



APPLICATION FOR A MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993
(Schedule 7)

Public Right of Way parish name(s) and number(s) or location
Allestree Park (Don't Lose Your Way lost route no. 127876)

To Strategic Director: Communities and Place

I/We (applicant)
David Hulton (for The Ramblers)

of (c/o address)
The Ramblers - Don't Lose Your Way (DLYW)
Room 2.06
13 Dirty Lane
London SE1 9PA

wish to apply for an order under Section 53 (2) of the Wildlife and Countryside Act
1981 modifying the Definitive Map and Statement covering the City of Derby

Please tick

adding the

- footpath
- bridleway
- byway open to all traffic

from 434831 340167 (end of Main Avenue USRN 10801439) north-northwestwards
to 434568 340774 (junction of routes north west of Allestree Hall).

**upgrading the
or
downgrading the**

- footpath
- bridleway
- byway open to all traffic

to a

footpath

bridleway

byway open to all traffic

from

to

~~varying the details or adding to the details relating to the~~

footpath

bridleway

byway open to all traffic

from

to

by providing that

~~deleting the~~

footpath

bridleway

byway open to all traffic

from

to

I/We attach copies of the documentary evidence, listed including statements of witnesses, to support this application.

List the documents you have provided (use another sheet if required)

Statement of case supported by illustrative figures and contemporary photographs.

Signed:- D A Hulton (original submitted version is wet-signed)

Date:- 29th August 2023

Please return to: The Rights of Way Officer, Derby City Council, Communities and Place Directorate, The Council House, Corporation Street, Derby DE1 2FS.
Email: rightsofway@derby.gov.uk

Data Protection

Rights of Way Privacy Notice

How is your information used?

We may use your information to: process applications for Public Path Orders and Definitive Map Modification Orders, process landowner statutory declarations, carry out rights of way related. We may need to pass on some of your details to third party organisations in line with our statutory procedures. These third parties include government departments and agencies, other local authorities, landowners and private companies, as allowed by law.

Who has access to your information?

We may share your information with:
government departments and agencies, other local authorities, landowners, private companies and individuals, as allowed by law.

For further information about how your personal information will be used, please visit www.derby.gov.uk where you can see a full copy of our Privacy Notice.

Alternatively you can request a hard copy from – Spatial Planning on 01332 640000, Derby City Council, Communities and Place, The Council House, Corporation Street, Derby, DE1 2FS/or by email at rightsofway@derby.gov.uk

Statement of Case

Introduction

Allestree Park is the largest public open space in Derby but has only one official right of way (ROW) i.e. Allestree Footpath 13 which skirts the southwest edge of the park. This DMMO application is one of set that proposes four more ROWs across the park.

Allestree Park has been owned by Derby City Council (DCC) since 1947 and there are numerous informal paths and tracks with unrestricted access (and operational objective 18 of the 2014-2023 Park Management Plan is to maintain path routes). However, it is essential that more ROWs are formalised onto the definitive DCC map to ensure public access into the future. No one knows what will become of the hall, it could well be sold and maybe nearby areas of the park made restricted access only.

The proposed set of ROWs would start from entry points around the park and meet up at the small junction of paths just north west of the hall, facilitating formally linked-up ROWs that criss-cross the heart of the park - providing permanent public access.

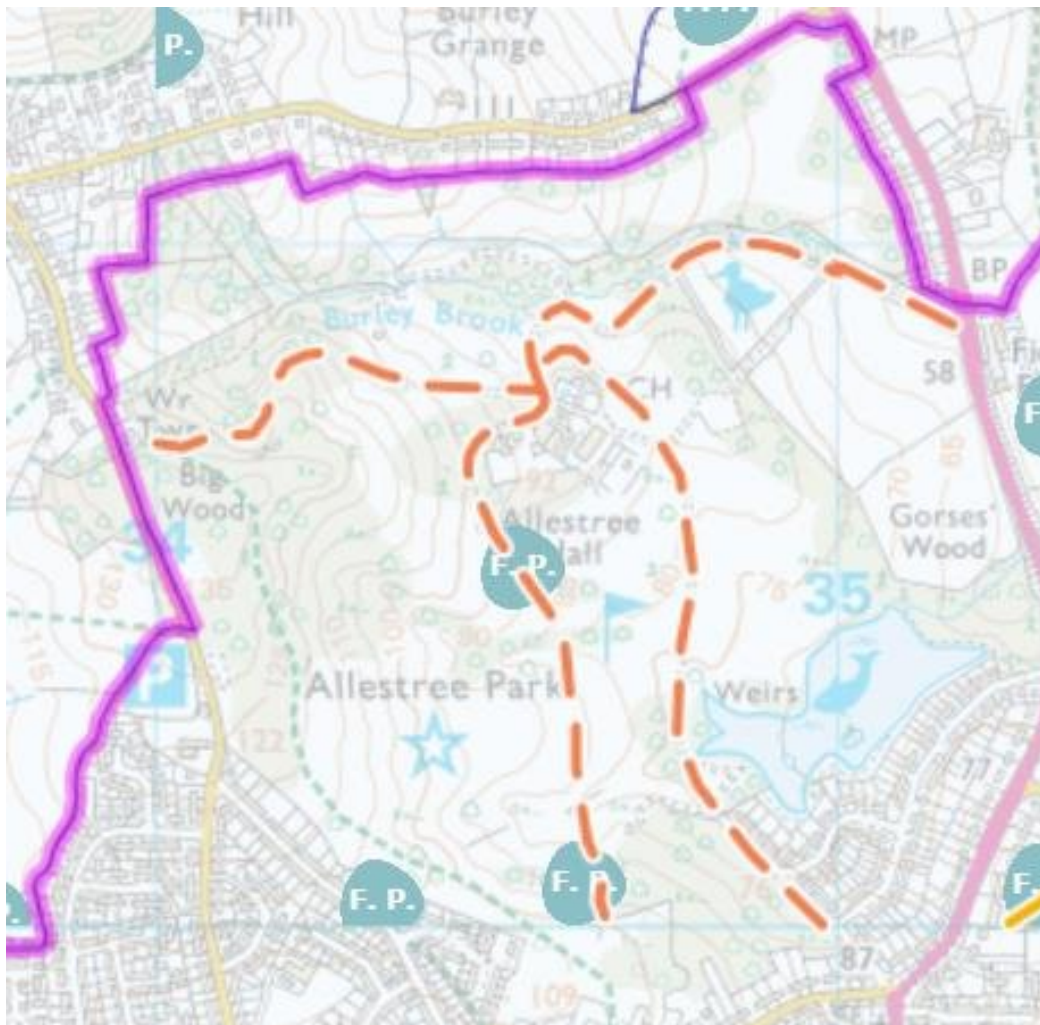


Figure 1

Route from Main Avenue to Hall

This particular DMMO concerns the route between the end of Main Avenue and the small junction of paths near the hall, and represented by the red line on Figure 2.

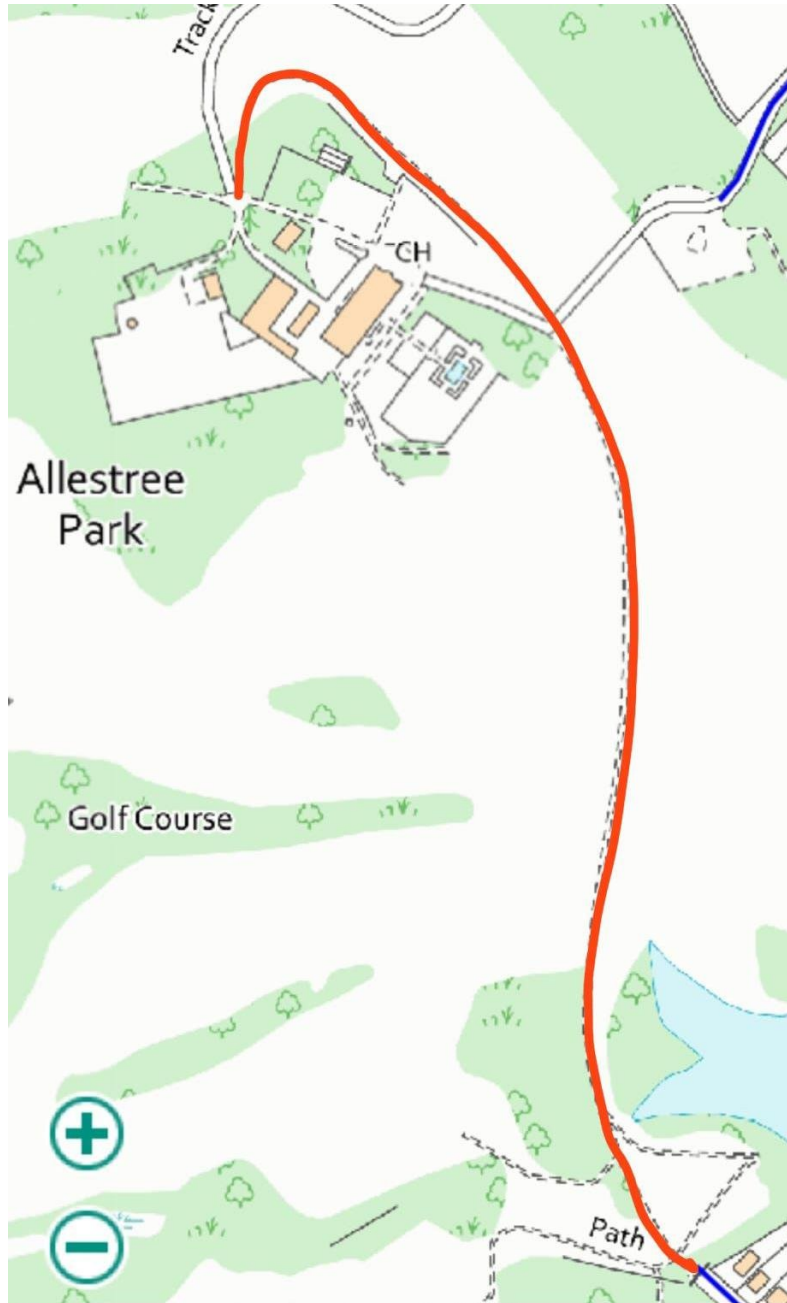


Figure 2

This route exists on OS historic maps going back to the 19th century as in Figs 3 & 4.

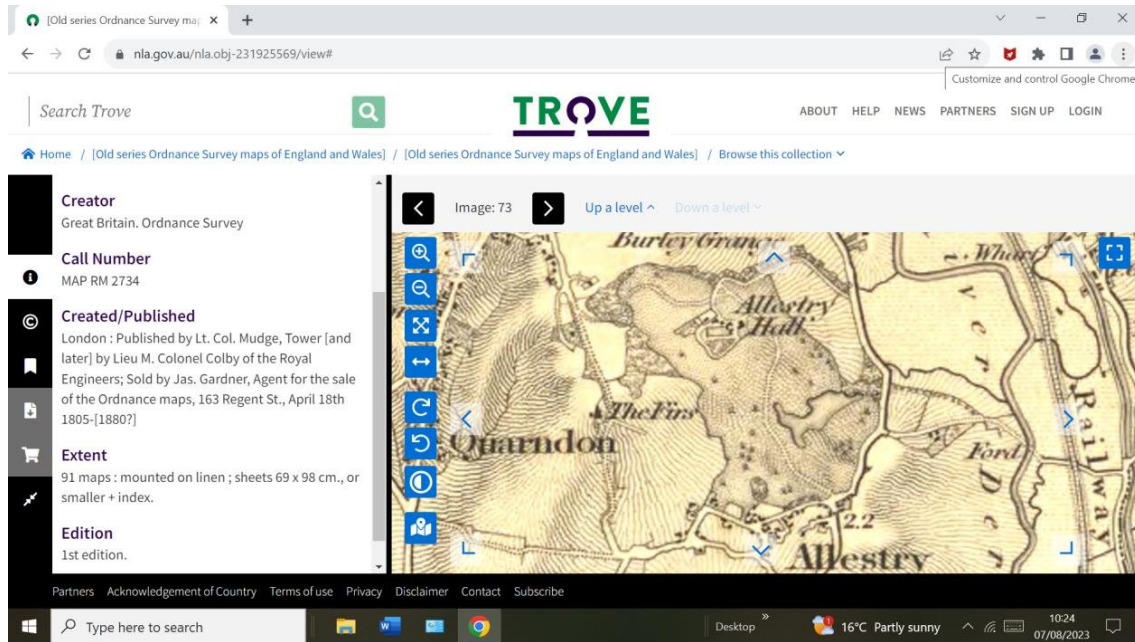


Figure 3

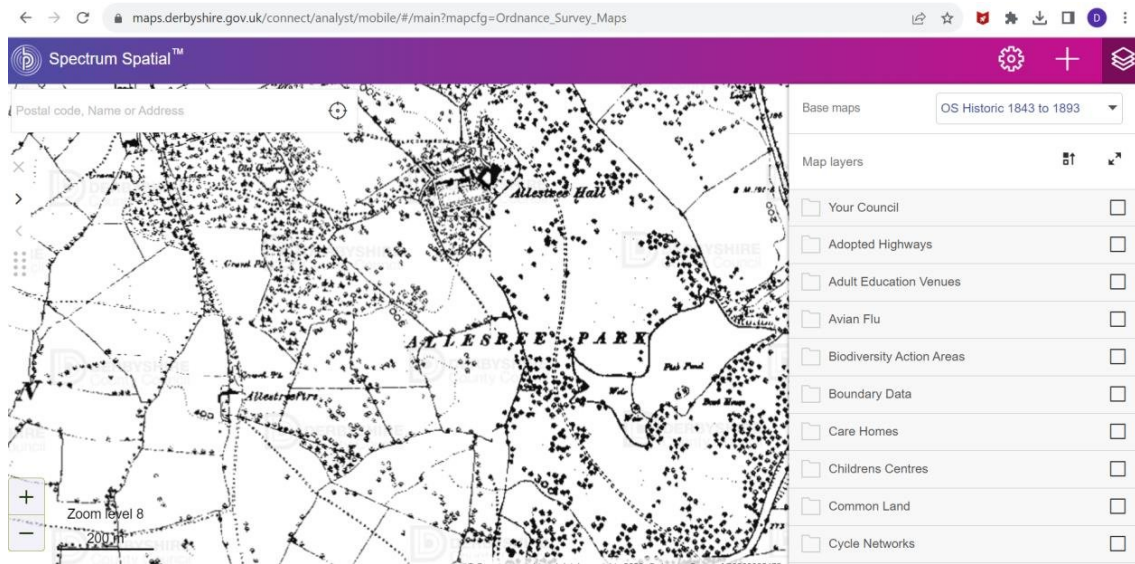


Figure 4

Photo 1 shows the view northwestwards at the entry to the park from the end of Main Avenue, and Photo 2 shows the view southwestwards at the small junction of paths.



Photo 1

Photo 2

This route is unquestionably used every day by numerous walkers, and is likely to have been used as much for the last 76 years (i.e. since the park became public).

I had previously written to Ray Brown, Senior Planning Officer at DCC, to give him a heads-up about DMMOs for Allestree Park. He replied on 30th May 2023 that he had consulted Parks Services about the proposed paths and that they do not have any objection to the proposed routes – including this particular one.

Along with the three other proposed ROWs, this route would provide official network connections to nearby existing footpaths such as Quarndon FP 3 and Quarndon FP 4 and Allestree FP 9 / Duffield FP 36, for enhanced circular walks.

Allestree Park is a great public open space, but this DMMO application is to ensure permanent public access for this route whatever the future may hold for the park.