

**NOTICE OF MODIFICATION ORDER**

**SECTION 53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981**

**DERBYSHIRE COUNTY COUNCIL**

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

**THE DERBYSHIRE COUNTY COUNCIL (UPGRADING OF PUBLIC FOOTPATH NO. 50  
TO BRIDLEWAY - PARISH OF ASHOVER) MODIFICATION ORDER 2016**

The above Order made on 4 February 2016, if confirmed as made, will modify the Definitive Map and Statement for the area by upgrading Public Footpath No. 50 to a Bridleway in the parish of Ashover.

A copy of the order and the order 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 Ashover Post Office, Moor Road, Ashover, Chesterfield S45 0AE during normal opening times.

Any representation or objection relating to the order must be sent in writing to the Director of Legal Services at the address below not later than 24 March 2016, and applicants are requested to state the grounds on which it is made.

If no representations or objections are duly made to the order, or if any so made are withdrawn, the Derbyshire County Council, instead of submitting the order to the Secretary of State may itself confirm the order. If the order is submitted to the Secretary of State for the Environment, any representations or objections which have been duly made and not withdrawn will be sent with it.

Dated 11 February 2016

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

**DATED 4 FEBRUARY 2016**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

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

**THE DERBYSHIRE COUNTY COUNCIL  
(UPGRADING OF PUBLIC FOOTPATH NO. 50 TO BRIDLEWAY - PARISH  
OF ASHOVER) MODIFICATION ORDER 2016**

**CASE NO: 41156  
DMMO NO: X3458**

**JOHN McELVANEY  
MATLOCK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

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

**THE DERBYSHIRE COUNTY COUNCIL  
(UPGRADING OF PUBLIC FOOTPATH NO. 50 TO BRIDLEWAY - PARISH  
OF ASHOVER) MODIFICATION ORDER 2016**

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 Parish of Ashover require modification in consequence of the occurrence of an event specified in section 53(3)(c)(ii) of the Act, namely, the discovery by that authority of evidence which when considered with all other relevant evidence available to them shows 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 3 February 2016.
2. The Definitive Map and Statement for the County of Derbyshire for the Parish of Ashover 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 of Public Footpath No. 50 to Bridleway - Parish of Ashover) Modification Order 2016.

**SCHEDULE**

**PART I**

**Modification of Definitive Map**

<b>Section as indicated on map</b>	<b>Description of Path or Way to be upgraded to bridleway</b>
<b>A-B</b>	Public Footpath No. 50 in the Parish of Ashover from Point A (Ordnance Survey Grid Reference ("GR") SK 3403 6374), proceeding in a generally east north easterly then east south easterly then generally easterly direction to Point B (GR SK 3443 6375), a total distance of 400 metres or thereabouts, with a width varying between 3.1 and 5.7 metres.

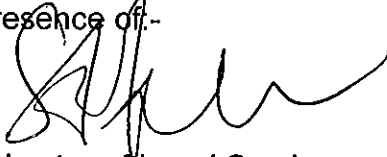
**PART II**

Modification of Definitive Statement

Variation to add of particulars of Path or Way

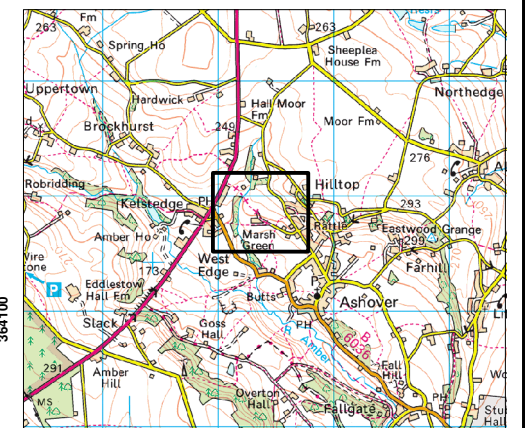
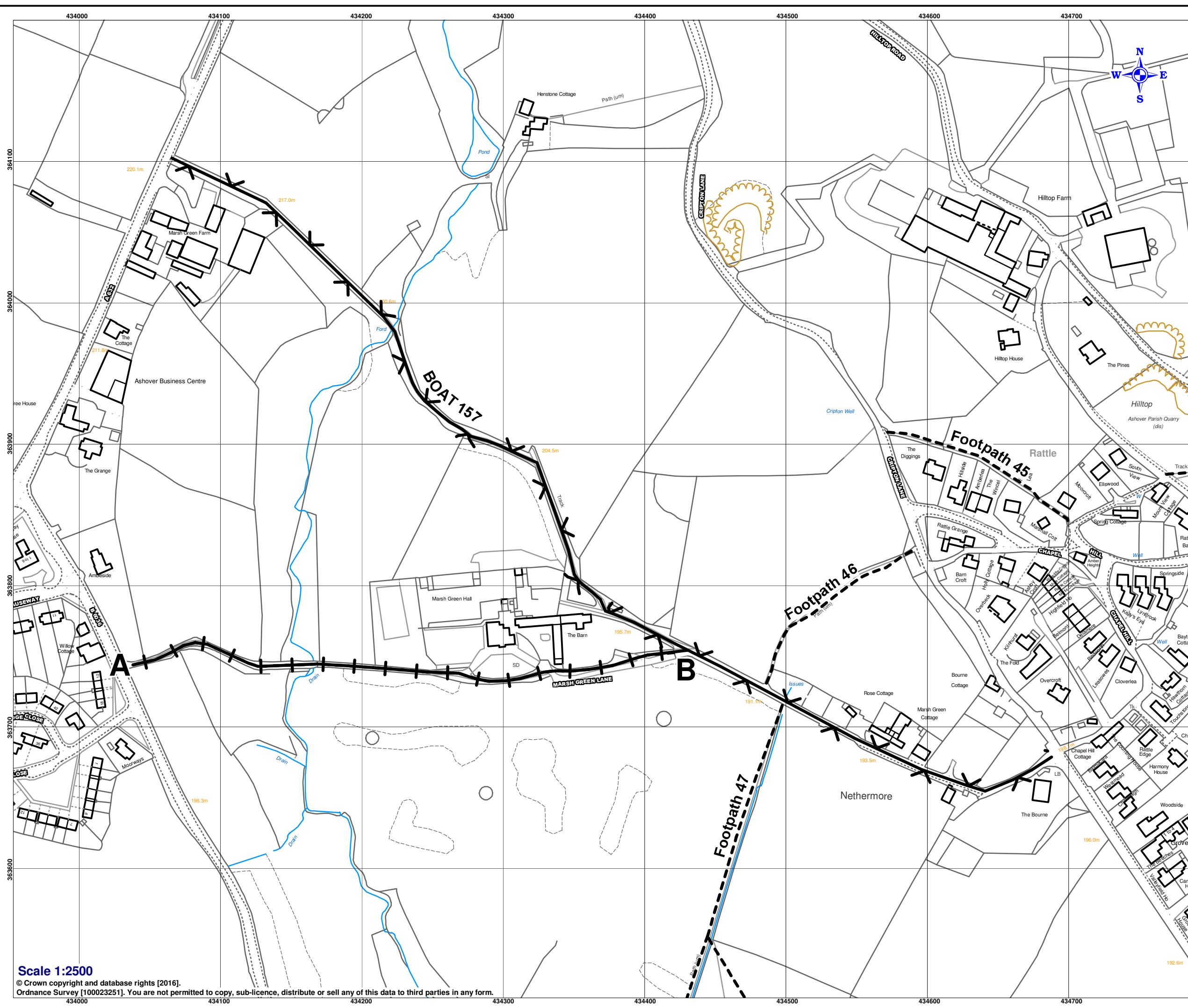
Path No	1/10,000 OS Sheet Ref No	Status and Description of Route	Nature of Surface	Length	Width	Remarks
50 (Parish of Ashover)	SK36SW	Public Bridleway from Ashover Road, Kelstedge (GR SK 3403 6374) in a generally ENE then ESE and E direction along a roughly metalled tarmac and stone track, enclosed by a fence and stone wall on the N side and a stone wall and stone retaining wall on the S side, to the Marsh Brook (GR SK 3416 6374). Then continuing E initially along rough stone track then along grassed strip of land adjacent to tarmac access road, bounded to the N by stone walls and unenclosed on the S side, to junction with Byway Open to All Traffic No. 157, Ashover (GR SK 3443 6375).	Tarmac, stone and natural ground	400 metres	Varying between 3.1 and 5.7 metres as shown between the solid and pecked line boundaries on the 2 <sup>nd</sup> edition 1:2500 Ordnance Survey Plan of 1898 (excluding splayed accesses to properties along the route)	Modification Order 2016 DCC Ref: x3458  Culverted Marsh Brook (GR SK 3416 6374)  Field gate posts and squeeze stile (GR SK 3417 6374)

THE COMMON SEAL of the Derbyshire )  
 County Council was hereunto )  
 Affixed the Fourth day of February )  
 Two Thousand and Sixteen )  
 in the presence of:- )

  
 Director of Legal Services

Number in Seal Book

2016/86



**Wildlife and Countryside Act 1981, Section 53**

**The Derbyshire County Council (Upgrading of Public Footpath No. 50 to Bridleway - Parish of Ashover) Modification Order 2016**

**KEY**

**Footpath Claimed as Bridleway**

**Other Existing Footpaths**

**Existing Byway Open to All Traffic (BOAT)**

**DERBYSHIRE County Council**  
 Improving life for local people

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

Produced by Public Rights of Way on 29 January 2016  
 Ref: TE/HW/X3458/Order/2016

Scale 1:2500  
 © Crown copyright and database rights [2016].  
 Ordnance Survey [100023251]. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.