

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

North Yorkshire County Council
Former West Riding of Yorkshire Area 2 Definitive Map and Statement
Public Bridleway No 15.10/9 Moss carr Lane to County Boundary,
Bickerton, Harrogate, Modification Order 2013

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 **Tockwith Village Hall, 1 Marston Road, Tockwith, YO26 7PR** on **Tuesday 3 September 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 Public Bridleway No. 15.10/9 starting from the junction of Moss carr Lane with public bridleway 15.10/8 at grid reference SE 4403 5040 (Point A on the Order map), and running west along the former turnpike road for approximately 485 metres to grid reference SE 4357 5024 (point B on the Order map) from where, having passed through the gate, the bridleway continues west along the old turnpike road for approximately 195 metres to grid reference SE 4398 5016 where it meets North Yorkshire County Council's boundary with Leeds City Council. A distance of approximately 680 metres with a width of 3 metres.

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.gov.uk
Please quote reference number ROW/3213130 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so at Wetherby Library and Tourist Information, 17 Westgate, Wetherby, LS22 6LL. Opening hours Monday 10am-5pm, Tuesday 9am-7pm, Wednesday-Friday 9am to 5pm and Saturday 10am to 4pm. North Yorkshire County Council contact: Mr Ron Allan, telephone 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 6 August 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).

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.

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

FORMER WEST RIDING OF YORKSHIRE AREA 2 DEFINITIVE MAP AND STATEMENT

**PUBLIC BRIDLEWAY NO 15.10/9 MOSSCARR LANE TO COUNTY BOUNDARY, BICKERTON,
HARROGATE,
MODIFICATION ORDER 2013**

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 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 11 March 2013.
2. The Former West Riding of Yorkshire Area 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 Bridleway No 15.10/9 Moss carr Lane to County Boundary, Bickerton, Harrogate, Modification Order 2013".

SCHEDULE

PART 1

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF BRIDLEWAY TO BE ADDED

<u>Section of Bridleway as shown on the attached map</u>	<u>Description</u>
Shown as A – B – C on the attached map, to be shown on the Definitive Map as a public bridleway of width 3 metres.	Starting at its junction with public bridleway 15.10/8 at Grid Reference 44403 45040 (Point A), the bridleway runs west along the former turnpike road for approximately 485 metres to Grid Reference 44357 45024 (Point B) from where, having passed through the gate, the bridleway continues west along the old turnpike road for approximately 195 metres to Grid Reference 44398 45016 (Point C), where it meets North Yorkshire County Council's boundary with Leeds City Council.

PART 2
MODIFICATION OF DEFINITIVE STATEMENT
PARTICULARS OF BRIDLEWAY TO BE ADDED

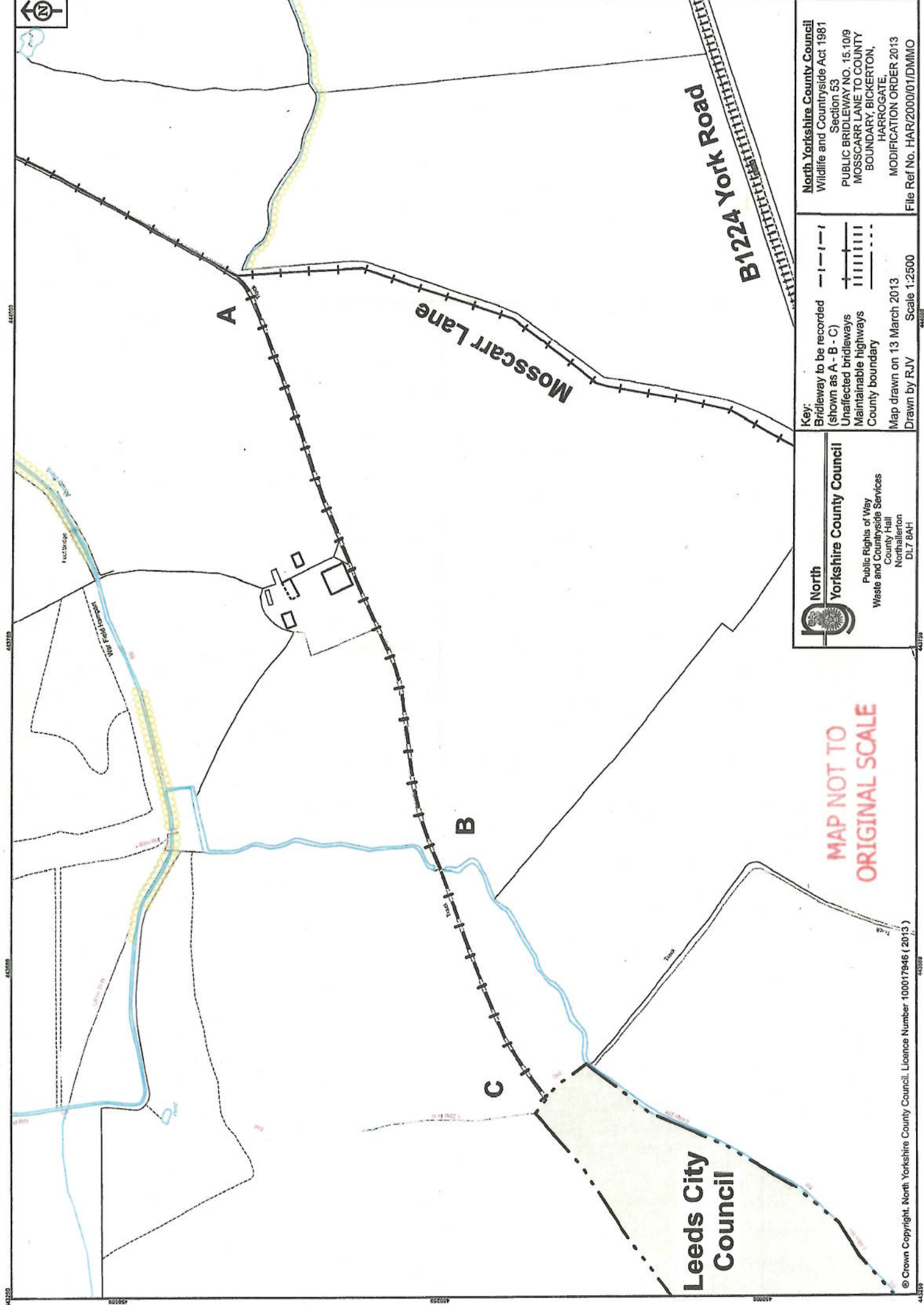
<u>Path No</u>	<u>Grid Reference End Points</u>	<u>Description</u>	<u>Nature of Surface</u>	<u>Length (km)</u>	<u>Width (m)</u>	<u>Lawful Obstructions and Conditions</u>
Bridleway No 15.10/9	44403 45040 (Start) to 44398 45016 (End)	Starting at its junction with public bridleway 15.10/8 at Grid Reference 44403 45040, the bridleway runs west along the former turnpike road for approximately 485 metres to Grid Reference 44357 45024 from where, having passed through the gate, the bridleway continues west along the old turnpike road for approximately 195 metres to Grid Reference 44398 45016, where it meets North Yorkshire County Council's boundary with Leeds City Council.	Stone/Earth	0.68 Total= 0.68km	3 metres	Field Gate at 44357 45024


THE COMMON SEAL of NORTH)
 YORKSHIRE COUNTY COUNCIL)
 was hereunto affixed this 27 day)
 of March 2013 in the presence of:-)



[Handwritten signature]

**AUTHORISED
SIGNATORY**




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

Key:
 Bridleway to be recorded
 (shown as A - B - C)
 Unaffected bridleways
 Maintainable highways
 County boundary

North Yorkshire County Council
 Wildlife and Countryside Act 1981
 Section 53
 PUBLIC BRIDLEWAY NO. 15,10/9
 MOSSCARR LANE TO COUNTY
 BOUNDARY, BICKERTON,
 HARROGATE,
 MODIFICATION ORDER 2013
 File Ref No. HAR/2000/01/DMMO

**MAP NOT TO
 ORIGINAL SCALE**

**Leeds City
 Council**

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

FORMER WEST RIDING OF YORKSHIRE AREA 2 DEFINITIVE MAP AND STATEMENT

**PUBLIC BRIDLEWAY NO 15.10/9 MOSSCARR LANE TO COUNTY BOUNDARY,
BICKERTON, HARROGATE,
MODIFICATION ORDER 2013**

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