

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

North Yorkshire County Council
Footpath No 15.73/59 Abbey Road to River Nidd, Knaresborough
Modification Order 2012

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 **29 January 2019**.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Harrogate Library, Victoria Avenue, Harrogate, HG1 1EG** on **Tuesday 23 July 2019** 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 the following footpath from Abbey Road to the River Nidd, Knaresborough.

Footpath No 15.73/59, commences off Abbey Road at Grid Reference SE3545 5594, and follows the earth path in a southerly direction for approximately 5 metres to Grid Reference SE3545 5593, and continues to follow the earth path in a south-south easterly direction running parallel with the river bank of the River Nidd for approximately 108 metres to Grid Reference SE3550 5584, and follows the earth path back in a generally south easterly direction for approximately 31 metres to Abbey Road at Grid Reference SE3553 5582.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle 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 ROW/3213138 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 Knaresborough Library, 40 Market Place, Knaresborough HG5 8AG (Tel: 01609 533610, Opening Hours: Mon-Weds 9:30am to 5pm, Thursday & Saturday 9:30am to 1:30pm and Friday 9:30am to 7pm).

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 26 March 2019]

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

As the Order Making Authority has taken a neutral stance, the applicant has agreed to present the case for confirmation of the Order at the Inquiry. 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, the Secretary of State will send a full copy to the Authority. Copies 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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within 14 weeks of the start date [by 07 May 2019]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ 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 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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 25 June 2018]

The Authority, everyone who has made an objection or representation, 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 by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any

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.

supporting documents – although none should be submitted with a proof of evidence).

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

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

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

**FOOTPATH NO 15.73/59 ABBEY ROAD TO RIVER NIDD, KNARESBOROUGH
MODIFICATION ORDER 2012**

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 1 May 2012.
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 "Footpath No 15.73/59 Abbey Road to River Nidd, Knaresborough Modification Order 2012".

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>
Indicated on the Order Map and marked as A – B – C – D. To be recorded on the Definitive Map as a public footpath, width 1.5 metres.	Footpath No 15.73/59. Commences at its junction with the maintainable highway known as Abbey Road at Grid Reference 43545 45594 (Point A) and follows the earth path in a southerly direction for approximately 5 metres to Grid Reference 43545 45593 (Point B) and continues to follow the earth path in a south-south-easterly direction running parallel with the river bank of the River Nidd for approximately 108 metres to Grid Reference 43550 45584 (Point C) and follows the earth path in a generally south easterly direction for approximately 31 metres back to its junction with the maintainable highway known as Abbey Road at Grid Reference 43553 45582 (Point D).

PART 2

MODIFICATION OF DEFINITIVE STATEMENT

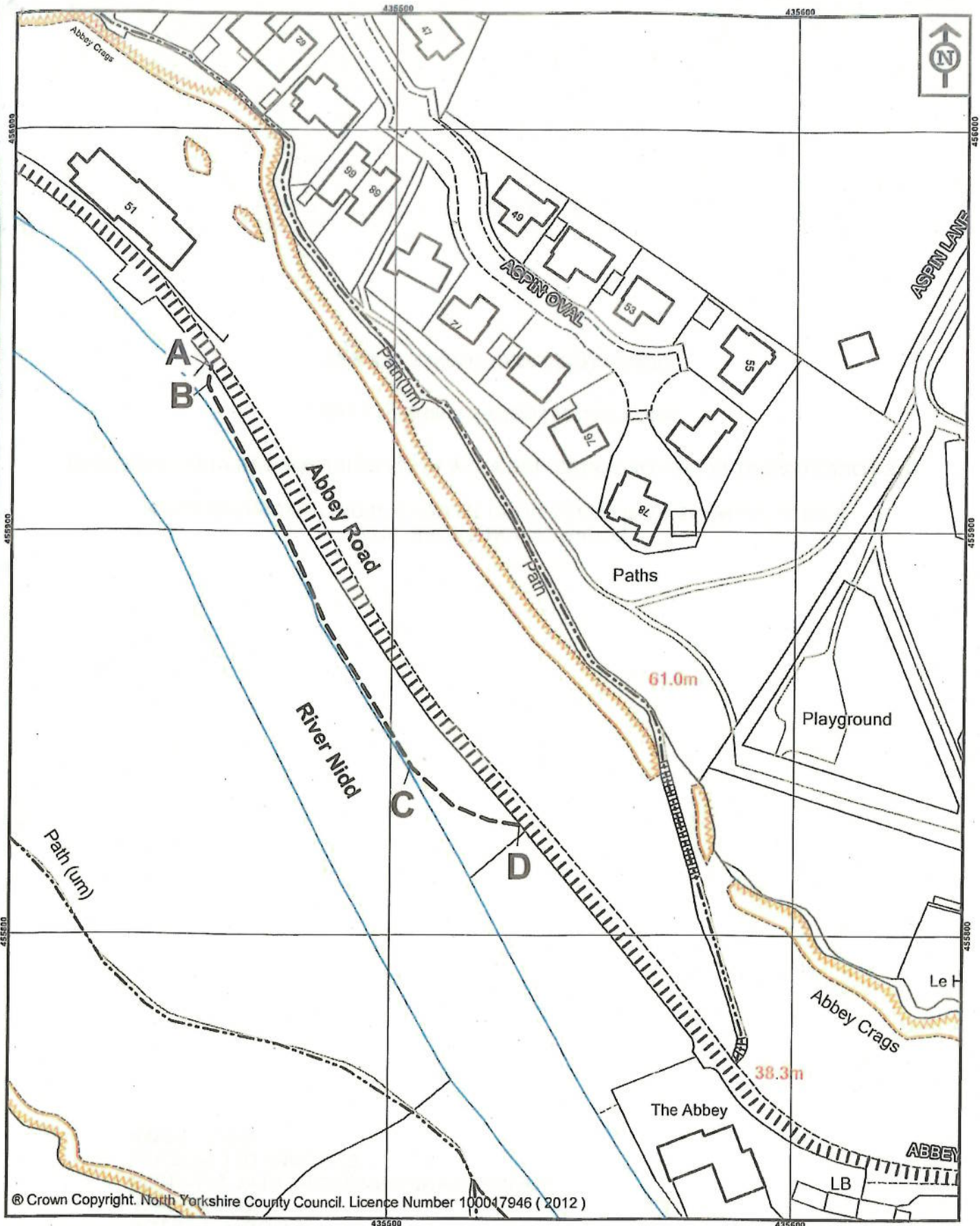
VARIATION OF PARTICULARS OF PATH OR WAY

<u>Path No</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>
15.73/59	43545 45594 (Start) to 43553 45582 (End)	Commences at its junction with the maintainable highway known as Abbey Road at Grid Reference 43545 45594 and follows the earth path in a southerly direction for approximately 5 metres to Grid Reference 43545 45593 and continues to follow the earth path in a south-south-easterly direction running parallel with the river bank of the River Nidd for approximately 108 metres to Grid Reference 43550 45584 and follows the earth path in a generally south easterly direction for approximately 31 metres back to its junction with the maintainable highway known as Abbey Road at Grid Reference 43553 45582.	Earth	0.144 km Total 0.144 km	1.5 m	None

THE COMMON SEAL of NORTH)
YORKSHIRE COUNTY COUNCIL)
was hereunto affixed this 15th day)
of May 2012 in the presence of:-)

J Swain





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North Yorkshire County Council

Public Rights of Way
Waste and Countryside Services
County Hall
Northallerton
DL7 8AH

Key:

Footpath to be recorded

Other footpaths

Maintained

Highways

Map drawn on 17 April 2012

Drawn by JRP Scale 1:1250

North Yorkshire County Council

Wildlife and Countryside Act 1981
Section 53
FOOTPATH NO 15.73/59
ABBEY ROAD TO RIVER NIDD,
KNARESBOROUGH
MODIFICATION ORDER 2012

File Ref No. HAR/1985/01/DMMO

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

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

**FOOTPATH NO 15.73/59 ABBEY ROAD TO RIVER NIDD, KNARESBOROUGH
MODIFICATION ORDER 2012**

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