

Application Form for a Modification Order

Wildlife and Countryside Act 1981

Title of the Definitive Map and statement:	"Humberside County Council Review of Rights of Way Definitive Map and Statement (covering so much of the former East Riding of Yorkshire as became the Administrative County of Humberside)"	
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)	Deleting the footpath / bridleway / restricted byway / byway open to all traffic	
	from	
	to	
(b)	Adding a restricted byway	
	from	SE 75229 30363 [Station Road Howden]
	to	SE 75544 30439 [Eastrington Parish Boundary - Bridleway No 14 known as Drain Lane].
(c)	Upgrading / downgrading to a [footpath / bridleway / restricted byway / byway open to all traffic] the [footpath / bridleway / restricted byway / byway open to all traffic]	
	from	
	to	
(d)	Varying / adding to the particulars relating to the footpath / bridleway / restricted byway / byway open to all traffic	
	from	
	to	
	by providing that	
and shown on the map accompanying this application.		
I attach copies of the evidence (including statements of witnesses) in support of this application.		

Date	23 rd March 2017	Signed	
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Your details will be included in the register of applications to which the public have access. If you feel inclusion of your name and address in this register would cause you “substantial damage or distress” please tick this box.

Document	Location/Reference No.
Bishop Soil Inclosure Award & Map	ERYC Archives - Ref DDHM /236590 -236592 & IA/18
Howden Tithe Apportionment & Map	ERYC Archives - Ref PE 121/75
Finance Act 1910 Map	Nat Archives - Ref I34/5/474
OS Maps 222/223 [1855]	ERYC Archives - Ref On line Mapping
Hull & Selby Railway Plan	ERYC Archives - QDP/122
Land Registry Extract	INSPIRE on line mapping search
Network Rail Land Registry Extract	Land Registry
Others [please state]	
ERYC Walking the Riding - Map W23	ERYC WtR website

Give your reasoned case as to how the evidence submitted with this application proves on the balance of probabilities that a Definitive Map Modification Order should be made to amend the Definitive Map and Statement.

Swanfleet Lane, known locally as Drain Lane, Howden, was a road created and named in The Bishop Soil Enclosure Award 1777 for use by foot, horses, cattle and carriages. It has been shown on successive Ordnance Survey maps as a white road between Station Road and the railway crossing and as a track between Station Road and the Eastington parish boundary where it continues as a bridleway track on ERYC's definitive map.

Tithe, Finance Act and Land Registry maps would imply the route has not been subject of apportionment or valuation and is shown separated from any registered landholding. This suggests the route is a highway although it is not on ERYC's list of maintained streets.

Network Rail, landowners of the actual rail line crossing, acknowledge the application route has at least public footpath rights and they allow permissive bridle rights over the railway crossing.

In the event that motor vehicular rights have not been extinguished, the applicant notes that the route is clearly more used by the public for walking and riding than by motor vehicle and so would meet the criterion for being recorded on the definitive map and statement as a restricted byway.

