

Law of Property Act, 1925 – Section 193 (1) (b).

BURLEY MOOR (OTHERWISE ROMBALDS MOOR) – YORKS (West Riding).

ORDER OF THE MINISTER OF AGRICULTURE AND FISHERIES IMPOSING LIMITATIONS

ON CONDITIONS AS TO THE EXERCISE OF RIGHTS OF PUBLIC ACCESS.

WHEREAS the piece of land with the ponds, streams and paths thereon commonly known as BURLEY MOOR (otherwise ROMBALDS MOOR) situate in the Parish of BURLEY-IN-WHARFEDALE in the WEST RIDING OF THE COUNTY OF YORK and hereinafter referred to as the "land", as the same is delineated on the plan annexed hereto and thereon partly coloured light blue and partly blue hatched, is a manorial waste or common which is wholly or partly situate within an urban district:

AND WHEREAS application has been duly made to the Minister of Agriculture and Fisheries (hereinafter called the "the Minister") by Frederick Grotrian, Esquire, of Branksome Dean Glen, Westbourne, Bournemouth, the person entitled to the soil of the land (hereinafter called the "Applicant"), to impose, in accordance with of the provisions of the said section, limitations on and conditions as to the exercise by members of the public of their rights of access to the lands;

AND WHEREAS the Minister is of the opinion that the limitations and conditions set forth in the Schedule hereto are necessary or desirable for the purpose mentioned in the said section;

NOW THEREFORE the Minister in exercise of the powers conferred upon him by the Ministry of Agriculture and Fisheries Acts, 1889, to 1919 and the said Act hereby orders as follows:-

1. The rights of access of members of the public to the land for air and exercise shall be subject to limitations and conditions set forth in the Schedule hereto.
2. This Order with the relative plan shall be deposited at the Office of the Ministry of Agriculture and Fisheries, at 7, Old Bailey, London E.C.4., and a certified copy thereof shall be deposited with the Council of the Urban district of Burley in Wharfedale being the urban district within which the

land is wholly or partly situated. The original document and certified copy shall be open to inspection on weekdays between the hours of 10.a.m. and 4. p.m., except on Saturdays, when they shall be available between the hours of 10. a.m. and 12.noon, and on public holidays.

3. Notices of the making of this Order shall be posted or painted clearly and maintained in that condition by the Applicant and his sequels in title to the land on Notice boards at the following places on the land, namely:-

- (1) York View.
- (2) Coldstone House Beck.
- (3) Rushy Beck.
- (4) Pancake Ridge.
- (5) Lanshaw Lad
- (6) Laid Stoop.
- (7) N.W. of Beestone House.

where indicated by red crosses on the said plan.

IN WITNESS whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this *seventeenth* day of January, Nineteen hundred and thirty five.

SCHEDULE

Otherwise than in lawful exercise of a right of common no person (other than the Applicant his sequels in title and all persons authorised by him or them) no person shall commit any of the following acts:-

- a) Injure of remove trees, shrubs, gorse, bracken, heather or plants on or from the land.
- b) Remove gravel, sand soil or turf from the land.
- c) Take or attempt to take fish from any water comprised in the land.
- d) Discharge firearms or throw or discharge missiles on the land.

- e) Shoot or wilfully disturb, chase, take or attempt to take game or other birds or animals on the land.
- f) Permit dogs to chase game or other birds or animals or otherwise fail to keep dogs under proper control on any part of the land. Fail to keep dogs on leash or lead when upon any part of the land other than the paths coloured red and green and the land blue hatched on the plan hereunto annexed. Fail to keep dogs on leash or lead on any of the said paths coloured red and green between the first day of April and the twentieth day of June and the tenth day of August and the fifteenth day of September in any year.
- g) Remove or attempt to remove, destroy or attempt to destroy bird's eggs or nests on the land.
- h) Set traps, nets, or snares, or lime trees for birds or animals on the land.
- i) Permit horses, cattle, sheep or other animals (not belonging to a commoner) to graze or stray on the land.
- j) Bathe in any pond or stream comprised in the land.
- k) Post or paint bills, advertisements, placards, or notices on the land.
- l) Injure notice boards or seats on the land.
- m) Place, or deposit or leave any glass, china, earthenware, tin, carton, paper, or other refuse or litter on any part of the land.
- n) Injure or disfigure and ancient monument or earthwork or object of historical, scientific or antiquarian interest on the land.
- o) Ride, lead, or otherwise use horses or other animals on the land.
- p) Hold any show, exhibition, or fair, or place any swing, roundabout, or other like ting on the land.
- q) Erect or place any building, tent, or booth, stall, fence, post, railing, or other similar structure for any purpose on the land.
- r) Create any nuisance or disturbance, or use obscene language on the land, or behave thereon in an indecent or disorderly manner.
- s) Draw or drive upon the land any carriage, cart, caravan, truck, or other vehicle, or camp or light fires thereon.

- t) Generally injure or disfigure the land, or interfere with the exercise of the rights thereon of thereof the applicant of his sequels in title, or the use thereof by the public for the purpose of air and exercise.
- u) Between the first day of April and the twentieth day of June, or between the tenth day of August and the fifteenth day of September, in any year, use any part of the land other than the roads or tracks coloured red or green and the land blue hatched on the said plan, or on any other day upon which red flags shall be flown at the points marked X in black on the said plan (indicating that shooting is or is about to be carried on) use any part of the land other than the roads or tracks coloured red or green on the said plan and the land blue hatched on the said plan.
- v) Use any part of the land in such a way as to interfere with the shooting of grouse or other game thereon, or at any time interfere with the duties of the keepers, beaters and other servants of the Applicant or his sequels in title in connection therewith.

Provided that nothing in these limitations and conditions shall be deemed to prevent the Burley in Wharfedale Urban District Council or its servants from carrying out work or duties reasonably necessary for the discharge of its duties as a Waterworks Authority in connection with its reservoirs and catchment area to which the said limitations and conditions apply.