

Application Form for a Modification Order

Wildlife and Countryside Act 1981

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|--|---|---|--|
| Title of the Definitive Map and statement: | | Humberside County Council East Yorkshire Borough of Beverley 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 Area Ramblers] | | |
| of | 2 Lysander Drive, Market Weighton, East Yorkshire 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 footpath called York Lane, Willerby | | |
| | from | Grid reference TA 02199 30828 [Main Street] | |
| | to | Grid reference TA 02014 30936 [Grange Park 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 | 8 th February 2019 | Signed | |

| Document | Location/Reference No. |
|--|--------------------------------------|
| OS Explorer map 293 | OS on line mapping |
| The Willerby Enclosure Act 1796 | ERYC Archives Ref - AP/3/51 |
| Enclosure Awards for Willerby et al 1800 | ERYC Archives Ref - RDB/CA/6/3 |
| Enclosure Map for Willerby et al ©1837 | ERYC Archives Ref - IA/182 |
| OS Map York 225 [1855,1911 & 1928] extracts | Nat Library of Scotland Mapping |
| Finance Act 1910 Map [York - 225] | Nat Archives - Ref ir 134/5/521& 522 |
| Land Registry Extract [2018] | INSPIRE online mapping |
| HCC Letter re maintenance 29 March 1996 | ERYC Highways |
| Traffic Regulation Prohibition Notice Feb 2001 | ERYC Highways & Legal Depts. |
| Jeffreys' Map of Yorkshire [1772] | ERYC Archives Ref DDX 1160 |

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.

- a) In The Enclosure Awards for West Ella, Kirk Ella and Willerby, inrolled on the fourteenth day of January 1800, the application route although not part of an enclosure award, was referred to as an 'Ancient Lane' named York Lane.
- b) York Lane, Willerby has appeared on Ordnance Survey maps from 1855 onwards, with current maps showing it as a 'white lane'.
- c) Inland Revenue Finance Act 1910 Valuation records show York Lane was not part of any Hereditament, nor subject of a valuation deduction. Likewise, Land Registry mapping extracts indicate the land has not been registered. This is considered to confirm the proposition that the application route remains a public highway but without a determined status.
- d) Jeffreys' map of Yorkshire [1772] published for public use supports b) and c).
- e) In March 1996 Humberside County Council issued a notice confirming York Lane was a highway repairable at the public expense and in February 2001 ERYC made a Traffic Regulation Order prohibiting motor vehicular use of the lane.
- f) As motor vehicular rights were extinguished by virtue of the Traffic Regulation Prohibition Order in 2001, York Lane remains a highway without a determined status.
- g) The physical nature of the lane, if ultimately cleared of overgrowth obstructions, is such that the applicant opines it is clearly more suitable for use by the public as a footpath.
- h) It is therefore requested York Lane be recorded on the Definitive Map and Statement as a footpath.

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EAST RIDING OF YORKSHIRE COUNCIL

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name (print) A CORRIGAN

signature

date 8th February 2019

EAST RIDING OF YORKSHIRE COUNCIL
Planning and Economic Regeneration

Map for Application under Schedule 14
York Lane, Willerby, HU10 6AQ

| | | | | |
|----------------|----------|-------|----------|--------------------------------------|
| ORIGINAL SCALE | DATE | DRAWN | APPROVED | DRAWING NO. |
| 1:3,000 | Dec 2018 | MD | | PER/D/M/Sch 14/WILL/York Lane/Drig01 |