

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

North Yorkshire County Council
Public Footpath No 05.5/105, Shakey Bridge, Bentham
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 **26 March 2019**.

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

The Inquiry will be held at **Clapham Village Hall, Cross Haw Lane, Clapham, LA2 8DZ** on **Tuesday 1 October 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 a footpath No 05.5.105, commencing at grid reference SD 6793 6861 at the point where Footpath No 05.5/93 joins this footpath (point A on the Order map) and then proceeding to follow the River Wenning on its northern bank in a first north-westerly then westerly direction for approximately 350 metres, to grid reference SD 6761 6865 (point B on the Order map). The path continues to follow the River Wenning northern river bank proceeding in a northerly direction for approximately 99 metres then heading in a westerly direction for approximately 236 metres continuing to follow the River Wenning northern river bank, to grid reference SD 6738 6879 (point C on the Order Map). The path then leaves the river bank and heads in a north westerly direction heading along the north eastern side of the field boundary for approximately 137 metres, to grid reference SD 6726 6883 (point D on the Order Map) where the footpath joins Footpath No 05.5/38 at the end of the route.

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@planninginspectorate.gsi.gov.uk. Please quote reference number ROW/3218395 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 Bentham Library, Main Street, High Bentham, Lancaster, LA2 7JU, (Open Monday 2:30pm-5pm, Wednesday 10am-2pm, Friday 2:30pm-4:30pm & Saturday 10am-2pm). Contact at North Yorkshire County Council: Mr Ron Allan, tel: 01609 532558.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 21 May 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 2 July 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 3 September 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

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.

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

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

DISTRICT OF CRAVEN (OUTSIDE THE YORKSHIRE DALES NATIONAL PARK)
DEFINITIVE MAP AND STATEMENT

PUBLIC FOOTPATH NO 05.5/105, SHAKEY BRIDGE, BENTHAM
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 District of Craven (Outside the Yorkshire Dales National Park) 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 2 August 2010.
2. District of Craven (Outside the Yorkshire Dales National Park) 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 05.5/105, Shakey Bridge, Bentham Modification Order 2010".

SCHEDULE

PART 1

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF PATH TO BE ADDED

<u>Section of Footpath as shown on the attached map</u>	<u>Description</u>
Marked by a bold broken black line and shown as A – D.	Commences at Grid Reference 36793 46861 (Point A) at the point where Footpath No 05.5/93 joins this Footpath No 05.5/105 and then proceeds to follow the River Wenning on its northern bank for approximately 350 metres to Grid Reference 36761 46865 (Point B), the path continues to follow the River Wenning northern river bank, proceeding in a northerly direction for approximately 99 metres, then heading in a westerly direction for approximately 236 metres, continuing to follow the River Wenning northern river bank, to Grid Reference 36738 46879 (Point C), the path leaves the river bank and heads in a north westerly direction, heading along the north eastern side of the field boundary for approximately 137 metres to Grid Reference 36726 46883 (Point D), where the footpath joins Footpath No 05.5/38 at the end of the route.

PART 2

MODIFICATION OF DEFINITIVE STATEMENT

PARTICULARS OF PATH 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>
05.5/105	36793 46861 (Start Point)	Commences at the point where Footpath No 05.5/93 joins this Footpath No 05.5/105, it then proceeds to follow the River Wenning on its northern bank for approximately 350 metres, the path then continues to follow the River Wenning northern river bank, proceeding in a northerly direction for approximately 99 metres, then heading in a westerly direction for approximately 236 metres, continuing to follow the River Wenning northern river bank, the path leaves the river bank and heads in a north westerly direction, heading along the north eastern side of the field boundary for approximately 137 metres, where the footpath joins Footpath No 05.5/38.	Grass	0.685	1.5	
	36726 46883 (End Point)		Grass	0.137	1.5	
				Total 0.797 km		

THE COMMON SEAL of NORTH YORKSHIRE COUNTY COUNCIL)
 was hereunto affixed this 16th)
 day of August 2010 in the presence)
 of:-)

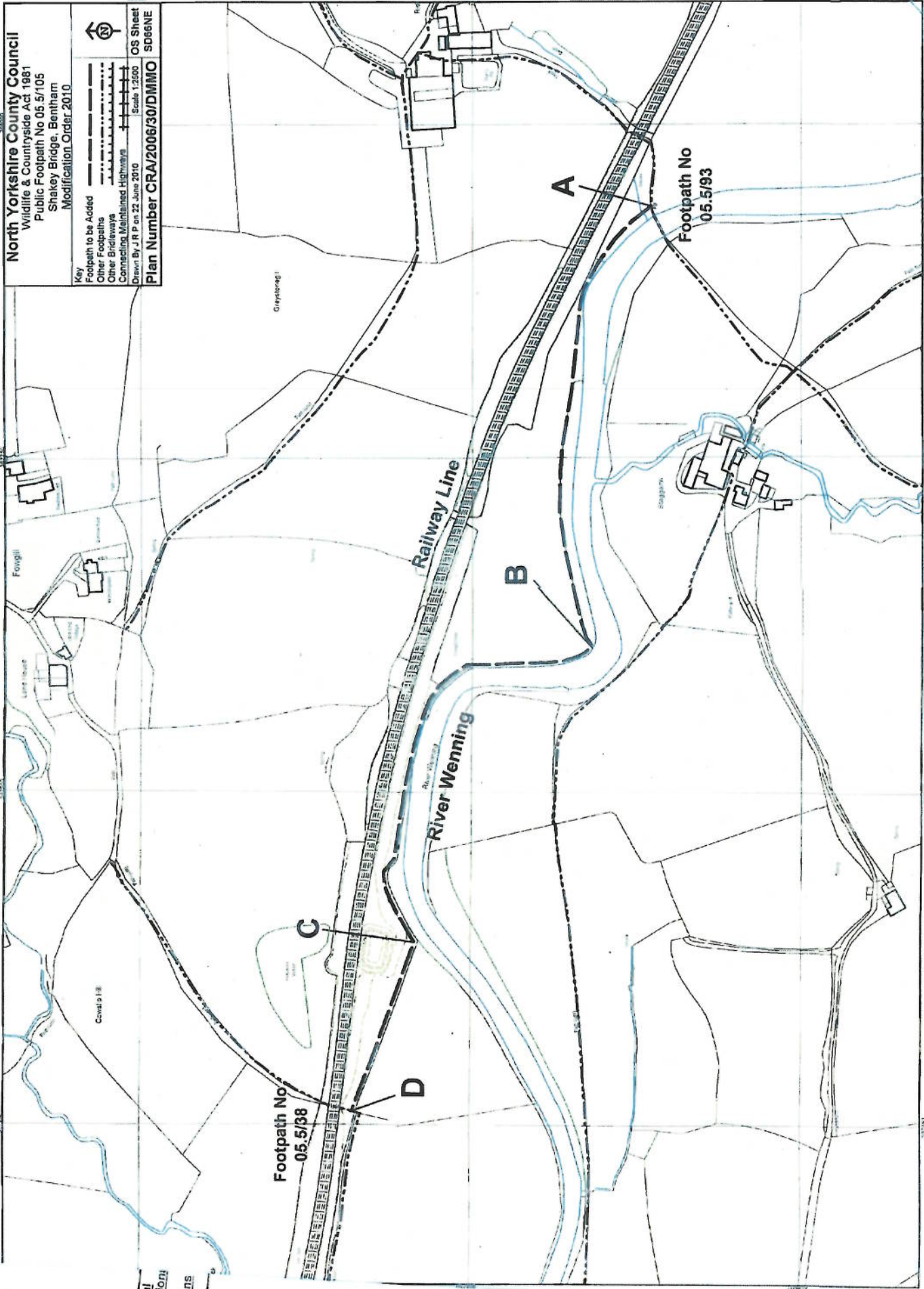
Alisa M. Badd

**AUTHORISED
SIGNATORY**



North Yorkshire County Council
 Wildlife & Countryside Act 1981
 Public Footpath No 05.5/105
 Shakey Bridge, Bentham
 Modification Order 2010

Key
 Footpath to be Added
 Other Footpaths
 Other Bridleways
 Connecting/Maintained Highways
 Drawn By: J R P on 22 June 2010
 Scale: 1:2500
 OS Sheet
 SP56NE
 Plan Number CRA/2006/30/DMMO



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NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

**DISTRICT OF CRAVEN (OUTSIDE THE YORKSHIRE DALES NATIONAL PARK)
DEFINITIVE MAP AND STATEMENT**

**PUBLIC FOOTPATH NO 05.5/105, SHAKEY BRIDGE, BENTHAM
MODIFICATION ORDER 2010**

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