

Annex 6: Revised Statement of Priorities

Wildlife and Countryside Act 1981
Review of the Definitive Map and Statement
of
Public Rights of Way

STATEMENT OF PRIORITIES

Introduction

The City of York Council is the Surveying Authority for the purpose of preparing and maintaining the Definitive Maps and Statements for the City of York Council area, pursuant to the provisions of the Wildlife and Countryside Act 1981. In accordance with the Department for Environment, Food, and Rural Affairs' Rights of Way Circular 1/09, paragraph 4.9, the City of York Council has adopted the following "Statement of Priorities" for undertaking this work.

Statement of Priorities

The review of the Definitive Maps and Statements of Public Rights of Way will be undertaken on the following basis:

1. When City of York Council receives a direction from the Secretary of State to make a definitive map modification order, the order will be made within three calendar months of receiving the Secretary of State's direction. The Secretary of State's direction bypasses the usual method of approval for making orders.
2. When City of York Council receives a direction from the Secretary of State to determine a definitive map modification order application, the application will be determined within twelve calendar months of receiving the Secretary of State's direction. Such a determination is to be made using the usual method of determining applications.
3. Investigate definitive map modification order applications in order of receipt with the oldest applications being investigated first. All applications must be determined chronologically within the relevant statutory period.
 - a. When City of York Council determines that it will make a definitive map modification order, that order will be made and publicised as soon as reasonably practical after the determination.
 - b. When City of York Council determines that it will not make a definitive map modification order, the applicant will be advised of this and their right to appeal as soon as reasonably practical following the determination.
4. Submit all opposed definitive map modification orders to the Secretary of State for resolution. At least one opposed order must be submitted to the Secretary of State every three months with the oldest order being submitted first. This will be done more frequently when resources allow.
5. Complete the investigation of ways within the former County Borough of York, any unrecorded ways found to be added to the definitive map of the former

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County Borough of York by definitive map modification orders seeking to record multiple paths. Where objections are received for specific routes the orders are to be severed and the unopposed parts confirmed. The rest of the order will be submitted to the Secretary of State for determining in accordance with paragraph 2.

6. Investigate anomalies found on the definitive map and other lost ways brought to the council's attention to prevent the loss of unrecorded public rights of way as a consequence of the 2026 cut off. Make orders where the evidence meets the statutory tests.
7. Produce legal event modification orders for all the constituent definitive maps.
8. Upon completion of all the relevant legal event modification orders, a new definitive map and statement for the whole area of the Council of the City of York will be produced in accordance with the current legislation.

Review of Statement of Priorities

The above "Statement of Priorities" will be reviewed by the Executive Member for Transport and Planning as part of the annual definitive map modification order review report.

Notes

June 2019