

# **NOTICE OF ORDER**

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

### **East Riding of Yorkshire Council**

#### **(Goodmanham Restricted Byway No. 7 and Market Weighton Restricted Byway No. 12) Definitive Map and Statement Modification Order 2019**

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 10 March 2020

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **The Town Hall, 37 High Street, Market Weighton YO43 3AQ** on **13 October 2020** at **10.00am**.

The effect of the Order, if confirmed without modifications, will be to modify the definitive and statement for the area by adding a restricted byway in the parish of Market Weighton some 400 metres in length commencing on Market Weighton Bridleway No. 14 at Grid Reference SE 8816 4221 (Point A on the Map) and leading north-easterly to Grid Reference SE 8837 4254 (Point B on the Map). The restricted byway will have a width of 1.8 metres.

AND

Adding a restricted byway in the parish of Goodmanham some 710 metres in length commencing at Grid Reference SE 8837 4254 (Point B on the Map) and leading north-easterly to join Goodmanham Footpath No. 1 at Grid Reference SE 8868 4317 (Point C on the Map). The restricted byway will have a width of 1.8 metres

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: [clive.richards@planninginspectorate.gov.uk](mailto:clive.richards@planninginspectorate.gov.uk). Please quote reference number ROW/3232280 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 the Market Weighton Wicstun Customer Service Centre, 14 Beverley Road, Market Weighton YO43 3JP. Council contact: Steve Parker, tel: 01482 393159, email: [steve.parker@eastriding.gov.uk](mailto:steve.parker@eastriding.gov.uk)

### **Timetable for sending in statements of case and proofs of evidence**

#### **Within 8 weeks of the start date by 05 May 2020**

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 and the applicant and any other person who has written to us in respect of the Order.

#### **Within 14 weeks of the start date by 16 June 2020**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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 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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

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, the Secretary of State will send a full copy to the Authority. Copies 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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

#### **4 weeks before the date of the inquiry by 15 September 2020**

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (including copies of any supporting documents – although none should be submitted with a proof of evidence);

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<sup>1</sup> If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (including copies of any supporting documents – although none should be submitted with a proof of evidence); and

iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (including copies of any supporting documents – although none should not be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

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

Notice of order for inquiry

DATED 14<sup>th</sup> January 2019

**MODIFICATION ORDER**

**WILDLIFE AND 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 Borough of East Yorkshire  
Definitive Map and Statement of Public Rights of Way

The East Riding of Yorkshire Council  
(Goodmanham Restricted Byway No. 7 and Market Weighton Restricted Byway No. 12)  
Definitive Map and Statement Modification  
Order 2019

WILDLIFE & COUNTRYSIDE ACT 1981

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

Part to be modified

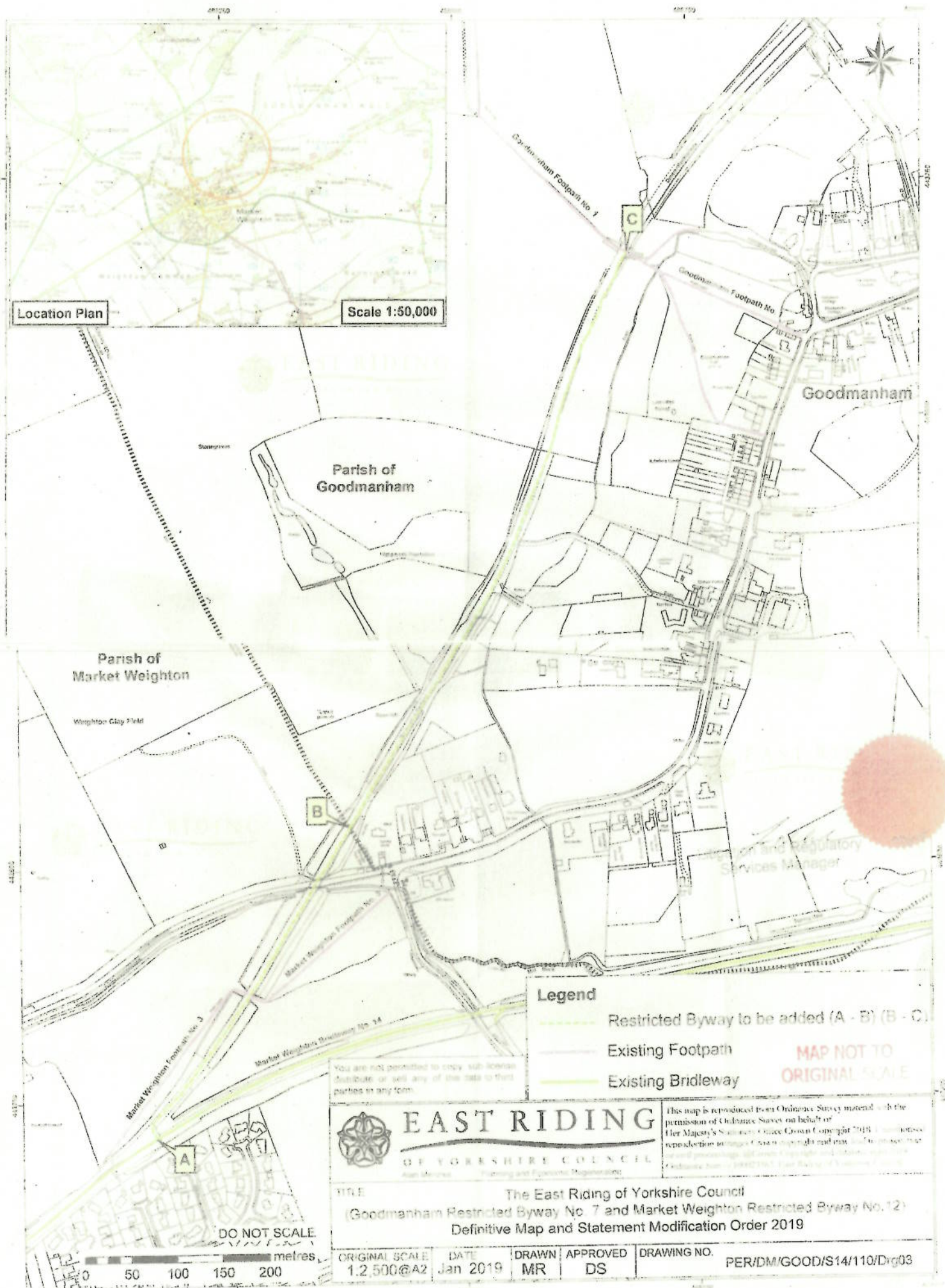
Humberside County Council Borough of East Yorkshire  
Definitive Map and Statement of Public Rights of Way

The East Riding of Yorkshire Council  
(Goodmanham Restricted Byway No. 7 and Market Weighton Restricted Byway No. 12)  
Definitive Map and Statement Modification  
Order 2019

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 Borough of East Yorkshire Definitive Map and Statement of Public Rights of Way 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 two rights of way which are not shown in the map and statement subsist or are reasonably alleged to subsist over land in the area to which the map relates, being rights of way such that the land over which the rights subsist are restricted byways.

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 28<sup>th</sup> September 2018.
2. The Humberside County Council Borough of East Yorkshire Definitive Map and Statement of Public Rights of Way 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 (Goodmanham Restricted Byway No. 7 and Market Weighton Restricted Byway No. 12) Definitive Map and Statement Modification Order 2019.





Given under the common seal of The East Riding of Yorkshire Council the 14<sup>th</sup> day of January  
2019

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



## SCHEDULE

### PART 1

#### MODIFICATION OF DEFINITIVE MAP

##### Description of path or way to be added

- a) A restricted byway in the parish of Market Weighton some 400 metres in length commencing on Market Weighton Bridleway No. 14 at Grid Reference SE 8816 4221 (Point A on the Map) and leading north-easterly to Grid Reference SE 8837 4254 (Point B on the Map).

The restricted byway will have a width of 1.8 metres.

- b) A restricted byway in the parish of Goodmanham some 710 metres in length commencing at Grid Reference SE 8837 4254 (Point B on the Map) and leading north-easterly to join Goodmanham Footpath No. 1 at Grid Reference SE 8868 4317 (Point C on the Map).

The restricted byway will have a width of 1.8 metres.



## PART II

### MODIFICATION OF DEFINITIVE STATEMENT

#### VARIATION OF PARTICULARS OF PATH OR WAY

##### ADDITIONS

In respect of the parish of Market Weighton the following statement shall be added:

Map No.	Right of Way No.	Type	Description of Path	Width	Remarks
SE84SE	12	RB	Commences on Bridleway No.14 at Grid Reference SE 8816 4221 and leads north-easterly for some 400m along the disused railway line crossing the bridges over Footpath No.3 and Goodmanham Road to join Goodmanham Restricted Byway No.7.	1.8m	—

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

Map No.	Right of Way No.	Type	Description of Path	Width	Remarks
SE84SE	7	RB	Commences at the northern end of Market Weighton Restricted Byway No.12 and leads north-easterly for some 710m along the disused railway line to join Footpath No.1.	1.8m	—