

## Application Form for a Modification Order

### Wildlife and Countryside Act 1981

<b>Title of the Definitive Map and statement:</b>		"Humberside County Council Borough of Holderness Definitive Map and Statement of Public Rights of Way"	
To:	East Riding of Yorkshire Council		
Of:	County Hall, Beverley. HU17 9BA (F.A.O. Definitive Map Team, AS67)		
I	Anthony Corrigan [on behalf of East Yorkshire and Derwent Ramblers]		
of	2 Lysander Drive Market Weighton YO43 3NQ		
hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and statement for the area by:-			
(a)	<del>Deleting the footpath / bridleway / restricted byway / byway open to all traffic</del>		
	from		
	to		
(b)	<b>Adding a bridleway</b>		
	<b>from</b>	<b>TA 23323 32390 [Back Lane, Elstronwick]</b>	
	<b>to</b>	<b>TA 22849 34265 [Danthorpe Road, Humbleton]</b>	
(c)	<del>Upgrading / downgrading to a [footpath / bridleway / restricted byway / byway open to all traffic] the [footpath / bridleway / restricted byway / byway open to all traffic]</del>		
	from		
	to		
(d)	<del>Varying / adding to the particulars relating to the footpath / bridleway / restricted byway / byway open to all traffic</del>		
	from		
	to		
	by providing that		
<b>And shown on the map accompanying this application.</b>			
I/we attach copies of the evidence (including statements of witnesses) in support of this application.			
Date	30 <sup>th</sup> October 2019	Signed	

## Document References

Document	Location/Reference No.
OS Explorer map 292 [2017]	OS on line mapping
Discovery of New Evidence - Court of Appeal [2015]	Judgement - Andrews v Sec of State
Background - British History on Line: East Yorkshire:	Volume 7 pages 56-82
Elstronwick Enclosure Award 1814	ERYC Archives Ref - RDB/1/2/Book CQ
Elstronwick Enclosure map 1814	ERYC Archives Ref - IA/55
Humbleton Tithe Records and map 1844	ERYC Archives Ref - PE68/T2
OS Map York 227 [1855,1891,1910,1927 & 1952]	National Library of Scotland Mapping
IR Finance Act 1910 Maps [York – 227] extracts	Nat Archives - Ref ir 134/5/547 & 543
Conveyance Records Relating to Humbleton House	Hull History Centre Ref - C DSAW/5/21
Definitive Map Review Schedules	ERYC Archives Ref - CCHU/2/3/2/103
Land Registry INSPIRE extract	HM Land registry on line mapping

- a) This application seeks to reinstate the Humbleton Bridleway track between Elstronwick and Humbleton villages.
- b) The Elstronwick Enclosure Award of 1814 and map clearly record and depict 'Humbleton Bridleway' reaching the boundary with Humbleton. It ordered it should be maintained by adjacent landowners. There was no stipulation that use was restricted to those persons only.
- c) In the absence of an enclosure award for Humbleton, recourse is made to the parish Tithe records and map dated 1844. From the parish boundary with Elstronwick the route continues north as a track passing Humbleton House to Danthorpe Road. With only thirty years between the two awards this provides a pictorial continuity of the bridleway.
- d) An Ordnance Survey map dated 1855 depicts the application route **A-B** as a Bridle Road for its entire length through both parishes. Subsequent OS maps apply various abbreviations to signify the track as bridle way.
- e) Conveyance documentation of land sales has maps showing a track that mirrors the application route and Humbleton Bridleway.
- f) The provisional Holderness Definitive Map in respect of Elstronwick and Humbleton parishes proposed two rights of way that reflected the bridleway and this application route.
- g) Using the balance of probabilities test it is believed these individual items of evidence prove the application route **A-B** was the former Humbleton Bridleway.
- h) The applicant believes there is sufficient evidence to add the described application route to the Definitive Map as a bridleway.

