

## **Appendix 20**

### **Secretary of State's direction decision**

#### **STATEMENT OF CASE OF THE COUNCIL OF THE CITY OF YORK PUBLIC BRIDLEWAY SKELTON 12 MODIFICATION ORDER 2021**

# Direction Decision

**by Barney Grimshaw BA DPA MRTPI (Rtd)**

**an Inspector on direction of the Secretary of State for Environment, Food and Rural Affairs**

**Decision date: 14 October 2019**

**Ref: FPS/C2741/14D/4**

**Representation by Derek Jackson**

**City of York Council**

**Application to add a Bridleway from Hurns Bridge to Moorlands Wood (Parish of Skelton) (OMA ref. 201805)**

- The representation is made under Paragraph 3(2) of Schedule 14 of the Wildlife and Countryside Act 1981 (the 1981 Act) seeking a direction to be given to City of York Council to determine an application for an Order, under Section 53(5) of that Act.
- The representation is made by Mr Derek Jackson, dated 14 July 2019.
- The certificate under Paragraph 2(3) of Schedule 14 is dated 19 June 2018.
- The Council was consulted about the representation and the Council's response was made on 24 July 2019.

## Decision

1. The Council is directed to determine the above-mentioned application not later than 6 months from the date of this Direction.

## Reasons

2. Authorities are required to investigate applications as soon as reasonably practicable and, after consulting the relevant district and parish councils, decide whether to make an order on the basis of the evidence discovered. Applicants have the right to ask the Secretary of State to direct a surveying authority to reach a decision on an application if no decision has been reached within twelve months of the authority's receipt of certification that the applicant has served notice of the application on affected landowners and occupiers. The Secretary of State in considering whether, in response to such a request, to direct an authority to determine an application for an order within a specified period, will take into account any statement made by the authority setting out its priorities for bringing and keeping the definitive map up to date, the reasonableness of such priorities, any actions already taken by the authority or expressed intentions of further action on the application in question, the circumstances of the case and any views expressed by the applicant<sup>1</sup>.
3. In this case, the council has recently reviewed its procedures for dealing with these applications and states that it is now in a position to determine outstanding applications much more quickly. It is anticipated that this application will be determined no later than 28 February 2020.
4. An applicant's right to seek a direction from the Secretary of State gives rise to the expectation of a determination of that application within 12 months under

<sup>1</sup> Rights of Way Circular 1/09 Version 2, October 2009. Department for Environment, Food and Rural Affairs.

normal circumstances. In this case, more than 12 months have passed since the application was submitted and no exceptional circumstances have been indicated. However, the council has now indicated that it expects to determine your application by the end of February 2020.

5. Nevertheless, in view of the time that has already elapsed since the application was made, I have decided that there is a case for setting a date by which time it should be determined. It is appreciated that the Council will require some time to carry out its investigation and make a decision on the application. A further period of 6 months should therefore be allowed.

### **Direction**

On behalf of the Secretary of State for Environment, Food and Rural Affairs and pursuant to Paragraph 3(2) of Schedule 14 of the Wildlife and Countryside Act 1981, **I HEREBY DIRECT** the City of York Council to determine the above-mentioned application not later than 6 months from the date of this Direction.

*Barney Grimshaw*

INSPECTOR

## **Appendix 21**

### **DMMO Application**

#### **STATEMENT OF CASE OF THE COUNCIL OF THE CITY OF YORK PUBLIC BRIDLEWAY SKELTON 12 MODIFICATION ORDER 2021**





# APPLICATION

## WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside (Definitive Maps & Statements) Regulations 1993 (Schedule 7)

### APPLICATION FOR A DEFINITIVE MAP MODIFICATION ORDER

To: City of York Council      Of: West Offices, Station Rise, YORK, YO1 6GA.

I/We\* (name of applicant)      Derek Jackson

Of (address of applicant)      4 Moorlands Road, Skelton, York, YO301XZ

hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and statement by

1. ~~Deleting the \*(footpath) (bridleway) (restricted byway) (byway open to all traffic)~~  
\* delete as appropriate

shown on the Definitive Map as path number: .....

from: .....

to: .....

As shown on the map accompanying this application

2. ~~Adding the \*(footpath) (bridleway) (restricted byway) (byway open to all traffic)~~  
\* delete as appropriate

from: Hurns Bridge  
.....

to: Moorlands Wood  
.....

As shown on the map accompanying this application

3. ~~\*(Upgrading) (Downgrading) to a \*(footpath) (bridleway) (restricted byway) (byway open to all traffic) the \*(footpath) (bridleway) (restricted byway) (byway open to all traffic)~~  
\*delete as appropriate.

shown on the Definitive Map as path number: .....

from: .....

to: .....

As shown on the map accompanying this application

4. ~~\*(Varying) (Adding to) the particulars relating to the \*(footpath) (bridleway) (restricted byway) (byway open to all traffic) \*delete as appropriate.~~

shown on the Definitive Map as path number: .....

from: .....

to: .....

by providing that: .....

As shown on the map accompanying this application

I/We\* attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

#### List of Documents Provided

Document SK1 . Skelton Enclosure Act 1806  
 Document SK2 . Skelton Enclosure Map 1807  
 Document SK3 . Skelton Enclosure Award 1807  
 Document SK 4 . OS 25 inch Yorkshire 157 (1854),  
 Document SK 4b 6inch CLVII.NW (1895)  
 Document SK 4f 6inch CLVII.NW (1912) Text  
 Document SK4c OS 25 inchYorkshire CLVII.9 (1893)  
 Document SK 4d OS 25 inchYorkshire CLVII.5 (1909)  
 Document SK5 . Order for the Diversion or Stopping up of Highways Ref QSB(H) NYRO  
 Document SK23 . 1630 Forest of Galtres map NYRO  
 Document SK7 . Andrews Special appeals judgement 2015  
 Document SK21 . Hallmoor Farm path diversion 1977  
 Document SK22 . 1910 tax assessment Hall Moor Farm plot 47  
 Document SK11 . Notice of Commissioners Enclosure meeting 1806  
 Document SK24 . Hurns Lane City of York reference number  
 Document SK25 1630 points on map  
 Document SK26 1630 points on current OS cmap

Signed  Dated 23/1/2018

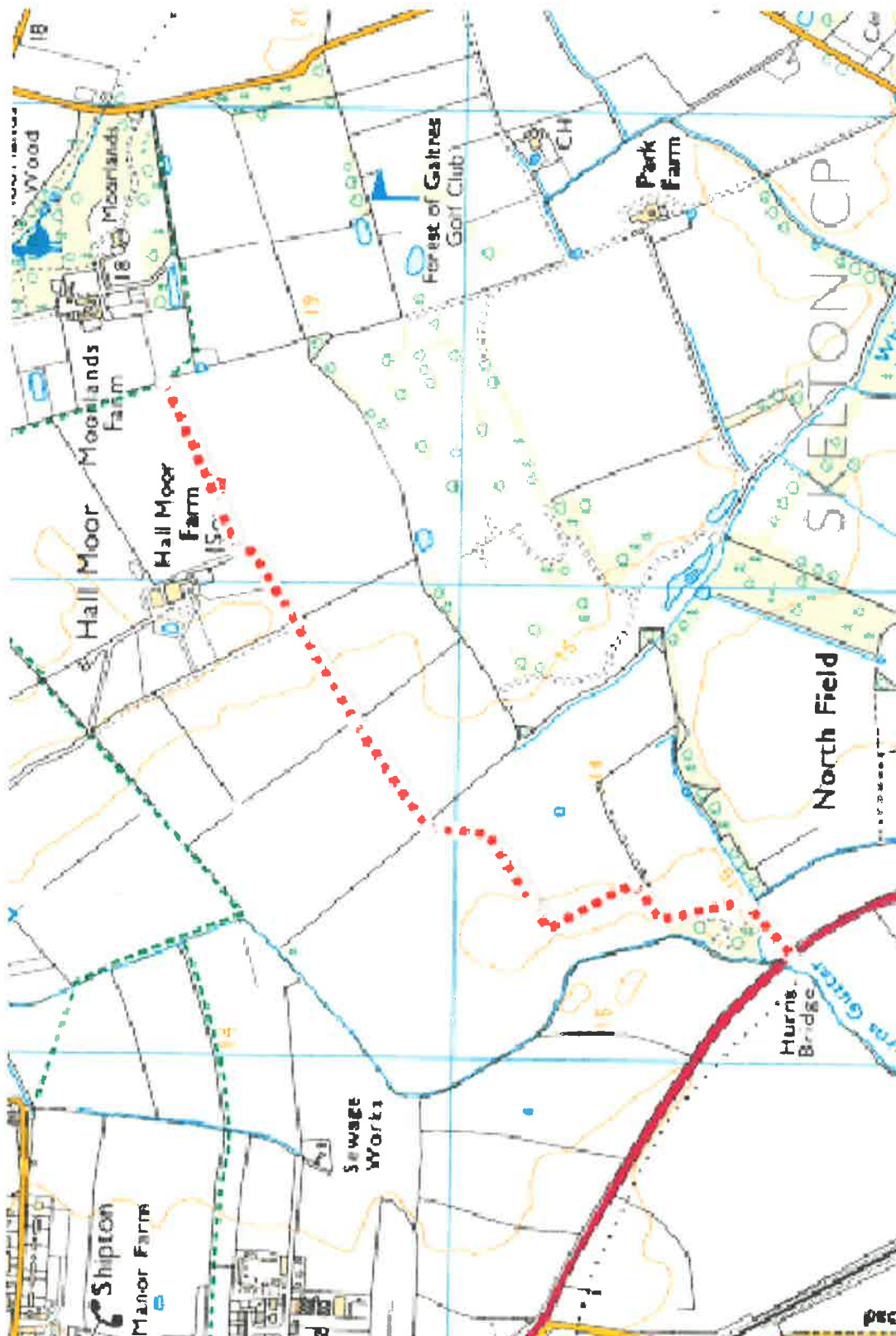
**THIS APPLICATION AFFECTS LAND LOCATED IN THE PARISH OR WARD OF:**

Skelton

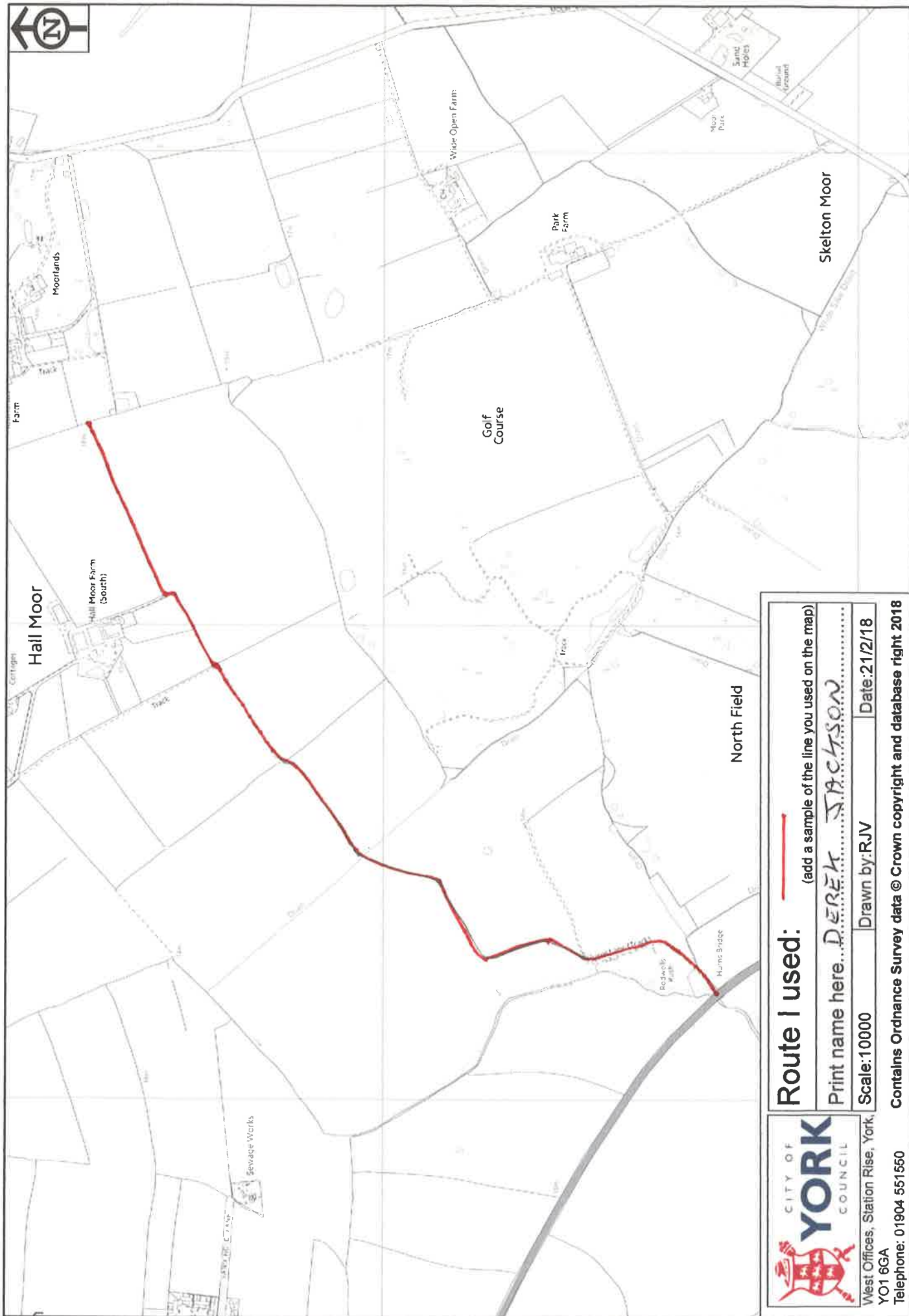
.....  
 (please insert the name of the parish or ward)

When completed please return this form, an application map indicating the location of the application route, and copies of your supporting evidence to:

**The Public Rights of Way Officer, Rights of Way, City of York Council, West Offices, Station Rise, YORK, YO1 6GA.**



DMMO MAP - HURNS BRIDGES TO MOORLANDS WOODS.




Route I used:

(add a sample of the line you used on the map)

Print name here... **DEREK JACKSON**

Scale: 10000 Drawn by: RJV Date: 21/2/18

Contains Ordnance Survey data © Crown copyright and database right 2018



**CITY OF YORK COUNCIL**  
West Offices, Station Rise, York,  
YO1 6GA  
Telephone: 01904 551550





# CERTIFICATE

## WILDLIFE AND COUNTRYSIDE ACT 1981

**The Wildlife and Countryside (Definitive Maps & Statements) Regulations 1993 (Schedule 9)**

# CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR A DEFINITIVE MAP MODIFICATION ORDER

**To:** City of York Council    **Of:** West Offices, Station Rise, YORK, YO1 6GA.

**I/We\*** (name of applicant) **Derek Jackson**

**Of** (address of applicant) 4 Moorlands Road, Skelton, York YO30 1XZ

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with. (Paragraph 2 is printed on the reverse of this form.)

Signed.....*DG*..... Dated.....*17/5/2018*.....

**Please list all the owners, tenants and occupiers notified.**

1. Jennifer Ann Bartram Crombie Wilkinson, Forsyth House, Market Place Malton YO10 7LR
2. Evan Richard Charles Lewis The Monks Barn, Watton, Driffield, East Riding YO25 9AH
3. Reginald Edward Foster Stephenson York Livestock Centre, Murton, York YO19 5GF
4. Yorkshire Housing Ltd Dysons Chambers, 12-14 Briggate, Leeds LS1 6ER



Economy and Place Directorate

West Offices  
Station Rise  
York YO1 6GA

Mr Derek Jackson  
4 Moorlands Road  
Skelton  
York  
YO30 1XZ  
By email only

Our Ref:  
Date: 31 July 2018

Dear Mr. Jackson

**Application to record a public right of way between Hurns Bridge and Moorlands Wood.**

Thank you for the certificate relating to the above application. I can now confirm that your application has been duly made (as defined by the Wildlife and Countryside Act 1981). Under the terms of the same Act we, as highway authority, are required to “determine” your application within twelve months of receipt. “Determine” in this case does not mean finished, rather it is that the council must decide whether it is going to make an order or reject the application.

Having reviewed all the evidence you have supplied I am confident that an order is going to be made. However, because of the way the Council’s constitution works I am required to place your applications before a member of the council’s executive for the formal decision. We don’t usually do this until we actually start processing the application. So at the moment the determination is to “make an order (subject to executive member approval)”.

Your application is now in the backlog of applications waiting to be dealt and I will be in touch again when they are started. You can view the current register of applications on our website at [https://www.york.gov.uk/info/20120/public\\_rights\\_of\\_way/1218/rights\\_of\\_way\\_registers](https://www.york.gov.uk/info/20120/public_rights_of_way/1218/rights_of_way_registers)

Hopefully that is clear but if not please let me know.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'RV' followed by a stylized flourish.

Russell Varley  
Definitive Map Officer

**Application supporting documents**

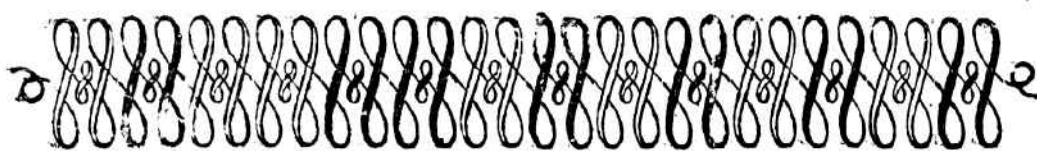
- Appendix 22: Skelton Enclosure Act 1806
- Appendix 23: Skelton Enclosure Map and Award 1807
- Appendix 24: OS maps submitted by applicant
- Appendix 25: 1977 Diversion order
- Appendix 26: Andrews Appeals judgement 2015
- Appendix 27: 1910 Finance Act Assessment submitted with application
- Appendix 28: Notice of Commissioners Enclosure meeting 1806
- Appendix 29: Hurns Lane OMA reference number
- Appendix 30: Forest of Galtres 1630 map evidence

## **Appendix 22**

### **Skelton Enclosure Act 1806**

#### **STATEMENT OF CASE OF THE COUNCIL OF THE CITY OF YORK PUBLIC BRIDLEWAY SKELTON 12 MODIFICATION ORDER 2021**





16 Geo 3 Cap 43.

AN

A C T

FOR

Inclosing Lands in the Township of *Skelton*, in the  
Parishes of *Skelton* and *Overton*, in the North Rid-  
ing of the County of *York*.

**W** **H E R E A S** there are within the Township of *Skelton*, Preamble.  
in the Parishes of *Skelton* and *Overton*, in the North  
Riding of the County of *York*, several Open Fields, Com-  
mon and Waste Grounds:

And whereas *Joshua Hepworth*, Esquire, is Lord of the Manor of *Skelton* aforesaid, and is also seised of the Perpetual Advowson, Right of Patronage and Presentation of, in, and to the Rectory and Parish Church of *Skelton* aforesaid; and *Thomas Place*, Clerk, is the present Rector of the Rectory and Parish Church of *Skelton* aforesaid, and as such is entitled to certain Glebe Lands, and to all Manner of Tythes both Great and Small, growing, renewing, or arising within the Parish of *Skelton* aforesaid:

And whereas the said *Joshua Hepworth*, *Mary Place*, and others, are seised of and entitled to certain Great Tythes arising, growing, and renewing, within the Township of *Skelton*, in the Parish of *Overton* aforesaid:

And whereas *John Francis Allen*, Clerk, as Vicar of *Overton* aforesaid, is entitled to certain Small Tythes arising and renewing within the said Township of *Skelton*, in the Parish of *Overton* aforesaid:

67.

A

And

[ 2 ]

And whereas the said *Joshua Hepworth, Mary Place, John Kilby, John Hutchinson*, and several other Persons, are the Owners and Proprietors of the said Open Fields, Common and Waste Grounds:

And whereas an Act was passed in the Forty-first Year of the Reign of His present MAJESTY King George the Third, intituled, "An Act for consolidating in One Act certain Provisions usually inserted in Acts of Inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts:"

And whereas the Lands of the several Proprietors in the said Open Fields lie intermixed and dispersed in small Parcels, and are in general so situate as to render the Cultivation thereof inconvenient and expensive, and the same in their present State, as well as the said Common and Waste Grounds, are capable of little Improvement, and it would tend greatly to the Advantage of the several Proprietors thereof, and all Persons interested therein, if the said Open Fields, Common and Waste Grounds were divided and inclosed, and specific Parts thereof allotted to the several Persons interested therein, in proportion to their respective Rights and Interests, and a Satisfaction made for the Tythes arising within the Township of *Skelton* aforesaid; BUT such beneficial Purposes cannot be effected without the Aid and Authority of Parliament;

May it therefore please Your MAJESTY,

That it may be Enacted; **And be it Enacted** by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *William Dawson*, of Tadcaster, in the County of York, Gentleman, and his Successors to be appointed in Manner hereinafter mentioned, shall be and he is hereby appointed the Commissioner for dividing, allotting, and inclosing the said Open Fields, Common and Waste Grounds, within the Township of *Skelton* aforesaid, and for carrying the several other Purposes of this Act into execution, subject to the Regulations in the said recited Act, except in such Cases where the same are hereby varied or altered.

Commission-  
er.

Appoint-  
ment of new  
Commission-  
ers.

And be it further Enacted, That if the said *William Dawson* shall before the execution of all the Powers and Authorities hereby vested in him, die, refuse, or become incapacitated to act, then and in every such Case *Thomas Scott*, of *Oulston*, Gentleman, shall be and he is hereby appointed the Commissioner for dividing, al-  
lotting

## [ 3 ]

lotting, and inclosing the said Open Fields, Common and Waste Grounds within the Township of *Skelton* aforesaid, and for carrying the several other Purposes of this Act into execution, subject to the Regulations in the said recited Act, except in such Cases where the same are hereby varied or altered; and that if the said *Thomas Scott* shall before the execution of all the Powers and Authorities hereby vested in him, die, refuse, or become incapacitated to act, then and in every such Case *John Tuke*, of the City of *York*, Gentleman, shall be and he is hereby appointed the Commissioner for dividing, allotting, and inclosing the said Open Fields, Common and Waste Grounds, within the Township of *Skelton* aforesaid, and for carrying the several other Purposes of this Act into execution, subject to the Regulations in the said recited Act, except in such Cases where the same are hereby varied or altered.

And be it further Enacted, That if the said *William Dawson*, *Thomas Scott*, and *John Tuke*, named in rotation to act as Commissioners as aforesaid, shall all happen to die, or become incapable of acting, or refuse to act as Commissioners in carrying this Act into execution in rotation as before mentioned, or shall for the space of One Calendar Month wilfully neglect to act as such Commissioner, after being requested by a majority in Value of the Owners of Estates in the said Township of *Skelton*, before this Act is completely executed, then and in such Case it shall and may be lawful for the major Part in Value, such Value to be ascertained by the Land Tax Assessment of the Proprietors or Persons interested in the Lands and Grounds hereby directed to be divided, allotted, and inclosed, or their known Agents or Attornies, who shall be present at a public Meeting to be held for that Purpose, in pursuance of a Notice in writing, signed by Two or more of the Proprietors, and to be affixed on the principal outer Door of the Parish Churches of *Skelton* and *Overton*, at least Ten Days before such Meeting, to appoint a new Commissioner in the room of the said *William Dawson*, *Thomas Scott*, and *John Tuke*, or such of them as shall last die, refuse, neglect, or become incapable to act as aforesaid, and so from time to time as often as Occasion may require; and every Commissioner to be so appointed shall have the same Power and Authority as the Commissioner in whose place he shall be appointed was vested with and subject to by virtue of this Act.

For appoint-  
ing a new  
Commission-  
er.

And be it further Enacted, That the said Commissioner for the Time being, shall be paid a reasonable Sum for every Day he shall be employed in, or travel, or be from Home, for the Purpose of executing the Powers and Authorities by this or the said recited Act, in him reposed, and for his Journeys, Attendance, and Expences occasioned

Allowance to  
the Com-  
missioners.

[ 4 ]

occasioned by the said Division, Allotment, and Inclosure, and the putting this Act in execution; and that such Commissioner shall appoint such Surveyor as he shall think proper, and that the Surveyor so to be appointed by the said Commissioner first accepting the said Appointment, shall be paid such a Sum or Sums of Money as the said Commissioner for the Time being shall think proper for his Trouble in surveying, planning, and subdividing the said Open Fields, Common and Waste Grounds, hereby intended to be inclosed, and of surveying and planning the said inclosed Lands.

Notice of  
Meetings.

And be it further Enacted, That the said Commissioner for the Time being shall and he is hereby required to give Notice, to be published in the Parish Churches of *Skelton* and *Overtown* on a Sunday immediately after Divine Service, and affixed on the principal outer Door of the Parish Churches respectively, and also to be published once at least in *The York Courant* or some other Newspaper published at *York*, of the Time and Place of his First Meeting for executing the Powers hereby and by the said recited Act vested in him, at least Fourteen Days before the said Meeting, so as such Place of Meeting do not exceed the Distance of Eight Miles from the Town of *Skelton* aforesaid; and the same Commissioner shall and may adjourn the Meeting from time to time as he shall see Occasion, for the due execution of this or the said recited Act; and the said Commissioner, Surveyor, and all the said Proprietors, their Agents and Solicitors, shall at all Meetings for executing this or the recited Act, pay their own Expences.

Other No-  
tices how to  
be given.

And be it further Enacted, That all other Notices necessary or requisite to be made and given by the said Commissioner for the Time being shall be made and given by Advertisement in the said Newspaper called *The York Courant*; or in case the same shall not then be published, then in some other Newspaper published and circulated in the City of *York*.

Commission-  
er to settle  
Disputes.

And be it further Enacted, That in case any Dispute or Difference shall arise between any of the Parties interested or claiming to be interested in the said intended Division and Inclosure, touching or concerning the respective Shares, Rights, or Interests which they or any of them shall have or claim to have, in or to the said Open Fields, Common and Waste Grounds hereby directed to be divided and inclosed, or touching or concerning the respective Shares or Allotments which they or any of them ought to have of or in the same, it shall be lawful for the same Commissioner and he is hereby authorized and required to examine into, hear, and determine the same: Provided always, that nothing herein contained shall authorize the



## [ 5 ]

the said Commissioner to determine the Title to any Messuage, Cottage, Frontleads, Lands, or Hereditaments whatsoever.

And be it further Enacted, That in case the said Commissioner shall, upon the Hearing and Determination of any Claim or Claims, Objection or Objections, to be delivered to him in pursuance of this Act or the said recited Act, see Cause to award any Costs, it shall be lawful for him and he is hereby empowered, upon Application made to him for that Purpose, to settle, assess, and award such Costs and Charges as he shall think reasonable, to be paid to the Party or Parties in whose Favour any Determination shall be made, by the Person or Persons whose Claim or Claims, Objection or Objections shall be thereby disallowed or over-ruled; and in case the Person or Persons who shall be liable to pay such Costs and Charges shall neglect or refuse to pay the same on Demand, then and in such Case it shall be lawful for the said Commissioner and he is hereby authorized and required, by Warrant under his Hand directed to any Person whomsoever, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) on Demand to the Person or Persons whose Goods and Chattels shall have been so distrained, after deducting the Expences attending such Distress and Sale.

Commissioner may award Costs.

Provided always, and be it further Enacted, That in case any Person or Persons interested or claiming to be interested in the said intended Division and Inclosure shall be dissatisfied with any Determination of the said Commissioner, touching or concerning any Claim or Claims of any Right of Common or Interest in, over, or upon the Common and Waste Grounds hereby directed to be divided and inclosed, or any Part thereof, it shall be lawful for the Person or Persons so dissatisfied with the Determination of the said Commissioner to proceed to a Trial at Law of the Matter so determined by the said Commissioner, at the then next or at the following Assizes to be holden for the said County of York; and for that Purpose the Person or Persons so dissatisfied as aforesaid shall cause an Action to be brought upon a feigned Issue against the Person or Persons in whose Favour such Determination shall have been made, within Three Calendar Months next after the Determination shall have been made by the said Commissioner; and the Defendant or Defendants in such Action or Actions shall and he, she, or they is and are hereby required to name an Attorney or Attornies, who shall appear thereto, and accept One or more Issue or Issues, whereby such Claim or Claims and the Right or Rights thereby insisted on may be tried and determined, such Issue or Issues to be settled by the

Allowing Parties to try their Right by Action at Law.

## [ 6 ]

proper Officer of the Court in which the said Action or Actions shall be commenced, in case the Parties shall differ about the same; and the Verdict or Verdicts which shall be given in such Actions shall be final, binding, and conclusive upon all and every Person and Persons whomsoever, unless the Court wherein such Action or Actions shall be brought shall set aside such Verdict or Verdicts and order a new Trial to be had thereon, which it shall be lawful for the Court to do as is usual in other Cases; and after such Verdict or Verdicts shall be obtained and not set aside by the Court, then the said Commissioner shall and he is hereby required to act in conformity thereto, and to allow or disallow the Claim or Claims thereby determined according to the Event of such Trial or Trials: Provided always, that the Determination of the said Commissioner touching such Claim or Claims of any Right of Common in, over, or upon the Common and Waste Grounds hereby directed to be divided and inclosed, or any Part thereof which shall not be objected to, or being objected to, the Party or Parties objecting not causing such Action at Law to be brought and proceeded in as aforesaid, shall be final and conclusive upon all the said Parties.

If any of the Parties die Proceedings not to abate.

And be it further Enacted, That if any of the Parties in any Action to be brought in pursuance of this Act shall die pending the same, such Action shall not abate by reason thereof, but shall be proceeded therein as if no such Event had happened.

Allotment for Lime, Stone, and Gravel.

And be it further Enacted, That the said Commissioner for the Time being shall and he is hereby required to set out, allot, and appoint such Part or Parts of the said Open Fields, Common and Waste Grounds hereby directed to be divided and inclosed, not exceeding in the whole Four Acres, as he shall think necessary, as and for public Watering Places, Stone Quarries, Gravel and Sand Pits, for the Repairs of the Highways and Roads within the said Township; and the same Part or Parts when set out shall for ever thereafter be used by the Surveyors of the Highways within the same Township for the Time being, in such Manner and under such Rules and Regulations as the said Commissioner shall by his said Award direct or appoint.

Allotment to the Rector

And be it further Enacted, That the said Commissioner for the Time being shall and he is hereby authorized and required in the next place to set out, allot, and award unto and for the said *Thomas Place*, and his Successors Rectors of *Skelton* aforesaid, such Part or Parts of the said Open Fields, or some of them, as shall in the Judgment of the said Commissioner be equal in Value to Two-fifteenths of such Parts of the said Open Fields as are within the said

## [ 7 ]

saïd Parish of *Skelton*, such Allotment to be made to the saïd Rector in One or more of the saïd Open Fields; and the saïd Commissioner shall further allot and award unto the saïd Rector and his Successors so much of the saïd Common and Waste Grounds as shall in the Judgment of the saïd Commissioner be equal in Value to Two-fifteenths of such Parts of the ancient inclosed Grounds as are within the saïd Parish of *Skelton*, and One-ninth of such Parts of the saïd Common and Waste Grounds as are within the saïd Parish of *Skelton*; provided, that in case any of the Owners of ancient inclosed Land shall not be entitled to such a Quantity of Common or Waste Ground as shall be sufficient to make Satisfaction to the saïd Rector as aforesaid, then the Commissioner shall set out and award so much of such Persons Share of the saïd Open Fields, or some or one of them, as shall in the Judgment of the saïd Commissioner be sufficient to make up the saïd Deficiency of Common and Waste Ground: Provided always, that in case any of the Owners of ancient inclosed Land shall not be entitled to such a Quantity of Common or Waste, nor entitled to such a Quantity of Land in the saïd Open Fields as shall be a sufficient Compensation to the saïd Rector as aforesaid, then the saïd Commissioner shall set out and award so much of the old inclosed Lands belonging to such Proprietors as shall in the Judgment of the saïd Commissioner be sufficient to make up the saïd Deficiency of Common and Waste and of Land in the saïd Open Fields, which saïd Allotments of One-ninth and Two-fifteenths respectively shall be and are hereby declared to be a full Compensation and Satisfaction for all and all manner of Tythes, both Great and Small, and all other Ecclesiastical Dues and Payments whatsoever (except Easter Offerings and Surplice Fees) arising, growing, renewing, increasing, happening, or payable within the Parish of *Skelton* aforesaid.

And be it further Enacted, That the saïd Commissioner for the Time being shall and he is hereby authorized and required to set out, allot, and award unto the saïd *Joshua Hepworth, Mary Place*, and the other Owners and Proprietors of Great Tythes arising, growing, renewing, increasing, or payable of, from, and out of the Lands, Grounds, and Hereditaments within the Township of *Skelton*, in the Parish of *Overton* aforesaid, and to the saïd *John Francis Allen* and his Successors, Vicars of *Overton* aforesaid, such Part or Parts of the saïd Open Fields lying and being within the Parish of *Overton* and Township of *Skelton* aforesaid, as shall in the Judgment of the saïd Commissioner be equal in Value to Two-fifteenth Parts of such Parts of the saïd Open Fields as are within the saïd Parish of *Overton*, such Allotment to be made to the saïd Lay Proprietors of Tythes and the saïd Vicar respectively, in one or more of

Allotments to  
the other  
Proprietors.



## [ 8 ]

the said Open Fields; and the said Commissioner shall further allot and award unto the said Lay Proprietors of Tythes and the said Vicar, so much of the said Common and Waste as shall in the Judgment of the said Commissioner be equal in Value to Two-fifteenth Parts of such Parts of the said ancient inclosed Land as are within the said Parish of *Overton*, and One-ninth Part of such Parts of the said Common and Waste as are within the said Parish of *Overton*; provided, that in case any of the Owners of ancient inclosed Lands shall not be entitled to such a Quantity of Common and Waste as shall be sufficient to make Satisfaction to the said Proprietors of Tythes, and the said Vicar respectively, then the said Commissioner shall set out and award so much of the said Open Fields as shall in the Judgment of the said Commissioner be sufficient to make up the said Deficiency of Common and Waste: Provided always, that in case any of the Owners of ancient inclosed Land shall not be entitled to such a Quantity of Common and Waste, nor entitled to such a Quantity of Land in the said Open Fields as shall be a sufficient Compensation to the said Lay Proprietors of Tythes and the said Vicar respectively, then the said Commissioner shall set out and award so much of the old inclosed Land belonging to the said Owner, as shall in the Judgment of the said Commissioner be sufficient to make up the said Deficiency of Common and Waste, and of Land in the said Open Fields, which Allotment of One-ninth and Two-fifteenth Parts shall be and is hereby declared to be a full Compensation and Satisfaction for all and all manner of Tythes, both Great and Small, and all other Ecclesiastical Dues and Payments whatsoever (except Easter Dues and Surplice Fees) arising, growing, renewing, increasing, or payable within, of, from, and out of the Lands, Grounds, and Hereditaments within the Township of *Skelton*, and in the Parish of *Overton* aforesaid, which said last-mentioned Allotments of One-ninth and Two-fifteenth Parts the said Commissioner shall and he is hereby authorized and required to divide, set out, and apportion between and amongst the said *Joshua Hepworth*, *Mary Place*, and the other Owners and Proprietors of Great Tythes aforesaid, and their Heirs, and the said *John Francis Allen* and his Successors, in manner hereinafter mentioned, that is to say, unto the said *John Francis Allen* and his Successors, One-seventh Part of the said last-mentioned Allotments of One-ninth and Two-fifteenth Parts, as and for a full Compensation and Satisfaction of and for all Small Tythes, Vicarial Dues and Payments whatsoever, except as aforesaid, belonging to the said *John Francis Allen*, as Vicar as aforesaid, arising, growing, renewing, increasing, and payable within, or from, or out of the said Lands, Grounds, and Hereditaments respectively; and unto the said *Joshua Hepworth*, *Mary Place*, and the other Owners and Proprietors of Great Tythes respectively, all the Residue of the said last mentioned



## [ 9 ]

mentioned Allotments of One-ninth and Two-fiftieth Parts, according to their respective Rights and Interests therein.

And be it further Enacted, That until the said Division and Allotment shall be made and the several Allotments shall be staked out in pursuance of this or the said recited Act, the said Rector and Vicar and their Successors, and the said *Joshua Hepworth, Mary Place*, and the other Owners and Proprietors of Great Tythes, shall respectively be entitled to and shall receive and enjoy such and the same Tythes as they severally could, might, or ought to have received in case this Act had not been passed.

Tythes payable until Allotments made.

And be it further Enacted, That the said Commissioner for the Time being shall and he is hereby required in the next place to set out, allot, and award all the Residue of the said Open Fields hereby directed to be divided and inclosed, unto and amongst the several Persons, Bodies Politic or Corporate, who at the Time of making such Allotment shall be entitled to any Estate, Property, or Interest therein, according to their respective Estates and Interests therein, in such Quantities, Shares, and Proportions as by the said Commissioner shall be adjudged and deemed a Compensation and Satisfaction for their several and respective Lands, Grounds, and Interests of each of the said Proprietors.

For allotting the Open Fields.

And be it further Enacted, That the said Commissioner shall and he is hereby required in the next place to set out, allot, and award unto the said *Joshua Hepworth*, as Lord of the Manor of *Skelton* aforesaid, as a Compensation for his Right and Interest in and to the Soil of the said Common and Waste Grounds, One-twentieth Part of the Residue of the said Common and Waste Grounds not hereby or by the said recited Act directed to be set out as aforesaid.

Allotment for Right of Soil.

And be it further Enacted, That the said Commissioner for the Time being shall and he is hereby authorized and required to allot and award the Residue of the said Common and Waste Grounds unto and amongst the several Persons, Bodies Politic or Corporate, who at the Time of making such Allotment shall be Owners of ancient Messuages and Cottages or Frontsteads, and of ancient Inclosed and Open Field Lands within the said Township of *Skelton*, belonging to the said Owners, according to the Number of such Messuages, Cottages, and Frontsteads; and the said Commissioner's Valuation of such Lands (that is to say) Two-thirds of the said Common and Waste Ground in respect of the said Messuages, Cottages, and Frontsteads, and the remaining Third Part thereof in respect of the Owners of the said Lands, the said Commissioner in appointing the

Allotments of the Residue.

faid Allotments deeming and considering a Cottage or Cottagestead to be equal to Three Fourth Parts of a Messuage or Messuagestead.

Provided always, and be it further Enacted, That the faid Commissioner for the Time being shall allot and award unto the faid *Mary Place* as Part of her Allotment as Owner of Lands, Grounds, and Tythes, the Whole of a certain Open Field called *The South Field*, within the Township of *Skelton* aforefaid (except such Part of the faid *South Field* as lies to the Northward of a straight Line to be drawn from the South-west Corner of a certain Inclosure called *Sold Lands*, to the South-east Corner of another Inclosure called *Holdgate Stone Rigs Croft*) ; and as to such Part of the faid *South Field* as lies to the Northward of the faid straight Line, the faid Commissioner shall also allot unto the faid *Mary Place*, as a further Part of her Allotment, so much of the faid excepted Part of the faid *South Field* as lies to the Westward of the West Boundary of the Glebe Rig ; any thing herein contained to the contrary notwithstanding.

No Sheep or Lambs to be kept in the new Inclosures for Seven Years.

And be it further Enacted, That no Sheep or Lambs shall be depastured or kept in any of the faid new Inclosures during the Space of Seven Years from the execution of the Award of the faid Commissioner, unless the Persons respectively depasturing or keeping Sheep or Lambs do at their own Expence effectually guard and fence the young Quickset Hedges, or any other Person's Allotment adjoining to such Inclosure respectively in which Sheep or Lambs shall be depastured and kept as aforefaid, so as to prevent any Damage or Injury being done to such Fences or Quicksets by any such Sheep or Lambs ; and the Person or Persons respectively depasturing or keeping the same as aforefaid, and neglecting or refusing to guard and fence the young Quicks as aforefaid, shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence ; which Penalty when levied and recovered shall be paid to the Surveyor or Surveyors of the Highways of the faid Township of *Skelton* aforefaid for the Time being, and shall be applied by him or them in the Amendments of such Highways ; and that from and after the Division and Allotment, or upon the execution of the faid Award, all Right of Common, Average, and Turbary within the faid Township of *Skelton*, and every Part thereof, shall for ever cease and be extinguished.

Openings to be left.

And be it further Enacted, That the faid Commissioner for the Time being shall, either before or at the Time of making his Award, direct or appoint what Gaps or Openings shall be left in any of the Hedges or Fences hereby or by the faid recited Act directed to be made, and for any and what Time, for the Passage of Cattle, Carts, and Carriages.

And

## [ 11 ]

And be it further Enacted, That the Award to be made by the said Commissioner in Manner directed by the said recited Act shall, within the Space of Three Calendar Months from the execution thereof, be inrolled in the Register Office at *Northallerton*, in the North Riding of the County of *York*, established for the registering of Deeds, Wills, and Incumbrances affecting Lands and Tenements in the said Riding, and a true Copy (to be signed by the said Commissioner) of the Map or Plan annexed to such Award shall also be lodged at the said Register Office at the Time of the Inrolment of the said Award, and there kept for ever; and the said Award, together with the Map or Plan thereto annexed, shall, immediately after the said Inrolment of such Award, be put into and kept in a Tin Box, and be lodged for safe Custody in the Parish Church of *Skelton* afore said, under the Care of the Rector of the Parish of *Skelton* afore said, and the Churchwardens for the Time being of the Church there, for ever, for the Inspection and Perusal of the several Persons interested therein, or their respective Agents, who shall be at Liberty to inspect and peruse the same, on Application for such Purpose, at all reasonable Times, and to make Copies or Extracts therefrom gratis; and the said Register shall be entitled to such Fees for the Inrolment of the said Award as he is entitled to for inrolling any Bargain and Sale; and the said Register or his Deputy for the Time being shall permit any Person or Persons whomsoever, from time to time within the Office Hours of Attendance, to peruse the Inrolment of the said Award at the said Register Office, and to inspect and examine such Copy of the said Map or Plan, paying for the same to such Register or his Deputy One Shilling and no more; and shall also from time to time, upon Request to him made by any Person or Persons whomsoever, cause a true Copy of the Whole to be made, or any Part or Parts of the Inrolment of the said Award to be made and written out from such Inrolment, and shall from time to time, when requested, certify the same under his Hand to be a true Copy from such Inrolment, for which the said Register or his Deputy making the same shall be paid after the Rate of Six Pence per Sheet, reckoning One hundred Words to each Sheet, and no more; and the said original Award, or a true Copy of the Inrolment thereof or any Part thereof, so certified under the Hand of the said Register or his Deputy for the Time being as afore said shall, from time to time, be allowed and admitted as legal Evidence in all Courts whatsoever.

Award to be  
inrolled in  
the Register  
Office.

And be it further Enacted, That the several Allotments to be made to the said *Thomas Place* and *John Francis Allen*, as Rector and Vicar as afore said, and their Successors respectively, in lieu of  
67. Tythes

Tythe Allot-  
ments how  
to be fenced.



Tythes, Ecclesiastical Dues, and Payments as aforesaid, shall be inclosed with an outer Fence and Ditch, to be planted with good transplanted Quicksets, and defended with sufficient Oak Posts and double Rows of Rails, and with proper Gates, to be provided by such Person or Persons, and within such Time, and in such Manner as the said Commissioner shall appoint, at the joint Charges of all the other Proprietors, to be ascertained and assessed by the said Commissioner in the same Manner as the Costs and Charges of this Act are to be ascertained and assessed as hereinafter mentioned.

For paying  
the Ex-  
pences of the  
Act.

And be it further Enacted, That all Costs, Charges, and Expences preparatory to and attending the obtaining and passing of this Act, and of surveying and valuing the said Lands already inclosed, and surveying and dividing and allotting the said Open Fields, Commons, and Waste Grounds hereby directed to be inclosed, and of setting out, forming, and making the public Roads, Drains, Bridges, and other Conveniences, Requisites, and Improvements, which, by virtue of the said recited Act or this Act shall be set out and directed, and the preparing and inrolling the said Award, or Writings, or other Instruments, to be executed by the said Commissioner, in pursuance of this or the said recited Act, and all other the Charges and Expences of the said Commissioner and Surveyor, and other proper and necessary Charges and Expences in the execution of this Act, shall be borne and defrayed by the several Owners and Proprietors of and Persons interested in the Lands and Grounds hereby directed to be divided and inclosed, or which shall be exonerated from Tythes, in such Shares and Proportions as the said Commissioner shall direct and appoint from time to time, as the same shall respectively accrue, to be paid to such Person or Persons, and in such Manner and at such Time or Times, either before or after the execution of the said Award, as the said Commissioner shall direct or appoint, and as by him shall be deemed most just and reasonable (save and except the said *Thomas Place* and *John Francis Allen* and their Successors respectively, who are to be exempt from bearing any Part of the said Charges and Expences in respect of the several Allotments hereinafter directed to be made to them respectively as aforesaid, in lieu of any Glebe Lands or Tythes; the Commissioner, in proportioning such Expences amongst the said Proprietors and Persons, having regard to every Person's Estate and Interest therein); and in case any Person or Persons shall refuse or neglect to pay his, her, or their Proportion of such Costs, Charges and Expences, according to such Direction or Appointment as aforesaid, then and in such Case the same shall and may be recovered in the  
Manner

[ 13 ]

Manner directed by the said recited Act, with Interest for the same at Five Pounds *per Centum per Annum*, from such Time as the said Commissioner shall have ordered the same to be paid, until the actual Payment thereof.

And be it further Enacted, That if any of the Proprietors or Persons interested in the Land and Grounds hereby directed to be divided, allotted, and inclosed, or any Person or Persons on his, her, or their Behalf, shall advance and pay any Money in discharge of the Fees or other Expences of obtaining and executing this Act, the Money to be so paid and advanced shall be repaid and satisfied by the Direction of the said Commissioner, together with lawful Interest for the same.

Proprietors  
advancing  
Money to be  
repaid with  
Interest.

And be it further Enacted, That Once at least in each and every Year during the execution of this Act (such Year to be computed from the Day of passing thereof), the said Commissioner shall and he is hereby required to make a true and just Statement or Account of all Sums of Money by him received and expended, or due to him, for his Trouble or Expences in the execution of this Act, and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by him laid before One of His Majesty's Justices of the Peace for the said North Riding of the County of York, not interested in the Premises, to be by him examined and balanced, and such Balance shall by such Justice be stated in the Book of Accounts to be kept in the Office of the Clerk of the said Commissioner, and no Charges or Item in such Account shall be binding on the Parties concerned, or valid in Law, unless the same shall have been duly allowed by such Justice.

Commissioner  
to state  
Accounts.

And be it further Enacted, That all and every subsisting Lease and Leases or other Agreement at Rack Rent of all or any of the said ancient Messuages, Cottages, Frontsteads, or inclosed Lands, within the said Township of Skelton, for any Term or Number of Years, shall cease, determine, and be void immediately upon such Allotments being made, and such Award being executed by the said Commissioner, and inrolled as aforesaid, or at such other Time before or after the Inrolment thereof, as the said Commissioner by any Notice or Notices in writing under his Hand, to be affixed on the principal outer Door of the Parish Church of Skelton aforesaid, shall appoint, in case the Lessors or Lessees do not otherwise among themselves agree, the respective Owners of any Allotment or Allotments to be made as aforesaid, who shall have made any such Lease or Leases, Agreement or Agreements, making such Satisfaction to such

Leases at  
Rack Rent  
to be void.

Leffee or Leffees, Tenant or Tenants, as the said Commissioner shall ascertain as reasonable to be paid to such Leffee or Leffees, Tenant or Tenants, on account thereof, or as an Equivalent for his, her, or their Term or Terms of Years, Rights, and Interest therein: Provided always, that if there shall be any Lease or Leases of Lands, Part of which shall lie in the Township of *Skelton* aforesaid and Part in any adjoining Parish, all and every such Lease or Leases upon Rack Rent now subsisting may and shall be vacated; but where any Land shall have been taken in Exchange, which Land shall be under Lease and wholly situate in an adjoining Parish, the Lease of such last-mentioned Lands shall not be vacated.

Allowing an  
Appeal.

And be it further Enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this or the said recited Act (except in such Cases where Orders and Determinations of the said Commissioner are by this or the said recited Act directed to be final and conclusive, and also where Provision is made for a Trial at Law as aforesaid), he, she, or they may appeal to the General Quarter Sessions of the Peace to be holden in and for the North Riding of the County of *York*, within Six Calendar Months next after the Cause of Complaint shall have arisen, on giving to the said Commissioner, and to the Party or Parties concerned, Twenty Days Notice in writing of such Appeal and of the Matter thereof; and the Justices (not interested in the Premises) at their said General Quarter Sessions are hereby required to hear and determine the Matters of every such Appeal, and to make such Order and award such Costs and Damages as to them in their Discretion shall seem reasonable, and by their Order and Warrant to levy the Costs and Damages which shall be so awarded by Distress and Sale of the Goods, and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) on Demand to the Owner of such Goods and Chattels, after deducting the reasonable Charges of such Warrant, Distress, and Sale; and the Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed by *Certiorari*, or any Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous, vexatious, or without Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants as to them in their Discretion shall seem reasonable, and to be levied in Manner aforesaid.

General  
Saving.

Saving always to the KING's Most Excellent MAJESTY, his Heirs and Successors, and to all and every other Person and Persons,

## [ 15 ]

sons, Bodies Politic or Corporate, his, her, or their Heirs, Successors, Executors, and Administrators (other than and except the respective Persons to whom any Allotment or Allotments of Lands or Compensation shall be made by virtue of this Act, in respect of the Interest or Property for which such Allotment or Compensation shall be made, and other than and except the Rights and Interests which are directed to be claimed, and intended to be barred or destroyed by this Act), all such Estates, Rights, and Interests as they, every or any of them, had or enjoyed, of, in, to, or in respect of the said Common and Waste Grounds hereby directed to be divided and inclosed before the passing of this Act, or could or might have had or enjoyed in case the same had not been passed.

## **Appendix 23**

### **Enclosure Map and Award 1807**

# **STATEMENT OF CASE OF THE COUNCIL OF THE CITY OF YORK PUBLIC BRIDLEWAY SKELTON 12 MODIFICATION ORDER 2021**



A PLAN  
OF THE  
TOWNSHIP OF SKELTON  
in the  
North Riding  
of the  
COUNTY OF YORK



Explanation

Shaded land enclosed by Act  
Common land  
Enclosed land  
Enclosed land



In the Execution of an Act of Parliament passed in the 1<sup>st</sup> Year of the reign of his present Majesty King George the third intituled an Act for Consolidating in one Act certain provisions usually inserted in Acts of Parliament and for facilitating the mode of proving the several Facts usually required on the passing of such Acts and also of an Act made and passed in the forty sixth year of the reign of our Sovereign Lord George the third by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and in the year of our Lord one thousand eight hundred and six intituled an Act for inclosing Lands in the Township of Skelton in the parishes of Skelton and Swanton in the North Riding of the County of York

The oath of William Dawson son of Tadcaster in the County of York Gentlemen the Commissioner appointed in and by the said Act

I William Dawson of Tadcaster in the County of York Gentlemen do swear that I will faithfully impartially and honestly according to the best of my skill capability execute and perform the several trusts powers and authorities vested and reposed in me as a Commissioner by virtue of an Act of Parliament made and passed in the forty sixth year of the reign of our Sovereign Lord George the third by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and in the year of our Lord one thousand eight hundred and six intituled an Act for inclosing Lands in the Township of Skelton in the parishes of Skelton and Swanton in the North Riding of the County of York according to Equity and good conscience and without favour or affection Prejudice or Partiality to any person or persons whomsoever

I took the Oath the twenty first day of July in the year of our Lord one thousand eight hundred and six  
before me J. H. H. is

So help me God  
Wm Dawson

One of her Majestys Justices of the Peace of the North Riding of the County of York and Justice of the Peace of the County of York



Page 247 of 384







# Staked out leading

from an ancient stile at the North East corner of an ancient Inclosure belonging to Roger Barker and John Barker called Penhills + Eastward onto and over an allotment hereby awarded to the said Roger Barker and John Barker upon the said Common of Skelton aforesaid and along the North side of the same allotment to an ancient Gate leading up to the Dwellinghouse of the said John Barker and from thence in the same direction to and into <sup>Richard Wardman and</sup> allotments hereby awarded to the said Thomas Place upon the said Common at the North West corner of the said Thomas Place allotment and further ~~in the~~ in the same direction across the same to and into the Wigginton Road And I do assign allot and award the Grass and Herbage arising upon and from the said several carriage and Bridle roads so set out and made aforesaid and the same Grass and Herbage shall for ever belong to and be the sole right of the Proprietors of the Lands and Grounds which shall next adjoin the said Roads and ways on either side thereof as far as the Crown of the Road And I do hereby assign allot and award all that piece or parcel of Ground at the East end of the Townstreet of Skelton aforesaid bounded on or towards the East by an ancient Inclosure late belonging to the said John Hutchinson and on or towards the North by an allotment awarded to Roger Barker and John Barker and on or towards the west and South by the Townstreet of Skelton aforesaid as a public watering Place for all kinds of Beasts and Cattle for the use of the Inhabitants of the said Township of Skelton for the time being for ever I do assign allot and award unto the Surveyors of the Highways for the time being within the Township of Skelton aforesaid for the purpose of getting Sand Gravel and other materials for repairing the Highways and Roads within the said Township of Skelton aforesaid All that piece or parcel of Land containing Three Acres lying upon the said Common of Skelton bounded by Sands allotted to the said Thomas Place as Rector of Skelton on or towards the East west and South and by the Public Highway called the Wigginton Road on or towards the North I do hereby assign allot and award unto the Reverend Thomas Place Clerk as Rector of the Rectory of Skelton aforesaid and his Successors Rectors of the Parish and Parish Church of Skelton aforesaid for the time being in severalty Fifteen Acres three roods and eighteen Perches of Land lying in the North Field in Skelton aforesaid and bounded by Sands herein awarded to John Kelly and an ancient Inclosure belonging to Roger Barker and John Barker on or towards the East and by Sands herein awarded to the said John Kelly and Sands hereby awarded to the said Thomas Place as Rector as aforesaid in lieu of Tithes of Old Inclosure and in lieu of Sands had in exchange from John Kelly on or towards the North and by the same Sands awarded to the said Thomas Place as Rector as aforesaid and by other Sands hereby awarded to the said John Kelly on or towards the West and by the said Sands awarded to the said Thomas Place as Rector as aforesaid in lieu of Tithes of Old Inclosure and Sands had in exchange from the said John Kelly and other Sands awarded to and an ancient Inclosure had in exchange by the said John Kelly on or towards the South And I do order and direct that the said Thomas Place as Rector as aforesaid and his Successors Rectors for the time being of Skelton aforesaid Proprietors and Occupiers of the said allotment of Fifteen Acres three roods and eighteen Perches shall for ever hereafter well and sufficiently support maintain and keep in repair the Fences and Ditches on the North side of the same allotment dividing the same from the Sands of the said John Kelly And I do also assign allot and award unto the said Thomas Place as Rector as aforesaid and his Successors Rectors for the time being of Skelton aforesaid in severally One Acre two roods and six Perches of Land lying in the North Field of Skelton aforesaid bounded by other Sands hereby awarded to the said Thomas Place in lieu of the Tithes of certain open Field Land on or towards the East North and South and by other Sands hereby awarded to the said Thomas Place in exchange with John Kelly for Old Inclosure within the said Township on or towards the West And I do also allot assign and award unto the said Thomas Place as Rector as aforesaid and his Successors Rectors for the time being of Skelton aforesaid in severally Sixty Six Acres three roods and eight Perches of Land lying in the said Common of Skelton aforesaid bounded by the Township of Wigginton and Sands hereby awarded to the Vicarages of the said

Carriage of Roads

Public Watering  
Place in the North  
Field of Skelton

Rectory of Skelton  
14. 5. 6

Rectory of Skelton  
14. 5. 6

1. 2. 6

66. 3. 8



and the said Sand Pit hereby set out by the said Common Highway called Wigginton road <sup>on or towards the East</sup> ~~in~~ <sup>in</sup> the said Sand Pit and the same Sands on or towards the North by Sands hereby awarded to the vicar of Overton and the said Sand Pit on or towards the West and by Sands hereby awarded unto the said Edward Place on or towards the South which said several ~~in~~ <sup>in</sup> allotments of One acre two roods and Six Perches and Sixty Six Acres three roods and Eight Perches are in lieu of and in full compensation and satisfaction for all manner of Tithes of certain Old Inclosure in Skelton aforesaid **And I do** order and direct that the said ~~Thomas Place~~ Thomas Place and his Successors Proprietors and Occupiers of the said allotment of Sixty Six Acres three roods and Eight Perches for the time being shall for ever hereafter well and sufficiently repair support and maintain the Fences and Ditches of the same allotment against and adjoining the said Sand Pit and the said Common Highway called Wigginton road on or towards the East and South and the whole of the Fences and Ditches of the said allotment on or towards the West and South **And I do** also assign allot and award unto the said Thomas Place as Rector as aforesaid and his Successors Rectors for the time being of Skelton aforesaid in severally Eighteen Acres and one rood of Sand lying in the said Common of Skelton aforesaid bounded by the said Common Highway called Wigginton road on or towards the East and South by Sands hereby allotted unto and an ancient Inclosure belonging to Richard Wardman on or towards the North and by the several Sands hereby awarded unto the said Richard Wardman and Sands awarded to the said Thomas Place in lieu of Glebe on or towards the West **And I do** hereby order and direct that the said Thomas Place and his Successors Rectors of Skelton aforesaid Proprietors and Occupiers for the time being of the said allotment of Eighteen Acres and one rood shall for ever hereafter well and sufficiently repair support and maintain the Fences and Ditches of the same allotment on or towards the East and South against the said Common Highway called Wigginton road and against Sands hereby awarded to the said Richard Wardman in the Parish of Skelton aforesaid on or towards the North **And I do** also allot assign and award unto the said Thomas Place as Rector as aforesaid and his Successors Rectors for the time being of Skelton aforesaid in severally Two roods and four Perches of Sand lying in the South Field of Skelton aforesaid bounded by Sands hereby awarded to the said Joshua Hopworth on or towards the East by ancient Inclosed Sand belonging to the said Thomas Place as Rector as aforesaid and by other Sands by him had in exchange from Edward Place and hereby awarded to him in Exchange on or towards the North by Sands hereby awarded to Edward Place on or towards the West and South **And I do** hereby also order and direct that the said Thomas Place and his Successors Rectors of Skelton aforesaid Proprietors and Occupiers for the time being of the said allotment of Two roods and four Perches shall for ever hereafter well and sufficiently repair support and maintain the Fences and Ditches of the same allotment on or towards the East and South **And I do also** allot assign and award unto the said Thomas Place as Rector as aforesaid and his Successors Rectors for the time being of Skelton aforesaid in severally Five Acres and three roods of Sand lying in the said Common of Skelton aforesaid bounded by Sands awarded to the said Thomas Place as Rector as aforesaid in lieu of Tithes on or towards the East by Sands hereby awarded unto the said Richard Wardman on or towards the North and ~~west and by the said Common Highway called Wigginton road on or towards the South~~ <sup>being</sup> **And I do** order and direct that the said Thomas Place as Rector as aforesaid and his Successors Proprietors and Occupiers for the time of the said allotment of Five Acres three roods shall for ever hereafter well and sufficiently support and maintain the Fences and Ditches on the North and South sides of the same allotment **And I do also** allot assign and award unto the said Thomas Place as Rector as aforesaid and his Successors Rectors for the time of Skelton aforesaid in severally Two Acres three roods and six Perches of Sand lying in the North Field of Skelton aforesaid bounded by land hereby awarded unto the said Thomas Place in lieu of the Tithes of Old Inclosure Glebe on or towards the East and by other Sands hereby awarded unto the said Thomas Place in lieu of the Tithes of the said open fields of Skelton aforesaid on or towards the North and South and by Sands hereby awarded unto the



Said John Dilby

on or towards the West **And I do** order and direct that the said Thomas Place and his Successors Proprietors and occupiers for the time being of the said Allotment of Two Acres two roods and Six Perches shall for ever hereafter well and sufficiently repair support and maintain the Fence and Ditch of the same Allotment on or towards the West. All which said several Allotments or parcels of Land hereby allotted and awarded to the said Thomas Place as Rector of Shelton aforesaid and his Successors Rectors for the time being are in full bar and full satisfaction and compensation of and for all and all manner of Tithes both great and small yearly coming growing renewing or being within the said Parish of Shelton aforesaid (except Surplice fees and Easter offerings) the same several Allotments being first Surveyed Inclosed and priced at the Request of the other Proprietors by me the said Commissioner and which are as follows to be kept in repair afterwards by the said Thomas Place and his Successors Rectors for the time being of Shelton aforesaid for ever and which said several Tithes would have been due and payable to the said Thomas Place and his Successors Rectors for the time being of the said Parish of Shelton aforesaid in case the same were not extinguished by the said Act and which same several Allotments or parcels of Ground are in my Judgment quantity quality and situation considered equal in value to two fifteenth parts of such of the said open Fields as are within the said Parish of Shelton and to two fifteenth parts of such parts of the said ancient Inclosed Ground as are within the same Parish and to one ninth of such part of the said Common and Waste Grounds as are within the same Parish of Shelton and are in full bar and full satisfaction and compensation of and for all and all manner of Tithes both great and small and other Ecclesiastical dues coming growing arising renewing or being or to come grow and renew or be in upon within or from the several Lands and Grounds within the said Parish of Shelton aforesaid the said Surplice fees and Easter offerings only excepted and reserved **And I do** allot award and assign unto the said Joshua Hepworth as Lord of the Manor of Shelton aforesaid Nine Acres two roods and Eight Perches of Land lying on the said Common and bounded by the Township of Wigginton on or towards the East by Lands allotted to the said Edward Place on or towards the North by the said Common Highway called Wigginton Road on or towards the West and by Lands allotted to the said Joshua Hepworth in lieu of his Manorial rights in the Township of Shelton and Overton on or towards the South **And I do** order and direct that the said Joshua Hepworth and the Proprietors and occupiers for the time being of the said Allotment of Nine Acres two roods and Eight Perches shall make and for ever hereafter maintain a good and sufficient Fence and Ditch on the west side thereof **And I do also** allot assign and award unto the said Joshua Hepworth as Lord of the Manor of Shelton aforesaid Thirteen Acres two roods and thirty two Perches of Land lying on the said Common and bounded by the Township of Wigginton on or towards the East by the said Lands hereinbefore allotted to the said Joshua Hepworth in lieu of his Manorial rights in the said Parish of Shelton on or towards the North by the said Common Highway called Wigginton Road on or towards the West and by Lands allotted to the said Joshua Hepworth as Proprietor of Lands in the said Parish of Overton aforesaid on or towards the South **And I do** order and direct that the said Joshua Hepworth and the Proprietors and occupiers for the time being of the same Allotment of Thirteen Acres two roods and thirty two Perches awarded to the said Joshua Hepworth as Lord of the Manor aforesaid shall make and for ever hereafter well and sufficiently repair support and maintain the Fence and Ditch on the west side of the same Allotments which two last mentioned Allotments making together Twenty three Acres and one rood are in my Judgment a full equivalent and adequate compensation (the situation quantity and quality considered) for the said Joshua Hepworth's right and Interest in and to the soil of the said Common and Waste Grounds within the said Township of Shelton aforesaid and are equal in value to one twentieth part of the residue of the said Common and Waste Grounds **And I do** allot assign and award unto the said Joshua Hepworth his heirs and assigns in severalty Three roods and eleven Perches of Land lying in the Park field of Shelton aforesaid and bounded on or towards the East by Lands herein allotted to the Successors of the said John Hutchinson on or towards the East and South by the Township of Overton on or towards the North by Lands herein allotted to the said Joshua Hepworth and afterwards exchanged with the said Successors of the said John Hutchinson on or towards the West **And I do** order and direct that the said Joshua Hepworth and the Proprietors and occupiers for the time being of the said Allotment of Three roods and eleven Perches shall make and for ever repair and maintain a sufficient Fence and Ditch on the East side thereof which said last mentioned Allotment is in full bar and full satisfaction and compensation of and for all his the said Joshua Hepworth right title and Interest of in and to all the great or small Tithes yearly coming

Joshua Hepworth  
as Lord of the Manor  
of Shelton  
aforesaid  
9. 2. 0

1. 2. 32

Joshua Hepworth  
as Lord of the Manor  
of Shelton  
aforesaid  
9. 2. 0



# growing arising

Enclosure Map and Award

Appendix 23

vicar of Overton  
allotment  
6. 6. 32

17. 0. 8

3. 2. 32

Joshua Hepworth  
General allotment  
3. 2. 16

On 3. 2. 14



or arising from or out of certain open field lands belonging to the said John Kelly vicar and being in the Parish of Overton aforesaid And I do also assign and award unto the Reverend John Francis Allen vicar of the Parish and Parish Church of Overton aforesaid and his Successors vicars for the time being of the same Parish in severally six acres and thirty two perches of land lying in the Brecks Field in the Parish of Overton aforesaid bounded by lands hereby allotted unto the said Edward Place on or towards the East and South and by an ancient Inclosure late of the said Mary Place on or towards the North and by the said Brecks Field road on or towards the West And I do order and direct that the said John Francis Allen and his successors vicars of Overton for the time being Proprietors and Occupiers of the said allotment of six acres and thirty two perches shall for ever repair and maintain good and sufficient Fences and Ditches on the west and south sides of the same allotment And I do also assign and award unto the said John Francis Allen as vicar as aforesaid and his Successors vicars of Overton for the time being in severally seventeen acres and eight perches of land lying in the said common in the said Parish of Overton aforesaid bounded by lands hereby severally allotted unto the said John Francis Allen and the said Thomas Place on or towards the East by the said lands hereby allotted to the said John Francis Allen in lieu of his vicarial tithes of the said common and the said Wigginton road on or towards the North and by lands hereby allotted to the said Edward Place on or towards the west and south And I do order and direct that the said John Francis Allen and his successors vicars of Overton aforesaid for the time being and the Proprietors and Occupiers for the time being of the said allotment of seventeen acres and eight perches shall for ever repair and maintain good and sufficient Fences and Ditches on the North and South sides thereof And I do also assign and award unto the said John Francis Allen as vicar as aforesaid and his successors vicars of Overton for the time being Three acres two roods and thirty two perches of land lying in the said common in the said Parish of Overton aforesaid bounded by lands hereby allotted to the said Thomas Place on or towards the East the said Highway called Wigginton road on or towards the North and the said lands hereby allotted to the said John Francis Allen in lieu of the vicarial tithes of Old Inclosure on or towards the West and South And I do order and direct that the said John Francis Allen and his successors vicars of Overton for the time being Proprietors and Occupiers of the said allotment of Three acres two roods and thirty two perches shall for ever hereafter maintain a good and sufficient Fence and Ditch on the North side of the same allotment and I do hereby declare that the said three several allotments or parcels of ground last heretofore allotted and awarded to the said John Francis Allen as vicar of Overton and his successors are in full bar and full compensation and satisfaction of and for all and all manner of small or vicarial tithes yearly coming growing arising renewing and being in upon from or out of the several lands and grounds within the said Township of Shelton aforesaid in the said Parish of Overton aforesaid and also in full bar and full compensation and satisfaction for three seeds of Tithes in kind by the said vicar claimed as due and payable from the Farm and lands of the said late Mary Place called Hall New and for which an equivalent in land is hereby set out and allotted and included in his said several allotments or the one of them all which same allotments are first Inclosed and fenced by me the said Commissioner and by me directed to be afterwards repaired and maintained and kept in repair by the said John Francis Allen and his successors vicars of Overton aforesaid for ever I do also assign and award unto the said Joshua Hepworth and his heirs and assigns in severally two acres two roods and sixteen perches of land lying in the Park Field in the Parish of Shelton aforesaid bounded by lands hereby allotted to him the said Joshua Hepworth on or towards the East by the Township of Overton aforesaid on or towards the North by an ancient Inclosure belonging to the said Joshua Hepworth on or towards the West and by lands hereby allotted unto the Cheirness of the said John Hutchinson on or towards the South I do also assign and award unto the said Joshua Hepworth his heirs and assigns in severally three roods and twenty four perches of land lying in the Park Field in the Parish of Overton aforesaid and bounded by lands hereby allotted to the said Joshua Hepworth for tithes on or towards the East by the Township of Overton aforesaid on or towards the North by lands hereby allotted to the said Joshua Hepworth lying in the Parish of Shelton aforesaid on or towards the West and by lands hereby allotted to the said Cheirness of the said John Hutchinson on or towards the South I do also assign and award unto the said Joshua Hepworth his heirs and assigns in severally two acres two roods and four perches of land lying in the South Field in the Township of Overton aforesaid bounded by a certain private way called the Brecks Field road on or towards the East by several ancient Garths or Inclosures of the said Joshua Hepworth on or towards the North by an ancient Garth or Inclosure of the said Joshua Hepworth and lands hereby awarded to the said Thomas Place as Rector as aforesaid on or towards the West and by lands hereby awarded unto the said Edward Place on or towards the South And I do order and direct that the said



# Joshua Hepworth

11. 1. 20

11. 1. 20

11. 1. 20

11. 1. 20

11. 1. 20

and the Proprietors and Occupiers of the said allotment of two acres two roods and four perches for the time being shall make and for ever repair and maintain sufficient Fences and Ditches on the East and South sides thereof And I do

also allot assign and award unto the said Joshua Hepworth his heirs and assigns in severally eleven acres two roods and twenty perches of Land upon the said Common in the said Parish of Overton aforesaid bounded by Lands hereby allotted to Roger Barker and John Barker on or towards the East by Lands hereby allotted unto the said Roger Barker and John Barker and an ancient Inclosure belonging to the said Joshua Hepworth on or towards the North by an ancient Inclosure belonging to the said Joshua Hepworth in his own right and in Land received by him in Exchange from Edward Place and by an ancient Inclosure belonging to the said Roger Barker and John Barker on or towards the West and by the said Common

And I do

order and direct that the said Joshua Hepworth and the Proprietors and Occupiers for the time being of the said allotment of eleven acres two roods and twenty perches shall make and for ever maintain and repair a sufficient Fence and Ditch on the North and South sides of the same allotment

And I do also allot assign and award unto the said Joshua Hepworth his heirs and assigns in severally six acres and three roods of Land lying upon the said Common in the said Parish of Overton aforesaid bounded by the Lordship of Higgenton on or towards the East by Lands hereby allotted to the said Joshua Hepworth as Lord of the Manor of Skelton aforesaid on or towards the North by the said Common Highway called Higgenton Road on or towards the West and by Lands hereby allotted to the said Edward Place of the said John Hutchinson on or towards the South

And I do

also allot assign and award unto the said Joshua Hepworth his heirs and assigns in severally eighteen perches of Land parcel of the same tithing to Hall Moor Farm bounded by an ancient Inclosure of the said Joshua Hepworth had in Exchange from the said John Kelly on or towards the North by the York Turnpike Road on or towards the West and by the said Hall Moor Farm on or towards the South

And I do

order and direct that the said Joshua Hepworth and the Proprietors and Occupiers for the time being of the said two several allotments of six acres and three roods and of eighteen perches shall make and for ever maintain and repair good and sufficient Fences and Ditches on the East and South sides of the same allotments

And I do

also in further pursuance of the several powers and authorities vested in me by the said several recited Acts or one of them allot assign and award unto Edward Place as Heir and Devisee of the said Mary Place deceased in severally the whole of a certain open field called the South Field within the Township of Skelton aforesaid (except such part of the said South Field as lies to the Northward of a straight line drawn from the South West corner of a certain Inclosure called the South Field to the South East corner of another Inclosure called the North Field) and as to such part of the said South Field as lies to the Northward of the said straight line I the said Commissioner do also allot assign and award unto the said Edward Place as Heir and Devisee as aforesaid as a further part of his allotment so much of the said excepted part of the said South Field as lies to the Westward of the said straight line

And I do

also allot assign and award unto the said Edward Place as Heir and Devisee as aforesaid his heirs and assigns in severally two acres three roods and twenty four perches of Land lying in the said South Field within the said Township of Skelton aforesaid bounded by Lands hereby allotted unto and by an ancient Inclosure exchanged with the said Thomas Place as Rector as aforesaid on or towards the East by an ancient Inclosure late of the said Mary Place on or towards the North and West and by Lands hereby allotted unto the said Edward Place as Heir and Devisee as aforesaid on or towards the South

And I do

order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of two acres three roods and twenty four perches shall make and for ever maintain a sufficient Fence and Ditch on the East side thereof against the allotment of the said Thomas Place

And I do

also allot assign and award unto the said Edward Place as Heir and Devisee as aforesaid his heirs and assigns in severally four acres and three roods of Land in the said South Field bounded by the said North Field on or towards the East and North and by Lands hereby allotted to the said Edward Place in the Parish of Overton on the West and South

And I do order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of four acres and three roods shall make and for ever repair and maintain sufficient Fences and Ditches on the East and North sides thereof And I do also allot assign and award unto the said Edward Place as



# Heir and Devisee

as aforesaid his Heirs and Assigns in severally eighty acres three rods and four Perches of Land in the South Field in the Parish of Overton bounded by Lands hereby allotted to the said Edward Place and the said Bucks Field road and by other Lands hereby allotted unto the said Edward Place in Shetton aforesaid on or towards the East and the same Lands in Shetton aforesaid and other Lands severally allotted unto the said Edward Place and Joshua Hepworth and the said Thomas Place and an ancient Inclosure tale of the said Mary Place on or towards the North and by the said Common in the Highway called the York Turnpike road on or towards the West and by an ancient Inclosure tale of the said Mary Place in her own right and another ancient Inclosure had in exchange from Joshua Hepworth on or towards the South

**And I do** order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of eighty acres three rods and four Perches shall make and for ever maintain good and sufficient Fences and Fitches on the East and West sides thereof

**And I do** also allot assign and award unto the said Edward Place as Heir and Devisee as aforesaid his Heirs and Assigns in severally eighty acres and eighteen Perches of Land lying in the Bucks Field in the Townships of Shetton aforesaid bounded by ancient Inclosures tale of the said Mary Place in her own right and there had in Exchange from Joshua Hepworth on or towards the East and by other ancient Inclosures tale of the said Mary Place and in Exchange from Joshua Hepworth and by Lands hereby allotted to the said John Francis Allen as Vicar of Overton on or towards the South by the same Lands hereby allotted to the said Vicar of Overton and the said Bucks field road on or towards the West and by an ancient Inclosure tale of the said Mary Place on or towards the South

**And I do** order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of eighty acres and eighteen Perches shall make and for ever repair and maintain a good and sufficient Fence and Fitch on the West sides thereof

**And I do** also allot assign and award unto the said Edward Place his Heirs and Assigns in severally two rods and Twenty Perches of Land lying in the Townstreet of Shetton in the said Parish of Overton aforesaid bounded by the said Townstreet and an ancient Inclosure tale of the said Mary Place on or towards the East by the same Townstreet on or towards the North and West and by Houses and Frontlands and the same ancient Inclosure tale of the said Mary Place on or towards the South

**And I do** order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of two rods and Twenty Perches shall make and for ever repair and maintain a good and sufficient Fence and Fitch on the North and West sides thereof

**And I do** also assign and award unto the said Edward Place as Heir and Devisee as aforesaid his Heirs and Assigns in severally nineteen acres and one rod of Land lying in the said Common in the Parish of Overton aforesaid bounded by Lands hereby severally awarded to the said John Francis Allen as Vicar of Overton aforesaid and the said Edward Place on or towards the East the said Common Highway called Wigginton road on or towards the North by an ancient Inclosure tale of Mary Place on or towards the West and by other ancient Inclosures tale of the said Mary Place in her own right and by Exchange from Joshua Hepworth on or towards the South

**And I do** order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of nineteen acres and one rod shall make and for ever repair and maintain a sufficient Fence and Fitch on the East and North sides thereof

**And I do** also allot assign and award unto the said Edward Place as Heir and Devisee as aforesaid his Heirs and Assigns in severally eight acres two rods and Twenty four Perches of Land (subject to a Bridle road as herein awarded lying in the said Common by Gull Tock in the Parish of Overton aforesaid bounded by Wigginton Township on or towards the East by ancient Inclosures of the said Edward Place on or towards the North by the said Common Highway called Wigginton road on or towards the West and by Lands hereby allotted to Joshua Hepworth as Lord of the Manor of Shetton aforesaid on or towards the South

**And I do** order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of eight acres two rods and Twenty four Perches shall make and for ever repair and maintain good and sufficient Fences and Fitches on the West and South sides thereof

**And I do** also allot assign and award unto the said Edward Place as Heir and Devisee as aforesaid his Heirs and Assigns for ever in severally one Hundred and thirty acres and Twenty four Perches of Land in the said Common in the said Parish of Overton bounded by Wigginton Township and Lands hereby allotted unto the said



# John Francis Allen

Enclosure Map and Award

Appendix 23

John Kelly  
attestment  
23. 0. 33

0. 3. 37

40. 3. 10

0. 1. 13

0. 0. 20

John Hutchinson  
attestment  
11. 2. 10

as vicar of Overton aforesaid on or towards the East Sands severally allotted to the said Thomas Place as before as aforesaid and the same Sands allotted to the said vicar on or towards the North by Sands hereby allotted to the said Edward Place and ancient Inclosures late of the said Mary Place in her own right and by Exchange from Joshua Hepworth on or towards the west and by Rawcliff Common on or towards the South **And** I do also order and direct that the said Edward Place and the Proprietors and Occupiers for the time being of the said allotment of One Hundred and Thirty Acres and twenty four Perches shall make and for ever maintain a good and sufficient Fence and Ditch at the East side thereof against the said vicar of Overton allotment and on the South side thereof against Rawcliff Common **And** I do also assign and award unto John Kelly of the City of York Esquire his Heirs and assigns for ever in severally Twenty three Acres and thirty five Perches of Land lying in the North field in the Township of Shelton aforesaid bounded by ancient Inclosures of the said John Kelly had in Exchange from the said Edward Place and Joshua Hepworth on or towards the East by Sands hereby allotted to the said Thomas Place and the said North Field road on or towards the North by Sands hereby awarded to the said John Kelly in the Parish of Overton on or towards the west and by Sands allotted to and an ancient Inclosure of Roger Barker and John Barker and an ancient Inclosure of the said John Kelly had in Exchange from Edward Place on or towards the South **And** I do order and direct that the said John Kelly and the Proprietors and Occupiers for the time being of the said allotment of Twenty three Acres and thirty five Perches shall make and for ever repair and maintain a good and sufficient Fence and Ditch on the North side of this allotment and so much on the South side thereof as adjoins on the allotment of Roger Barker and John Barker **And** I do also assign and award unto the said John Kelly his Heirs and assigns in severally Three rods and twenty seven Perches of Land lying in the North Field in the Parish of Overton aforesaid bounded by Sands hereby allotted to the said John Kelly on or towards the East the said North Field road on or towards the North and by Sands hereby allotted unto the said John Kelly in exchange from Roger Barker and John Barker on or towards the West and by an ancient Inclosure of the said Roger Barker and John Barker on or towards the South **And** I do order and direct that the said John Kelly and the Proprietors and Occupiers for the time being of the said allotment of Three rods and twenty seven Perches shall make and for ever repair and maintain a good and sufficient Fence and ditch on the North side of the same allotment **And** I do also assign and award unto the said John Kelly his Heirs and assigns in severally Forty Acres three rods and Ten Perches of land lying in the North Field in the Parish of Overton aforesaid bounded by Sands hereby allotted to the said Thomas Place and an ancient Inclosure of the said Roger Barker and John Barker on or towards the East by an ancient Inclosure of the said Joshua Hepworth on or towards the North by ancient Inclosures of the said John Kelly on or towards the West and by the said Sands allotted to the said Thomas Place and the said North field road on or towards the South **And** I do order and direct that the said John Kelly and the Proprietors and Occupiers for the time being of the said allotment of Forty Acres three rods and Ten Perches shall make and for ever repair and maintain a good and sufficient Fence and Ditch on the South side thereof against the said North field road **And** I do also allot assign and award unto the said John Kelly his Heirs and assigns in severally One rod and thirteen Perches of Land lying in the said Common of Overton aforesaid bounded by the York Turnpike road on or towards the East by an ancient Inclosure of the said John Kelly in his own right and by Exchange from Joshua Hepworth on or towards the West and the same ancient Inclosure by Exchange and the Township of Rawcliff on or towards the South **And** I do order and direct that the said John Kelly and the Proprietors and Occupiers for the time being of the said allotment of One rod and thirteen Perches shall make and for ever maintain sufficient Fences and Ditches on the East and South sides thereof **And** I do also allot assign and award unto the said John Kelly his Heirs and assigns in severally Twenty Perches of land parcel of the said North field Lane bounded by ancient Inclosures of the said John Kelly in his own right and by ancient Inclosures severally had in Exchange from the said Roger Barker and John Barker and from Edward Place on or towards the East by other part of the said North field Lane on or towards the West and North **And** I do order and direct that the said John Kelly and the Proprietors and Occupiers for the time being of the said allotment of Twenty Perches shall make and for ever maintain sufficient Fences and Ditches on the West side and North end of the same allotment I do also assign and award unto Elizabeth Hutchinson Spinster Ann Cook the wife of George Cook of Easingwold Surgeon Mary Hutchinson Spinster Alice Hutchinson Spinster and Frances Hutchinson Spinster the four Daughters and heiresses of John Hutchinson late of Hopton in the said County of York Esquire (who died since the said recited Act of the Forty sixth year of his present Majesty was prepared and passed) their Heirs and assigns in severally as Tenants in Common Eleven Acres two rods and ten Perches of Land lying in the Park field in the Parish of Shelton aforesaid bounded by the said Public Highway called the York Turnpike road on or towards the East by the Township of Overton and Hopton on or towards the North by Sands hereby awarded to the said Joshua Hepworth for Sythes and by him exchanged with the said Elizabeths of the said John Hutchinson on or towards the West and by the said North Field road on or towards the South **And** I do order and direct that the said Elizabeths of the said John Hutchinson and the



# Proprietors and Occupiers

Enclosure Map and Award

Appendix 23

39. 2. 16

39. 3. 34

33. 0. 30

39. 3. 10

Roger Barker and  
John Barker  
Inhabitants  
4. 1. 0

40. 2. 21

of the said allotment of eleven acres two rods and ten perches shall make and for ever repair and maintain good and sufficient fences and ditches on the East and South sides of the same allotment And I do also allot assign and award unto the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson heiresses of the said John Hutchinson as aforesaid their heirs and assigns in severalty as tenants in common thirty nine acres two rods and sixteen perches of land lying in the Park field in Skelton aforesaid bounded by the said York Turnpike road on or towards the East by the said Park field road and Sands hereby awarded to and an ancient Inclosure by the said Joshua Hepworth given in exchange to the said heiresses of the said John Hutchinson on the North by the Township of Overton on or towards the West and by Sands hereby awarded to the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson on or towards the South And I do order and direct that the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson heiresses as aforesaid and the Proprietors and Occupiers for the time being of the said allotment of thirty nine acres two rods and sixteen perches shall make and for ever repair and maintain good and sufficient fences and ditches on the East side of the same allotment and on the North side thereof against the said Park field road and the said allotment had in exchange from the said Joshua Hepworth And I do also allot assign and award unto the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson heiresses as aforesaid their heirs and assigns in severalty as tenants in common thirty seven acres three rods and thirty four perches of land lying in the Parish of Overton aforesaid bounded by the said York Turnpike road on or towards the East Sands hereby allotted to the said heiresses of the said John Hutchinson in the Parish of Skelton aforesaid on or towards the North the Township of Overton on or towards the West and several ancient Inclosures of the said Joshua Hepworth had in exchange from Edward Place on or towards the South And I do order and direct that the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson heiresses as aforesaid and the Proprietors and Occupiers for the time being of the said allotment of thirty seven acres three rods and thirty four perches shall make and for ever repair and maintain a sufficient fence and ditch on the East side thereof And I do also allot assign and award unto the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson heiresses as aforesaid their heirs and assigns in severalty as tenants in common thirty three acres and thirty perches of land lying in the said common in the Parish of Skelton aforesaid bounded by the Township of Hugginton and Sands in the Parish of Overton hereby allotted to the said heiresses on the East the same allotment and the said common Highways called Hugginton road on or towards the North and Sands hereby allotted to the said Thomas Place on or towards the West and South And I do order and direct that the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson heiresses as aforesaid and the Proprietors and Occupiers for the time being of the said allotment of thirty three acres and thirty perches shall make and for ever repair and maintain a good and sufficient fence and ditch on the North side thereof against the said Hugginton road and on the West and South sides thereof against the said Thomas Place And I do also allot assign and award unto the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson as heiresses as aforesaid their heirs and assigns as tenants in common five acres three rods and ten perches of land lying in the said common in the Parish of Overton aforesaid bounded by the said Township of Hugginton on or towards the East Sands hereby allotted unto the said Joshua Hepworth and the said Hugginton road on or towards the North Sands hereby allotted to the said heiresses of the said John Hutchinson in the Parish of Skelton aforesaid on or towards the West and South And I do order and direct that the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson heiresses as aforesaid and the Proprietors and Occupiers for the time being of the said allotment of five acres three rods and ten perches shall make and for ever maintain a good and sufficient fence and ditch on so much of the North side thereof as adjoins to the said Hugginton road And I do also allot assign and award unto the said Roger Barker of Dunnington in the said County and John Barker of Skelton aforesaid Gentlemen their heirs and assigns in severalty as tenants in common four acres and one rod of land lying in the North field in the Parish of Skelton aforesaid bounded by an ancient Inclosure of the said Roger Barker and John Barker on or towards the East by Sands hereby allotted to John Killy on or towards the North by an ancient Inclosure of the said John Killy had in exchange from Edward Place and an ancient Inclosure of the said Roger Barker and John Barker on or towards the West and by an ancient Inclosure of the said Roger Barker and John Barker had in exchange from Joshua Hepworth on or towards the South And I do also allot assign and award unto the said Roger Barker and John Barker their heirs and assigns in severalty as tenants in common forty acres two rods and twenty one perches of land lying in the said common in the Parish of Overton aforesaid bounded by Sands hereby awarded to the said Richard Woodman on or towards the East and by ancient Inclosures of the said Roger Barker and John Barker on or towards the North by the same ancient Inclosures and Sands hereby allotted unto the said Joshua Hepworth on or towards the West and by the same allotment and the Hugginton road on or towards the South



And I do order

Enclosure Map and Award

Appendix 23

and direct that the said Roger Barker and John Barker and the Proprietors and Occupiers for the time being of the said Allotment of woods and Twenty one Perches shall make and for ever repair and maintain good and sufficient Fences and Ditches on the East and West sides thereof and on so much of the South side thereof as adjoins the said Wigginton Road And I do award and declare that Twenty nine acres three roods and thirty two Perches of the said last mentioned Allotment and lying on the West side thereof is in full compensation and satisfaction of and for all and all manner of Great or Little Tithes yearly growing arising remaining or being in upon from a cut of certain Sands and Gravels belonging to the said Roger Barker and John Barker within the said Parish of Overton aforesaid And I do allot assign and award unto the said Roger Barker and John Barker their heirs and assigns in severally as Tenants in Common one rood and eight Perches of Land in the said Common in the said Parish of Overton aforesaid bounded by an ancient Inclosure of the said Roger Barker and John Barker on or towards the East and North by an ancient Inclosure late of the said Henry Place on or towards the West and by the Townstreet of Skelton and the said watering Place herein awarded on or towards the South And I do order and direct that the said Roger Barker and John Barker and the Proprietors and Occupiers for the time being of the said Allotment of one rood and eight Perches shall make and for ever repair and maintain a good and sufficient Fence and Ditch on the South side thereof And I do allot assign and award unto Richard Hardman of Skelton aforesaid yeoman his heirs and assigns in severally four acres two roods and eight Perches of Land lying in the said Common in the Parish of Skelton aforesaid bounded by Sands hereby awarded to the said Thomas Place on or towards the East and South ~~and~~ by Sands hereby awarded to the said Richard Hardman in the Parish of Overton aforesaid on or towards the North by an ancient Inclosure of and Lands hereby awarded unto the said Roger Barker and John Barker on or towards the West And I do order and direct that the said Richard Hardman and the Proprietors and Occupiers for the time being of the said Allotment of four acres two roods and eight Perches shall make and for ever repair and maintain a good and sufficient Fence and Ditch on the East side of the said Allotment And I do allot assign and award unto the said Richard Hardman and his heirs and assigns in severally three roods and thirty seven Perches of Land lying in the said Common in the said Parish of Overton aforesaid bounded by Sands hereby awarded unto the said Thomas Place on the East and ancient Inclosures of the said Richard Hardman on or towards the North an ancient Inclosure of the said Roger Barker and John Barker on or towards the West and Lands hereby awarded unto the said Richard Hardman in the Parish of Skelton on or towards the South And I do order and direct that the said Richard Hardman and the Proprietors and Occupiers for the time being of the said Allotment of three roods and thirty seven Perches shall make and for ever repair and maintain a good and sufficient Fence and Ditch on the East side of the said Allotment And I do also allot assign and award unto the said Richard Hardman his heirs and assigns in severally one rood and thirty five Perches of Land lying in the said Common in the said Parish of Overton aforesaid bounded by the said Common Highway called Wigginton Road on or towards the East by ancient Inclosures of the said Richard Hardman on or towards the North and West and by Sands hereby awarded to the said Thomas Place on or towards the South And I do order and direct that the said Richard Hardman and the Proprietors and Occupiers for the time being of the said Allotment of one rood and thirty five Perches shall make and for ever repair and maintain good and sufficient Fences and Ditches on the East and South sides of the same Allotment And I do hereby declare that the said three last mentioned Allotments or parcels of Ground hereby awarded to the said Richard Hardman are hereby so awarded to him in full compensation and satisfaction for all his the said Richard Hardman's right title claim and Interest if in or out of the said several open fields common and waste grounds within the said Parishes of Skelton and Overton or either of them devoted in and by the said recited Act to be divided and Inclosed and also in full compensation and satisfaction for a certain ancient Inclosure containing Twenty eight Perches given by him in exchange to the Joshua Heyworth called the Garth And I the said William Dawson in further pursuance of the said two several recited Acts or the one of them and of the several powers and authorities therein or otherwise vested in or conferred on me in that behalf for the more convenient situation and disposition of the several Farms Sands and Estates within the said Townships of Skelton and the Parishes of Skelton and Overton and with the consent of the Patron and ordinary of the said Rectory of Skelton aforesaid and of the several and respective Owners and Superintenders interested in the several parcels of Land herein by me awarded in exchange by virtue of the said recited Acts or the one of them which said several consents and approbations have been testified to me by writing under the respective hands of the said Patron Rector and ordinary and the several Proprietors of Lands and Tenements requesting such Exchanges to be made as aforesaid according to the direction true intent and meaning of the same Acts or the one of them Therefore I the said Commissioner in pursuance thereof and of every right power and authority enabling me in that behalf do allot assign and award unto the said Thomas Place ~~and~~ his successors Executors for the time being of Skelton aforesaid all these two several

Richard Hardman



Richard Hardman  
Skelton  
In 20 18

3. 37

1. 35

Exchanges





# Ancient Inclosures

called Fawlers Garth and Johnsons Garth now in one Garth containing in the whole one rood and nineteen Perches of Land Number Twenty on the said Plan given in Exchange by the said Joshua Hefworth and he was awarded to the said Thomas Place as Rector as aforesaid bounded by an Ancient Inclosure of the said Thomas Place on or towards the East by the Townstreet of Shelton on or towards the North by an ancient Inclosure late of the said Harry Place on or towards the West and by an Ancient Lane of the said Thomas Place on or towards the South And I do also allot assign and award unto the said Thomas Place as Rector as aforesaid and his successors rectors for the time being of Shelton aforesaid in severally All that Croft or parcel of Ground containing Thirty five Perches of Land and Number Twenty two on the said Plan had in Exchange from the said Edward Place bounded by an ancient Inclosure of the said Thomas Place on or towards the East by the said ancient Lane of the said Thomas Place on or towards the North by Sands hereby awarded unto the said Edward Place on or towards the West and by Sands hereby awarded unto the said Thomas Place on or towards the South And I do also allot assign and award unto the said Thomas Place as Rector as aforesaid and his successors rectors for the time being of Shelton aforesaid in severally All those two acres two roods and six Perches of Land lying on the North field of Shelton aforesaid bounded by Sands hereby awarded to the said Thomas Place for and in lieu of the thirds of the said Inclosure in Shelton aforesaid on or towards the East by Sands hereby awarded to the said Thomas Place for and in lieu of the thirds of the Gun fields of Shelton aforesaid on or towards the North and South and by Sands hereby awarded unto the said John Stedley on or towards the West which said several last mentioned Allotments or parcels of Land hereby awarded to the said Thomas Place called Fawlers Garth and Johnsons Garth received in Exchange from the said Joshua Hefworth and also the said Croft received in Exchange from the said Edward Place and also the said Allotment of two acres two roods and six perches of Land lying in the said North field are in lieu of and in Exchange for certain Globe Sands called Sawens Backditch containing three acres and one rood which by and with the consent of his Grace the Archbishop of York as Ordinary the said Joshua Hefworth as Patron was given in Exchange by the said Thomas Place and hereby awarded unto the said John Stedley And I do also allot assign and award unto the said Joshua Hefworth his heirs and assigns in severally All that Garth or parcel of Ground containing one rood and three Perches of Land Number One on the said Plan bounded by the Townstreet of Shelton aforesaid on or towards the East by the Highway leading into Shelton on or towards the North by the Back Lane on or towards the West and by an ancient Inclosure of the said Joshua Hefworth on or towards the South And I do also allot award and assign unto the said Joshua Hefworth his heirs and assigns in severally All that Garth or parcel of Ground containing Twenty eight Perches of Land Number Twenty six on the said Plan bounded by two several ancient Inclosures of the said Joshua Hefworth on or towards the East and West the Townstreet of Shelton aforesaid on or towards the North and Sands hereby awarded to the said Joshua Hefworth on or towards the South And I do also allot award and assign unto the said Joshua Hefworth his heirs and assigns in severally All those several Allotments pieces or parcels of Ground containing together fifty four acres three roods and seventeen Perches of Land Number Seventy seven seventy eight seventy nine eighty eighty one eighty two eighty two a eighty three and eighty four called Great Well Field two Wendate Cloves Low Wendates High Wendates Two New Closes and Two Park Fields lying in the said several Parishes of Shelton and Overton aforesaid bounded by the said York Turnpike Road and an ancient Inclosure which the said Joshua Hefworth had in Exchange from the Cheyresses of John Hutchinson on or towards the East by Sands allotted to the said Cheyresses of the said John Hutchinson on or towards the North by the Townstreet of Overton aforesaid on or towards the West and an ancient Inclosure late of the said John Hutchinson and the said ancient Inclosure of the said Joshua Hefworth had in Exchange from the said Cheyresses on or towards the South And I do also allot award and assign unto the said Joshua Hefworth his heirs and assigns in severally All that Croft or parcel of Ground lying in the said Parish of Overton aforesaid containing one acre two roods and three Perches of Land called Smithy Croft Number Thirty eight on the said Plan bounded by the Back Lane on or towards the East by an ancient Inclosure of the said Joshua Hefworth by Exchange from the Cheyresses of the said John Hutchinson on or towards the North by the York Turnpike Road on or towards the West and by an ancient Townstreet of the said Joshua Hefworth and the said Back Lane on or towards the South And I do also allot award and assign unto the said Joshua Hefworth his heirs and assigns in severally All that ancient Inclosure or parcel of Ground in the said Parish of Overton aforesaid containing one acre and sixteen Perches of Land called Sold Sands Croft Number Forty three on the said Plan bounded by ancient Inclosures late of the said Harry Place on or towards the East by the said Hugginton High Road on or towards the North by an ancient Inclosure of the said Joshua Hefworth on or towards the West and by the said bricke field road on or towards the South And I do also allot award and assign unto the said Joshua Hefworth his heirs and assigns in severally All those several Inclosures pieces or parcels of Ground lying in the several Parishes of Shelton and Overton aforesaid



# Overton aforesaid

Enclosure Map and Award

Appendix 23

Antient Close  
3. 1. 73

3. 2. 12

Antient Close  
3. 1. 73  
3. 2. 12  
3. 3. 0

Exchanges of  
Miss Hutchinson  
3. 1. 11

containing together Twenty seven acres two roods and Eighteen Perches of Land called North Huns Farme, being  
Six and Sixty eight in the said Plan bounded by an ancient Inclosure late of the said Mary Place on the East  
by an ancient Inclosure of the said Joshua Hepworth on or towards the North by the Township of Hopton on or towards the West and by the ancient Inclosures of the said Joshua Hepworth in  
his own right and by Exchange with John Kelly on or towards the South **And I do** allot award and assign unto the said Joshua Hepworth his heirs and assigns in severally all  
that Old Inclosure or parcel of Ground in the Parish of Overton aforesaid called Padmore Close containing Three Acres one rood and thirteen Perches of Land bounded by Sands hereby allotted to the  
said Joshua Hepworth on or towards the East by the ancient Inclosure of Roger Barker and John Barker on or towards the North and West and by an ancient Inclosure of the said Joshua  
Hepworth on or towards the South **And I do** also allot award and assign unto the said Joshua Hepworth his heirs and assigns in severally all those several Inclosures allotments or  
parcels of Ground lying in the several Parishes of Skelton and Overton aforesaid containing together Thirty one Acres two roods and twelve Perches of Land called Oak Plantation, Near Huns  
Ash Plantation Great Huns and Little Huns Number Ninety two Ninety three Ninety four Ninety five and One Hundred and three on the said Plan bounded by ancient Inclosures of the said Joshua  
Hepworth on or towards the East by ancient Inclosures of the said Joshua Hepworth had in Exchange from Edward Place and the said Township of Hopton on or towards the North by the said Township of Hopton on or towards the  
South by the said Joshua Hepworth John Kelly and the road to Hall Moor on or towards the South **And I do** also allot award and assign unto the said Joshua Hepworth his heirs and assigns in severally  
all that Inclosure a parcel of Ground lying in the several Parishes of Skelton and Overton aforesaid containing Two Acres two roods and Twenty eight Perches of Land called Dod Croft, Number Thieety  
seven on the said Plan bounded by the back Lane of Skelton aforesaid on or towards the East by the said High Road leading to Skelton on or towards the North by the said York Turnpike road on  
or towards the West and by an ancient Inclosure of the said Joshua Hepworth had in Exchange from the said Edward Place on or towards the South **and also** all that Inclosure or parcel of  
Ground being parcel of and lying in Huddle Well Field in the said several Parishes of Skelton and Overton aforesaid containing Two Acres and three roods of Land parcel of Number Seventy six on  
the said Plan bounded by the York Turnpike road on or towards the East by an ancient Inclosure of the said Joshua Hepworth had in Exchange with Edward Place on or towards the North and  
West and by other parts of the said Huddle Well Field late of the said John Hutchinson on or towards the South **And I do** hereby order and direct that the said Joshua Hepworth and the Owners or  
Proprietors for the time being of the said allotment of Two Acres and three roods shall make and for ever repair and maintain a good and sufficient Fence and Ditch on the East and both sides  
of the same ancient Inclosure all which said several last mentioned parcels of Land and Ground hereby awarded to the said Joshua Hepworth together with the said several ancient  
Inclosures herein also last awarded to him are in full line bar and compensation and satisfaction of and for all the right title claim and Interest of the said Joshua Hepworth into upon or out  
of the several open Fields common and Waste Grounds within the said several Parishes of Skelton and Overton directed by the said recited Act of the Forty first year of his present Majesty to be  
divided and Inclosed and also for and in lieu of and as an equivalent for the several ancient Inclosed Lands given by him in Exchange and known by the several Names and containing  
the several quantities hereinafter specified that is to say Barke Dam Three Acres and Twenty three Perches Stone Horse Park and Moor Flatts together Sixteen Acres and Thirty Perches Five Acres  
two roods together Twenty nine Acres and thirty six Perches and hereby awarded in Exchange to the said Edward Place and also for and in lieu of and as an equivalent for part of Parsons Paddock one acre  
one rood and eight Perches the Sow Close one acre one rood and thirty Perches and the Plantation containing nine Perches hereby awarded to the said John Kelly and also in lieu of and as an  
equivalent for Fowler Croft one acre two roods and thirty Perches hereby awarded to the said Roger Barker and John Barker and also in lieu of and as an equivalent for Fowler Garth  
and Johnsons Garth now in one one rood and nineteen Perches hereby awarded to the said Thomas Place and also in lieu of and as an equivalent for Park Field Close Three Acres two  
roods and twenty four Perches and the said allotment in Park field in the whole Four Acres one rood and Eleven Perches but hereby awarded in three several allotments to the said Joshua Hepworth and  
are hereby allotted and awarded in Exchange to the Widows of the said John Hutchinson deceased **And I do** allot award and assign unto the said Elizabeth Hutchinson Ann Cook Mary Hutchinson  
Alice Hutchinson and Prissy Hutchinson as Widows of the said John Hutchinson as aforesaid their heirs and assigns as Tenants in Common in severally all those three several allotments or parcels  
of Ground lying in the Park field in the Parish of Overton aforesaid containing Four Acres one rood and seven Perches of Land which were hereby allotted and awarded to the said Joshua Hepworth in three  
divisions one of the said allotments being in lieu bar and full compensation and satisfaction for Kilnes of certain Field Land belonging to John Kelly and containing three roods and seven Perches of  
Land another of the same allotment lying in the Parish of Skelton and containing Two Acres two roods and sixteen Perches of Land and the remainder of the said three allotments lying in the Parish of Overton



Aforesaid and

containing three woods and Twenty four Berches bounded by Sands hereby allotted to the said Cohieresses of the said John Hutchinson on or towards the East the Township of Overton on or towards the North an ancient Inclosure late of the said John Hutchinson also had in

Exchange from Joshua Hepworth on or towards the West and by Sands hereby awarded to the said Cohieresses of the said John Hutchinson on or towards the South **And I do** order and direct that the said Cohieresses and the Proprietors and Occupiers for the time being of the said three last mentioned several Allotments shall make and for ever repair and maintain a good and sufficient Fence and Ditch on the East side of the same Allotments respectively **And I do** also allot award and assign unto the said Elizabeth Hutchinson Ann Cook Mary Hutchinson Alice Hutchinson and Fanny Hutchinson as Cohieresses

Park Field Close  
B. 2. 24

as aforesaid their Heirs and assigns in severally <sup>as Tenants in Common</sup> All that Close or parcel of Ground lying in the Parishes of Skelton and Overton aforesaid containing three acres two woods and Twenty four Berches of Sand called Park Field Close lately exchanged with the said Joshua Hepworth bounded by Sands hereby awarded to the said Cohieresses of the said John Hutchinson by exchange on or towards the East by the Township of Overton on or towards the North and West and by Sands hereby awarded to the said Cohieresses on or towards the South All which said several Closes Allotments and parcels of Sand hereby allotted and awarded to the said Cohieresses of the said John Hutchinson together with the said Allotments in Park Field and Park field Close received by them in exchange from the said Joshua Hepworth are in lieu bar full compensation and satisfaction of and for all their Estate right claim and Interest of in or out of the said Open Fields Common and Waste Grounds within the said several Parishes of Skelton and Overton in and by the same recited Act directed to be divided and Inclosed and also in lieu bar and full compensation and satisfaction of and for all these two several ancient Inclosures called Dod Croft containing two acres two woods and Twenty eight Berches and that part of Middle Well Field containing two acres and three woods given by them the said Cohieresses in Exchange to the said Joshua Hepworth and hereby

W. Kelly  
Exchanges by  
B. 2. 0

allotted and awarded to the said Joshua Hepworth **And I do** allot award and assign unto the said John Kelly his Heirs and assigns in severally All that Homestead and Garth lying in the Parish of Overton aforesaid containing Five acres and two woods of Sand had in Exchange by him from Roger Barker and John Barker Number Thirty two on the said Plan bounded by an Allotment awarded to the said John Kelly and an Ancient Inclosure of the said Roger Barker and John Barker on or towards the East by the North field road on or towards the North by the North field Lane and an ancient Inclosure of the said John Kelly in his own right and by Exchange on or towards the West and by ancient Inclosures of the said John Kelly on or towards the South **And I do** also allot award and assign unto the said John Kelly his Heirs and assigns forever in severally All that Homestead and Garth lying in the Parish of Overton aforesaid containing Twenty two Berches of Sand had in Exchange by him from Edward Place Number Thirty on the said Plan bounded by an ancient Inclosure of the said John Kelly had in Exchange from the said Roger Barker and John Barker on or towards the East by ancient Inclosures of the said John Kelly on the North and South and by the Townstreet of Skelton on or towards the West **And I do** also allot award and assign unto the said John Kelly his Heirs and assigns for ever in severally All that Croft or parcel of Ground called Simpsons Croft lying in the Parish of Overton aforesaid containing one acre one wood and sixteen Berches of Sand had in Exchange by him from Edward Place Number One Hundred and fourteen on the said Plan bounded by Sands hereby awarded to Roger Barker and John Barker on or towards the East by Sands hereby awarded to the said John Kelly on or towards the North and West and by an ancient Inclosure of the said Roger Barker and John Barker on or towards the South

Simpsons Croft  
B. 1. 16

**And I do** also allot award and assign unto the said John Kelly his Heirs and assigns for ever in severally All those two Closes or parcels of Ground called Sow Closes lying in the several Parishes of Skelton and Overton aforesaid containing together six acres and two woods of Sand had in Exchange by him from Edward Place Number One Hundred and ten and One Hundred and eleven on the said Plan bounded by ancient Inclosures of the said Roger Barker and John Barker on or towards the East by Sands hereby awarded to the said Thomas Place on or towards the North by Sands hereby allotted unto the said John Kelly on or towards the West and by an ancient Inclosure of the said John Kelly had in exchange from Joshua Hepworth on or towards the South **And I do** also allot award and assign unto the said John Kelly his Heirs and assigns in severally All that other Close or parcel of Ground called Sow Close lying in the several Parishes of Skelton and Overton aforesaid containing one acre one wood and thirty Berches of Sand had in Exchange by him from Joshua Hepworth Number One Hundred and twelve on the said Plan bounded by an ancient Inclosure of Roger Barker and John Barker on or towards the East by an ancient Inclosure of the said John Kelly by Exchange from the said Edward Place on or towards the North by Sands hereby awarded unto the said John Kelly on or towards the West by an ancient Inclosure of and Sands hereby awarded unto the said Roger Barker and John Barker on or towards the South **And I do** also allot award and assign

Sow Closes  
B. 2. 0

unto the said John Kelly his Heirs and assigns in severally All that piece or parcel of Ground lying next to and lately part of the Plantation in the said Parish of Overton aforesaid containing five Berches of Sand had in exchange by him from Joshua Hepworth Number Sixty nine on the said Plan bounded by Sands hereby awarded to the said John Kelly on or towards the East and North by an ancient Inclosure of the said John Kelly on or towards the West and by the Township of Rawcliffe on or towards the South **And I do** also allot award and assign unto the said John Kelly his Heirs and assigns in severally All that piece or parcel of Ground lying in and part of Parsons Saddle in the said several Parishes of Skelton and Overton aforesaid containing one acre one wood and eight Berches of Sand had in Exchange by him from Joshua Hepworth Number Seventy four on the said Plan bounded by an ancient Inclosure of the said John Kelly on or towards the East by an ancient

Sow Close  
B. 1. 30

Inclosure of the Cohieresses of the said John Hutchinson on or towards the North by the Township of Overton aforesaid on or towards the West and by an ancient Inclosure of the said John Kelly

Plantation  
B. 6. 8

**And I do** also allot award and assign unto the said John Kelly his Heirs and assigns in severally All that piece or parcel of Ground lying in and part of Parsons Saddle in the said several Parishes of Skelton and Overton aforesaid containing one acre one wood and eight Berches of Sand had in Exchange by him from Joshua Hepworth Number Seventy four on the said Plan bounded by an ancient Inclosure of the said John Kelly on or towards the East by an ancient

Parsons Saddle  
B. 1. 10

Inclosure of the Cohieresses of the said John Hutchinson on or towards the North by the Township of Overton aforesaid on or towards the West and by an ancient Inclosure of the said John Kelly



## On or towards

the South And I do also allot award and assign unto the said John Kelly his heirs and assigns in severally all that piece or parcel of Ground lying in and other part of Parsons Paddock in the Parish of Shelton aforesaid containing Three acres and one rood had in Exchange

by him from the said Thomas Place Number seventy four on the said Plan bounded by an ancient Inclosure of the said John Kelly on or towards the East by an ancient Inclosure of the Whinissas of the said John Kelly on or towards the South by the Township of Overton on or towards the West and by an ancient Inclosure of the said John Kelly on or towards the South all which said several Homesteads and ancient Inclosures alllements pieces or parcels of Ground hereby awarded to the said John Kelly his heirs and assigns are so awarded to him in lieu bar compensation and satisfaction of and for as an equivalent for all his the said John Kellys right title Estate and Interest of in to and out of the said Open Fields Common and Waste Grounds within the several Parishes of Shelton and Overton aforesaid in and by the said recited Act directed to be divided and inclosed And also in lieu bar compensation and satisfaction of and as an equivalent for all those his several ancient Inclosed Lands given by him in exchange and hereby awarded to Joshua Kipworth and known by the several names and descriptions and containing the several quantities following that is to say Oak Plantation one acre one rood and eight Perches Near Hurns two acres and three roods Oak Plantation five acres and thirty seven Perches Great Hurns sixteen acres three roods and twenty seven Perches near Hurns five acres one rood and twenty Perches containing altogether thirty one acres two roods and twelve Perches and also in lieu bar compensation and satisfaction of and as an equivalent for the Great or Little Sallows of certain Field Sand of the said John Kelly lying in the Parish of Overton aforesaid belonging to the said Joshua Kipworth for which a compensation or equivalent in Land is hereby awarded and given

And I do also

Exchanges  
Edward Place  
Number 74  
B. O. 30

B. O. 30

award and assign unto the said Edward Place his heirs and assigns for ever in severally all that ancient Inclosure or parcel of Ground lying in the several Parishes of Shelton and Overton aforesaid called Burbeck Dam containing three acres and twenty three Perches of Sand had in exchange by him from Joshua Kipworth Number sixty two on the said Plan bounded by an ancient Inclosure late of the said Mary Place on or towards the East North and West and by the Township of Rawcliffe on or towards the South And I do also allot award and assign unto the said Edward Place his heirs and assigns for ever in severally all those two several closes or parcels of Ground lying in the several Parishes of Shelton and Overton aforesaid called the Stoned House Croft and Moor Kittle containing together sixteen acres and thirty Perches of Sand had by him in exchange from Joshua Kipworth Number sixty six and sixty seven on the said Plan bounded by an ancient Inclosure late of the said Mary Place on or towards the East and West by Sands hereby awarded to the said Edward Place on or towards the North and by an ancient Inclosure late of the said Mary Place and the Township of Rawcliffe on or towards the South And I do also allot award and assign unto the said Edward Place his heirs and assigns in severally all those five several closes Inclosures or parcels of Ground called Ducks Closes lying in the several Parishes of Shelton and Overton aforesaid containing altogether twenty nine acres and thirty six Perches of Sand had in exchange by him from the said Joshua Kipworth Number forty eight forty nine fifty one and fifty two on the said Plan bounded by Sands hereby awarded to the said Edward Place on or towards the East and North by an ancient Inclosure late of the said Mary Place and Sands hereby awarded to the said Edward Place on or towards the South all which said several ancient Inclosures or parcels of Ground hereby awarded to the said Edward Place his heirs and assigns are hereby so awarded to him in lieu bar compensation and satisfaction of and as an equivalent for all his the said Edward Places right title Estate and Interest of in to or out of the Open Fields Common and Waste Grounds within the several Parishes of Shelton and Overton aforesaid in and by the said recited Act directed to be divided and inclosed and also in lieu bar compensation and satisfaction of and as an equivalent for all those several ancient Inclosures and Sands given by him in exchange and known by the several names and containing the several quantities following that is to say Great Well Field seventeen acres and twenty six Perches two Wendate Closes together nine acres two roods and twelve Perches High and Low Wendates together ten acres and twenty seven Perches two New Closes together eleven acres two roods and five Perches two Park field Closes together six acres Smithy Croft one acre two roods and three Perches Old Sand Close one acre and sixteen Perches Padmore Close three acres one rood and thirteen Perches two Little Hurns together twenty seven acres two roods and eighteen Perches hereby awarded in exchange to Joshua Kipworth And also in lieu bar compensation and satisfaction of and as an equivalent for a Homestead and Garden twenty two Perches two low Closes together six acres and two roods and ten Perches Croft one acre one rood and sixteen Perches hereby awarded to John Kelly and also in lieu bar compensation and as an equivalent for a Croft containing thirty seven Perches given in exchange to the said Thomas Place And also in lieu bar compensation and satisfaction of and as an equivalent for all right of common and way claimed in upon and over the Estate of John Lince in the several Parishes of Shelton and Overton aforesaid And also in lieu bar compensation and satisfaction of and as an equivalent for three Loads of Turves in kind payable from and out of the said Edward Places Farm called Hall Moor in the Township of Shelton aforesaid and for in which the Reverend John Francis Allen as Vicar of Overton aforesaid hath had an equivalent and compensation in kind hereby awarded to him And I do also allot award and assign unto



# the said Roger Barker and John Barker

Enclosure Map and Award

Appendix 23

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100

In sheep to be kept in the three Inclosures for seven years

Ditches to be kept in the three Inclosures for seven years

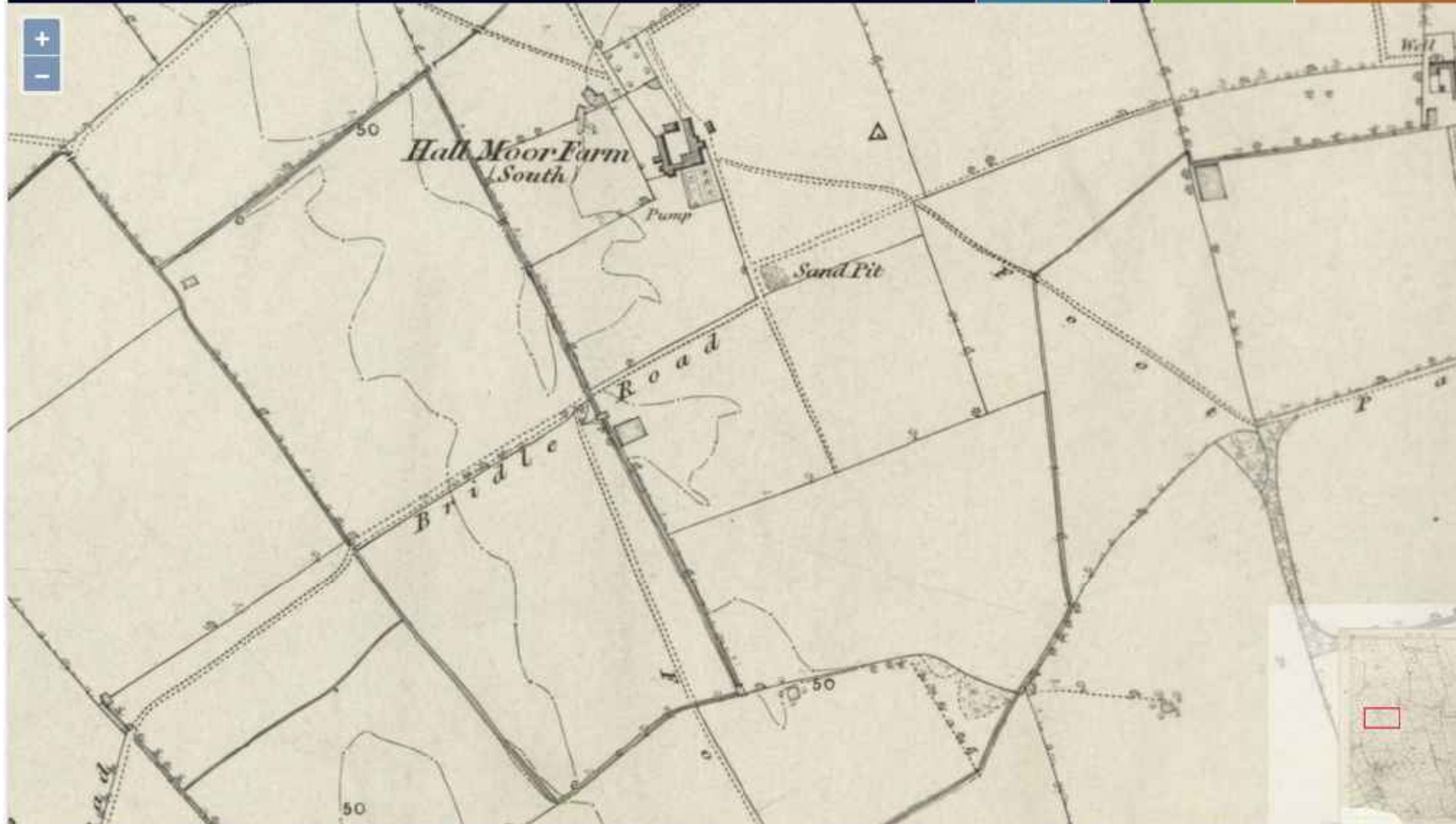
their heirs and assigns for ever in severalty all that said several Inclosures parcel of Ground lying in the Parish of Overton called Fowler Croft containing the  
 then two woods and thirty Acres of Land had in exchange by them from Joshua Kipwilt. Number One Hundred and thirteen on the said then bounded by ancient Inclosures of the said Roger Barker and  
 John Barker on or towards the East West and South and by Sands hereby awarded to the said Roger Barker and John Barker on or towards the North till which said several parcels of Land hereby awarded to  
 the said Roger Barker and John Barker together with the said Inclosures called Fowler Croft by them received in exchange from Joshua Kipwilt as aforesaid are in full bar compensation of and as an equivalent  
 for all their Estate right title claim and Interest of in to or out of the said open fields common and waste grounds within the said several Parishes of Skelton and Overton in and by the said recited Act directed to  
 be divided and inclosed and also in full bar and full satisfaction and compensation and as an equivalent for a certain Garth or parcel of old Inclosed Ground lying in the Parish of Skelton aforesaid given by  
 them in exchange and hereby awarded to the said Joshua Kipwilt his heirs and assigns and also in full bar and full satisfaction and compensation and as an equivalent for a Homestead and Garth or parcel  
 of old Inclosed Ground lying in the Parish of Overton aforesaid containing Five Acres and ten Rods. Number Fifty seven on the said then given by them in exchange and hereby awarded to the said John Killy And  
 I the said Commissioner in further execution of the power is in me vested by the said several recited Acts or the one of them do award order and direct that no Sheep or Lambs shall be depastured or kept in any  
 of the said allotments hereby awarded and directed to be made during the space of seven years from the day of the date of this instrument unless the person and persons respectively depasturing or keeping such Sheep  
 or Lambs do at his and their own expence effectually guard and fence off the young quickset hedges in his or their or any other persons allotment adjoining to such Inclosure or Inclosures respectively where and in  
 which such Sheep and Lambs shall be depastured and kept as aforesaid so as to prevent any damage or injury being done to the Fences or Ditches by any such Sheep or Lambs And I do also award order  
 and direct that the person or persons respectively depasturing or keeping such Sheep or Lambs and neglecting or refusing to guard and fence off the young quickset hedges as aforesaid shall forfeit and pay any sum not  
 exceeding ten pounds for every such offence which finally when levied and recovered shall be paid to the Surveyor or Surveyors of the Highways of the said Township of Skelton aforesaid for the time being and shall be  
 by him or them applied in the amendments of such Highways and that from and after the allotment and Division or upon the execution of this my award all right of common average and Turbary within  
 the said Township of Skelton and every part thereof shall for ever cease and be extinguished. And I the said Commissioner do award order and direct that all the Ditches hereby awarded and directed to be  
 made as Fences to divide the several allotments and Inclosures shall be so made and for ever hereafter maintained and kept by the several Owners or Occupiers thereof at least four feet wide at the top  
 and of sufficient depth to carry off all the water which may from time to time be or flow therein and which ought to be carried off by the same and that all and every of the said Proprietors or Occupiers shall  
 be at liberty to let such water into his or her Neighbours Ditches for the better carrying off the same when necessary And I do also award order and direct that where any owner or occupier of lands  
 within the said Township of Skelton shall dig or cut any Fitch or Ditch over his her or their Lands at the end or ends of such Fitch or Ditches shall happen to fall against the side or at the corner of any other persons  
 Fitch then every such person so digging or cutting as aforesaid shall and may make set up and maintain Posts on such other persons Bank and rails across such other persons Fitch at the end of every such Fitch  
 so falling as aforesaid in order to prevent cattle from straying out of one allotment or parcel of Ground into another And I do also award order and direct that all Gates Posts and Rails at the different or  
 extremities ends and avenues of the said Township of Skelton aforesaid which now are or shall or may be necessary to be erected fixed and maintained across any of the Publick or Private Highways hereby awarded  
 and directed to be laid off and fenced shall be made placed and erected and for ever hereafter maintained and kept in repair at the common charge and expence of the several Proprietors of Sands and Tenements  
 within the same Township for the time being And I do award order and direct that where any Foot roads or Paths are hereby directed to be set out and awarded convenient and sufficient Stiles shall be  
 made and fixed in and over the several and respective Fences and that sufficient boundaries shall be made over and across the several Ditches or watercourses in such Foot roads or Paths and shall for ever  
 hereafter be repaired and maintained by the respective Owners or Occupiers of the Sands to which such Fences and Ditches respectively belong And I do hereby award order and direct that the several ancient  
 Inclosures hereby awarded in exchange shall from henceforth be fenced by the several and respective Proprietors and Occupiers thereof for the time being in the same manner as they have heretofore been used  
 and accustomed to be fenced by the former Proprietors and Occupiers thereof respectively And I do hereby also award order and direct that it shall and may be lawful for the several Proprietors and Occupiers of  
 allotments to be made in pursuance of the said recited Acts or the one of them their respective agents or workmen at any reasonable time or times within the space of seven years next after the fencing of any  
 allotment or allotments to set up and erect Posts and Rails or other dead fences on the outside of the Fences bounding their respective allotments not exceeding three feet from the Ditches for the preservation of the quick  
 set hedges and at any reasonable time or times before the expiration of the said Term to take and carry away the materials of such outside fences when they shall think proper And I do also award  
 order and direct that the several Proprietors and Occupiers for the time being of Sands and Tenements or allotments to them hereby respectively awarded shall make and for ever hereafter maintain  
 good and sufficient Bridges leading out of the several Highways and Private roads within the said Township of Skelton aforesaid over the Ditches at the Gates leading into the same several Sands  
 and Tenements or allotments And I do also award order and direct that the several Sands Tenements and Allotments hereby awarded to the several Proprietors thereof are awarded to  
 them respectively in full bar and full satisfaction of and for their several and respective former rights Estates and Interests of in to or out of the said several open Fields common and waste  
 Grounds in and by the said recited Act directed to be divided and inclosed as aforesaid In Witness whereof I the said William Tinson have to this my Award set my Hand and seal the  
 Eleventh Day of December in the year of our Lord One Thousand Eight Hundred and Seven.



## **Appendix 24**

### **OS maps submitted by Applicant**

# **STATEMENT OF CASE OF THE COUNCIL OF THE CITY OF YORK PUBLIC BRIDLEWAY SKELTON 12 MODIFICATION ORDER 2021**





Yorkshire CLVII.NW (includes: Haxby; Huby; Skelton; Sutton on the Forest; Wigginton.)  
Surveyed: 1891  
Published: 1895

Keyword search

Maps home > OS Six-Inch England and Wales, 1842-1952

Order this map

View basket

Find by place

Browse by category





OS maps submitted by Applicant

Appendix 24



Yorkshire CLVII.5 (Huby; Shipton; Skelton; Wigginton)

Surveyed: 1891

Published: 1893

Keyword search

ch England and Wales, 1841-1952

Order this map

Find by place

Browse by category





**Yorkshire CLVII.NW (includes: Haxby; Huby; Skelton; Sutton on the Forest; Wigginton.)**

**Revised: 1909**

**Published: 1912**

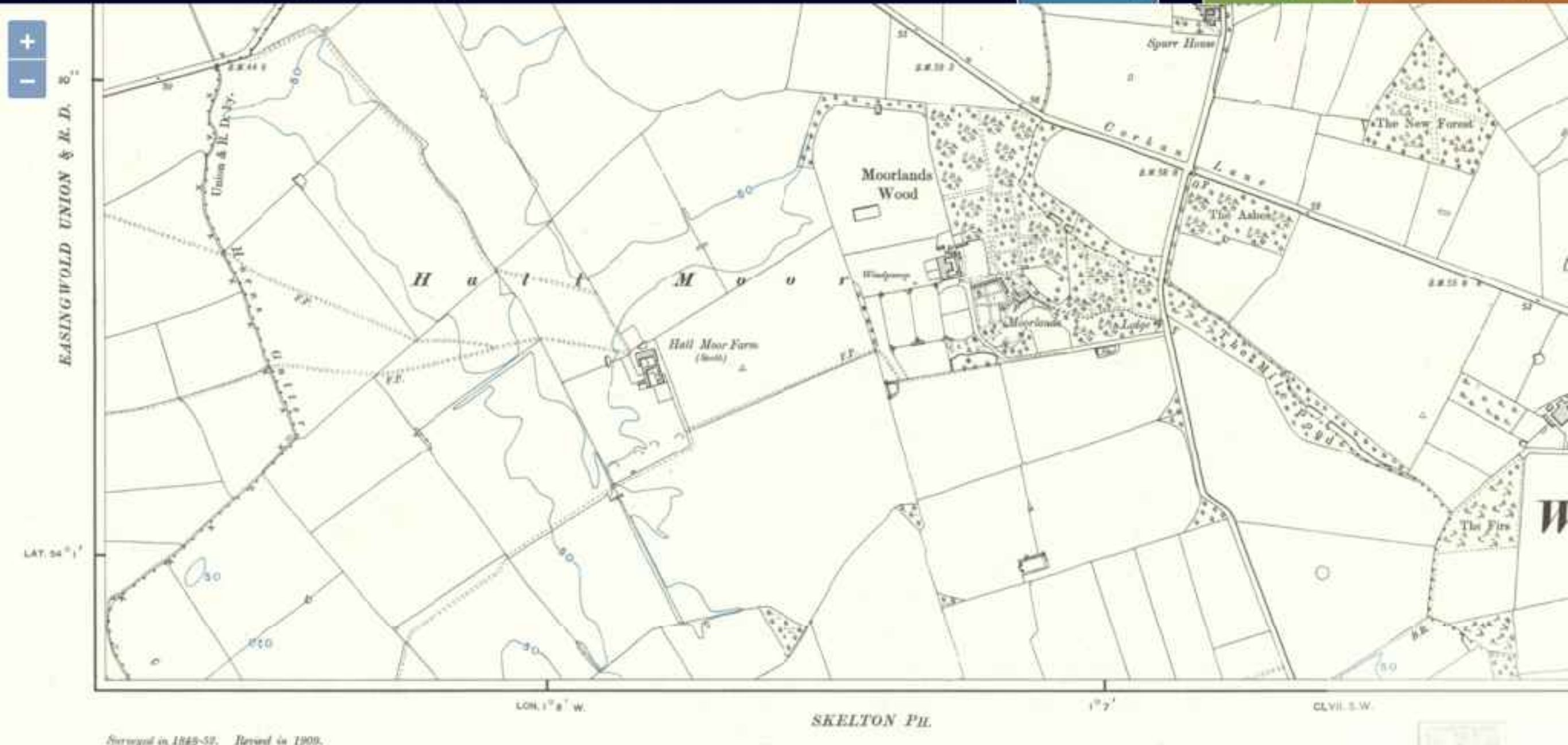
Keyword search

Maps home > OS Six-inch England and Wales, 1842-1952

Order this map

Find by place

Browse by category



Surveyed in 1848-57. Revised in 1909.

## **Appendix 25**

### **1977 Diversion Order**

#### **STATEMENT OF CASE OF THE COUNCIL OF THE CITY OF YORK PUBLIC BRIDLEWAY SKELTON 12 MODIFICATION ORDER 2021**



72/2/117 72/3/56  
PRW/JR.

Miss Richardson

210

150

To: Mr. D. Hopley, No. 8 Area Surveyor.

Copy to: Mr. J.G. Walker, No. 12 Divisional Surveyor.

Footpath Diversion - Hall Moor Farm, (South) Haxby.

The above Order has now been sealed by the County Council.

... I enclose a copy of the Order and a supply of notices (Mr. Walker only).

Please arrange to erect the notices at points 'A', 'B' and 'C' on the plan, by the 25th March, 1977 and ensure that they remain in a legible condition until 22nd April, 1977.

The notice bearing the Certificate of Posting should be returned to me in due course.

Please arrange for the copy of the Order to be available for inspection at No. 12 Divisional Office, Strensall.

23rd March, 1977.

RJ

042

72/2/117) PRW/JR.  
72/3/56 )

Miss Richardson

210

150

To: Mr. D. Hopley, No. 4 Area Surveyor.

Copy to: Mr. J.G. Walker, No. 12 Divisional Surveyor.

Footpath/Bridleway Diversion.

The above Order has now been confirmed by the County Council.

... I enclose a copy of the Order and a supply of notices (Mr. Walker Only).

The notices should be posted at points 'A', 'B' and 'C' on the plan by 27th May, 1977 and remain in a legible condition until 13th July, 1977.

Please endorse the notice bearing the Certificate of Posting and return it to me in due course.

25th May, 1977.

R.M.

PUBLIC PATH DIVERSION ORDERHIGHWAYS ACT 1959NORTH YORKSHIRE COUNTY COUNCILHALL MOOR FARM (SOUTH), HAXBYPUBLIC PATH DIVERSION ORDER 1977

WHEREAS Mr. N. Bycroft, of Hall Moor Farm (South), Haxby, is the owner of the land crossed by the public footpath referred to in paragraph one of this Order and has satisfied the North Yorkshire County Council that for the more efficient use of land it is expedient that the line of the footpath should be diverted.

AND WHEREAS the said Mr. N. Bycroft has agreed to defray any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public

AND WHEREAS the Shipton Parish Council and Hambleton District Council have consented to the making of this Order in pursuance of Section 112(1) of the Highways Act 1959 (hereinafter called the "1959 Act")

NOW THEREFORE the North Yorkshire County Council in pursuance of the powers in that behalf conferred by Section 111 of the 1959 Act hereby make the following Order

The public footpath over the land situate at Hall Moor Farm (South), Haxby, shown coloured purple on the map annexed hereto and described in A of Part I of the Schedule hereto shall be extinguished at the expiration of 14 days from the date of confirmation of this Order.

2. There shall be at the expiration of 14 days from the date of confirmation of this Order a public footpath over the land situate at Hall Moor Farm (South), Haxby described in B of Part I of the Schedule hereto and shown coloured red on the map contained in this Order.

3. This Order may be cited as "The North Yorkshire County Council Hall Moor Farm (South), Haxby, Public Path Diversion Order 1977".



The Common Seal of the Council

1977 Diversion Order  
of the County of North Yorkshire was

Appendix 25

hereunto affixed this 16th

day of March 1977 in the presence of:-

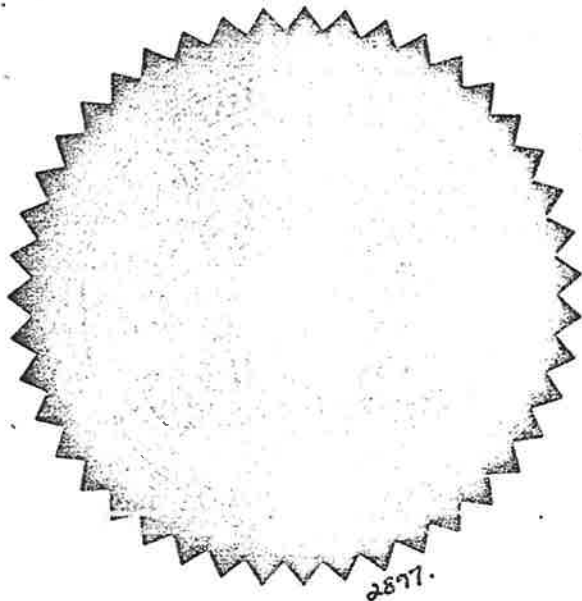
*R. Pearce*

~~a member~~

~~Chairman~~ of the County Council

*M. J. L. L. L.*

Deputy County Solicitor and Second  
Deputy Clerk of the County Council



Has Moor Farm CLVII. 1.

PART IADescription of path or way as indicated on map

Section of path or way as indicated on map - Marked in purple between points A, B and C

Position

Commences at point A on the plan and runs in a south-westerly direction for 400 metres then north-westerly for 174 metres turning westerly for 330 metres and dividing into two paths one running for a further 240 metres to point B, the other for 154 metres to point C.

BDescription of site of new path or way

Section of path or way as indicated on map - Marked in red between points A and B

Position

Commences at point A and runs in a general northerly direction for 558 metres then turns westerly for 320 metres and then south westerly for a further 750 metres to point B the path to have a minimum width of 1.22 metres (4 feet).

PART IILimitations and ConditionsPosition of path or way to which limitation or condition applies

North-eastern corner of O.S. Field No. 51; Northern corner of O.S. Field No. 41; Western corner of O.S. Field No. 41 and Western corner of O.S. Field No. 42

Limitations and Conditions

Stiles to be erected

(Ordnance Survey Map No. 157/5, 1928 Edition)

New path, A-B shown coloured red on the attached plan

Minimum width of 1.22 metres (4 feet) and to be left unploughed and grassed.



SCHEDULEA - Description of Site of Existing FootpathSection of path as indicated on mapPosition

Marked in purple between points A, B and C.

That section of footpath the commencing at point A, at the eastern corner of O.S. Field No. 51, running in a south-westerly direction for 400 metres, then north-westerly for 174 metres, then turning westerly for 330 metres before dividing into two paths, one running for 240 metres to point B at the western corner of O.S. Field No. 43 and the other running for 154 metres to point C adjacent to the hedge at the eastern corner of O.S. Field No. 46 (Ordnance Survey Map No. 157/5, 1928 Edition)

B - Description of Site of New FootpathSection of path as indicated on mapPosition

Marked in red between points A, C and B.

Commencing at point A at the eastern corner of O.S. Field No. 51 and running in a general northerly direction for 558 metres, then running westerly for 320 metres and then south-westerly for a further 750 metres to point B at the western corner of O.S. Field No. 43 (Ordnance Survey Map No. 157/5, 1928 Edition)

NOTICE OF PUBLIC PATH ORDERHIGHWAYS ACT 1959NORTH YORKSHIRE COUNTY COUNCILHALL MOOR FARM (SOUTH), HAXBY - PUBLIC PATH DIVERSION ORDER

Notice is hereby given that the above-named Order made on 16th March 1977 is about to be submitted to the Secretary of State for the Environment for confirmation, or to be confirmed, as an unopposed Order, by the North Yorkshire County Council.

The effect of the Order, if confirmed without modifications will be to divert the public right of way from the line described in Schedule A to this notice to a line described in Schedule B to this notice.

A copy of the Order and the map contained in it has been deposited and may be inspected free of charge at the Divisional Highways Office, Ox Carr Lane, Strensall during normal office hours.

Any representation or objection with respect to the Order may be sent in writing to the Chief Executive, County Hall, Northallerton, before 22nd April 1977 and should state the grounds on which it is made.

If no representations or objections are duly made, or if any so made are withdrawn, the North Yorkshire County Council may, instead of submitting the Order to the Secretary of State for the Environment, themselves confirm the Order. If the Order is submitted to the Secretary of State any representations with the Order.

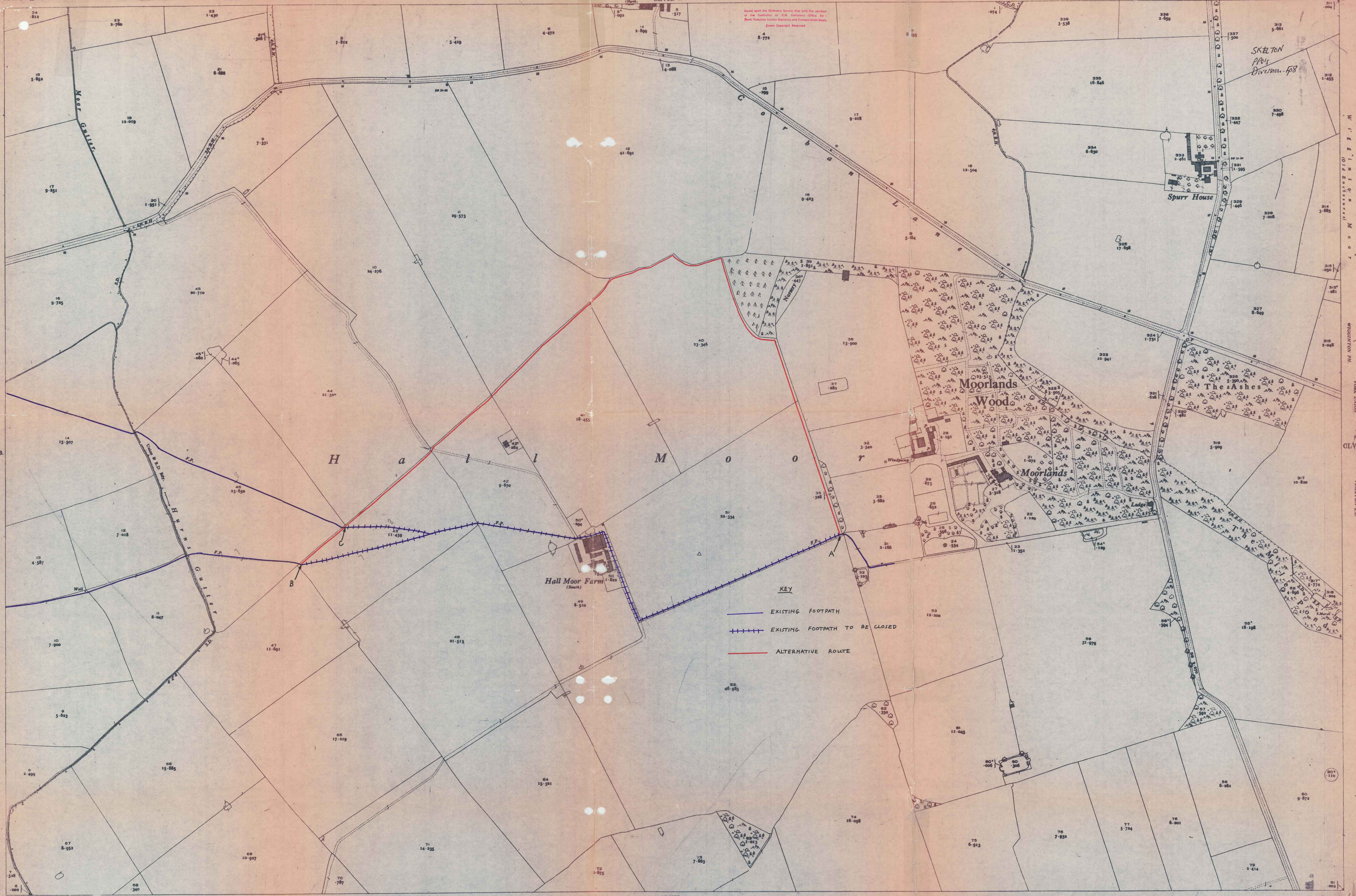
Dated 25th March 1977

W.A. HARRISON

County Solicitor

County Hall,  
NORTHALLERTON







**NORTH YORKSHIRE COUNTY COUNCIL  
NOTICE OF CONFIRMATION OF PUBLIC PATH ORDER  
HIGHWAYS ACT 1959**

*The North Yorkshire County Council Hall Moor Farm  
(South) Haxby, Public Path Diversion Order*

Notice is hereby given that on 13th May 1977, the North Yorkshire County Council confirmed the above-named Order.

The effect of the Order as confirmed is to divert the public right of way from the line described in Schedule A to this notice, to the line described in Schedule B to this notice.

A copy of the Order, as confirmed, and the map contained in it has been deposited and may be inspected free of charge at the Divisional Highways Office, Ox Carr Lane, Strensall during normal office hours.

The Order becomes operative as from the 27th day of May 1977, but if a person aggrieved by the Order desires to question the validity thereof, or of any provision con-



tained therein, on the ground that it is not within the powers of the Highways Act 1959, as amended, or on the ground that any requirement of the Act, as amended, or of any regulations made thereunder has not been complied with in relation to the Order, he may, under Paragraph 2 of Schedule 2 to the Act as applied by Paragraph 5 of Schedule 7 to the Act, within 6 weeks from the date of this notice make an application for the purpose to the High Court,

Dated 27th May 1977.

*W. A. Harrison, County Solicitor.*

County Hall,  
Northallerton.

#### SCHEDULE A

##### *Description of Site of Existing Footpath*

##### *Section of path as indicated on map and Position*

Marked in purple between points A, B and C: That section of footpath commencing at point A, at the eastern corner of O.S. Field No. 51, running in a south-westerly direction for 400 metres, then north-westerly for 174 metres, then turning westerly for 330 metres before dividing into two paths, one running for 240 metres to point B at the western corner of O.S. Field No. 43 and the other running for 154 metres to point C adjacent to the hedge at the eastern corner of O.S. Field No. 46. (Ordnance Survey Map No. 157/5, 1928 Edition.)

#### SCHEDULE B

##### *Description of Site of New Footpath*

##### *Section of path as indicated on map and Position*

Marked in red between points A and B: Commencing at point A at the eastern corner of O.S. Field No. 51 and running in a general northerly direction for 558 metres, then running westerly for 320 metres and then south-westerly for a further 750 metres to point B at the western corner of O.S. Field No. 43. (Ordnance Survey Map No. 157/5, 1928 Edition.)

(785)