

# **NOTICE OF ORDER**

## **WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53**

### **The East Riding of Yorkshire Council (Hotham Restricted Byway No. 7) Definitive Map and Statement Modification Order 2016**

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **14 March 2017**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding a length of restricted byway in the parish of Hotham commencing on Padcroft Lane at Grid Reference SE 8992 3462 (Point A on the map) and leading southerly for some 640 metres to join Harrybeck Lane at Grid Reference SE 8984 3402 (Point B on the map). The restricted byway will have a width of 10.0 metres.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 4445502. Email: [clive.richards@pins.gsi.gov.uk](mailto:clive.richards@pins.gsi.gov.uk) Please quote reference number ROW/3167988 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the Beverley Customer Service Centre, Cross Street, Beverley HU17 9BA and Market Weighton Wicstun Customer Service Centre, 14 Beverley Road, Market Weighton YO43 3JP. Council contact: Steve Parker, tel: 01482 887700.

#### **Timetable for sending in statements of case and comments**

##### **Within 2 weeks of the start date [by 28 March 2017]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

### **Within 8 weeks of the start date [by 09 May 2017]**

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order.

### **Within 14 weeks of the start date [by 20 June 2017]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order(s) must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

WILDLIFE & COUNTRYSIDE ACT 1981

Definitive Map and Statement of Public Rights of Way  
for the East Riding of Yorkshire

Part to be modified

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)

The East Riding of Yorkshire Council  
(Hotham Restricted Byway No. 7)  
Definitive Map and Statement Modification  
Order 2016

This Order is made by The East Riding of Yorkshire Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ('the Act') because it appears to that authority that the 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) require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i) of the Act, namely the discovery by the authority of evidence which (when considered with all other evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a restricted byway.

The authority have consulted with every local authority whose area includes the land to which the order relates. The East Riding of Yorkshire Council hereby order that:

1. For the purposes of this order the relevant date is 17 August 2016.
2. The 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) shall be modified as described in Part I and II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The East Riding of Yorkshire Council (Hotham Restricted Byway No. 7) Definitive Map and Statement Modification Order 2016.

SCHEDULE

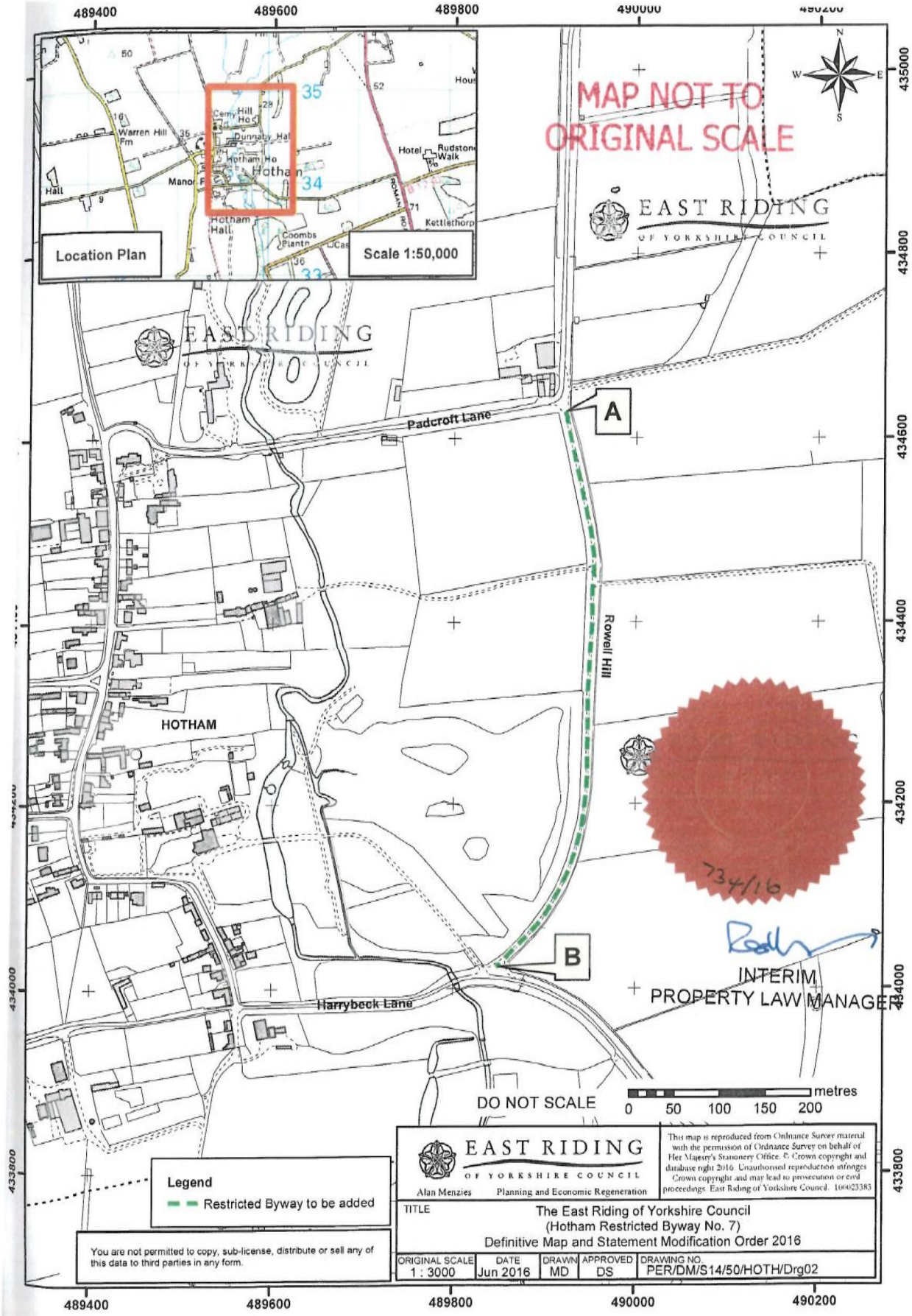
PART 1

MODIFICATION OF DEFINITIVE MAP

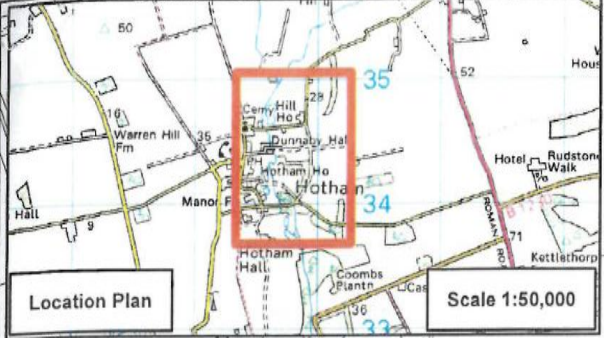
Description of path or way to be added

- a) A length of restricted byway in the parish of Hotham commencing on Padcroft Lane at Grid Reference SE 8992 3462 (Point A on the map) and leading southerly for some 640 metres to join Harrybeck Lane at Grid Reference SE 8984 3402 (Point B on the map).

The restricted byway will have a width of 10.0 metres.



MAP NOT TO ORIGINAL SCALE



EAST RIDING OF YORKSHIRE COUNCIL

EAST RIDING OF YORKSHIRE COUNCIL

INTERIM PROPERTY LAW MANAGER

**Legend**  
 --- Restricted Byway to be added

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<p><b>EAST RIDING OF YORKSHIRE COUNCIL</b>          Alan Menzies Planning and Economic Regeneration</p>				<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of Her Majesty's Stationery Office. © Crown copyright and database right 2016. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings: East Riding of Yorkshire Council. 100023383</p>
<p>TITLE: The East Riding of Yorkshire Council (Hotham Restricted Byway No. 7) Definitive Map and Statement Modification Order 2016</p>				
ORIGINAL SCALE	DATE	DRAWN	APPROVED	DRAWING NO.
1 : 3000	Jun 2016	MD	DS	PER/DMS14/50/HOTH/Drq02

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

ADDITIONS

And in respect of the parish of Hotham the following statement shall be added:-

<u>2½ Map No.</u>	<u>Right of Way No.</u>	<u>Type</u>	<u>Position</u>	<u>Remarks and limitations or conditions affecting the public right of way thereover</u>
SE83	7	RB	Commences on the southern side of Padcroft Lane and leads southerly for some 640 metres to join Harrybeck Lane. Known as Rowell Hill.	10.0m

Given under the common seal of The East Riding of Yorkshire Council the 23<sup>rd</sup> day of  
September 2016

THE COMMON SEAL of THE EAST RIDING )  
OF YORKSHIRE COUNCIL was hereunto )  
affixed in the presence of:- )



A handwritten signature in blue ink, appearing to be 'B. B.', written over the seal.

INTERIM  
PROPERTY LAW MANAGER