

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

North Yorkshire County Council
Public Footpath 25.85/43 Sheriff Hutton and Public Footpath 25.85/44
Sheriff Hutton Definitive Map and Statement Modification Order 2011

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. Following an earlier inquiry, the Inspector appointed to determine the Order issued a letter in which he proposed to make modifications to the Order as drafted. Following advertisement of those proposals objections/representations have been received.

The **start date** for the above Order is **15 December 2015**.

Consideration of the Order will take the form of a public local inquiry. It is being held so that the Inspector can hear evidence in respect of the modified part of the Order **and** new evidence in respect of the unmodified part of the Order.

The Inquiry will be held at Sheriff Hutton Village Hall, Sheriff Hutton, YORK, YO60 6RA on Tuesday 14 June 2016 at 10.00am.

The effect of the Order, if confirmed without modifications will be to modify the Definitive Map and Statement for the area by adding public footpath 25.85/43 from its junction with the maintainable highway at SE6469 6571 the path runs south east for approximately 16 metres to SE6471 6571 from where it runs south east for approximately 41 metres to SE6474 6569 from where it runs generally south east for approximately 130 metres to SE6485 6561 at its junction with public footpath 25.85/17 and continues east for approximately 183 metres to SE6503 6561 to its junction with public footpath 25.85/11.

And by adding public footpath 25.85/44 from its junction with public footpath 25.83/11 at SE6531 6560 the path runs north east for approximately 123 metres to SE6542 6564 from where the path runs north east for approximately 209 metres to SE6563 6568 from where the path runs south east for approximately 253 metres to SE6587 6560 at its junction with public footpath 25.85/7 from where the path runs generally south east for approximately 167 metres to SE6597 6550 from where the path runs south east for approximately 67 metres to SE6599 6544 from where the path runs south east for approximately 434 metres to SE6635 6521 from where the path runs south east for approximately 163 metres to SE6646 6509 at its junction with public bridleway 25.85/7.

The effect of the proposed modifications would be to modify the Order by providing for the following modifications:

- In the Schedule to the Order, Part 1, in the description of Footpath 25.85/44 delete reference to Points J,K,L and M and all words after "...at its junction with Public Footpath 25.85/7."
- In the Schedule to the Order, Part 2:
- In the description of Footpath 25.85/43, delete references to BS 5709 (2006).
- In the description of Footpath 25.85/44:
- Amend the Grid Reference End Points to read "46531 46560 to 46587 46560".
- In the description of the route, delete all words after "...at its junction with Public Footpath 25.85/7."
- In the column describing the length of the route, amend the second entry to read "0.462 km" (not 1.130 km) and amend the Total to read "0.585 km" (not 1.416 km).
- Delete the third entry in the columns relating to the Nature of Surface, Length and Width.
- Delete all references to BS 5709 (2006) and all references to field gates at points J, K and L.
- Amend the Order Map accordingly.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: clive.richards@pins.gsi.gov.uk. Please quote reference number FPS/P2745/7/48 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 Malton Library, St Michael Street, Malton, North Yorkshire, YO17 7LJ. Opening Hours are Mon: 9:30am – 5pm, Tues: 9:30am – 7pm, Weds: 9:30am – 5pm, Thurs: Closed, Fri: 9:30am – 5pm, Sat: 9:30am – 12:30pm & Sun: Closed. Phone on 0845 034 9529 or Email malton.library@northyorks.gov.uk to make an appointment.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 09 February 2016]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after receiving it the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation following the modifications, the applicant and anyone else who has previously written to us in respect of the Order.

Everyone who has made an objection or representation following the proposed modifications and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of

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.

State. As soon as possible after receiving them the Secretary of State will send copies (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, everyone who has made an objection or representation following the proposed modifications, the applicant, anyone who has submitted a statement of case and anyone else who has previously 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 receiving it the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, everyone who has made an objection or representation following the proposed modifications, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order.

4 weeks before the date of the inquiry [by 17 May 2016]

The Authority, everyone who has made an objection or representation following the proposed modifications, 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 the Secretary of State. As soon as possible after receiving them, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation following the proposed modifications, the applicant, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order;
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation following the proposed modifications, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order; and
- iii) all other proofs of evidence to the Authority, the applicant and anyone else who has either submitted a statement of case or who has previously written to us in respect of the Order .

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.

Notice of order for inquiry mods