

**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 (BYWAY OPEN TO ALL TRAFFIC  
ALONG NON-CLASSIFIED HIGHWAY ALONG PIN DALE (INCLUDING NON-  
CLASSIFIED HIGHWAY SPUR TO DIRTLOW RAKE) PARISHES OF CASTLETON  
AND BRADWELL) MODIFICATION ORDER 2017**

The above Order made on 8 June 2017, if confirmed as made, will modify the Definitive Map and Statement for the area by adding to them a Byway Open to All Traffic along non-classified highway along Pin Dale (including non-classified highway spur to Dirlow Rake) in the Parishes of Castleton and Bradwell.

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 Castleton Post Office, How Lane, Castleton, Hope Valley S33 8WJ 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 31 July 2017, 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If no representations or objections are duly made to the order, or if any so made are withdrawn, the Derbyshire County Council, instead of submitting the order to the Secretary of State may itself confirm the order.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to the Secretary of State for the Environment, any representations or objections which have been duly made and not withdrawn will be sent with it.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 19 June 2017

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

**DATED**

**8 JUNE**

**2017**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

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

**THE DERBYSHIRE COUNTY COUNCIL (BYWAY OPEN TO ALL TRAFFIC  
ALONG NON-CLASSIFIED HIGHWAY ALONG PIN DALE (INCLUDING  
NON-CLASSIFIED HIGHWAY SPUR TO DIRTLOW RAKE) PARISHES OF  
CASTLETON AND BRADWELL) MODIFICATION ORDER 2017**

**CASE NO: 36081  
DMMO NO: X3250**

**JOHN McELVANEY  
MATLOCK**

## WILDLIFE AND COUNTRYSIDE ACT 1981

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

#### THE DERBYSHIRE COUNTY COUNCIL (BYWAY OPEN TO ALL TRAFFIC ALONG NON-CLASSIFIED HIGHWAY ALONG PIN DALE (INCLUDING NON-CLASSIFIED HIGHWAY SPUR TO DIRTLOW RAKE) PARISHES OF CASTLETON AND BRADWELL) 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 Castleton and Bradwell require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) 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 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.

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 7 June 2017.
2. The Definitive Map and Statement for the County Of Derbyshire for the Parishes of Castleton and Bradwell 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 (Byway Open to All Traffic along non-classified highway along Pin Dale (including non-classified highway spur to Dirlow Rake) Parishes of Castleton and Bradwell) Modification Order 2017.

### SCHEDULE

#### PART I

##### Modification of Definitive Map

Section as indicated on map	Description of Path or Way to be added
A-B	Byway Open to All Traffic in the Parish of Castleton from Point A (Ordnance Survey Grid Reference ("GR") SK 1608 8242) proceeding along the non-classified highway through Pin Dale in a generally west south-westerly direction then in a southerly direction to the parish boundary at Point B (GR SK 1567 8213), a total distance of 530 metres or thereabouts with a width of 4 metres.



**B-C** Byway Open to All Traffic in the Parish of Bradwell from Point B (GR SK 1567 8213) proceeding along the non-classified highway through Pin Dale in a generally southerly direction then south westerly direction to the parish boundary at Point C (GR SK 1557 8195), a total distance of 206 metres or thereabouts, with a width varying between 3 and 4 metres.

**C-D** Byway Open to All Traffic in the Parish of Castleton from Point C (GR SK 1557 8195) proceeding along the non-classified highway spur in a generally northerly direction to the classified road at Point D (GR SK 1554 8211) a total distance of 184 metres or thereabouts, with a width of 5 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 in the Parish of Castleton – District of High Peak	Nature of Surface	Length	Width	Remarks
59	SK18/SE	Byway Open to All Traffic at Black Rabbit Barn (1608 8242) in a generally WSW direction along the non-classified highway through Pindale to the parish boundary with Bradwell (1567 8213) E of Dirtlow Rake.	Stone	530 metres	4 metres	Modification Order 2017 DCC Ref: X3250
63	SK18/SE	Byway Open to All Traffic from the parish boundary with Castleton (1557 8195) S of Dirtlow Rake, in a NW then N direction along the non-classified highway to junction with Dirtlow Rake (1554 8211), classified highway.	Stone	184 metres	5 metres	Modification Order 2017 DCC Ref: X3250

Variation to add of particulars of Path or Way

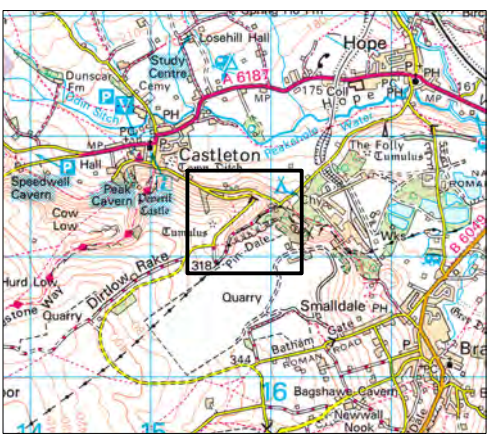
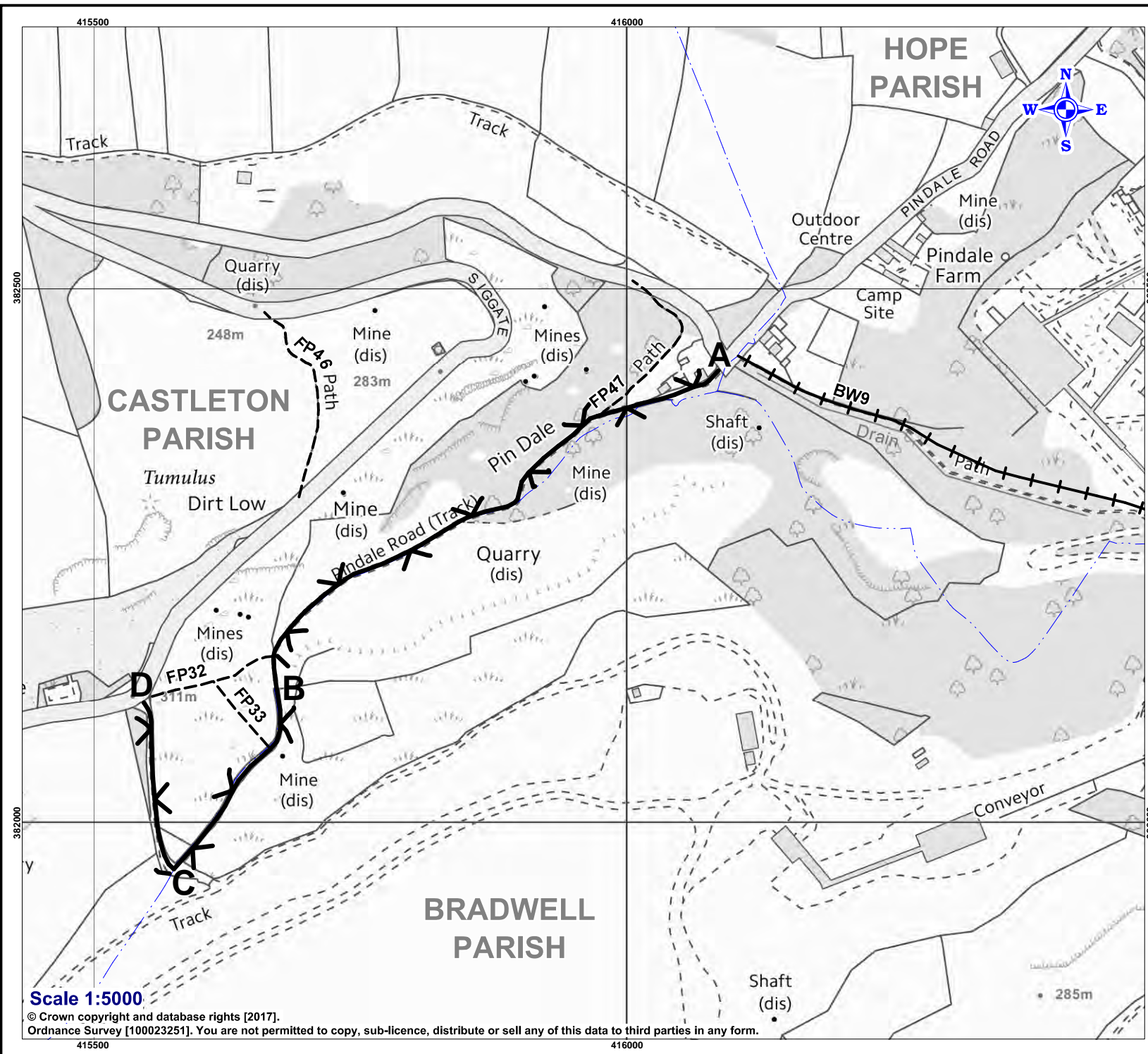
Path No	1/10,000 OS Sheet Ref No	Status and Description of Route in the Parish of Bradwell – District of Derbyshire Dales	Nature of Surface	Length	Width	Remarks
40	SK18/SE	Byway Open to All Traffic from the parish boundary with Castleton (1567 8213) E of Dirlow Rake in a generally S then SW direction along the non-classified highway through Pindale to the parish boundary with Castleton (1557 8195) S of Dirlow Rake.	Stone	206 metres	3 to 4 metres as shown between solid boundaries on the second Edition 1:2500 Ordnance Survey Map of c1898	Modification Order 2017 DCC Ref: X3250

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

*Paul Pent*  
 Director of Legal Services

Number in ~~Seal~~  
 Book  
 2017/872





**Wildlife & Countryside Act 1981 Section 53**  
**The Derbyshire County Council**  
**(Byway Open to All Traffic along**  
**non-classified highway along**  
**Pin Dale (including non-classified**  
**highway spur to Dirtlow Rake)**  
**Parishes of Castleton and Bradwell)**  
**Modification Order 2017**

**Key:**

BOAT to be added (A-B)	
(B-C)	
(C-D)	
Existing Footpath	
Existing Bridleway	
District boundary	
Parish boundary	

**Ref: TE/CH/X3250/Order/2017**  
**Date: 1 June 2017**

**DERBYSHIRE**  
County Council

**Mike Ashworth**  
 Strategic Director  
 Economy, Transport & Communities  
 Derbyshire County Council  
 Shand House  
 Dale Road South  
 Matlock  
 DE4 3RY

**Scale 1:5000**  
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