

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Cheshire West and Chester Council
(Addition of Public Footpaths No. 12, No. 13, No. 14, No. 15 and No. 16 in the
Parish of Mollington) Modification Order 2017

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. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **29 January 2019**

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

The Inquiry will be held at **The Town Hall, Northgate Street, Chester CH1 2HJ** on **Wednesday 10 July 2019** at 10.00am.

The effect of the Order, if confirmed as made will modify the Definitive Map and Statement for the area by adding:

Footpath No 12, in the Parish of Mollington commencing at Parkgate Road (A540) at OS grid reference SJ 39326 68738 at a gap to the side of the road bridge and running in a generally south westerly direction for approximately 447 metres through a gap in boundary fencing at its termination point on land on the north side of Shelley Road (UX431) at OS grid reference SJ 3890 6860

Footpath No 13, in the Parish of Mollington commencing at a gap in boundary fencing on land on the north side of Shelly Road (UX431) at OS grid reference SJ 3890 6860 and running in a generally north westerly direction for approximately 157 metres to a gap in the boundary fencing to its termination point on land on the north side of Shelley Road (UX431) at OS grid reference SJ 3872 6872

Footpath No 14, in the Parish of Mollington commencing at a gap in boundary fencing on land on the north side of Shelly Road (UX431) at OS grid reference SJ 3872 6872 and running in a generally north westerly direction for approximately 197 metres to a point south of a field boundary at OS grid reference SJ 36876885

Footpath No 15, in the Parish of Mollington commencing at Footpath No 14, Parish of Mollington at OS grid reference SJ 3687 6885 and running in a generally north easterly direction for approximately 140 metres to OS grid reference SJ 3879 6892 then running in a generally northerly direction for approximately 126 metres to OSGR SJ 3879 6905 then

running in a generally north easterly direction for approximately 178 metres to its termination point on Parkgate (A540) at OS grid reference SJ 3892 6918

Footpath No 16, in the Parish of Mollington commencing at the junction with Parkgate Road (A540) at OS grid reference SJ 3892 6918 and running in a generally south easterly direction for approximately 613 metres to its termination point on Footpath 12 Mollington at OS grid reference SJ 3932 6873

Any queries relating to this Order should be referred to Jean McEntee at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle 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 ROW/3212412 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 Cheshire West & Chester Council, Network and Environmental Services, Public Rights of Way, Highways Office, Guilden Sutton Lane, Chester CH3 7EX, Monday to Friday between 9:00-4:00pm. Telephone: 01606 271822.

As Cheshire West and Chester Council has indicated that it will not be supporting the Order at the Inquiry, the case for the Order will be presented by Mr Gordon Emery. Mr Emery will be expected to adhere to the following timetable as if he were the Council.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 26 March 2019]

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 - 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 7 May 2019]

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 full copies to the Authority. Copies will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in

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.

respect of the Order (excluding copies of any supporting documents - 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 full copy to the Authority. Copies will also be sent to 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 - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 12 June 2019]

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); and
- 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.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.