

NOTICE OF CONFIRMATION OF A DEFINITIVE MAP MODIFICATION ORDER

THE NORTH YORKSHIRE COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

THE FORMER WEST RIDING OF YORKSHIRE AREA 2
DEFINITIVE MAP AND STATEMENT

PUBLIC BRIDLEWAY NO. 15.70/13 AND PUBLIC FOOTPATH NO. 15.70/38, KIRKBY MALZEARD
DEFINITIVE MAP MODIFICATION ORDER

The above-named Order was confirmed on 1 December 2023.

The effect of the confirmed Order is to modify the Definitive Map by adding a public bridleway from SE 2278 7438 to SE 2279 7431 and downgrading public bridleway to public footpath from SE 2271 7440 to SE 2276 7430 off Back Lane in Kirkby Malzeard.

A copy of the confirmed Order and map may be seen free of charge during normal office hours at Main Reception, County Hall, Racecourse Lane, Northallerton, DL7 8AD, North Yorkshire until 22 March 2024, and copies may be purchased from Countryside Access Service, North Yorkshire Council, County Hall, Northallerton, North Yorkshire, DL7 8AD (tel: 03001312131) at a cost of £2 or downloaded free from our website <https://www.northyorks.gov.uk/pathnotices>.

If any person aggrieved by the confirmed Order wishes to question its validity on the ground that it is not within the power of Section 53 of the above-named Act, or that any requirement of Schedule 15 of the Act has not been complied with in relation to the Order, he or she may, within 42 days of the date of this Notice, make an application to the High Court under Schedule 15(12) to the Act.

Dated: 11 January 2024

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)
County Hall
Northallerton
North Yorkshire
DL7 8A



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WILDLIFE AND COUNTRYSIDE ACT 1981

**THE FORMER WEST RIDING OF YORKSHIRE AREA 2
DEFINITIVE MAP AND STATEMENT**

**PUBLIC BRIDLEWAY NO. 15.70/13 AND PUBLIC FOOTPATH NO. 15.70/38, KIRKBY MALZEARD
DEFINITIVE MAP MODIFICATION ORDER 2023**

This Order is made by The North Yorkshire Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the authority that The Former West Riding of Yorkshire Area 2 Definitive Map and Statement require modification in consequence of the occurrence of an event specified in:

Section 53(3)(c)(i). This is due to the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic.

Section 53(3)(c)(ii). This is due to the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a 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.

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

1. For the purpose of this Order the relevant date is 31 August 2023.
2. The Former West Riding of Yorkshire Area 2 Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Public Bridleway No. 15.70/13 and Public Footpath No. 15.70/38, Kirkby Malzeard Definitive Map Modification Order 2023.

THE COMMON SEAL of THE NORTH
YORKSHIRE COUNCIL)
was hereunto affixed this 15th)
September 2023 in the presence of:-)



Catharine Gable
**AUTHORISED
SIGNATORY**

SCHEDULE

PART I

Modification of Definitive Map

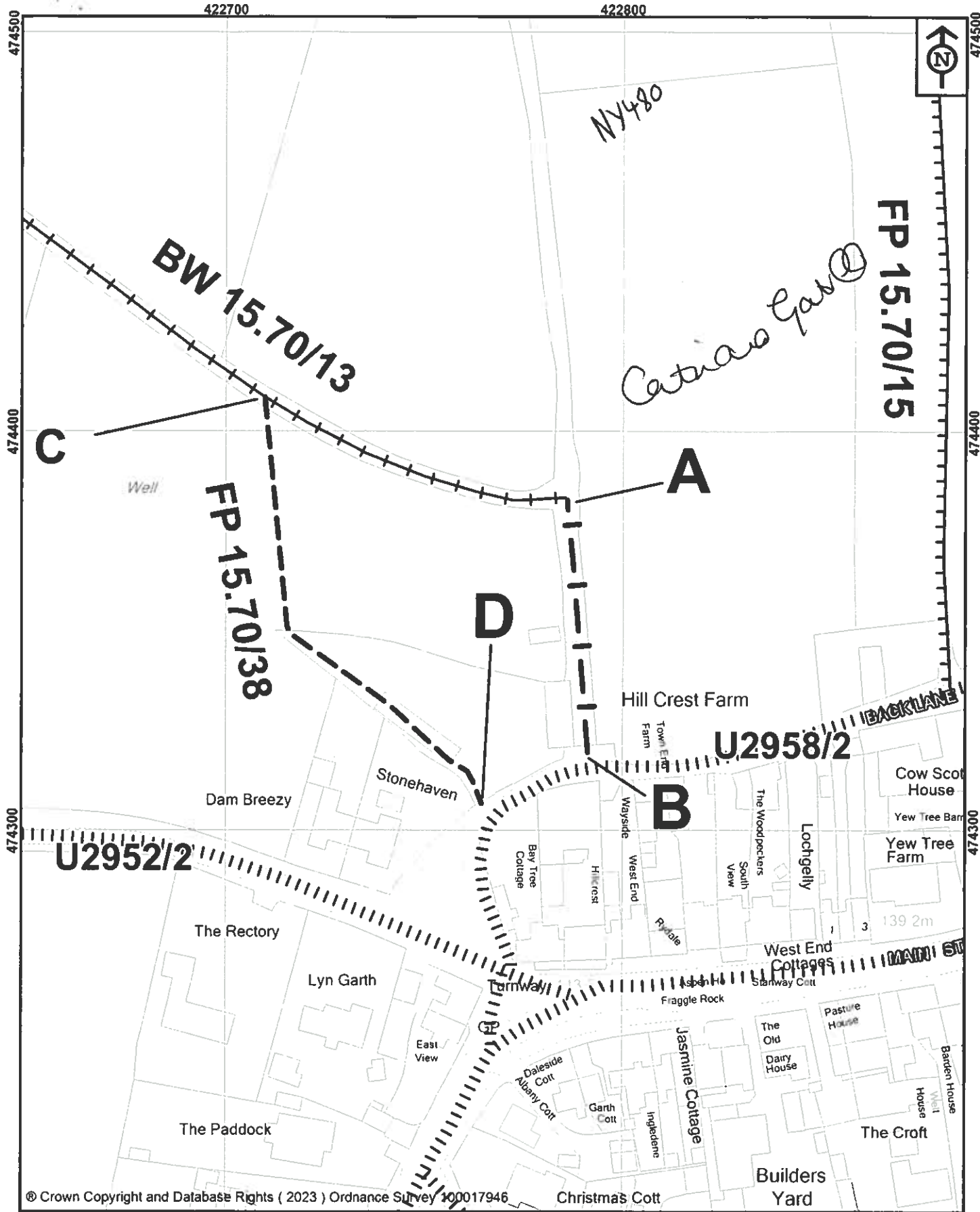
Description of Public Bridleway to be added and Public Bridleway to be downgraded to Public Footpath.

Section of Public Bridleway to be added as shown on the attached map.	<u>Description</u>
Indicated on the Order map and marked as A to B, width varying between 5 and 5.5 metres	Commences at the currently recorded end of Bridleway No. 13 at Grid Reference 42278 47438 (Point A) and proceeds south for approximately 67 metres passing through a field gate to Grid Reference 42279 47431 (Point B) at the junction with the U2958/2 road (Back Lane) in Kirkby Malzeard.
Section of Public Bridleway to be downgraded to Public Footpath as shown on the attached map.	
Indicated on the Order map and marked as C to D, width varying between 3 and 3.5 metres	Commences at Grid Reference 42271 47440 (Point C) at the junction with Bridleway No. 13 and crosses a stile, then proceeds south for approximately 60 metres and crosses a stile at Grid Reference SE 2271 7435. Proceeds southeast for approximately 66 metres and down steps to Grid Reference 42276 47430 (Point D) at the junction with the U2958/2 road (Back Lane).

PART II

Modification of Definitive Statement Variation of Particulars of path or way

Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (m)	Lawful Obstructions and Conditions
Bridleway 15.70/13	SE 2184 7509 (Start)	Starts at the Grewelthorpe Parish Boundary south east of Holmes Farm and proceeds south easterly to its junction with Path No 14 then south easterly to Grid Reference SE 2278 7438 and then south to its junction with Back Lane County U2958/2 Road in Kirkby Malzeard at Grid Reference 2279 7431	Pasture	1.375	1.81	Field Gate 4No. Footbridge
	To SE 2278 7438 SE 2279 7431 (Finish)		Farm track	0.067 Total = 1.44	5 to 5.5 metres	Field Gate at SE 2279 7432
Bridleway Footpath 15.70/38	SE 2271 7440 (Start)	Commences at Grid Reference 42271 47440 at the junction with Bridleway No. 13 and proceeds across a stile then south for approximately 60 metres to cross a stile at Grid Reference SE 2271 7435. Then proceeds southeast for approximately 66 metres to Grid Reference 42276 47430 at the junction with the U2958/2 road (Back Lane) in Kirkby Malzeard	Pasture/grass	0.060	3 to 3.5 metres;	Stile at SE 2271 7440
	To SE 2276 7430 (Finish)		Grass/earth	0.066 Total = 0.126	limited to 1 metre at SE 2276 7430	Stile at SE 2271 7435 Stone steps at SE 2276 7430








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**NORTH
YORKSHIRE
COUNCIL**

Public Rights of Way
Countryside Access Service
County Hall
Northallerton
DL7 8AH

Key:

Public Bridleway to be
recorded (A to B) 
Public Bridleway to be down-
graded to Footpath (C to D) 
Other footpaths 
Other bridleways 
Maintainable Highways 

Map drawn on 31 August 2023

Drawn by SMB

Scale 1:1250

The North Yorkshire Council

Wildlife and Countryside Act 1981
Section 53

Public Bridleway No 15.70/13 and
Public Footpath No 15.70/38

Kirkby Malzeard
Definitive Map Modification Order 2023

File Ref No. HAR/2022/07/DMMO

THE NORTH YORKSHIRE COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

THE FORMER WEST RIDING OF YORKSHIRE AREA 2
DEFINITIVE MAP AND STATEMENT

PUBLIC BRIDLEWAY NO. 15.70/13 AND PUBLIC FOOTPATH NO. 15.70/38, KIRKBY MALZEARD
DEFINITIVE MAP MODIFICATION ORDER 2023

THE NORTH YORKSHIRE COUNCIL in exercise of the powers conferred upon it in that behalf hereby confirm the foregoing Order (without any modification) as an Unopposed Order.

IN WITNESS whereof)
THE COMMON SEAL of THE NORTH)
YORKSHIRE COUNCIL 1st)
was hereunto affixed this.....day of)
...December... 2023)
in the presence of:-)




**AUTHORISED
SIGNATORY**