

NORTH YORKSHIRE LOCAL ACCESS FORUM

19 AUGUST 2010

PUBLIC RIGHTS OF WAY DEFINITIVE MAP MODIFICATION ORDER AND DIVERSION ORDER APPLICATIONS - AN UPDATE

1.0 PURPOSE OF REPORT

- 1.1 To provide an update to members on progress with processing Definitive Map Modification Order and Diversion Order applications since November 2009. The cases referred to are listed in the attached schedules.

2.0 RECENT DMMO AND PUBLIC PATH ORDER DETERMINATIONS

- 2.1 Since November 2009` 19 applications have been fully completed:-

• Creation Agreements	3
• Diversion Orders	6
• DMMOs	9
• Extinguishment Order	1

These Orders are detailed in Appendix 1.

3.0 CREATION AGREEMENTS

3 Creation Agreements have been completed, one following a request from South Stainley Parish Council who had liaised with the landowner, for Lavender Walk, one was undertaken in conjunction with an Extinguishment Order in Colton to provide an alternative footpath and the third one was undertaken with the Highways Agency to provide a bridleway crossing and adjacent to the new A1 junction west of Lumby.

4.0 DMMOs

- 4.1 The application for a footpath across the school grounds at Harrogate Grammar School was considered at a public inquiry in December. The Inspector's decision upheld the county council's view that the evidence did not support 20 years unhindered use of one particular path across the site. The order was not confirmed.
- 4.2 A further DMMO application was considered at a public inquiry in early March. This was for the downgrading of a section of bridleway near the Applegarth Farms in Richmond and Marske. The Inspector's decision was that the Order should not be confirmed. Now that the 3 month period allowed for appeals to be

made has expired, contractors have been engaged to provide gate in place of the stiles that had obstructed the bridleway for more than 60 years.

- 4.3 The application made by Brompton by Sawdon Parish Council for a footpath off Hungate in the middle of the village has also been confirmed.
- 4.4 7 applications have been rejected due to insufficient evidence to satisfy the required criteria.
- 4.5 DMMOs In Progress - There are 38 further DMMO applications which are in progress at various stages. Within these falls the application submitted by the British Horse Society for a bridleway to be added to the Definitive Map at the site of the former Skewkirk Bridge between Kirk Hammerton and Tockwith. The matter has now been reported to the Planning and Regulatory Functions Sub-Committee, who have accepted the recommendation, and have resolved that a DMMO should be made. The Order has been drafted and will be advertised shortly. At the same Committee meeting the Committee also resolved that an DMMO should be made for the footpath between Quaker Terrace and Black Bull Yard at Masham.
- 4.6 New DMMO Applications –
7 new applications for a DMMO have been received since November 2009.

09/08	Harrogate	H&L Bishopside	Glasshouses nr. Cliff View Ter (FP)
09/09	Hambleton	Bedale	off Masham Rd (FP)
09/10	Craven	Thornton in Craven	Hawber Lane (BW)
	Hambleton	Firby	Nr Hollins Fm (FP)
	Ryedale	Nawton	Beckett's recreation Gd (FP)
10/01	Scarborough	Cloughton	Beck Lane (FP)
10/05	Richmondshire	Redmire	Mill Lane (FP)

5.0 DIVERSION ORDERS

- 5.1 7 Diversion Orders were confirmed. A further 9 proposed Diversion Orders have been consulted upon since November last year.

All DMMO and Public Path Order applications currently in progress are listed in the attached Appendix 2.

6.0 RECOMMENDATION

- 6.1 To receive the report for information

Contact Officer:

Penny Noake

Definitive Map Team Leader - 01609 532245

DMMO AND PUBLIC PATH ORDERS CLOSED November 2009 - August 2010

Reference number	Application Type	Parish	Location	Route Type	Outcome	Outcome Date
HAR/2009/07/CA	Creation Agreement	Har - South Stainley with Cayton	Lavender Walk (Watermill Lane to Staveley Arms)	FP	Confirmed	12/11/2009
SEL/2006/07/CA	Creation Agreement	Sel - Colton	Manor Farm Colton	FP	Confirmed	21/01/2010
SEL/2009/04/CA	Creation Agreement	Sel - South Milford	From Redhill Lane to the A1, South Milford	FP	Conf & cert not needed	18/11/2009
CRA/2008/06/DO	Diversion Order	Cra - Bradleys Both	7 College Court, Low Bradley	FP	Confirmed	04/05/2010
CRA/2009/06/DO	Diversion Order	Cra - Giggleswick	Settle High School	FP	Confirmed	13/04/2010
HAM/2006/08/DO	Diversion Order	Ham - Brompton	Water End	FP	Not Confirmed	01/07/2010
HAM/2009/03/DO	Diversion Order	Ham - Stokesley	The Glebe, Kirkby	FP	Confirmed	13/01/2010
SCAR/2006/01/DO	Diversion Order	Scar - Whitby	St Andrew's Estate, Whitby	FP	Confirmed	08/01/2010
SCAR/2007/04/DIV	Diversion Order	Scar - Whitby	St Andrews Road, Whitby	FP	Confirmed	10/12/2009
SEL/2009/05/DO	Diversion Order	Sel - Heck	Pollington Airfield, Off Pollington and Heck Road	FP	Confirmed & Certified	13/04/2010
HAR/2003/03/DMMO	DMMO	Har - Harrogate Borough	Harrogate Grammar School (between West End Ave. & Arthurs Ave)	FP	Not Confirmed	07/02/2010
RYE/1998/01/DMMO	DMMO	Rye - Flaxton	Smith Lane to Great Wood	BOAT	Rejected	01/12/2009
SCAR/1996/01/DMMO	DMMO	Scar - Brompton by Sawdon	Cayley Lane to Hungate	FP	Confirmed	12/11/2009
SCAR/1993/01/DMMO	DMMO	Scar - Cayton	Shire Croft to West End View Eastfield	FP	Rejected	01/12/2009
SCAR/2004/01/DMMO	DMMO	Scar - Filey	Primrose Valley. Flat Cliff to Butcher Haven.	FP	Rejected	05/07/2010
SCAR/1998/01/DMMO	DMMO	Scar - Filey	Murray Street and Belle Vue Street	FP	Rejected	31/01/2010

SEL/2009/08/DMMO	DMMO	Sel - North Duffield	Bridleway Near Menthorpe Gate	BW	Rejected	01/04/2010
SEL/2000/03/DMMO	DMMO	Sel - Tadcaster	The Old Vicarage	FP	Rejected	04/06/2010
SEL/2008/04/EO	Extinguishm ent Order	Sel - Colton	Manor Farm, Colton	FP	Confirmed	21/01/2010
SEL/1987/01/DMMO	Informal Application	Sel - Biggin	Rear of School to Bishopdike Road	FP	Rejected	01/04/2010

CREATION AGREEMENTS IN PROGRESS - August 2010

Reference number	Parish	Location	Route Type	Informal Cons	Informal Objections	Committee	Sealing	Sealed	Formal Objections
HAR/2005/25/CA		Bradford Met Area. Fisher Fountain Ford to High Mi	FP				02/06/2005		
CRA/2004/03/CA	Cra - Cowling	Hart Hill	FP	04/02/2004					
HAM/2009/01/CA	Ham - Aldwark	Aldwark Village to Aldwark Toll Bridge	FP				17/03/2009		
HAM/2009/07/CA	Ham - Shipton	Station Lane to Burrell's Lane	FP				09/07/2010		
HAM/2008/17/CA	Ham - Sutton under	Sutton under Whitestonecliffe, Near Hazeldene	FP				27/11/2008		
HAR/2005/32/CA	Har - Beverley	Bessie's way	FP						
HAR/2001/22/CA	Har - Beverley	Land at Coldstones Quarry	FP						
HAR/2009/10/CA	Har - Studley Roger	Hell Wath Ford	FP				19/10/2009	02/12/2009	
HAR/2007/19/CA	Har - Stonebeck Up	New Houses Fm	FP						
RICH/2007/02/CA	Rich - Colburn	Catterick Road to Horne Road	BW						
RICH/2008/01/CA	Rich - Finghall	Southwick Grange, Finghall	BW	23/07/2008					
RICH/2009/06/CA	Rich - Gilling with Hartforth	B6274 to FP 20.33/10	BW						
RICH/2007/01/CA	Rich - Hipswell	Gough Road to Haig Road, Hipswell	BW						
RYE/2009/08/CA	Rye - Gilling East	Park Wood Bridleway	BW	21/08/2009					
RYE/2009/04/CA	Rye - Wombledon	Land adjacent A170	FP						
SCAR/2009/01/CA	Scar - Burniston	A171 to Overgreen View, Burniston	FP	18/11/2008			28/01/2009		
SCAR/2009/05/CA	Scar - Whitby	Stakesby Vale, Whitby	FP						
SEL/2009/09/CA	Sel - Cliffe	Newhay Lane, Cliffe	FP				13/01/2010	29/04/2010	
SEL/2007/08/CA	Sel - Hillam	Dunce Mire Road, Hillam	BW						

SEL/2009/02/CA	Sel - Saxton cum Scarthingwell	Saxton	FP
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CREATION ORDERS IN PROGRESS - August 2010

Reference number	Parish	Location	Route Type	Informal Cons	Informal Objections	Committee	Sealing	Sealed	Formal Objections
CRA/2003/04/CO	Cra - Halton West	Halton West & Wigglesworth	FP	01/01/2003	No				
CRA/2005/01/CO	Cra - Long Preston	Sour Dale Lane, Long Preston	BW		No				
HAM/2010/03/CO	Ham - Bedale	Ginnel between Market Place and Emgate	FP	30/06/2010	No				
HAM/2006/04/CO	Ham - Sutton under	Waterhill Farm, Sutton under Whitestonecliffe	FP	03/04/2006	No				
RYE/2007/17/CO	Rye - Ebberston & Yedingham	Lingy Plantation	FP	29/06/2007	No		02/01/2008	08/02/2008	Yes

DIVERSION ORDERS IN PROGRESS - August 2010

Reference number	Parish	Location	Route Type	Informal Cons	Informal Objections	Committee	Sealing	Sealed	Formal Objections
CRA/2008/03/DO	Cra - Austwick	Middle Birks	FP	17/07/2009	No			06/05/2010	
CRA/2009/01/DO	Cra - Bentham	The Ridding, Low Bentham	FP	10/06/2009	No		06/10/2009	13/10/2009	
CRA/2009/04/DO	Cra - Bentham	Wesley Close, Bentham	FP	28/09/2009	No				
CRA/2009/02/DO	Cra - Cowling	Lower Summerhouse Fm, Cowling.	FP		No				
CRA/2009/06/DO	Cra - Giggleswick	Settle High School	FP		No			22/12/2009	
CRA/2008/01/DO	Cra - Glusburn	Manor House, Glusburn	FP	04/01/2010	No				
CRA/2010/02/DO	Cra - Halton East	Calm Slate Fm, Halton East	FP		No				
CRA/2008/04/DO	Cra - Rathmell	Littlebank Farm	FP	07/01/2010	No			06/05/2010	
CRA/2005/18/DO	Cra - Skipton	Low Snaygill, Skipton	FP	01/01/2005	Yes				
CRA/2007/01/DO	Cra - Wigglesworth	Sandholme, Wigglesworth	FP	10/01/2007	Yes				Yes
HAM/2008/11/DO	Ham - Ainderby Steeple	Lark Hall Farm, Ainderby	Footpath & Bridleway	25/04/2008	No				
HAM/2005/06/DO	Ham - Appleton Wiske	Appleton Wiske, Welbury, Deighton	FP	05/04/2005	Yes		21/11/2005	29/12/2005	Yes
HAM/2008/10/DO	Ham - Crathorne	Crathorne Estate	FP		No				
HAM/2008/13/DO	Ham - Crayke	Mosswood House	FP	10/09/2009	No		27/05/2010	24/06/2010	
HAM/2004/03/DO	Ham - Deighton	Bellevue Farm, Deighton	FP	01/01/2004	No		01/04/2004		
HAM/2008/12/DO	Ham - Easingwold	Easingwold School	FP	28/08/2009	No			01/04/2010	
HAM/2010/06/DO	Ham - Exelby, Leeming and	Burtree Dike, Exelby	FP	16/07/2010	No				
HAM/2009/02/DO	Ham - Holme	Sandfield Lane, Holme on Swale	FP		No				
HAM/2010/04/DO	Ham - Ingleby Greenhow	Gilder Tofts, Ingleby Greenhow	FP		No				

HAM/2006/17/DO	Ham - Kilburn High & Low	Wildon Grange & Low Kilburn Grange Kilburn	FP	15/12/2006	No
HAM/2008/06/DO	Ham - Knayton with Brawith	Bank Foot Fm, Knayton	FP		No
HAM/2006/12/DO	Ham - Little Ayton	Cross Lane, Little Ayton	FP	01/11/2006	Yes
HAM/2010/02/DO	Ham - Middleton on Leven	Indian Farm	BW	23/06/2010	No
HAM/2010/01/DO	Ham - Morton on Swale	Morton Grange	FP	22/01/2010	No
HAM/2007/01/DO	Ham - Newsham with	Manor House, Newsham	FP	12/01/2007	No
HAM/2008/15/DO	Ham - Sexhow	Sexhow Hall Farm	FP		No
HAM/2008/05/DO	Ham - Sexhow	Sexhow Grange	BW	13/07/2009	Yes
HAM/2007/03/DO	Ham - South Otterington	Elm Tree House to Station Farm	FP	20/03/2007	Yes
HAM/2007/09/DO	Ham - Thornton le Moor	Thornton le Moor	FP	05/12/2007	Yes
HAR/2009/14/DO	Har - Azerley	Little Orchard, Mickley	FP		Yes
HAR/2001/30/DO	Har - Bewerley	Coldstones Quarry	FP		No
HAR/2008/16/DO	Har - Birstwith	Rennie Crag Farm, Reynard Crag Lane, BirstwithHG3	FP	24/09/2008	No
HAR/2007/14/DO	Har - Bishop Thornton	Hawksworth House	FP	20/09/2007	Yes
HAR/2008/01/DO	Har - Bishop Thornton	Woodfield Mill	BW	08/01/2008	No
HAR/2008/12/DO	Har - Dacre	Carr Lodge Fm & Thornthwaite Scout Camp, Dacre	FP	21/05/2009	No
HAR/2007/15/DO	Har - Fountains Earth	Crown Hotel	FP	27/09/2007	No
HAR/2006/14/DO	Har - Hampsthwaite	Throstle Nest, Hampsthwaite	FP	05/07/2006	Yes
HAR/2007/13/DO	Har - Harrogate Borough	Birk Crag	FP	13/09/2007	No
HAR/2009/03/DO	Har - High and Low Bishopside	Righthouse Barn, Smelthouses	BW	04/09/2009	No
HAR/2008/08/DO	Har - Kirkby Overblow	Low Hall, Kirkby Overblow, Sunrise Farm, Spofforth	FP	23/06/2009	No

03/04/2008	04/07/2008	
	13/04/2010	
	04/07/2008	Yes
01/07/2008	05/09/2008	
	23/11/2009	Yes
10/01/2008	08/08/2008	
	31/12/2009	

HAR/2002/08/DO	Har - Kirkby Overblow	Oak Bank Farm, Kirkby Overblow	FP	27/08/2008	Yes
HAR/2007/06/DO	Har - Little Timble	Swinsty Hall	FP	02/05/2007	No
HAR/2009/05/DO	Har - Markingfield Hall	Markenfield Hall	FP	24/06/2009	Yes
HAR/2005/24	Har - Nesfield with Langbar	Fisher Fountain to West Hall Farm	FP		Yes
HAR/2010/10/DO	Har - North Rigton	New York Farm, North Rigton	BW	04/06/2010	Yes
HAR/2007/10/DO	Har - Sawley	Watsons Farm	FP	22/06/2007	No
HAR/2007/17/DO	Har - South Stainley with	High Cayton	FP	10/02/2010	No
RICH/2009/03/DO	Rich - Eppleby	Lower Chapel House Farm, Caldwell, Eppleby	BW		No
RICH/2009/07/DO	Rich - Gilling with Hartforth	Leadmill Gill Beck, Hartforth	BW		No
RICH/2008/07/DO	Rich - Middleham	Middleham Low Moor	BW		No
RICH/2004/14	Rich - Newsham	Newsham Hall	FP	05/07/2005	Yes
RYE/2007/03	Rye - Coulton	Manor Farm, Coulton	FP		Yes
RYE/2008/02/DO	Rye - Kirby Grindalythe	Thirkleby Warren	FP	18/03/2008	Yes
RYE/2008/01/DO	Rye - Nawton	Pinfold House, Nawton	FP	29/01/2008	No
RYE/2010/04/DO	Rye - Pickering	Newbridge Quarry	FP	14/05/2010	No
RYE/2005/09/DO	Rye - Sherburn	Kingspan Metl_Con Ltd	FP		No
RYE/2006/07	Rye - Sheriff Hutton	West Mill House Stittenham	FP	29/09/2006	No
SCAR/2009/04/DO	Scar - Whitby	Esk Leisure, Ruswarp	FP	17/11/2009	Yes
SEL/2008/03/DO	Sel - Church Fenton	Northfield Lane, Church Fenton	FP	29/01/2009	No
SEL/2008/05/DO	Sel - Cliffe	Newhay Grange	FP	13/07/2009	No
SEL/2005/01/DO	Sel - Fairburn	Fairburn (Ings) and Brotherton	FP		No

	18/12/2007	
02/06/2005	29/07/2005	
	22/08/2008	
19/12/2007	16/05/2008	
	25/11/2009	
02/07/2010		
06/08/2006	23/10/2006	Yes
21/01/2009	02/02/2009	
12/12/2005	31/03/2006	
21/12/2006	29/01/2007	
13/01/2010	29/04/2010	

SEL/2009/03/DO	Sel - Gateforth	Keepers Cottage (Burton Hall Farm Cottages)	FP	08/06/2009	No
SEL/2005/12/DO	Sel - Riccall	Dunelm Farm King Rudding Lane	FP	18/04/2005	Yes
SEL/2007/02/DO	Sel - Stutton with Hazlewood	Sugar Hill Farm, Stutton	FP	10/08/2007	No

11/11/2009	21/01/2010	
30/06/2009	03/07/2009	Yes

DMMOS IN PROGRESS - August 2010

Reference number	Parish	Location	Route Type	Informal Cons	Informal Objections	Committee	Sealing	Sealed	Formal Objections
CRA/1987/01/DMMO	Cra - Cowling	Knoll Hill farm to Lane House Road	FP		No				
CRA/2001/02/DMMO	Cra - Ingleton	Cragg Lane Bridge to Clapham Common	BOAT		No				
CRA/1999/01/DMMO	Cra - Ingleton	Nutgill Farm Bridleway No.05.26/37(pt)	BW		No				17/11/2009
CRA/2004/01/DMMO	Cra - Settle	Ingfield Lane to Lodge Road - Watery Lane/Brockhole	FP	28/06/2005	No	01/11/2007	02/11/2009	27/11/2009	Yes
CRA/1989/01/DMMO	Cra - Settle	Undercliffe to Chapel St	FP		Yes				
HAM/1997/01/DMMO	Ham - Coxwold	Coxwold Old Level Crossing to Hustwaite Gate	FP	22/01/2010	Yes				
HAM/2004/01/DMMO	Ham - Easingwold	Manor Road to Spring Road (Angel Hotel)	FP		Yes				
HAR/2004/02/DMMO	Har - Bishop Thornton	High Mill, Shaw Mills, Bishop Thornton, Harrogate.	BW		No				
HAR/2005/07/DMMO	Har - Felliscliffe	Pond House Farm, F/P 16, Via Horseman's Well Farm House to	FP	28/10/2009	Yes				
HAR/2005/08/DMMO	Har - Great Timble	Billy Lane	FP	29/10/2009	No		10/12/2009	02/02/2010	Yes
HAR/2005/09/DMMO	Har - Harrogate Borough	F/P from Old Bilton, Bilton Lane (Also in Knaresborough)	FP	30/10/2009	No		19/05/2010	03/06/2010	
HAR/2005/10/DMMO	Har - High and Low Bishopside	Smelthouses, Low Wood Cottage	FP		Yes	18/07/2008		12/02/2009	Yes
HAR/2008/07/DMMO	Har - Kirk Hammerton	Skewkirk Bridge	BW		Yes	03/08/2010			
HAR/2004/01/DMMO	Har - Kirkby Malzeard	Kirkby Moor Farm	BW		Yes				
HAR/2005/13/DMMO	Har - Masham	Quaker Terrace to Black Bull Yard	FP		Yes	03/08/2010			
HAR/1997/01/DMMO	Har - Nesfield with Langbar	West Hall to Fisher Fountain Ford	BW		No				
HAR/2005/04/DMMO	Har - Spofforth with Stockeld	Long Field	FP	16/07/2010	No		02/02/2010		
RICH/2004/01/DMMO	Rich - Arrathorne	West Arrathorne off Hutton Road	BW		No			10/12/2009	Yes
RICH/2010/02/DMMO	Rich - Brompton on Swale	Agricola Bridge Along River Swale	FP	15/03/2010	Yes				

RICH/1996/01/DMMO	Rich - Richmond	Cravengate to St.James Chapel Wynd	FP		No			
RICH/2007/07/DMMO	Rich - Richmond	St James Chapel Flats, Richmond	FP		Yes	04/10/2007	02/11/2007	Yes
RYE/2005/01/DMMO	Rye - Middleton	Back Lane South to Main Street	FP		No	16/02/2010		
RYE/1995/01/DMMO	Rye - Sheriff Hutton	Sheriff Hutton Park, Sheriff Hutton	FP	26/03/2010	Yes			
RYE/2001/03/DMMO	Rye - Sinnington	Old Road	FP		No			
SCAR/1989/01/DMMO	Scar - Burniston	Burniston Beck to Former Rly	FP		No	16/12/2009		
SCAR/2008/03/DMMO	Scar - Folkton	A1039 Filey Road to Flixton/Fordon Road (link to Wolds	BW	09/07/2010	Yes			
SCAR/1999/01/DMMO	Scar - Scarborough	Scalby Mills to Corner Complex	FP	13/10/2009	No			
SCAR/1999/02/DMMO	Scar - Scarborough	Lower Burniston Road to Sea Promenade	FP	13/10/2009	No			
SCAR/1999/03/DMMO	Scar - Scarborough	Burniston Road (Carpark) to Bulge Café	FP	13/10/2009	No			
SCAR/1999/04/DMMO	Scar - Scarborough	Upper Burniston Road to North Steads Manor Gardens	FP	13/10/2009	No			
SCAR/2005/02/DMMO	Scar - Scarborough	Westwood Gardens	FP		No		09/10/2008	
SCAR/2004/02/DMMO	Scar - Whitby	Church Street Car Park (Tin Ghaut)	FP		No			
SEL/2000/02/DMMO	Sel - Church Fenton	Parsons Garth	FP		No	23/07/2010		
SEL/2000/01/DMMO	Sel - Church Fenton	Cinder Path	FP		No	23/07/2010		
SEL/1992/07/DMMO	Sel - Cliffe	Turnham Hall Lane	FP		No	27/11/2009		
SEL/2007/01/DMMO	Sel - Sherburn in Elmet	Beech Grove to Kirkgate	FP	25/11/2009	No		04/02/2010	
SEL/1995/01/DMMO	Sel - South Milford	Redhill Lane	BW	24/03/2010	No	05/05/2010		
SEL/2004/01/DMMO	Sel - Wistow	Pinfold Hill to Carr Lane	FP		No			

EXTINGUISHMENT ORDERS IN PROGRESS - August 2010

Reference number	Parish	Location	Route Type	Informal Cons	Informal Objections	Committee	Sealing	Sealed	Formal Objections
HAR/2006/15/EO	Harr - Hampsthwaite	Throstle Nest, Hampsthwaite	FP	05/07/2006	Yes				
CRA/2007/02	Cra - Giggleswick	Giggleswick School	FP	03/01/2007	No				
CRA/2006/24	Cra - Kildwick	Lane House	FP	06/12/2006	No				Yes
HAM/2006/20/EO	Ham - Northallerton	Fairfield House	FP	20/12/2006	No			09/09/2008	
HAR/2010/07/EO	Har - Fewston	High House Farm	FP	09/04/2010	Yes				
HAR/2010/03/EO	Har - Knaresborough	29 The Avenue, Knaresborough	FP	26/02/2010	No			30/06/2010	
HAR/2007/16/EO	Har - Stonebeck Up	New Houses Farm	FP	30/11/2007	No			14/12/2009	
RICH/2009/05/EO	Rich - Finghall	Southwick Grange, Finghall	BW	23/07/2008	No				