

NOTICE OF ORDER

Wildlife and Countryside Act 1981

City of York Council
COUNCIL OF THE CITY OF YORK – OPPOSED PUBLIC FOOTPATH SKELTON 11
MODIFICATION ORDER 2021

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 15 January 2025

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

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 footpath from Brecksfield past the play area and on to Burtree Dam (SE 5719 5628 to SE 5775 5555).

Any queries relating to this Order should be referred to Zoe McPhail by email: zoe.mcphail@planninginspectorate.gov.uk quoting reference number **ROW/3343314** on all correspondence. Alternatively, queries may be sent in writing to 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 5481.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at City of York Council, West Offices, Station Rise, York, YO1 6GA. Please contact Russell Varley on russell.varley@york.gov.uk or 01904 553691.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 29 January 2025]

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

Within 8 weeks of the start date [by 12 March 2025]

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 full copies 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 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.

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, 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 23 April 2025]

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

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

We cannot accept any inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

THE COUNCIL OF THE CITY OF YORK

WILDLIFE AND COUNTRYSIDE ACT 1981

NORTH RIDING OF YORKSHIRE DEFINITIVE MAP AND STATEMENT

PUBLIC FOOTPATH SKELTON 11
MODIFICATION ORDER 2021

Janie Berry
Director - Legal & Governance
City of York Council
West Offices
Station Rise
York
YO1 6GA

THE COUNCIL OF THE CITY OF YORK**WILDLIFE AND COUNTRYSIDE ACT 1981****NORTH RIDING OF YORKSHIRE
DEFINITIVE MAP AND STATEMENT****PUBLIC FOOTPATH SKELTON 11
MODIFICATION ORDER 2021**

This Order is made by the Council of the City of York under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the authority that the North Riding of Yorkshire Definitive Map and Statement require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i). This is due to 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.

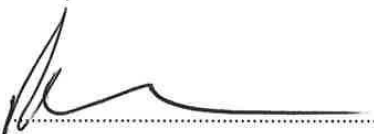
The authority has consulted with every local authority whose area includes the land to which the Order relates. The Council of the City of York hereby order that:

1. For the purpose of this Order the relevant date is 2 August 2021.
2. North Riding of Yorkshire Definitive Map and Statement shall be modified as described in Part I and Part II 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 the Public Footpath Skelton 11 Modification Order 2021.

THE COMMON SEAL of **THE COUNCIL OF THE CITY OF YORK** was hereunto affixed

this 19 day of August 2021

in the presence of:



An Authorised Officer



No. In Seal Register: 128.97

SCHEDULE
PART I

Modification of Definitive Map
Description of path to be added

| <u>Section of public footpath as shown on the attached Map</u> | <u>Description</u> |
|--|---|
| Indicated on the Order Map and marked as A-B and C-D | <p>Starting at grid reference (GR) SE 5719 5628 (POINT A) at its junction with the maintainable highway known as Brecksfield the 1.2 metre wide tarmac surfaced public footpath heads south east via a pedestrian gate for approximately 107 metres to GR SE 5724 5619 (POINT B) to a pedestrian gate at its junction with the maintainable highway known as Brecksfield.</p> <p>Continuing from GR SE 5725 5618 (POINT C) the 0.9 metre wide earth surfaced public footpath heads generally south east for approximately 806 metres to GR SE 5775 5555 (POINT D) where it meets the water course known as Burtree Dam.</p> |

PART IIModification of Definitive Statement
Variation of Particulars of path or way

| Path No. | Grid Reference End Points | Description | Nature of Surface | Length (Km) | Width (M) | Lawful Obstructions And Conditions |
|----------|---|--|---------------------------------------|---|-------------------------------------|--|
| 11/11 | SE 5719 5628 to SE 5724 5619 | Starting at grid reference (GR) SE 5719 5628 at its junction with the maintainable highway known as Brecksfield the 1.2 metre wide tarmac surfaced public footpath heads south east via a pedestrian gate for approximately 107 metres to GR SE 5724 5619 to a pedestrian gate at its junction with the maintainable highway known as Brecksfield. | Tarmac (SE 5719 5628 to SE 5724 5619) | 0.107km (SE 5719 5628 to SE 5724 5619) | 1.2m (SE 5719 5628 to SE 5724 5619) | Pedestrian gate (SE 5719 5628) Pedestrian gate (SE 5724 5619) |
| | and SE 5725 5618 to SE 5775 5555 | Continuing from GR SE 5725 5618 the 0.9 metre wide earth surfaced public footpath heads generally south east for approximately 806 metres to GR SE 5775 5555 where it meets the water course known as Burtree Dam. | Earth (SE 5725 5618 to SE 5775 5555) | 0.806km (SE 5725 5618 to SE 5775 5555) Total: 0.913km | 0.9m (SE 5725 5618 to SE 5775 5555) | |

