

NORTH YORKSHIRE COUNTY COUNCIL

PLANNING AND REGULATORY FUNCTIONS SUB COMMITTEE

7 OCTOBER 2011

BRIDLEWAY No. 20.3/2, ARRATHORNE, MODIFICATION ORDER 2009

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Members of an opposed Definitive Map Modification Order the effect of which if confirmed would be to delete part and downgrade part of Public Bridleway No. 20.3/2 at Arrathorne.

A location plan is attached to this report as **Plan 1**. The route referred to is shown on **Plan 2**, which is also attached to this report.

- 1.2 To inform Members that the matter will be referred to the Secretary of State for decision on whether or not to confirm the Order, and to request Members decide whether in making the referral North Yorkshire County Council take a neutral stance or take its original stance that the route should remain as a bridleway. Officers recommend that section A - C of the route remains as a bridleway

2.0 BACKGROUND TO THE ORDER

- 2.1 On 6 February 2004 Mr & Mrs Simpson of West Arrathorne Farm submitted an application under Section 53(3)(iii) of the Wildlife and Countryside Act 1981 for a Definitive Map Modification Order to delete Bridleway No. 20.3/2 (shown as A – B – C – D – E on Plan 2) from the Richmondshire District Definitive Map.

- 2.2 The application was supported by:

- 14 witness statements from residents of the hamlet of Arrathorne, claiming that the route was never a bridleway
- Recent and historic photos showing that there is no obvious path, track or gates along the line of the bridleway
- Parish Schedule to accompany the Parish Survey map of 1952 stating that the bridleway started at Arrathorne and went to the Catterick Camp to Newton-le-Willows Road, and did not start at the S-bends on the Hunton Road.
- A number of old maps and farm deeds showing other paths but not this bridleway.

- 2.3 In March 2006, at the suggestion of North Yorkshire County Council, the application was amended so that the part of the bridleway linking the road at Arrathorne and Public Footpath No.20.3/4 (section B – C on Plan 2) would be downgraded from bridleway to footpath. This would ensure that footpath No.20.3/4 joined the public highway at Arrathorne and did not become a cul-de-sac footpath.
- 2.4 After further investigation of the evidence, North Yorkshire County Council's Definitive Map Officers decided that the evidence submitted in support of this application was insufficient to meet the stringent criteria required to suggest that a mistake had been made in recording the bridleway on the Definitive Map, and therefore on 28 November 2007 formally rejected the application.
- 2.5 On 17 December 2007, Mr & Mrs Simpson lodged an Appeal against this decision with the Secretary of State. An Inspector reviewed the evidence and recommended that the appeal should be allowed in part. A copy of the Inspector's Report is attached as Appendix 1.
- 2.6 The Inspector decided that
- a mistake was made in recording section A – C as a bridleway, although section B – C should be retained as a footpath
 - a mistake had been made in recording section C – D as a bridleway, as this section is recorded on the List of Streets and therefore already has public rights
 - there was no mistake in recording Section D – E as a bridleway.

North Yorkshire County Council was therefore directed to make an Order which if confirmed would delete A – B and C – D from the Definitive Map, and to downgrade B – C to the status of footpath.

- 2.7 A Definitive Map Modification Order was made on 10th December 2009, and was advertised from 29th January – 12th March 2010. A copy of the Order and Order Plan is attached as Appendix 2.

3.0 OBJECTIONS TO THE MAKING OF THE ORDER

- 3.1 Four objections to the Order were received; from the Ramblers Association, Mr Alan Kind, the Byways and Bridleways Trust, and the British Horse Society. The reasons are given below:

- 3.1.1 The Ramblers Association objected on several points, which they believe indicate there was insufficient evidence to show a mistake was made in recording the route, including:
- that the bridleway was shown on Careys c.1825 map and Fowlers 1834 map
 - that remnants of a stile can be seen in the hedge close to point A
 - that many residents of the village used it as an "unofficial route"

- that a local landowner was responsible for surveying the routes for the draft map and would not have made a mistake in recording the route, and that there were no objections to the route's inclusion at the Parish Meeting to discuss the Rights of Way survey.
- 3.1.2 Mr Alan Kind objected on the grounds that there was not sufficient evidence of error.
- 3.1.3 The Byways and Bridleways Trust objected to the order but did not state any grounds.
- 3.1.4 The British Horse Society objected on the grounds that the route is shown as a road on Careys 1820 map and Fowlers 1834 map, and that there was no new, cogent evidence that a mistake was made.
- 3.2 Three letters were also received from residents of Arrathorne, stating that although they had no evidence to lodge a formal objection they were unhappy about the bridleway being part downgraded and part deleted.
- 3.3 The four objectors were contacted and given a full explanation of why the order had been made, and were asked if they would consider withdrawing their objections, but all four declined to do so. The Byways and Bridleways Trust asked that their outstanding objection be merged with the objection from Alan Kind.

4.0 FURTHER EVIDENCE

- 4.1 The Rambler's Association and British Horse Society both referred to Fowler's 1834 map of Yorkshire with their objection letters, stating that this showed the bridleway (a copy of the relevant part of this map was submitted by the Rambler's Association). This map was not submitted to the Inspector at the time of the applicant's appeal, although other maps of a similar age were inspected.
- 4.2 Since the making of the Order further relevant documents have come to light, namely correspondence between Willan & Johnson (solicitors for Mr Simpson of West Arrathorne) and the Clerk to the County Council, dating from 1953 when information was being gathered to produce the Definitive Map. Mr Simpson had wanted assurance that a section of the path (corresponding to points A – C on Plan 2) was not to be recorded on the Definitive Map.
- 4.2.1 The County Council's response was that the route had been recorded by the Parish Council and that it was for the Parish Council to notify the County Council if they did not want the route recording. There is no evidence of further correspondence, hence the route was shown on the Definitive Map as a bridleway.

- 4.2.2 This correspondence has only come to light since the making of the Order, so was not available for the Inspector to see when he considered the applicant's appeal.

5.0 COMMENTS FROM THE RICHMONDSHIRE AREA COMMITTEE 23 MARCH 2011

- 5.1 A report for information only, was presented to the meeting of the Richmondshire Area Committee on 23 March 2011. Members of that meeting noted that the report had been submitted to them previously, but had been deferred to allow extra information on the application to be provided. Members welcomed the extra information within the updated report, enabling them to better understand the issues to be considered by the Planning and Regulatory Functions Sub-Committee.
- 5.2 Members resolved that the report be noted.

6.0 CONCLUSIONS

- 6.1 Officers agree with the Inspector's decision that section D – E should not be downgraded, and that section C - D should be deleted as it is recorded on the List of Streets.
- 6.2 In the light of the further evidence discovered (in paragraph 4.2 above) Officers disagree that the section A – B should be deleted and section B – C downgraded. The reason being that although the landowner raised a query regarding the proposed inclusion of section A – C on the draft map, the landowner was advised how to achieve a change in the status of the route, but there is no evidence that this advice was followed.
- 6.3 Therefore it appears that the due process was followed, and Officers believe that there is still insufficient evidence to suggest that a mistake was made in recording this route as a bridleway when the Definitive Map was drawn up.

7.0 CONFIRMATION OF THE ORDER

- 7.1 As there are outstanding objections to the Order, only the Secretary of State has the power to determine whether or not the Order should be confirmed. However, the County Council needs to decide what stance it wishes to take in its submission to the Secretary of State.

8.0 RECOMMENDATIONS

8.1 It is therefore recommended that:-

8.2 The Committee authorise officers from the County Council's Definitive Map Team to take a stance that section A – C remains as a bridleway when the Order is referred to the Secretary of State for decision.

DAVID BOWE

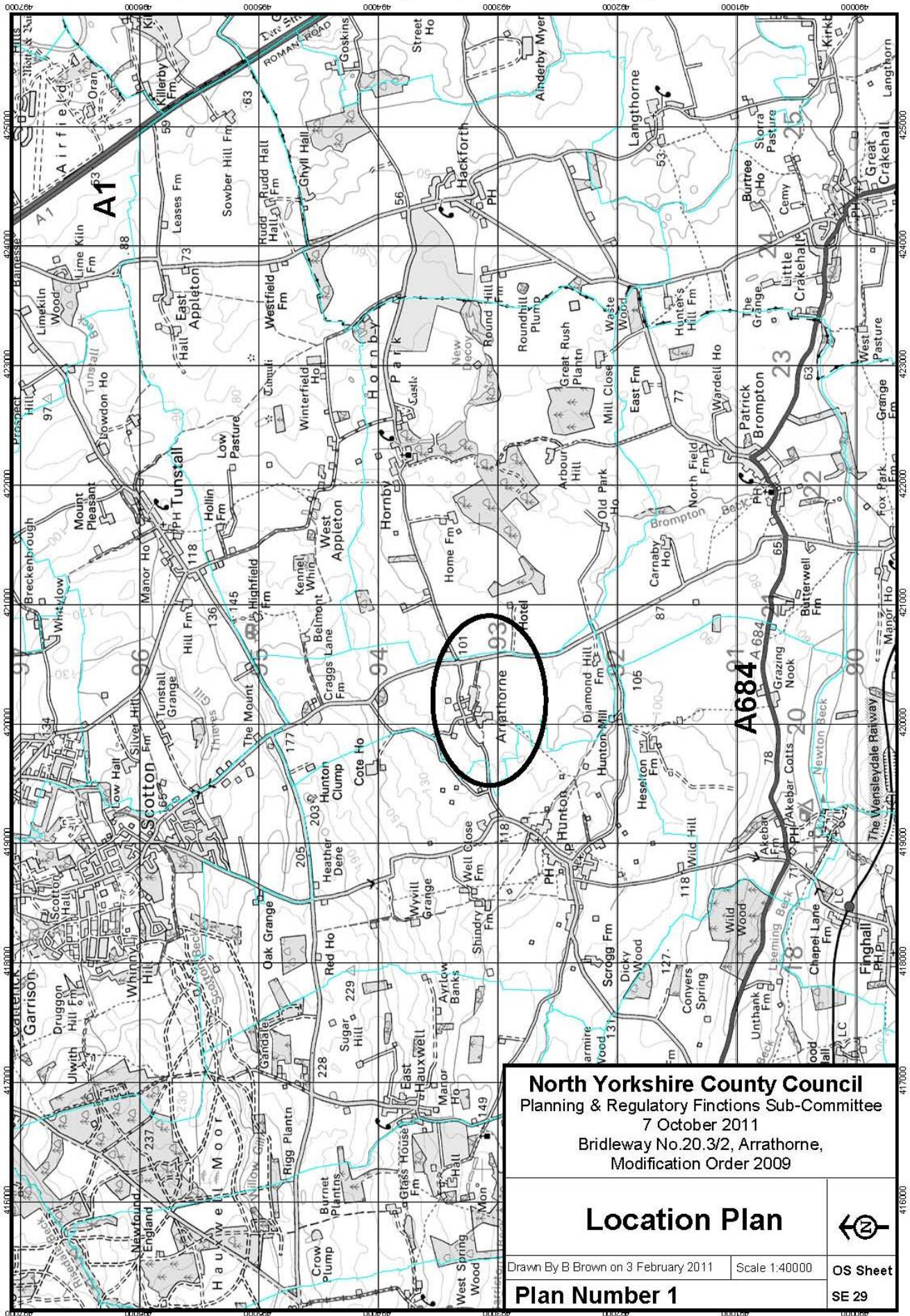
Corporate Director Business and Environmental Services

Background papers

- DMMO application dated 6 February 2004
- Evidence submitted in support of, and against the application
- Copies of correspondence regarding the route dating from 1953

The documents are held on a file marked: County Council's Planning and Regulatory Functions Sub Committee, 7 October 2011, Bridleway No. 20.3/2, Arrathorne, Modification Order 2009, which will be made available to Members at the meeting.

Author of Report: Beth Brown, Definitive Map Officer



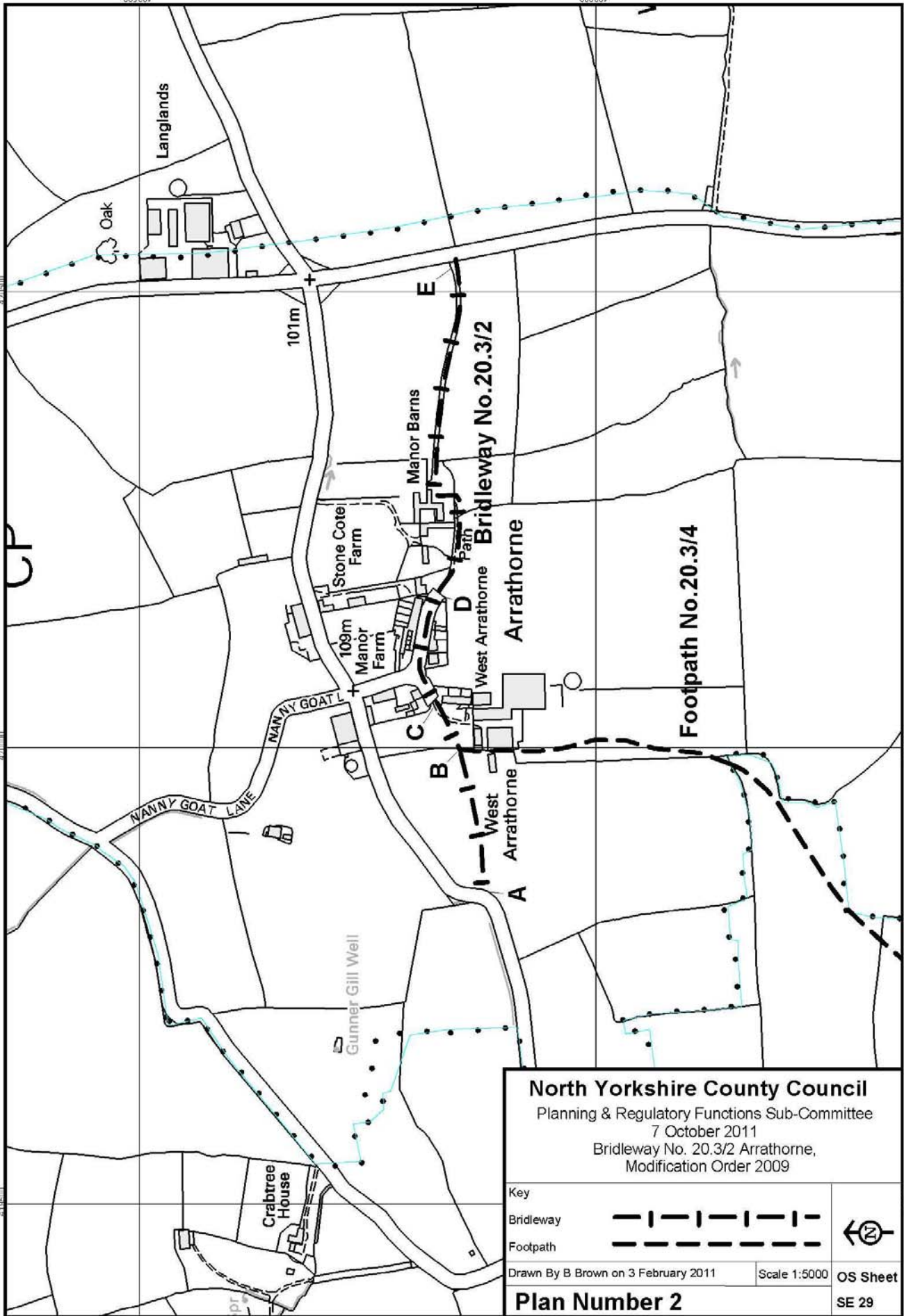
North Yorkshire County Council
 Planning & Regulatory Functions Sub-Committee
 7 October 2011
 Bridleway No.20.3/2, Arrathorne,
 Modification Order 2009



Location Plan

Drawn By B Brown on 3 February 2011 Scale 1:40000 OS Sheet SE 29

Plan Number 1





<p>North Yorkshire County Council Planning & Regulatory Functions Sub-Committee 7 October 2011 Bridleway No. 20.3/2 Arrathorne, Modification Order 2009</p>		
<p>Key</p> <p>Bridleway </p> <p>Footpath </p>	<p>Drawn By B Brown on 3 February 2011</p>	<p>Scale 1:5000</p>
<p>Plan Number 2</p>		<p>OS Sheet SE 29</p>

Appendix 1

**Secretary of State Inspector's Report into the Appeal by Mr &
Mrs Simpson against the decision of North Yorkshire County
Council not to make an Order**

Annex A



Report to the Secretary of State for Environment, Food and Rural Affairs

by Peter Millman BA

an Inspector appointed by the Secretary of State
for Environment, Food and Rural Affairs

The Planning Inspectorate
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Date: 20 August 2008

WILDLIFE AND COUNTRYSIDE ACT 1981
REPORT INTO AN APPEAL BY
MR & MRS P SIMPSON
AGAINST THE DECISION OF
NORTH YORKSHIRE COUNTY COUNCIL
NOT TO MAKE AN ORDER UNDER SECTION 53(2)
IN RESPECT OF THE DELETION OF A PUBLIC BRIDLEWAY
FROM THE DEFINITIVE MAP AND STATEMENT FOR NORTH YORKSHIRE
AT
ARRATHORNE



File Ref: NATROW/P2745/529A/07/93

Case Details

- This appeal is made by Robin Carr Associates on behalf of Mr and Mrs P Simpson under Schedule 14 Paragraph 4(1) of the Wildlife and Countryside Act 1981 against the decision of North Yorkshire County Council not to make a modification order under Section 53(2) of that Act.
- The application dated 6 February 2004 was refused by notice dated 28 November 2007.
- The appellant claims that the route is not a public bridleway and should not be recorded as such on the Definitive Map of Rights of Way.

Recommendation: I recommend that the appeal is allowed in part.

Preliminary Matters

1. I have been appointed to report to the Secretary of State for Environment, Food and Rural Affairs on the above-mentioned appeal made in accordance with Paragraph 4 of Schedule 14 to the Wildlife and Countryside Act 1981 ("the 1981 Act").
2. The evidence in this case consists of witness statements and copies of documents and maps. I have not visited the site, but I am satisfied that I can make a recommendation without the need to do so.
3. This report consists of the material points made in the submissions, an assessment of the evidence against the relevant criteria, and my conclusions and recommendations.
4. The original application was to delete the whole of the appeal route from the Definitive Map. At the suggestion of North Yorkshire County Council ("the County Council"), however, it was amended so that part of the route would be downgraded from bridleway to footpath (see paragraphs 6 and 18 below).

Description of the Route

5. The appeal route is shown on the Definitive Map starting at a junction with the Hunton to Arrathorne road. It runs across an open field in an easterly direction to a junction with a public footpath leading southwards from Arrathorne. This section of the route is shown as A-B on a map submitted with the appeal, which is appended to this report. The appellant believes that A-B carries no public rights.
6. From B the route continues across a field to the access track to West Arrathorne Farm, then along the track to the publicly maintainable road at point C. The appellant acknowledges that B-C carries public footpath rights.
7. C-D runs along what the appellant understands to be a public vehicular road serving the hamlet of Arrathorne. It should not, it believes, be recorded on the Definitive Map.
8. From D the route runs along an access track to East Arrathorne farm as far as the Catterick Camp to Newton-le-Willows road, where it terminates. The appellant believes that this section carries no public rights.

The Case for the Appellant

9. The material points made in the Grounds of Appeal and comments on the County Council's Appeal Statement are:

Definitive Map process

10. When paths were surveyed in Arrathorne in 1952 in preparation for the first Definitive Map, the Schedule referred only to a path from Arrathorne to the Catterick Camp to Newton-le-Willows road. This can at most have referred to D-E. On the accompanying Map the surveyor had only coloured A-C and D-E. The middle section along the road was not coloured at all. The base Ordnance Survey ("OS") map shows only a contour line between A and B.
11. The Schedule stated that the route had been used without dispute for 30 years. This would not have been possible for A-C, as witness statements confirm that there had never been a gate at point A (paragraph 19 below).
12. The Parish Survey Schedules comprise the first and only written record of individual paths, since the Draft, Provisional and Definitive Statements did and do not describe individual paths. It is therefore likely that the obvious discrepancy between the Map and Schedule was not identified.
13. The Parish Meeting held to consider the Parish Survey in Arrathorne was probably held in a public house. Since the owner of the land over which the appeal route ran was teetotal, he would not have attended and would not have had the opportunity to object.

Ordnance Survey maps

14. A-B is not shown as a feature on any OS map. D-E is shown annotated only as a footpath.

Other documentary evidence

15. None of the property deeds and sale documents examined shows a bridleway on the appeal route. Photographic evidence does not record any form of access from the road at point A prior to the County Council forcing an access in 2007. A range of maps and plans in addition to OS maps has been examined, and no positive evidence of bridleway status has been discovered.
16. The County Council's list of streets maintainable at public expense prepared under Section 36 of the Highways Act 1980 includes C-D. This section is therefore a county road and should not be recorded in the County Council's Definitive Map and Statement.
17. Mr A Kind referred in correspondence to a map of 1825 by Cary which, he stated, showed A-C as part of a through road. Although the appellant had been unable to locate a Cary map from that date, it had examined Teesdale's map of 1828. This appeared to show a road as described by Mr Kind, but it did not show the current road leading west from Arrathorne towards Hunton. This evidence contradicts that of the Inclosure map of 1815. The Inclosure process set out the road to Hunton on its current alignment. It is more likely that Teesdale's and Cary's maps were inaccurate than that road set out in 1815

would have been destroyed and then created again by the time of the first OS maps.

18. It is accepted that B-C carries public footpath rights, and the County Council agreed that the original application to delete the whole of the appeal route should be amended to reflect this. The appeal therefore seeks only the downgrading of B-C to the status of footpath.

Witness statements

19. In 1930 there were 12 houses at Arrathorne, rising to 16 by 1951. The witness statements in support of the appeal therefore represent almost three quarters of the long term residents at the time the Definitive Map was produced. None of the witnesses recalls there ever having been a bridleway along the appeal route. Many recall having to climb fencing if they took an unofficial route across the fields. One recalls escaping from a soldier on a horse by climbing over a fence, a feat which would have been impossible had the appeal route been a bridleway.

Third party evidence

20. Mr A Kind noted that the road leading to the hamlet of Arrathorne was signed 'dead end' by the County Council part way along, and was therefore clearly a public road.
21. Mr Kind also noted that Cary's 1825 map at 2 miles to an inch showed the appeal route from Arrathorne westwards (A-C) as part of a through road, suggesting that it was a public carriage road at the time.

The Case for North Yorkshire County Council

22. The route was included on the Parish Survey Map and also the Provisional Map, before its depiction on the Definitive Map. The Parish Survey Schedule indicated that the route had been used without dispute for 30 years. No objections to the route's inclusion were made at any stage of the process.
23. The surveyor of the Draft Map lived at East Arrathorne and owned the land at the eastern end of the bridleway. It is unlikely that he would have recorded a bridleway across his land if it did not exist.
24. The evidence is insufficient to show that a mistake was made when the route was first recorded on the Definitive Map.

Conclusions

Introduction

24. In considering the evidence and submissions, I bear in mind the relevant provisions of the 1981 Act and case law. Section 53(2)(b) of the 1981 Act gives surveying authorities (such as the County Council) the duty of making modification orders following certain events. The event in this case would be for section B-C (Section 53(c)(ii)) *the discovery... of evidence which... shows that a highway shown in the map and statement as a highway of a particular description [in this case a bridleway] ought to be there shown a highway of a different description [in this case a footpath]*, for sections A-B and D-E (Section

53(c)(iii)) *the discovery... of evidence which... shows... that there is no public right of way over land shown in the map and statement as a highway of any description... and for section C-D (Section 53(c)(iii)) the discovery... of evidence which... shows... that... any other particulars contained in the map and statement require modification.*

25. Paragraph 38 of the judgment of Lord Phillips, M.R. in the case of *Trevelyan v Secretary of State for the Environment* [2001] is relevant to an application to delete a right of way from a definitive map or to downgrade it. It reads as follows: *When the Secretary of State... has to consider whether a right of way that is marked on a definitive map in fact exists, he must start with an initial presumption that it does. If there were no evidence which made it reasonably arguable that such a right of way existed, it should not have been marked on the map. In the absence of evidence to the contrary, it should be assumed that the proper procedures were followed and thus that such evidence existed. At the end of the day, when all the evidence has been considered, the standard of proof required to justify a finding that no right of way exists is no more than the balance of probabilities. But evidence of some substance must be put in the balance, if it is to outweigh the initial presumption that the right of way exists.*

26. The procedures which were to be followed were set out in the National Parks and Access to the Countryside Act 1949. County councils had a duty to survey rights of way and compile a map of them. The process was to be carried out in three stages, resulting in a draft map, then a provisional map and finally a definitive map. At the draft and provisional stages there were provisions for objections to be considered. As part of the process, county councils had a duty to consult district and parish councils. Where a parish council existed, it had to call a parish meeting to consider the information to be sent to the county council.

25. Bearing in mind the submissions I have reported, I have reached the following conclusions, reference being given in brackets to earlier paragraphs where appropriate:

Evidence

The Definitive Map process

26. The description of a way leading from Arrathorne to the Catterick Camp to Newton-le-Willows road (10) is not consistent or compatible with the depiction on the map of two routes separated by a length of road. The description fits the depiction of D-E only. The County Council made no comment on this inconsistency (22).

27. It seems unlikely that the description in the Schedule of the route as starting from Arrathorne was intended to encompass the whole route, as it was shown on the Map as two distinct sections separated by a stretch of road. The Schedule carefully defines the eastern end of the route in terms of the road it meets and where that road leads to and from, and so it seems unlikely that the western end would be described as simply from 'Arrathorne', given that it starts at a road to the west of West Arrathorne. It seems more likely to me that the western section (A-C) was mistakenly included on the map, perhaps because it followed a contour line (10).

28. On the evidence of the Parish Survey and Map, A-C should not have been shown on the Draft Map.
29. C-D was not shown on the Parish Map, and the description in the Schedule does not seem to apply to it (10). The County Council made no comment on this apparent inconsistency. On the evidence of the Parish Survey and Map, C-D should not have been shown on the Draft Map.
30. I accept the County Council's view that the surveyor, who lived at East Arrathorne, would not have shown a bridleway across his land (D-E) if it did not exist (23). That the owner of the land at West Arrathorne might not have attended a Parish Meeting which might have been held in a public house (13) amounts to little more than speculation.
31. Although it is possible that documentation exists or existed which would explain the discrepancy between the Parish Survey and Map and between them and the subsequent Draft, Provisional and Definitive Maps, I conclude that these discrepancies provide *prima facie* evidence of a mistake which led to the erroneous recording of A-D on the Definitive Map.

Ordnance Survey Maps

32. It is perhaps surprising that part of a bridleway used for 30 years (22) would not be shown on an OS map as a physical feature (14) given that the Survey stated that it was 'well defined'. I consider that this is evidence of very slight weight supporting the view that there was not a bridleway on A-B when the Survey was carried out in 1952.
33. D-E is annotated as a footpath on only some OS maps (14), but this part of the appeal route is coincident with the access track to East Arrathorne Farm, so it seems likely that it would have been accessible by horses.

Other documentary evidence

34. The County Council did not comment on the appellant's assertion that C-D was included in a list of streets maintainable at public expense under s36 of the Highways Act 1980 (16). No copy of the list was produced, but given Mr Kind's observation that there is a 'dead-end' sign on the road into Arrathorne (20), it seems likely that the County Council accepts that it is a publicly maintainable vehicular road and therefore a public vehicular highway. Section 56 of the 1981 Act states that the recording of a route as a bridleway is without prejudice to any question of whether the public has any other right of way, so the recording of C-D as a bridleway is not incompatible with it being listed as a publicly maintainable street, but I consider that if the County Council is satisfied that that is its status, it should make an order to delete C-D from its Definitive Map and Statement.
35. Copies of the 19th century maps referred to by the appellant and Mr Kind (17, 21) were not produced, and I do not consider that significant conclusions may be drawn from them. Neither would I give significant weight to the evidence of sale particulars and maps (15). They were not produced with the intention of depicting public rights of way.

Witness statements

36. Fourteen people wrote in support of the application (19). With one exception these seem only to refer to the western part of the appeal route. Almost all the writers stated that they had lived at Arrathorne. They had attended school at Hunton, which is to the west of Arrathorne. Most recalled a time at or before before the Parish Survey in 1952. Two writers recalled a stile at or near A. Others stated that there was no gap in the hedge. None recalled a gate or gap through which a horse could have passed. All were adamant that there was no bridleway between A and B. The County Council did not comment on this evidence.
37. These letters and statements provide support for the view that there was no bridleway between A and C in 1952, and are consistent with a conclusion that the Parish Survey Schedule was only concerned with a route running east from Arrathorne, i.e. D-E.

Conclusions from the evidence

38. The evidence shows quite clearly that a mistake was made during the Definitive Map process which resulted in the recording of A-C as a bridleway. The evidence suggests that at the time it was recorded there were no public bridleway rights over that section. There is no evidence that public bridleway rights have accrued since that time. The appellant accepts that there are public footpath rights between B and C.
39. The evidence shows that a mistake was made during the Definitive Map process which resulted in the recording of C-D as a public bridleway. It seems likely that that part of the appeal route carries public vehicular rights and is recorded on the County Council's list of streets and therefore need not be recorded on the Definitive Map.
40. The evidence does not show that a mistake was made during the Definitive Map process which resulted in D-E being wrongly recorded as a bridleway.

Overall Conclusion

41. For the reasons given above, I conclude, on the evidence available to me, that the County Council should have made an order to delete A-B and C-D from its Definitive Map and to downgrade B-C to the status of footpath. I conclude that the County Council was justified in its decision not to make an Order to delete D-E from its Definitive Map.

Recommendation

42. I recommend that the appeal should be allowed in part and that North Yorkshire County Council should be directed to make an Order to delete A-B and C-D from its Definitive Map and to downgrade B-C to the status of footpath.

Peter Millman

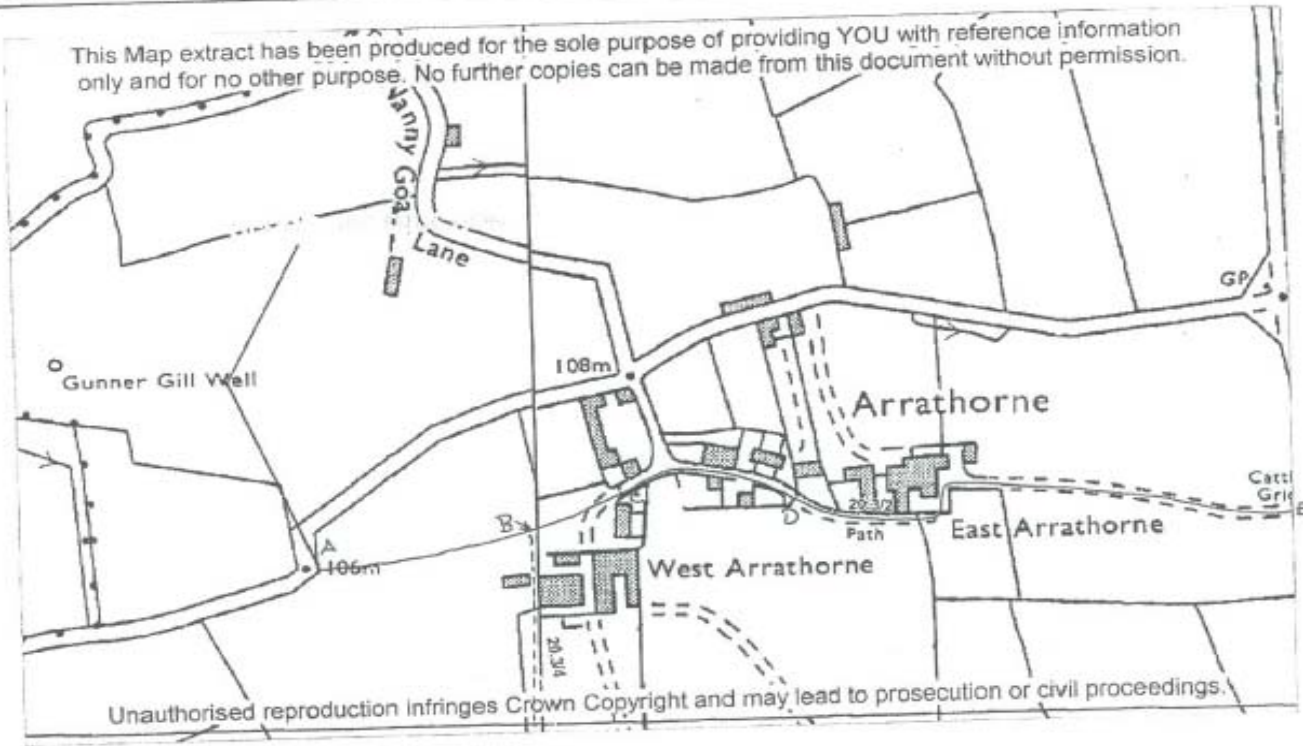
Inspector

Compiled by on 12 November 2003 Scale 1:3500

Key: Footpath ———— Bridleway ———— B.O.A.T. ———— Continuation of Path

North Yorkshire County Council
Area 1 Public Rights of Way Team
Environmental Services
County Hall
Northallerton DL7 8AH
Tel (01809) 780780

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REPORT TO THE SECRETARY OF STATE FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS
Ref: NATROW/P2745/529A/07/93

Appendix 2

Bridleway No. 20.3/2 Arrathorne Modification Order 2009

NORTH YORKSHIRE COUNTY COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

RICHMONDSHIRE DISTRICT DEFINITIVE MAP AND STATEMENT

**BRIDLEWAY NO 20.3/2, ARRATHORNE
MODIFICATION ORDER 2009**

This Order is made by North Yorkshire County Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Richmondshire District Definitive Map and Statement require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(ii) and (iii) of the Act, namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:-

- (i) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description; and
- (ii) that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority have consulted with every local authority whose area includes the land to which the Order relates. North Yorkshire County Council hereby order that:-

- 1 For the purposes of this Order the relevant date is 24 November 2009.
2. The Richmondshire District Definitive Map and Statement shall be modified as described in Part 1 and Part 2 of the Schedule and shown on the map attached to the Order.
- 3 This Order shall take effect on the date it is confirmed and may be cited as "Bridleway No 20.3/2, Arrathorne Modification Order 2009".

SCHEDULE

PART 1

MODIFICATION OF DEFINITIVE MAP

DESCRIPTION OF PATH OR WAY TO BE DELETED

<u>Section of Bridleway as shown on the attached map</u>	<u>Description</u>
Marked by a bold continuous black line and shown as A – B	A section of Bridleway No 20.3/2 approximately 157 metres in length, in the Parish of Arrathorne, which commences at a junction with the Hunton to Arrathorne road at Grid Reference 41984 49312 (Point A) and runs across an open field in a generally easterly direction to its junction with a public footpath leading southwards from Arrathorne at Grid Reference 41999 49314 (Point B).

<u>Section of Bridleway as shown on the attached map</u>	<u>Description</u>
Marked by a bold continuous black line and shown as C – D.	A section of Bridleway No 20.3/2 approximately 127 metres in length, in the Parish of Arrathorne, which commences at a junction with a publicly maintainable road at Grid Reference 42005 49317 (Point C) and runs along that publicly maintainable road in a generally easterly direction to the eastern end of that road at Grid Reference 42017 49317 (Point D).

DESCRIPTION OF PATH OR WAY TO BE DOWNGRADED

<u>Section of Bridleway as shown on the attached map</u>	<u>Description</u>
Marked by a bold broken black line and shown as B – C.	A section of Bridleway No 20.3/2 approximately 59 metres in length, in the Parish of Arrathorne, which commences at a junction with a public footpath leading southwards from Arrathorne at Grid Reference 41999 49314 (Point B) and runs in a generally east-north-easterly direction to its junction with a publicly maintainable road at Grid Reference 42005 49317 (Point C).

PART 2

MODIFICATION OF DEFINITIVE STATEMENT

PARTICULARS OF PATH OR WAY TO BE DELETED

<u>Reference</u>	<u>Grid Reference End Points</u>	<u>Description</u>	<u>Nature of Surface</u>	<u>Length (km)</u>	<u>Width (m)</u>	<u>Lawful Obstructions and Conditions</u>
Bridleway No 20.3/2	41984 49312 to 41999 49314	A section of Bridleway No 20.3/2 approximately 157 metres in length, in the Parish of Arrathorne, which commences at a junction with the Hunton to Arrathorne road at Grid Reference 41984 49312 (Point A) and proceeds in a generally easterly direction to its junction with Public Footpath No 20.3/4 leading southwards from Arrathorne at Grid Reference 41999 49314 (Point B).	Grass	0.157	No recorded width	-
Bridleway No 20.3/2	42005 49317 to 42017 49317	A section of Bridleway No 20.3/2 approximately 127 metres in length, in the Parish of Arrathorne, which commences at a junction with a publicly maintainable road at Grid Reference 42005 49317 (Point C) and runs along that publicly maintainable road in a generally easterly direction to the eastern end of that road at Grid Reference 42017 49317 (Point D)	Tarmac	0.127	No recorded width.	-

PARTICULARS OF PATH OR WAY TO BE DOWNGRADED

<u>Reference</u>	<u>Grid Reference End Points</u>	<u>Description</u>	<u>Nature of Surface</u>	<u>Length (km)</u>	<u>Width (m)</u>	<u>Lawful Obstructions and Conditions</u>
20.3/2	41999 49314 to 42005 49317	Commences at an existing gate at Grid Reference 41999 49314 and runs in a generally east-north-easterly direction for approximately 59 metres to its junction at an existing gate with a publicly maintainable road at Grid Reference 42005 49317.	Grass from Grid Reference 41999 49314 to Grid Reference 42003 49316;	0.037	1.5	Field gate at Grid Reference 41999 49314.
			Tarmac from Grid Reference 42003 49316 to Grid Reference 42005 49317.	0.022	3.0	Field gate at Grid Reference 42005 49317.
			Total	0.059		

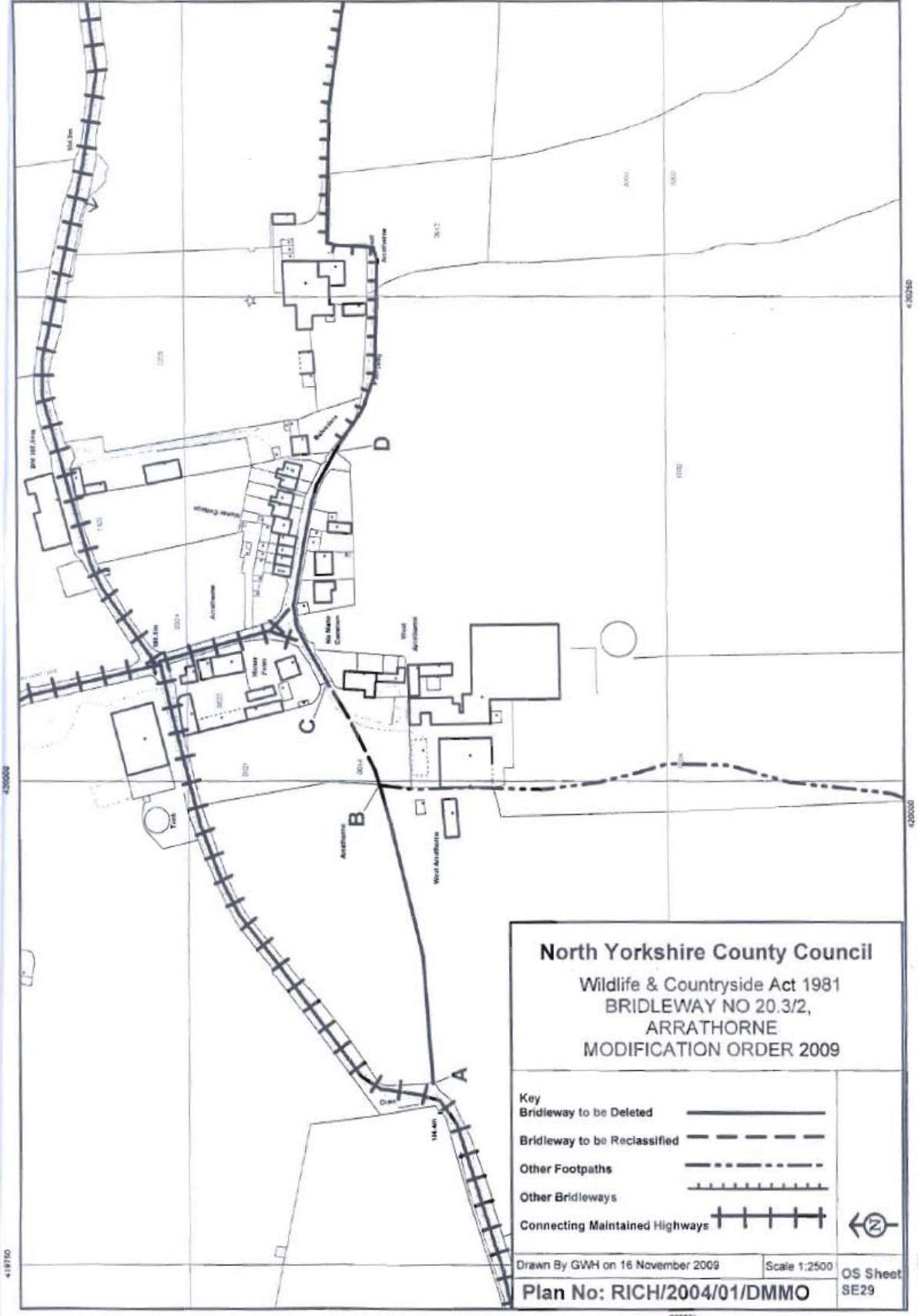
THE COMMON SEAL of NORTH)
 YORKSHIRE COUNTY COUNCIL)
 was hereunto affixed this 10th day)
 of December 2009 in the presence)
 of:-)



[Handwritten Signature]
**AUTHORISED
 SIGNATORY**

052039

000097



North Yorkshire County Council
 Wildlife & Countryside Act 1981
 BRIDLEWAY NO 20.3/2,
 ARRATHORNE
 MODIFICATION ORDER 2009

- Key**
- Bridleway to be Deleted
 - Bridleway to be Reclassified
 - Other Footpaths
 - Other Bridleways
 - Connecting Maintained Highways



Drawn By GWH on 16 November 2009 Scale 1:2500

Plan No: RICH/2004/01/DMMO

OS Sheet SE29

NORTH YORKSHIRE COUNTY COUNCIL
WILDLIFE AND COUNTRYSIDE ACT 1981
RICHMONDSHIRE DISTRICT DEFINITIVE MAP AND STATEMENT
BRIDLEWAY NO 20.3/2, ARRATHORNE
MODIFICATION ORDER 2009

RICHARD FLINTON
CORPORATE DIRECTOR
BUSINESS AND ENVIRONMENTAL SERVICES
COUNTY HALL
NORTHALLERTON
NORTH YORKSHIRE
DL7 8AH