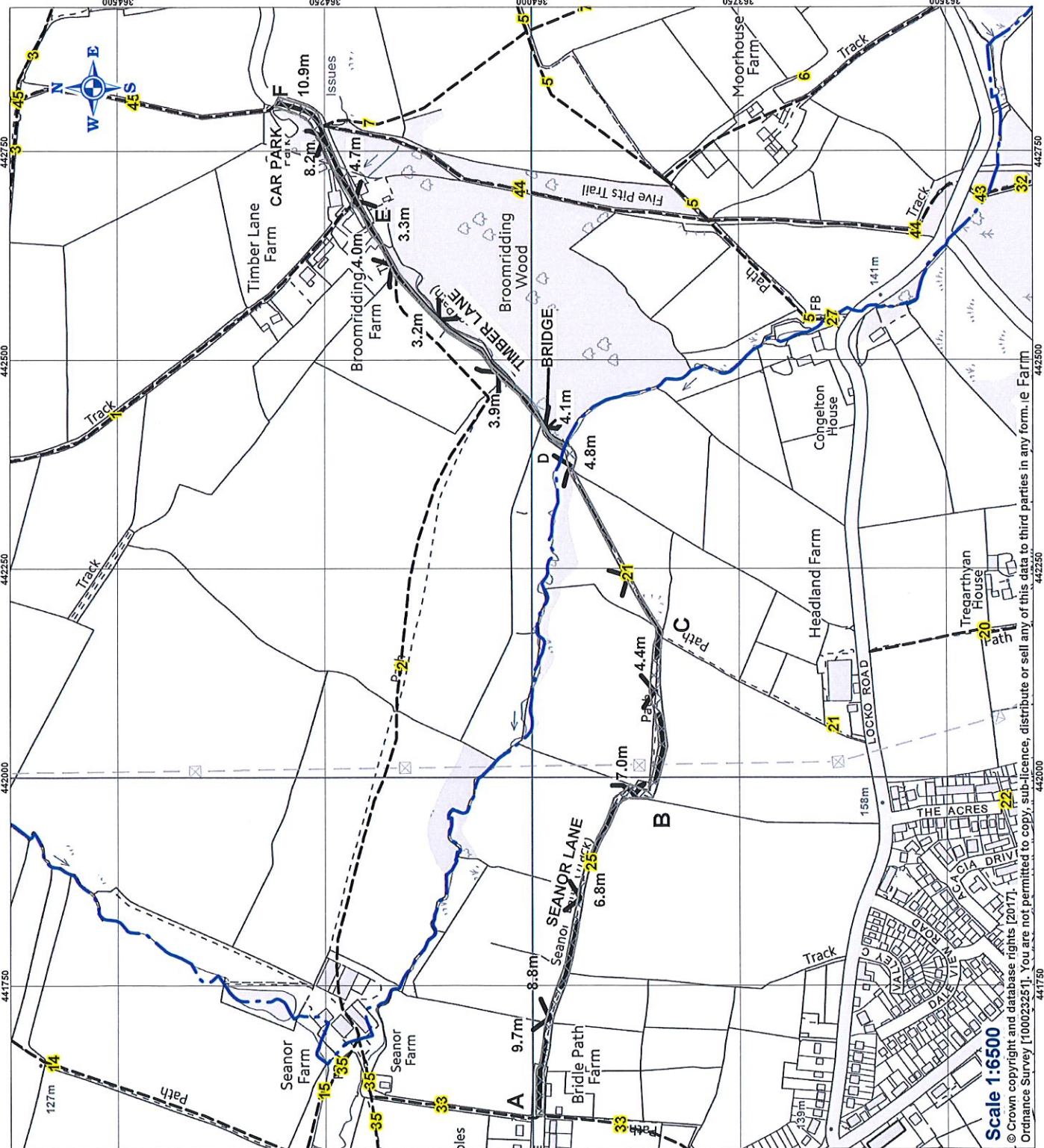
KEY

- Byway Open to All Traffic to be added D A F
- Footpaths to be upgraded to Restricted Byway V D
- Existing Footpaths Path Number
- Parish Boundary



Mike Ashworth
 Strategic Director - Economy, Transport & Environment
 Shand House
 Dale Road South
 Matlock
 Derbyshire
 DE4 3RY

Produced by Public Rights of Way on 14 December 2017
 Ref: PEJV\X3577\Order\2017



Scale 1:6500

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 Ordnance Survey [100023251].

The foregoing Order is hereby confirmed by the Derbyshire County Council as unopposed under Section 53 of the Wildlife and Countryside Act 1981.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
this Eighth day of March)
Two Thousand and Eighteen)
in the presence of:-)



PL Director of Legal Services

Number in Seal
Book

2018/147

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