

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

North Yorkshire County Council

The Former West Riding of Yorkshire Area No 1 (Outside Dales) Definitive Map & Statement Restricted Byway No 15.50/24 Billy Lane, Great Timble 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 **27 February 2019**.

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

The Inquiry will be held at **The Robinson Library, Timble, Near Otley, Yorkshire, LS21 2PW** on **Wednesday 28 August 2019** at 10.00 a.m.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding a Restricted Byway, commencing at the junction with Back Lane, east of Moorview (at grid reference 41802 45286, Point A on the map attached to the Order ('the Order map')) and proceeds north for approximately 23 metres to grid reference 41802 45289 (Point B on the Order map), then proceeds in a northerly direction for approximately 30 metres to Point C on the Order map, then proceeds in a north westerly direction for approximately 25 metres to grid reference 41800 45293 (Point D on the Order map), then proceeds in a northerly direction for approximately 11 metres to grid reference 41800 45295, at the junction with Main Street (Point E on the Order map).

Any queries relating to this Order should be referred to Clive Richards at the Planning Inspectorate, Rights of Way Section, 3A 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/3211944 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment during normal opening hours at Harrogate Library, Victoria Avenue, Harrogate, Yorkshire, HG1 1EG.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 24 April 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.

Within 14 weeks of the start date [by 5 June 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).

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).

4 weeks before the date of the inquiry [by 31 July 2019]

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 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

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.

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE FORMER WEST RIDING OF YORKSHIRE AREA NO 1 (OUTSIDE DALES)
DEFINITIVE MAP AND STATEMENT**

**RESTRICTED BYWAY NO 15.50/24 BILLY LANE, GREAT TIMBLE
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 1 (Outside Dales) 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 19 January 2010.
2. The Former West Riding of Yorkshire Area No 1 (Outside Dales) 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 "Restricted Byway No 15.50/24 Billy Lane, Great Timble Modification Order 2010".

SCHEDULE

PART 1

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF PATH OR WAY TO BE ADDED

<u>Section of Restricted Byway as shown on the attached map</u>	<u>Description</u>
Marked by a bold broken black line and small arrowheads and shown as A – B – C – D – E.	Commences at the junction with Back Lane, east of Moorview at Grid Reference 41802 45286 (Point A) and proceeds north for approximately 23 metres to Grid Reference 41802 45289 (Point B), then proceeds in a northerly direction for approximately 30 metres to Grid Reference 41802 45289 (Point C), then proceeds in a north westerly direction for approximately 25 metres to Grid Reference 41800 45293 (Point D), then proceeds in a northerly direction for approximately 11 metres to Grid Reference 41800 45295 (Point E) at the junction with Main Street.

PART 2

MODIFICATION OF DEFINITIVE STATEMENT

PARTICULARS OF PATH OR WAY TO BE ADDED

<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>
15.50/24	41802 45286 (start point) to 41800 45295 (end point)	Commences at the junction with Back Lane, east of Moorview and proceeds north for approximately 23 metres, then proceeds in a northerly direction for approximately 30 metres, then proceeds in a north westerly direction for approximately 25 metres, then proceeds in a northerly direction for approximately 11 metres to the junction with Main Street.	Gravel Track			
				0.023 km	5.4 m	
				0.030 km	3.8 m	
				0.025 km	3.5 m	
				0.011 km	3.5 m	
				Total 0.089 km		

413000

817

452750

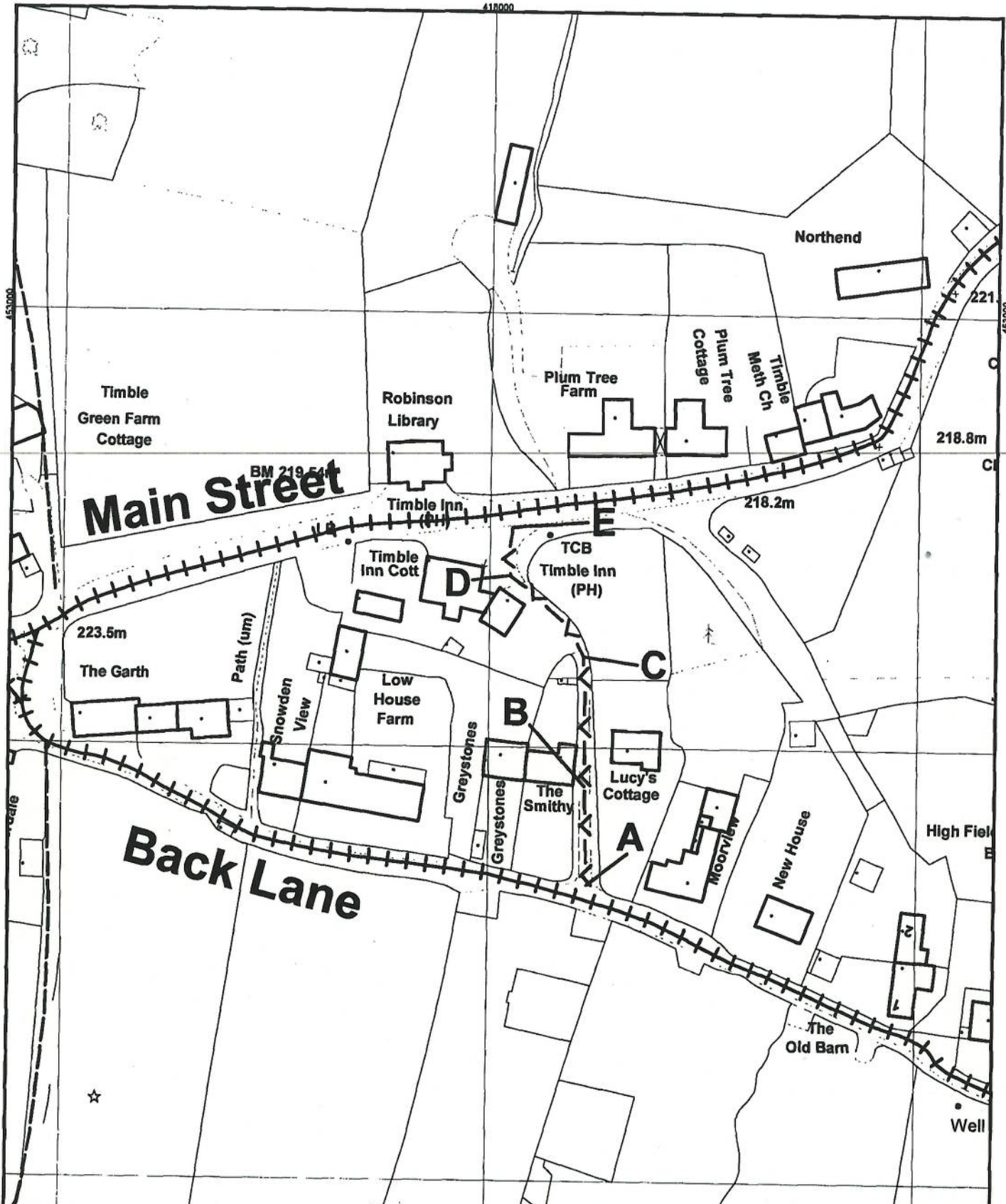
THE COMMON SEAL of NORTH)
 YORKSHIRE COUNTY COUNCIL)
 was hereunto affixed this 2nd day)
 of February 2010 in the presence)
 of:-)

39393



[Handwritten signature]

**AUTHORISED
SIGNATORY**



Main Street

Back Lane

MAP NOT TO ORIGINAL SCALE

North Yorkshire County Council
 Wildlife & Countryside Act 1981
 Restricted Byway No 15.50/24
 Billy Lane, Great Timble
 Modification Order 2010

Key	
Restricted Byway to be Added	—V—V—
Other Footpath	-----
Connecting Maintained Highways	+ + + + +
Drawn By JRP on 29th January 2010	Scale 1:1250
Plan Number HAR/2005/08/DMMO	OS Sheet SE 1752

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

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DEFINITIVE MAP AND STATEMENT**

**RESTRICTED BYWAY NO 15.50/24 BILLY LANE, GREAT TIMBLE
MODIFICATION ORDER 2010**

**RICHARD FLINTON
CORPORATE DIRECTOR
BUSINESS AND ENVIRONMENTAL SERVICES
COUNTY HALL
NORTHALLERTON
NORTH YORKSHIRE
DL7 8AH**