

Terrington Parish Council

Minutes of an extraordinary meeting of the Parish Council held on Monday 21st October 2024 at 7:30 pm in Terrington Village Hall.

1. Attendance

Present: Cllr Winning (Chairman), Cllr Barber, Cllr Barlow, Cllr Challoner Walker, Cllr Lewis,

Kerr Wilson (Parish Clerk) and 2 members of the public.

Apologies: Cllr Kendrick (accepted by Council)

2. Declarations of interest None

3. To confirm the minutes of

Terrington Parish Council meeting held on Monday 9 September 2024.

The minutes of the Council meeting held on Monday 9 September 2024 were approved as a true and accurate record.

Proposed Cllr Winning

Seconded Cllr Barber

4. Informal Consultation – Revised Diversion application, The Pheasantry, Terrington, RYE/2020/21/PROP

The Parish Council, as a statutory consultee, was asked to consider its response to an informal consultation on a revised proposal to divert Public Footpath 25.94/11. The Parish Council was asked by North Yorkshire Council (the Authority) if it has any objections to the proposal.

The Parish Council was reminded that Diversion Orders must satisfy the relevant legal tests under **Section 119** of the Highways Act 1980. Before making, and subsequently confirming, a diversion order the Authority must be satisfied that:

- it is expedient to divert the path in the interests either of the public or the owner of the land crossed by the path.
- the proposed diversion does not alter any point of termination of the path, other than to another point on the same path, or to another highway connected with it, and which is substantially as convenient to the public.
- it is expedient to divert the path in the interests of the person(s) stated in the order.
- the route will not be substantially less convenient to the public as a consequence of the diversion
- it is expedient to confirm the Diversion Order having regard to the effect it will have on public enjoyment of the path as a whole, on other land served by the existing path and on land affected by any new path.

The Council was provided with details of the application from North Yorkshire Council and a map of the proposed diversion. The Council was also informed that the neighbouring landowners have agreed to the proposed diversion. The Council considered whether the relevant legal tests were satisfied and taking account of the wider public interest, if it had any objections to the proposed diversion.

Motion: It is proposed that all the relevant legal tests for the Diversion are met and that the Council has no objections to the diversion application.

Proposer Cllr Winning

Seconder Cllr Challoner Walker

Resolution: the Council was unanimous in agreeing that the legal tests were met and resolved that there was no objection to the proposed diversion application.

The Clerk was asked to inform North Yorkshire Council that it had no objection to the proposed revised application.

- 5. Planning Application** ZE24/06408/CAT Fell Leylandii tree and remove stump, replant 2 or 3 fruit trees at Appleyard Cottage, Terrington.

The Council was asked if it wished to make any observations regarding the proposals in the above application. The Council discussed the proposals and concluded that it had no objection to the application.

The meeting closed at 19.50 h