

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

North Yorkshire County Council Public Footpath No.35.22/19 Cinder Path & No.35.22/20 Parsons Garth, Church Fenton Modification Order 2010

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 **15 November 2016**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding the Public Footpath 35.22/19 starting at its junction with Ash Lane Grid Reference SE 5134 3626 the path runs generally west north west for approximately 420 metres to Grid Reference SE 5095 3642 where it turns north and runs for approximately 30 metres to Grid Reference SE 5095 3644 from where it runs west for approximately 38 metres to Grid Reference SE 5091 3645 from where it runs generally north-north west for approximately 240 metres to Grid Reference SE 5087 3668 where it turns north east and runs for approximately 93 metres to Grid Reference SE 5093 3675 from where it runs north-north east for approximately 182 metres to Grid Reference SE 5099 3692 from where it runs east north east for approximately 57 metres to Grid Reference SE 5104 3695 at its junction with Common Lane

Public Footpath 35.22/20 starts from its junction with footpath 35.22/19 at Grid Reference SE 5093 3675 the path runs east north east for approximately 200 metres to Grid Reference SE 5112 3680 at its junction with Public Footpath 35.22/2

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 4445502. Email: clive.richards@pins.gsi.gov.uk Please quote reference number FPS/P2745/7/51 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 Sherburn in Elmet Library, Finkle Hill, Sherburn-in-Elmet, Leeds, North Yorkshire, LS25 6EA during normal opening hours (Monday 9.30 am to 5.00 pm, Tuesday 9.30 am to 5.00 pm, Wednesday Closed, Thursday 9.30 am to 6.00 pm, Friday 9.30 am to 1.00 pm, Saturday 9.30 am to 12.30 pm & Sunday Closed) Tel No. 0845 034 9443.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 29 November 2016]

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, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 10 January 2017]

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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 respect of the Order.

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, Secretary of State will send a full copy to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

Within 14 weeks of the start date [by 21 February 2017]

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order(s) must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

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

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

THE FORMER WEST RIDING OF YORKSHIRE (AREA NO 2)
DEFINITIVE MAP AND STATEMENT

PUBLIC FOOTPATH NO 35.22/19 CINDER PATH AND NO 35.22/20 PARSONS GARTH,
CHURCH FENTON
MODIFICATION ORDER 2010

This Order is made by North Yorkshire County Council under Section 53(2)(a) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that The Former West Riding of Yorkshire (Area No 2) Definitive Map and Statement require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) of the Act, namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way 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, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to Section 54A, a byway open to all traffic.

The authority have consulted with every local authority whose area includes the land to which the Order relates. North Yorkshire County Council hereby order that:-

1. For the purposes of this Order the relevant date is 25 August 2010.
2. The Former West Riding of Yorkshire (Area No 2) Definitive Map and Statement shall be modified as described in Part 1 and Part 2 of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as "Public Footpath No 35.22/19 Cinder Path and No 35.22/20 Parsons Garth, Church Fenton Modification Order 2010".

SCHEDULE

PART 1

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF PATH OR WAY TO BE ADDED

<u>Section of Footpath as shown on the attached map</u>	<u>Description</u>
<u>35.22/19</u> Marked by a bold broken black line and shown as A – B – C – D – E – F – G – H.	Starting at its junction with Ash Lane at Grid Reference 45134 43626 (Point A), the path runs generally west-north-west for approximately 420 metres to Grid Reference 45095 43642 (Point B), where it turns north and runs for approximately 30 metres to Grid Reference 45095 43644 (Point C), from where it runs west for approximately 38 metres to Grid Reference 45091 43645 (Point D), from where it runs generally north-north-west for approximately 240 metres to Grid Reference 45087 43668 (Point E), where it turns north east and runs for approximately 93 metres to Grid Reference 45093 43675 (Point F), from where it runs north-north-east for approximately 182 metres to Grid Reference 45099 43692 (Point G), from where it runs east-north-east for approximately 57 metres to Grid Reference 45104 43695 (Point H) at its junction with Common Lane.

<u>Section of Footpath as shown on the attached map</u>	<u>Description</u>
<p>35.22/20 Marked by a bold broken black line and shown as F-1.</p>	<p>From its junction with Footpath 35.22/19 at Grid Reference 45093 43675 (Point F), the path runs east-north-east for approximately 200 metres to Grid Reference 45112 43680 (Point I) at its junction with Public Footpath 35.22/2.</p>

PART 2

MODIFICATION OF DEFINITIVE STATEMENT

PARTICULARS OF PATH OR WAY TO BE ADDED

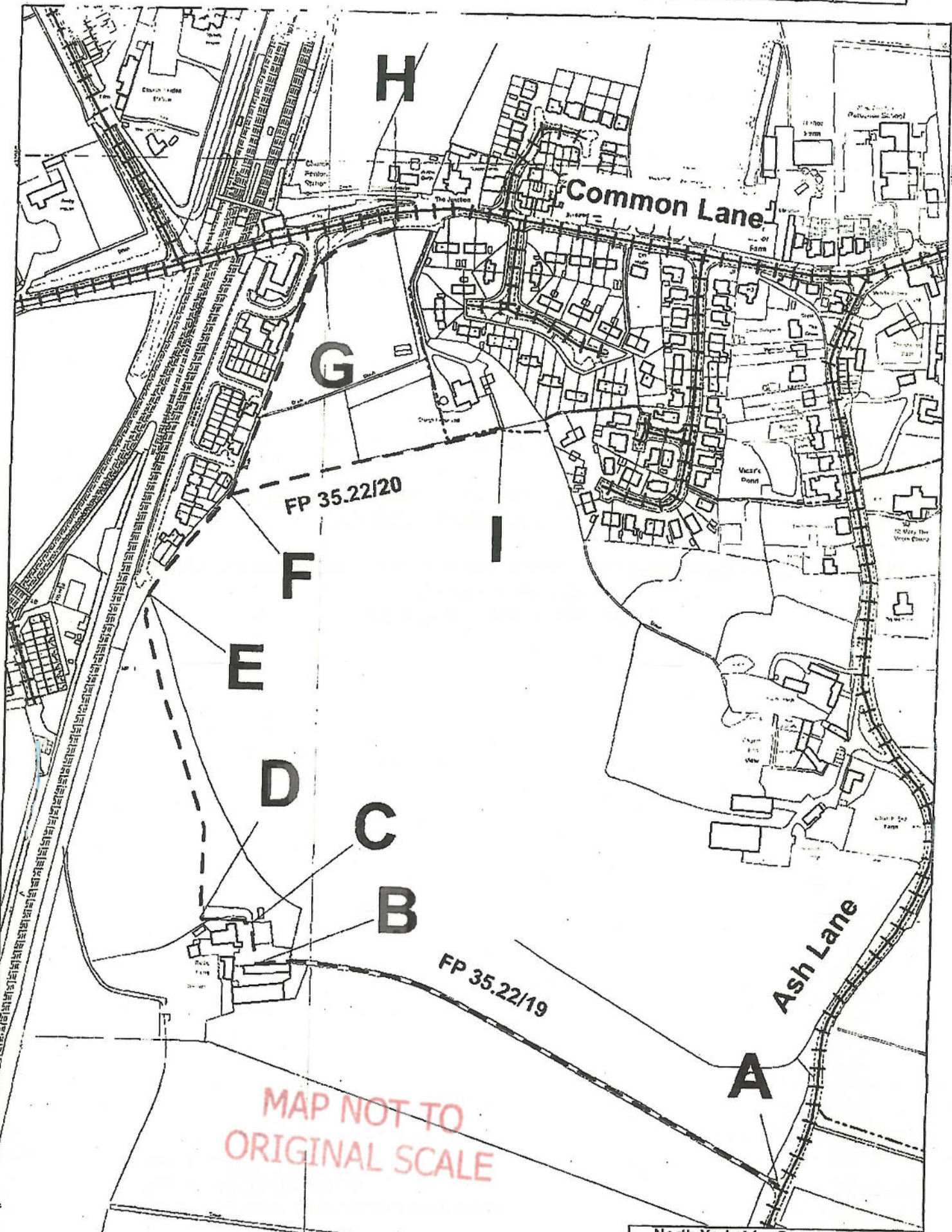
<u>Path Number</u>	<u>Grid Reference End Points</u>	<u>Description</u>	<u>Nature of Surface</u>	<u>Length (km)</u>	<u>Width (m)</u>	<u>Lawful Obstructions and Conditions</u>
35.22/19	45134 43626 (Start) to 45104 43695 (Finish)	Starting at its junction with Ash Lane at Grid Reference 45134 43626, the path runs generally west-north-west for approximately 420 metres to Grid Reference 45095 43642, where it turns north and runs for approximately 30 metres to Grid Reference 45095 43644, from where it runs west for approximately 38 metres to Grid Reference 45091 43645, from where it runs generally north-north-west for approximately 240 metres to Grid Reference 45087 43668, where it turns north east and runs for approximately 93 metres to Grid Reference 45093 43675, from where it runs north-north-east for approximately 182 metres to Grid Reference 45099 43692, from where it runs east-north-east for approximately 57 metres to Grid Reference 45104 43695 at its junction with Common Lane.	Metalled	0.488	3.1 metres	
			Grass	0.572	1.5 metres	
					Total 1.06	2.4 metres

<u>Path Number</u>	<u>Grid Reference End Points</u>	<u>Description</u>	<u>Nature of Surface</u>	<u>Length (km)</u>	<u>Width (m)</u>	<u>Lawful Obstructions and Conditions</u>
35.22/20	45093 43675 (Start) to 45112 43680 (Finish)	From its junction with Footpath 35.22/19 at Grid Reference 45093 43675, the path runs east-north-east for approximately 200 metres to Grid Reference 45112 43680 at its junction with Public Footpath 35.22/2.	Arable	0.200 Total 0.200	1.5 metres	Field Gate

THE COMMON SEAL of NORTH)
YORKSHIRE COUNTY COUNCIL)
was hereunto affixed this 8th day)
of September 2010 in the presence)
of:-)



Woods
**AUTHORISED
SIGNATORY**



MAP NOT TO ORIGINAL SCALE

North Yorkshire County Council
 Wildlife & Countryside Act 1981
 PUBLIC FOOTPATH No.35.22/19 CINDER PATH and
 No.35.22/20 PARSONS GARTH, CHURCH FENTON
 MODIFICATION ORDER 2010

Key	
Footpath to be Added	-----
Other Footpaths	-----
Other Endways	-----
Connecting Maintained Highways	-----

Drawn By R.J. Varley on 8 July 2010 Scale 1:2500 OS Sheet
 Plan Number SEL/2000/01/DMMO SE43

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE FORMER WEST RIDING OF YORKSHIRE (AREA NO 2)
DEFINITIVE MAP AND STATEMENT**

**PUBLIC FOOTPATH NO 35.22/19 CINDER PATH AND NO 35.22/20 PARSONS GARTH,
CHURCH FENTON
MODIFICATION ORDER 2010**

**DAVID BOWE
CORPORATE DIRECTOR
BUSINESS AND ENVIRONMENTAL SERVICES
COUNTY HALL
NORTHALLERTON
NORTH YORKSHIRE
DL7 8AH**