

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **SECTION 53**

Oldham Borough Council  
(Footpath at Lane Head, Intake Lane, Greenfield) Modification Order 2015

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 inquiry, the Inspector appointed to determine the Order issued a letter in which she 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 3 May 2016

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 modified part of the Order **and** new evidence in respect of the unmodified part of the Order.

The effect of the Order, if confirmed without modifications will be to modify the definitive map and statement for the area by adding to them the footpath on land at Lane Head, Intake Lane, Greenfield, Oldham commencing from point A at OS map reference 398970 403310 on Footpath 228 Saddleworth (as shown on the Order map) proceeding in a north easterly direction between 8 Little Oak and 10 Lane Head to Point B at OS map reference 398981 403332 at a gap in a masonry wall then north easterly to a field gate at Point C at OS map reference 398993 403344 on Footpath 230 and having a length of 43 metres and a maximum width of 2 metres.

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

- Replace "The Borough of Oldham Definitive Map and Statement" with "The (Former) West Riding County Council Definitive Map and Statement" wherever it occurs;
- In the recitals on page 1 line 7 after "public path" add: "and an event specified in section 53(3)(c)(iii) namely that there is no public right of way over land shown in the map and statement as a highway of any description";

In the Order Schedule:

- In Part I: Amend the 'Description of path or way to be added' by deleting "then north easterly to a field gate at Point C at OS map reference 398993 403344";
- In Part I: Add: "Description of path or way to be deleted: Commencing at point B at OS map reference 398981 403332 and curving generally westwards to Footpath 228 at point X at OS map reference 398954 403332";
- In the Order Schedule: Part II: Amend the Path Number to "230" and the Path Length to "25 metres";

On the Order map:

- Amend notation used for section B-C so as to indicate this as "Existing Public Footpath";
- Add new point X at OS map reference 398954 403332 and show a route in thick black dashes between B and X indicating "Footpath to be deleted";
- Remove section of "Existing Public Footpath" shown between point C and Footpath 228.

Any queries relating to this Order should be referred to Jean McEntee 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 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number FPS/W4223/7/4 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 Civic Centre (Civic entrance), West Street, Oldham OL1 1UL. Telephone: 0161 770 3019.

**Timetable for sending in statements of case and comments**

**Within 8 weeks of the start date [by 28 June 2016]**

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modification(s) 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 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 following the proposed modification(s), 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 09 August 2016]**

Everyone who has made an objection or representation following the proposed modification(s), 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