

Appendix D - Peak District National Park Authority Footpath Number 10 (part) Parish
of Hassop Public Path Diversion Order 2015

Peak District National Park Authority
Tel: 01629 816200
E-mail: customer.service@peakdistrict.gov.uk
Web: www.peakdistrict.gov.uk
Minicom: 01629 816319
Aldern House . Baslow Road . Bakewell . Derbyshire . DE45 1AE



**PEAK
DISTRICT
NATIONAL
PARK**

Mr. P. Hunt
c/o John Church Planning Consultancy Ltd
Victoria Buildings
117 High Street
Clay Cross
Chesterfield
S45 9DZ

Your ref:
Our ref: GM/KH
Date: 25 November 2015

Dear Mr. Hunt

Peak District National Park Authority Footpath Number 10 (part) Parish of Hassop Public Path Diversion Order 2015

I wrote to you on 14 October 2015 regarding the making of the above order, enclosing a copy of the Order and Notice of Making the Order. The Authority confirmed the Order on 24 November 2015, without modification.

The Order will come into force after 28 days from the date when the Authority certifies that the Works required to be undertaken have been completed to its satisfaction. However 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 Highways Act 1980, as amended or on the ground that any requirement of the Act, as amended or any regulation made under the Act has not been complied with in relation to the Order, he or she may apply to the High Court for any of these purposes under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act before 5 January 2016.

I enclose a copy of the Notice of Confirmation of the above Order.

A copy of the confirmed Order is also enclosed.

Kentham

Yours sincerely,

AP Gylan Murphy
Senior Legal Officer
gylan.murphy@peakdistrict.gov.uk
01629816311
Usually working Mon Tues Wed

JOHN CHURCH

25 NOV 2015
RECEIVED

Member of National Parks UK

Holder of Council of Europe Diploma



Chief Executive: Sarah Fowler
Chair: Lesley Roberts Deputy Chair: David Chapman
Working together for the Peak District National Park:
• Where beauty, vitality and discovery meet at the heart of the nation •

Any information given to the Authority may be disclosed under the Freedom of Information Act 2000

HIGHWAYS ACT 1980

PEAK DISTRICT NATIONAL PARK AUTHORITY
FOOTPATH NO 10 (Part) PARISH OF HASSOP DIVERSION ORDER 2015
NOTICE OF CONFIRMATION

On the 24 November 2015 Peak District National Park Authority confirmed the above order made under s119 Highways Act 1980.

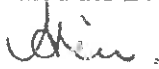
The effect of the order as confirmed is to divert that length of Public Footpath no.10 in the Parish of Hassop at Backdale shown by a continuous bold line on the Order Map running from Point A on the Order Map (OS Grid Reference SK 2249 7316) running in a north east direction for approximately 800 metres to Point B (OS Grid Reference SK2343 7361) at its junction with the unclassified road to a stone surfaced path 2 metres in width shown by a broken black line from Point C (OS Grid Reference SK2312 7325) at its junction with Footpath No 11 Parish of Hassop running in a north easterly direction for approximately 280 metres then in a generally north north westerly direction for approximately 5 metres to Point D (OS Grid Reference SK2336 7342 and then in a north easterly direction for approximately 260 metres to its junction with the unclassified road at Point E (OS Grid Reference SK2360 7357).

A copy of the order as confirmed and the order map have been placed at and may be seen free of charge at Aldern House, Baslow Road Bakewell Derbyshire DE45 1AE between 9.00am and 5.00pm. Copies of the order and order map may be bought there at the price of £5.00.

Any person who wishes to claim compensation under section 28 as applied by s121(2) of the Highways Act 1980 for depreciation or damage for disturbance arising as a result of the coming into force of the order must make a claim in writing addressed to Assistant Director of Enterprise and Field Services, at Aldern House, Baslow Road Bakewell Derbyshire DE45 1AE and serve it by delivering it at or sending it by prepaid post to that address not later than 5 January 2016. Copies of the sections are attached.

The order will come into force on the day on which the Authority certifies that there has been created to the reasonable satisfaction of the Authority an alternative highway for use as a replacement for the said footpath as provided above. But if a 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 Highways Act 1980 as amended or on the ground that any requirement of the Act as amended or any regulation made under the Act has not been complied with in relation to the order he or she may under paragraph 2 of Schedule 2 to the Act applied by paragraph 5 of Schedule 6 to the Act within 6 weeks from 24 November 2015 make an application to the High Court.

Dated the 24 November 2015


Andrea Mc Caskie
Head of Law
Aldern House,
Baslow Road
Bakewell Derbyshire DE45 1AE

Highways Act 1980 C. 66
Part III CREATION OF HIGHWAYS

This version in force from: **July 11, 2006 to present**

28.— Compensation for loss caused by public path creation order.

(1) Subject to the following provisions of this section, if, on a claim made in accordance with this section, it is shown that the value of an interest of a person in land is depreciated, or that a person has suffered damage by being disturbed in his enjoyment of land, in consequence of the coming into operation of a public path creation order, the authority by whom the order was made shall pay to that person compensation equal to the amount of the depreciation or damage.

(2) A claim for compensation under this section shall be made within such time and in such manner as may be prescribed by regulations made by the Secretary of State, and shall be made to the authority by whom the order was made.

(3) For the purposes of the application of this section to an order made by the Secretary of State under section 26(2) above, references in this section to the authority by whom the order was made are to be construed as references to such one of the authorities referred to in that subsection as may be nominated by the Secretary of State for the purposes of this subsection.

(4) Nothing in this section confers on any person, in respect of a footpath [bridleway or restricted byway] ¹ created by a public path creation order, a right to compensation for depreciation of the value of an interest in the land, or for disturbance in his enjoyment of land, not being in either case land over which the path or way was created or land held therewith, unless the creation of the path or way would have been actionable at his suit if it had been affected otherwise than in the exercise of statutory powers.

(5) In this section "*interest*", in relation to land, includes any estate in land and any right over land, whether the right is exercisable by virtue of the ownership of an interest in land or by virtue of a licence or agreement, and in particular includes sporting rights.