



South Milford Parish Council
Stewards House,
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North Yorkshire County Council
Public rights of way section
Business and environmental services
County Hall
Northallerton
North Yorkshire
DL7 8AD

cc: Mel Hobson, County Councillor for South Milford

Subject: Paths with and without public rights of way in South Milford Parish

23rd November 2021

Dear

South Milford Parish Council (SMPC) is following up on the letter dated 28th September, to which you kindly replied by email on the 29th September saying that you were gathering the information to answer and would reply shortly. As far as we are aware, we have not yet received your reply.

The issues we would be grateful for your clarification are below. As we have previously suggested, we would be grateful for a meeting with our councillors Tim Grogan and Rita de Faria Dean, who are spearheading South Milford Parish Council's initiatives on paths, to discuss these issues informally and agree a plan to progress them.

1. London Road status and ownership

London Road is not an official public right of way despite being paved and signposted as a public cycleway. We are unclear regarding the ownership of London Road given the recent private land sign erected by a homeowner (which we understand was approved by NYCC) and having had access to a letter from yourselves stating that "*Land at this location is recorded on the Property Terrier as being within the ownership of North Yorkshire County Council*" (your reference: 95352). London Road is frequently used by walkers and cyclists between South Milford and Lumby. Therefore, we would like your assistance in securing public access to London Road and clarification on its ownership (hence maintenance).

2. Update regarding Milford crossing closure and path 35.59/5/1

SMPC understands that NYCC has issued another temporary prohibition of pedestrians (ORDER 2020 NO 271) on the 2nd September 2021 for 12 months or until the completion of the works (whichever is the earlier). We are disappointed that you did not inform us of this. This temporary prohibition follows the temporary prohibition on 17th September 2020 for 6 months, extended for a further 6 months on the 25th February 2021. During this period, Network Rail consulted residents and SMPC about the closure of this path. SMPC objected for three reasons: (i) lack of a safe alternative route to this path given that the alternative route (Common Lane) is a single lane road used by HGVs and does not have a pavement or hard shoulder, (ii) importance of the path given that it connects South Milford to paths to neighbouring villages, and (iii) insufficient evidence for closure given that Network Rail has not provided the narrative risk assessment (despite multiple requests by SMPC). SMPC respectfully requests an update regarding the progress



with this crossing and path, noting that the crossing has been closed (and the path blocked) since at least the 10th January 2019.

3. Advice regarding Long Heads Lane

Long Heads Lane is a path which has been used by the public for many decades without obstruction and is marked as a road in Ordnance Survey maps since the mid XIX century. However, Long Heads Lane is not on the Definitive Map. It is worth noting that there is a public right of way path (35.59/14/1) that is between the A162 and Long Heads Lane. The section from the first field boundary to the east to Long Heads Lane has been obstructed by the landowners for some years (you may recall that ourselves and Monk Fryston Parish Council raised this issue in a joint statement dated January 2021). Since then, the landowner of the larger field to the west has allowed public access alongside the field border north-south from Long Heads Lane to the path 35.59/14/1. SMPC would be grateful for advice regarding how best to proceed to ensure that Long Heads Lane remains open to the public.

4. Resolution regarding public right of way paths which are blocked/unusable: 35.59/10/1, 35.59/17/1, 35.59/2/3

The Paths Report by SMPC noted that path 35.59/10/1 Westfield Lane - A63 is blocked by the A1(M), rendering it unusable. Path 35.59/17/1 between the hotel and A63 is blocked by a fence and vegetation, also making it unusable. Path 35.59/2/3 is blocked by a fenced railway line, without a crossing.

5. Diversion of cross-field path to the field boundary

SMPC supports the diversion suggested by the landowner of the cross-field section of path 35.59/8/1 to the field boundary on the east to Quarry Lane. Currently this field has the legal PROW route and the alternative, a permissive path alongside the field boundary, which is preferred by the landowner. SMPC would be grateful for advice from NYCC about how best to proceed to formally and permanently changing the route of the PROW to match the permissive path and the costs of doing so.

6. An update on the status of applications for definitive map modification orders in the parish

Specifically, the application DMMO reference SEL/2007/05/DMMO made on the 13th June 2007 for the path between Westfield Lane - Beech Drive; SEL/2018/03/DMMO made on the 4th March 2018 about the path between Ingthorne Lane to Meadow Lane; and SEL/2021/01/DMMO made on the 4th March 2021 to upgrade Turpin Lane into a bridleway.

7. Clarification regarding the route of the PROW 35.59/11/1

According to the Definitive Map online, this PROW crosses private dwellings. Therefore, walkers usually walk (and have for many years) on what seems to be the private dwelling's driveway to move between where the PROW crosses the stream and Mill Lane. Recently, a sign was erected stating: "*Private road; residents access only; This is not a public footpath*". If walkers cannot take this route between the PROW and Mill Lane, and the PROW route crosses private dwellings, it is unclear which route they should take. Therefore, SMPC would be grateful for clarification regarding the PROW route.

Thank you very much for your work with public paths. Public paths are a valuable asset to ours and other parishes, providing safe and pleasant routes between villages, an opportunity to admire the nature around us, and a space for exercise. In the COVID-19 crisis, public paths have been a respite from lockdown, with the uptake of walking and cycling increasing. We hope that North Yorkshire County Council is committed to maintain and improve public paths now and, in the future, and will help us in our endeavours.

Kind regards

South Milford Parish Council