

D **DERBYSHIRE**
County Council
Supports Nuclear Free Zones

*FP off Mansfield Rd
etc*

Eric Hook *DUROSE ESTATES*
County Surveyor
County Offices
Matlock
Derbyshire DE4 3AG

Mrs D Durose
Estate Office
Ireton Wood Hall
Nr Idridgehay
Derbyshire

Telephone Matlock (0629) 580000
Extension 7517
Ask for Mrs M Hunt
Our ref 4340/DC/MH/HC/ROW30Y
Your ref
Date 26 June 1989

Dear Mrs Durose

Highways Act 1980 Section 31
Statutory Declaration.

Reference is made to your letter dated 22 May 1989 and attached map showing an area of land partly in the parish of Breadsall and partly within the boundary of Derby City.

I note your statement that there are no public rights of way over the land and that you wish this to be recorded under the above mentioned legislation.

Your letter has been forwarded to the Head of Legal Services who will reply to you direct regarding the prescribed form for a Statutory Declaration.

I would advise you that a Declaration of this nature will not preclude any claim for a right of way that subsists at the present time and may be claimed through usage up to the date on which the Declaration was made.

Yours sincerely



cc: Derby City Council
Head of Legal Services

*4/6/89/3
CHT CFX MI*

FOR INFORMATION

H82

EF



ESTATE OFFICE
IRETON WOOD HALL
NEAR IDRIDGEHAY
DERBYSHIRE



22nd May 1989

ROW 30.7
D.C.
25 MAY 1989
25.5.89

Dear Sirs,

Highways Act 1980.

I wish to record under Section 31(5) of the above Act, that a track across land owned by me at Breadsall is not a right-of-way for the public. This is marked on the enclosed plan X.

This track has been worn by people taking a short cut from Mansfield Road (near the Windmill Garage) to Croft Lane and the village of Breadsall - and it is now appearing marked 'F.P.' on plans. All efforts to prevent this trespass have failed.

A more recent track has appeared across my land between the disused railway track and Sir Frank Whittle Road. People are walking along the railway track then cutting across my land onto the road, the approximate points also marked on the enclosed plan. This is now also appearing on plans. I also wish to record under Section 31(5) of the Highways Act 1980 that this is not a right-of-way for the public.

I look forward to hearing from you with your confirmation that these will not be treated as official footpaths and will not appear on any plan or footpath map issued by the Council in the future.

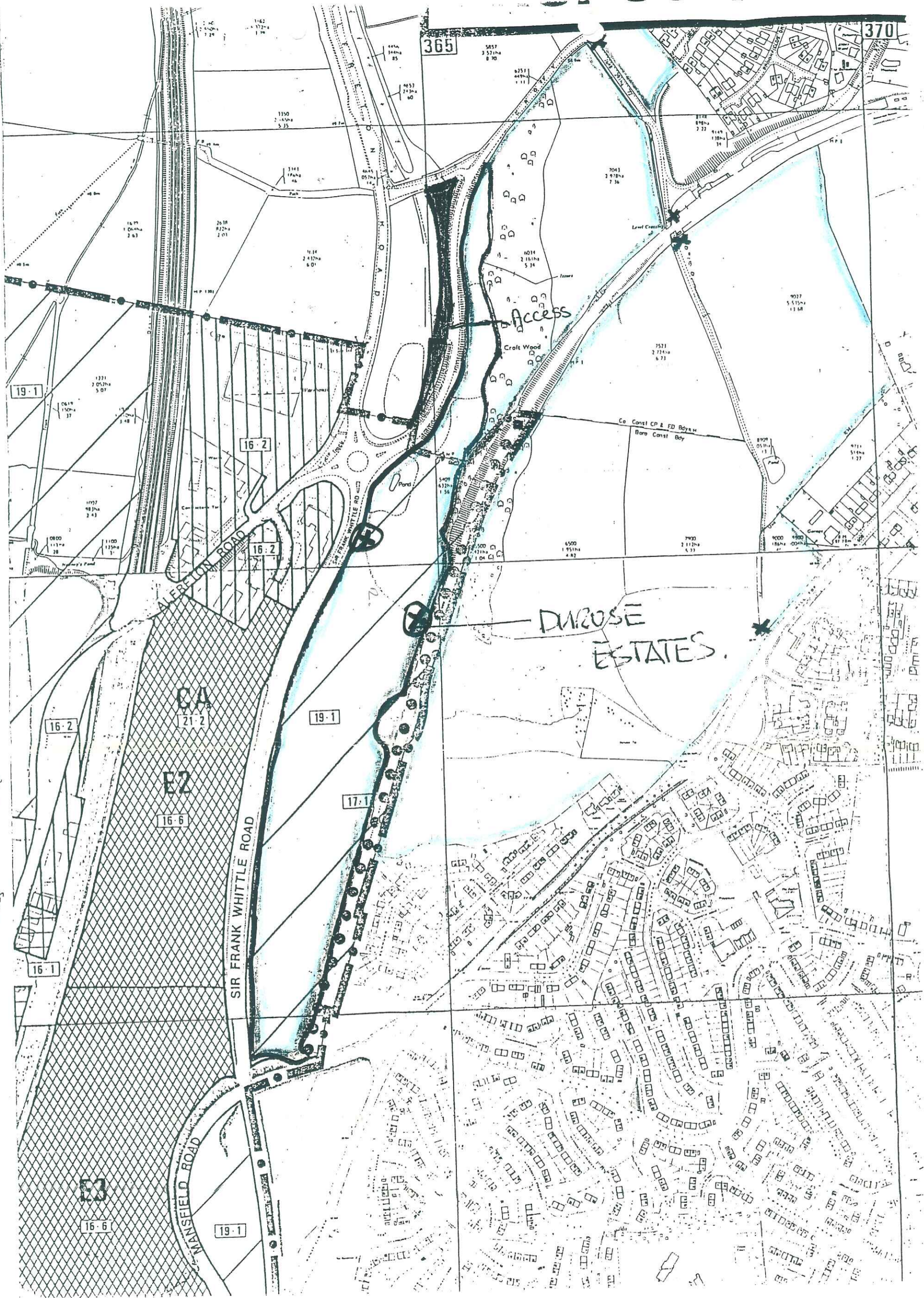
Thanking you,
Yours faithfully,

The Highways Dept.,
Derbyshire County Council,
County Offices,
Matlock,
Derbys.



(Mrs. Doris Durose)

check 30.58
1 Mansfield Rd to
30.59 Croft Lane
check old survey records



DUROSE ESTATES LAND - edged blue
ILLEGAL TRACKS - marked x + ⊗

With letter date
22.5.89

STATUTORY DECLARATION UNDER SECTION 32 HIGHWAYS ACT 1980

I, Doris Durose of Ireton Wood Hall, Near Idridgehay, Derbyshire do solemnly declare that:-

I am the owner of the land shown edged blue on the attached plan.

The tracks shown on the plan between the points indicated by a red X and by a circled red X have been worn by members of the public walking, without my permission, across my land. The tracks are not public footpaths.

In order to draw the public's attention to the private status of the land and tracks the following measures have been taken:-

- (1) A deep trench has been excavated across the track.
- (2) A tree trunk was placed across the track.
- (3) A vandalised wooden gate was replaced by an iron gate, which is always kept locked.

The above applies to the track marked with "Red X".

The track marked with "circled red X":-

I reported to Derbyshire County Council the theft of a gate and fencing on Sir Frank Whittle Road. A replacement was made but

was vandalised. I am waiting for fencing to be replaced by Derbyshire County Council at the railway track end.

On 22 May 1989 I served written notice under Section 31(5) Highways Act 1980 on Derbyshire County Council confirming that the tracks have never been dedicated as a highway. To my knowledge there are no public footpaths on this land.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835

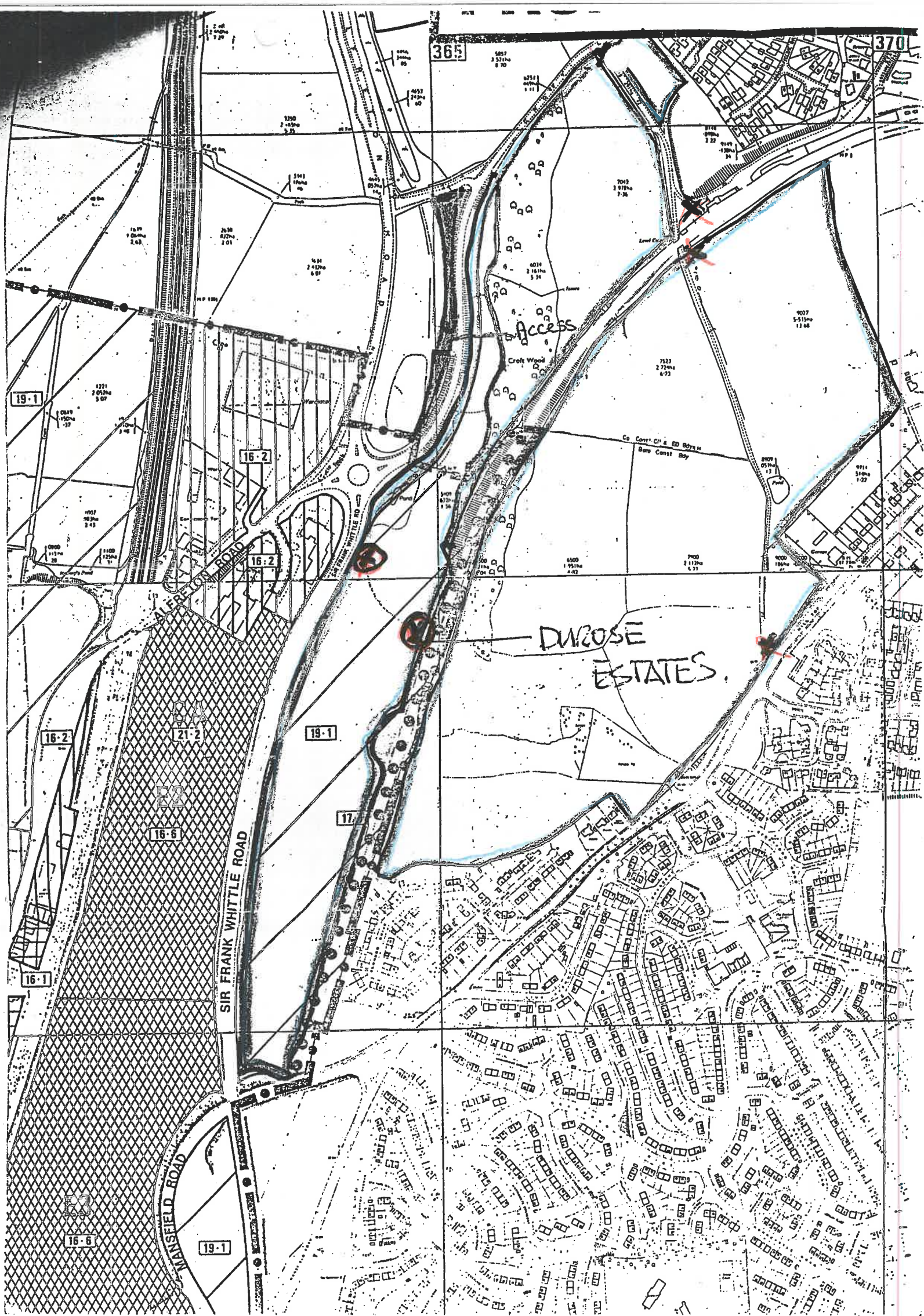
Declared at *UTTOXETER* in the County of *Stafford*
this ~~day of 1989~~ *22nd May 7 August 1989*

Before Me:

A Commissioner for Oaths

6CD/617

TLJ



Joris Jansen

DUROSE ESTATES LAND - edged blue

ILLEGAL TRACKS - marked x + (x)

22.5.89