

NOTICE OF ORDER

HIGHWAYS ACT 1980 SECTION 119 & WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

East Riding Of Yorkshire Council (Bugthorpe Footpath No. 1) Public Path Diversion and Definitive Map and Statement Modification Order 2017

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 exchange of written representations, the Inspector appointed to determine the Order issued a letter in which she 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 **11 June 2019**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case which contain evidence in respect of the Inspector's proposed modifications only.

The effect of the Order, if confirmed without modification will be to divert the full width of a section of Bugthorpe Footpath No. 1 commencing at Grid Reference SE 7625 5834 leading north-north-westerly for some 400 metres to Grid Reference SE 7615 5872 to a line some 604 metres in length commencing at Grid Reference SE 7625 5834 and leading westerly for some 102 metres then north-north-westerly for some 390 metres then east-north-easterly for some 112 metres to Grid Reference SE 7615 5872, as shown on the Order Map.

The effect of the proposed modifications would be to provide for the following modifications:-

- (i) Amend the Schedule PART 2 to describe the width of the new path or way as a "3 metres with a centre line of 3 metres from the centre of the hedge"; and
- (ii) Amend the Schedule PART 3 MODIFICATION OF DEFINITIVE STATEMENT, VARIATION OF PARTICULARS OF PATH OR WAY, ADDITIONS, column five (width) to read "*3.0m with a centre line of 3.0m from the centre of the hedge".

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 4445502. Email cliverichards@planninginspectorate.gov.uk Please quote reference number ROW/3197782M 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 the Beverley Customer Service Centre, Cross Street, Beverley HU17 9BA and also at the Pocklington Customer Service Centre, Pocela Centre, Station Square,

Pocklington, YO42 2QU during normal office hours. Council contact: Debbie Wesselby, tel: 01482 393157

Timetable for sending in statements of case and comments

Within 8 weeks of the start date [by 06 August 2019]

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modification(s) or any other written representation 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 full copy to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to everyone who has made an objection or representation following the proposed modification(s), the applicant and any other person who has previously written to us in respect of the Order.

Within 14 weeks of the start date [by 17 September 2019]

Everyone who has made an objection or representation following the proposed modification(s), the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the above date, the Secretary of State will send copies of the comments received to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time.

All parties must keep to the timetable set out above and ensure that statements of case 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 w/r mods

PROPOSED MOD'S

DATED this 21st day of April 2017

**PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER**

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

THE EAST RIDING OF YORKSHIRE COUNCIL

**THE EAST RIDING OF YORKSHIRE COUNCIL
(BUGTHORPE FOOTPATH NO. 1)
PUBLIC PATH DIVERSION AND DEFINITIVE
MAP AND STATEMENT MODIFICATION ORDER 2017**

Ref: DW/76101

PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE EAST RIDING OF YORKSHIRE COUNCIL

THE EAST RIDING OF YORKSHIRE COUNCIL
(BUGTHORPE FOOTPATH NO. 1)
PUBLIC PATH DIVERSION AND DEFINITIVE
MAP AND STATEMENT MODIFICATION ORDER 2017

This Order is made by The East Riding of Yorkshire Council ("the Authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that in the interests of the owners of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the line of the way should be diverted.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that the Humberside County Council Borough of East Yorkshire Definitive Map and Statement of Public Rights of Way require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, a highway shown or required to be shown in the map and statement has been authorised (by this Order) to be diverted.

Bugthorpe and Kirby Underdale Parish Council have been consulted and have consented to the making of the Order as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situated at Bugthorpe in the East Riding of Yorkshire and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up after seven (7) days from the date of confirmation of this Order and thereupon

The Humberside County Council Borough of East Yorkshire Definitive Map shall be modified by deleting from it that public right of way.

2. There shall at the end of seven (7) days from the date of confirmation of this Order be a public footpath over the land situate at Bugthorpe described in Part 2 of the Schedule and shown by a bold broken line on the Map contained in this Order and thereupon The Humberside County Council Borough of East Yorkshire Definitive Map shall be modified by adding that way to it.
3. The Humberside County Council Borough of East Yorkshire Definitive Statement shall be modified as described in Part 3 of the Schedule to this Order.
4. For the purposes of this Order the relevant date is the date upon which the Order comes into effect.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

To extinguish the full width of a section of Bugthorpe Footpath No. 1 commencing at Grid Reference SE 7625 5834 (Point A on the Map) leading north-north-westerly for some 400 metres to Grid Reference SE 7615 5872 (Point B on the Map).

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

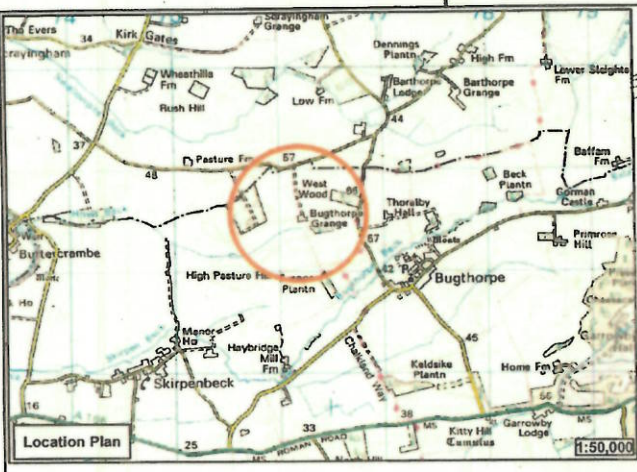
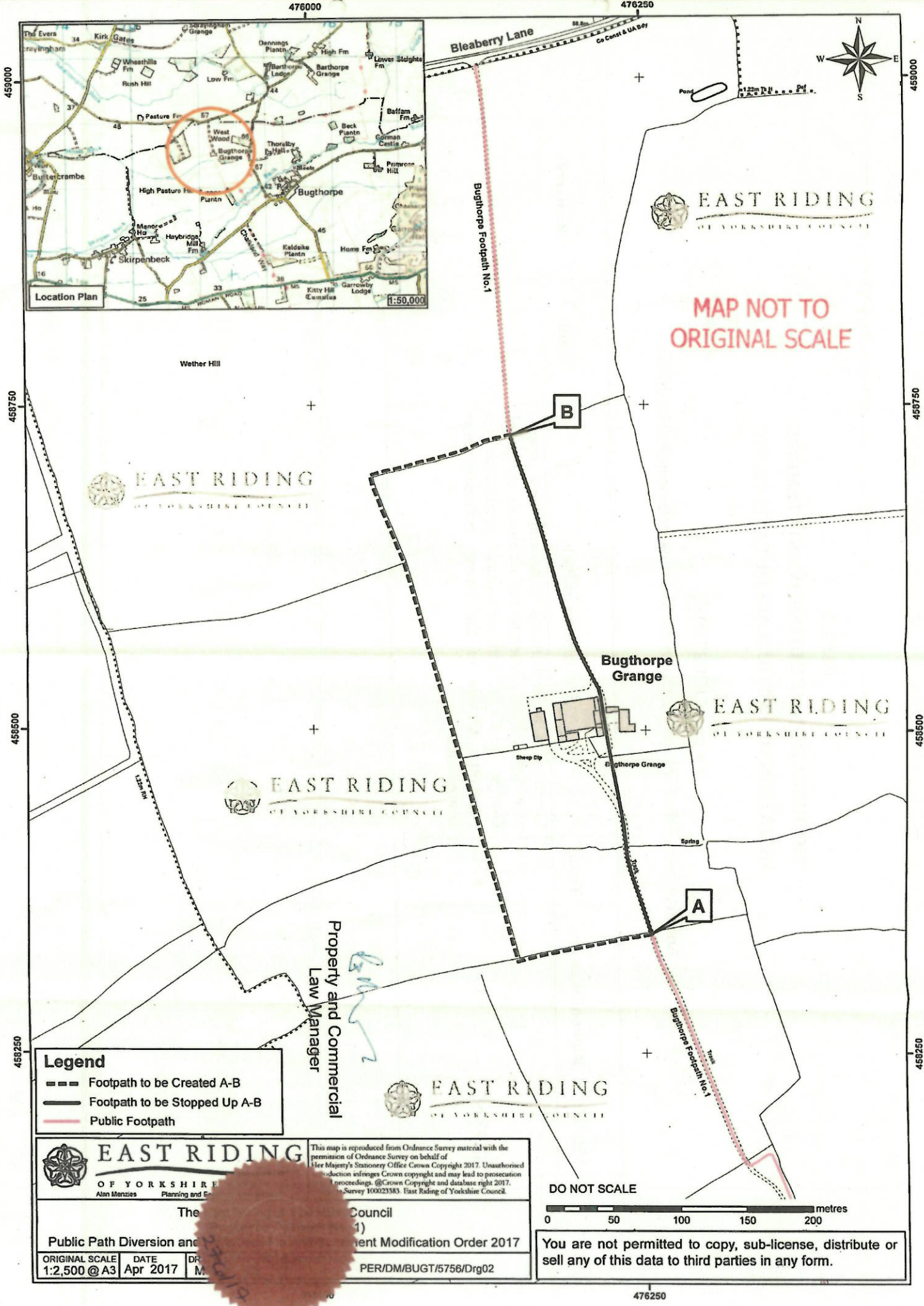
To create a new section of footpath some 604 metres in length commencing at Grid Reference SE 7625 5834 (Point A on the Map) and leading westerly for some 102 metres then north-north-westerly for some 390 metres then east-north-easterly for some 112 metres to Grid Reference SE 7615 5872 (Point B on the Map).

Width of new path or way

3 metres with a centre line of 3 metres from the centre of the hedge

Limitations and Conditions of use of new path or way

None



EAST RIDING
OF YORKSHIRE COUNCIL

MAP NOT TO ORIGINAL SCALE

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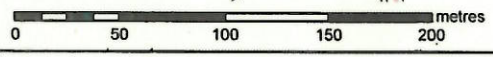
- Legend**
- Footpath to be Created A-B
 - Footpath to be Stopped Up A-B
 - Public Footpath

Property and Commercial
Law Manager

EAST RIDING
OF YORKSHIRE
COUNCIL
Alan Menzies Planning and Environment

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DO NOT SCALE



The East Riding of Yorkshire Council
Public Path Diversion and Footpath Modification Order 2017
ORIGINAL SCALE 1:2,500 @ A3 DATE Apr 2017
PER/DM/BUGT/5756/Drg02

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PART 3

MODIFICATION OF DEFINITIVE STATEMENT
 VARIATION OF PARTICULARS OF PATH OR WAY

DELETIONS

And in respect of the Parish of Bugthorpe the following statement shall be deleted:-

Map No.	Right of Way No.	Type	Description of Path	Width	Remarks
SE 75 NE	1	F.P.	Commences on Stephenwith Lane and leads south-west across Plain Closes to the north-east corner of Grange Plantation and then leads northwards via Bugthorpe Grange to the county boundary near Grange Hill.		

ADDITIONS

And in respect of the Parish of Bugthorpe the following statement shall be added:-

Map No.	Right of Way No.	Type	Description of Path	Width	Remarks
SE75NE	1	Fp	<p>Commences on Stephenwath Lane and leads south-west across Plain Closes to the north-eastern corner of Grange Plantation then leads northerly towards Bugthorpe Grange</p> <p><i>turns westerly for some 102m then north-north-westerly for some 190m then east-north-easterly for some 112m</i></p> <p>then continues northerly for some 285m along the access track to join Bleaberry Lane.</p>	<p><i>3.0m</i></p> <p><i>with a centre line of 3.0m from the centre of the hedge</i></p>	

GIVEN under the COMMON SEAL of The East Riding of Yorkshire Council this 21st
day of April 2017

THE COMMON SEAL of The)
East Riding of Yorkshire Council)
was affixed in the presence of:-)



R. Bell

Property and Commercial
Law Manager