

### Application Form for a Modification Order

#### Wildlife and Countryside Act 1981

<b>Title of the Definitive Map and statement:</b>	Humberside County Council, East Yorkshire Borough of Beverley And Statement of public rights of way
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To:	East Riding of Yorkshire Council
Of:	County Hall, Beverley. HU17 9BA (F.A.O. Definitive Map Team, AS67)

I / we	Michael Jackson
of	40 Copandale Road, Beverley, HU17 7BW

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	Chapel Lane Aike, TA 049 459
	to	Parish Boundary of Leconfield, TA051 456, called Beck 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/we attach copies of the evidence (including statements of witnesses) in support of this application.

Date	24/10/10	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.
User evidence forms (state how many)	
Inclosure Award and Map*	Dx191/1
Tithe Apportionment and Map*	
Finance Act Maps*	
Ordnance Survey Maps*	DDRI/48/6
Railway/Canal Survey Maps and Estate Maps and Records*	DCBB/7/1
Quarter Session Rolls*	
Sale Catalogues*	
Highway Board Minutes*	
Others [please state]	

\* delete as appropriate

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. Beck Lane was awarded in the 1771 enclosure award which read "We do Order direct and Award that there shall at all times forever be one other Private Way or Road herein Called Beck Road for Cattle Carts and Carriages for the Use of the said Owners And Occupiers of Lands in the Said Township of Ayke of the Breadth of Forty Feet as and where the same is now Staked Ditched or bounded out leading out of the South end of the said Town of Ayke Eastward along the North End of lands in the said New Dyke Field to the South East Corner of Ancient Inclosed Lands belonging to the said Humphrey Brookes Osbaldeston and from thence **Southwards over Lands in the same Field to and from the allotment there herein Awarded for the Purpose of a Landing Place.**

It is clear that in 1771 "Private" meant "Public" as it did not name any persons with rights or who was responsible for its maintenance, whilst the previous Private Right had a list of who could use it. The Lane is shown on the attached O.S. Map, and carries the long distance trail called the Hutton Hike. The Road is not on the List of Street, therefore has lost its Public vehicle rights under the NERC Act 2006