

**Notice of a public meeting of
Decision Session - Executive Member for Transport and Planning**

To: Councillor Gillies (Executive Member)
Date: Thursday, 14 July 2016
Time: 2.00 pm
Venue: The King John Room (GO59) - West Offices

AGENDA

Notice to Members - Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democratic Services on **Monday 18 July 2016 at 4:00 pm.**

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Policy and Scrutiny Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services on **Tuesday 12 July 2016 by 5.00pm.**

1. Declarations of Interest

At this point in the meeting, the Executive Member is asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which he might have in respect of business on this agenda.

2. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of the following:

Annex 5 to Agenda Item 5 (Definitive Map Modification Order application to add a footpath to the Definitive Map and Statement: Hoisty Field, Fulford) on the grounds that it contains information which is likely to reveal the identity of individuals. This information is classed as exempt under paragraph 2 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes (Pages 1 - 8)

To approve and sign the minutes of the Decision Session held on 9 June 2016.

4. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **Wednesday 13 July 2016 at 5:00pm.**

Members of the public may speak on an item on the agenda or an issue within the Executive Member's remit,

Filming, Recording or Webcasting Meetings

Please note this meeting may be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>. or, if recorded, this will be uploaded onto the Council website following the meeting.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at http://www.york.gov.uk/downloads/file/6453/protocol_for_webcasting_filming_and_recording_of_council_meetingspdf

5. Definitive Map Modification Order (DMMO) application to add a footpath to the Definitive Map and Statement: Hoisty Field, Fulford. (Pages 9 - 214)

This report presents an application for a Definitive Map Modification Order (DMMO) to add a public footpath to the Definitive Map and Statement at Hoisty Field, Fulford. It asks the Executive Member to make a decision on whether the application meets the legislative criteria.

[Please note that Annex 4 to the Officer's report is copyrighted material but is available to view on application, please contact Joanne Coote on joanne.coote@york.gov.uk or 01904 551442]

6. City and Environmental Services Capital Programme - 2016/17 Consolidated Report (Pages 215 - 234)

This report identifies the proposed changes to the 2016/17 City and Environmental Services (CES) Transport Capital Programme to take account of carryover funding and schemes from 2015/16.

7. Consideration of the Objection received to the proposed amendments to the York Parking, Stopping and Waiting Traffic Regulation Order 2014 R46: Lawrence Street, Residents' Priority Parking (Pages 235 - 264)

The purpose of this report is to consider the objection to changes to the agreed highway layout that are taking place to facilitate change for the Vita Student Accommodation development at 126 Lawrence Street (St Joseph's Convent) planning reference 14/0204.

8. Revisions to the Strategic Cycle Route Network Evaluation and Prioritisation Methodology
(Pages 265 - 286)

The purpose of this report is to update the Executive Member on revisions to the current methodology used for evaluating and prioritising the strategic cycle route network. The updated methodology will be used to identify future schemes to be investigated and delivered as part of the Transport Capital Programme.

9. Petition - "Safer Road Crossing for Bishopthorpe Road" (Pages 287 - 298)

This report presents a petition signed by around 350 people requesting safer road crossing facilities for Bishopthorpe Road at its junction with Campleshon Road. The Executive Member is asked to consider the petition and approve the continuation of work on a scheme already included in the School Safety Engineering Programme 2016/17 for this location.

10. Urgent Business

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Annex of Written Representations and Submitted Paper

Democracy Officer:

Name: Judith Betts

Contact Details:

- Telephone – (01904) 551078
- Email – judith.betts@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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City of York Council

Committee Minutes

Meeting	Decision Session - Executive Member for Transport and Planning
Date	9 June 2016
Present	Councillor Gillies (Executive Member)
In Attendance	Councillor Craghill

1. **Declarations of Interest**

At this point in the meeting, the Executive Member was asked to declare any personal interests not included on the Register of Interests or any prejudicial or disclosable pecuniary interests that he might have had in the business on the agenda. He declared that he had none.

2. **Minutes**

Resolved: That the minutes of the last Decision Session held on 12 May 2016 be approved and then signed as a correct record by the Executive Member.

3. **Public Participation - Decision Session**

It was reported that there had been four registrations to speak at the meeting under the Council's Public Participation Scheme and that a Member of Council had requested to speak.

Agenda Item 4- Review of Enhancements to the University Road Pedestrian Crossing and Cycle Route Scheme

Jon Philip, who represented the University of York, was against the proposals to relocate the westbound bus stop into a nearby lay-by as he felt it could block a fire exit and therefore would be less safe. He highlighted that there were no other locations for deliveries to the University apart from the lay-by. He felt the other enhancements would not improve traffic flows and were opposed by the Police.

The Executive Member read out comments received from Councillor Aspden, the Ward Member prior to the meeting.

These included comments that local residents were frustrated on progress on an agreement to use the lay-by to allow buses to pull in. In addition, a zebra crossing had also been suggested by Heslington Parish Council to replace the current crossing refuge and speed table.

Agenda Item 6- Objections received to the Advertised Residents Priority parking Scheme to include Aldreth Grove, Norfolk Street and Bishopthorpe Road (Part)

Martin Hoey, a resident of St Clements' Grove felt that residents should not have to pay to park on their street, particularly as the tickets did not guarantee parking spaces. In addition, the surrounding streets which did have Respark, were not patrolled by Council Officers. He suggested that the hours of residents only parking be limited to 10 am- 4pm to allow for visitor parking and to use Rowntree Park and Bishopthorpe Road shops.

Alan Allison had registered to speak at the meeting but withdrew his registration at the meeting.

Agenda Item 10- Better Bus Area Fund-Clarence Street Bus Improvement

Councillor Craghill referred to the previous scheme that was approved by the Executive Member in November 2014. She felt that extending the lanes on the inbound approach to Clarence Street/Lord Mayor's Walk/Gillygate Junction, would be an improvement for both cyclists and pedestrians. She felt that it would be hard to see how bus times would be improved by removing a short stretch of narrow cycle lane to allow sufficient space for vehicles to turn right out of Lord Mayor's Walk into Clarence Street at the same time that vehicles were turning left from Clarence Street into Lord Mayor's Walk. She questioned why there was no comparable analysis between the previously approved scheme from 2014 and the proposed scheme.

Dave Merrett suggested that the Executive Member reconsidered the previously approved scheme, as he felt it gave the potential for improving traffic flows by widening lanes and also the scale of this would allow for a separate bus lane. In his opinion, the current proposal was dangerous for traffic, particularly cyclists. He felt that the previous scheme although more expensive, was also safer.

Councillor Looker withdrew her registration to speak before the meeting.

4. Review of Enhancements to the University Road Pedestrian Crossing and Cycle Route Scheme

The Executive Member considered a report which presented him with a review of the operation of the University Road Pedestrian and Cycle Route Scheme following a number of enhancements. It also considered the relocation of the westbound bus stop into the nearby lay-by.

Officers responded to comments made by the public speaker and by points highlighted in Councillor Aspden's email. They stated that a zebra crossing required good visibility and they felt it would not be ideal to place it close to the bus stop.

The Executive Member commented that as there had been evidence of a slight reduction in average speeds and no accidents he was happy to approve the scheme in its present form.

Resolved: That the findings of the report be noted and the pedestrian crossing and cycle route scheme be retained in its present form.

Reason: Council Officers and the University consider that the existing layout is improving the safety of all road users, in particular university students crossing University Road, and encouraging greater use of the new cycle route. The suggestion to relocate the bus stop into the lay-by is not supported by bus operators or the University.

5. City and Environmental Services Capital Programme - 2015/16 Outturn Report

The Executive Member received a report which informed him of the outturn position for the 2015/16 City and Environmental Services Transport Capital Programme, any variations between the budget and the outturn, and the progress of schemes in the year.

Resolved: That the progress in delivering the capital programme schemes be noted and the proposed funding carryovers be approved, as set out in paragraphs 23 to 31 of the Officer's report.

Reason: To enable the effective management and monitoring of the council's capital programme.

6. Objections received to the Advertised Residents Priority parking Scheme to include Aldreth Grove, Cameron Grove, St Clements Grove, Norfolk Street and Bishopthorpe Road (Part)

The Executive Member considered a report which informed him of formal objections made to the advertising of a Traffic Regulation Order to implement a residents parking scheme covering Aldreth Grove, Cameron Grove, St Clements Grove, Norfolk Street and Bishopthorpe Road (Part).

The Executive Member stated that he had listened to the views expressed when coming to his decision.

Resolved: That the objections be overturned and the scheme be implemented as advertised- to introduce a 24 hour Community Residents Priority Parking area (to be known as R58) to include Aldreth Grove, Cameron Grove, St Clements Grove, Bishopthorpe Road (No's 106 to 154) and Norfolk Street to have two dual zone bay to include R6 and R58.

Reason: This is in line with a well established procedure when dealing with requests for new Residents Parking Schemes. From past experience if one street is left unrestricted, in the middle of a zone, residents generally tolerate the increase of parking within that street for a short time before seeking to become part of a residents parking zone, this is normally due to the increase of parking taking place being the only unrestricted street in an area.

7. Review of the York City Walls Restoration Programme Phase 1

The Executive Member considered a report which presented him with an evidence based 5 year programme for managing repair and restoration on York City Walls.

The Executive Member commented that the city underplayed the value of its walls to the tourist economy. Officers added that the walls underpinned civic life and it was hoped that they would be enjoyed for another 2000 years.

Resolved: That the findings of the report be noted and the scheme programme be approved from 2016/2017 to 2020-2021.

Reason: Council officers and the appointed structural engineer have identified and ranked the urgent structural defects affecting the Bar Walls. In particular three schemes have been identified for repairs this financial year, Micklegate Bar Roof, Monk Bar Steps, Tower 32.

8. Concrete Column Replacement Programme

The Executive Member received a report which presented him with a review of how the current column stock was deteriorating and how the street lighting team were currently managing the risk. The review proposed the implementation of a replacement programme of age expired concrete columns.

The Executive Member took into consideration a written representation, submitted by Councillor Ayre prior to the meeting. This was a petition which called for the removal of a lamp post from its current location due to safety concerns. Officers stated that they would bring a report back to a future meeting regarding the petition.

Resolved: That the findings of the review be noted and approval given to the column replacement programme as outlined.

Reason: Council Officers and the specialist structural engineer consider that the identified columns represent an increased but not immediate risk of structural failing or

collapse. The manufacturers' serviceable life of a concrete column is 20 years. The City of York Council has not installed any concrete columns since 1997 and there are no records of installation dates. However from testing information some columns date back to 1970.

9. Review of York Street Lighting Light Emitting Diode (LED) Lantern Replacement Programme

The Executive Member received a report which presented him with a review on the performance of the Light Emitting Diode (LED) lantern replacement scheme and also on the pending LED lantern conversion.

Resolved: That the findings of the report be noted and approval given to the Light Emitting Diode (LED) lantern conversion programme for 2016/17.

Reason: The rationale is to reduce energy costs and improve the carbon footprint. Upgrading the older technology lighting with LED units will achieve energy savings on an annual basis. This should offset any increase in future energy costs. Changing remaining street lighting stock to LED technology will achieve an annual energy saving year on year.

10. Better Bus Area Fund - Clarence Street Bus Improvement Scheme

The Executive Member considered a report which updated him with progress on the Clarence Street bus improvement scheme, in particular how it had been revised in order provide better value for money and minimise disruption during construction. The report also set out when the scheme would be delivered in 2016/17.

Officers reported that although they wished to incorporate the cycle lane the cost would be prohibitive and not represent value for money as it would mean the expensive relocation of electrical and communication cables and closing the Gillygate and Lord Mayor's Walk Junction. Widening of the lanes would however still be possible under the new scheme, but not

sufficient if a cycle lane is incorporated to prevent conflict due to the type of vehicles that turned out of Lord Mayor's Walk.

Following consideration of the public speakers, additional written representations and the Officer's report the Executive Member commented that the junction had been problematic for many years. He therefore suggested an amendment of the Officer's original recommendation and ;

Resolved: (i) That the progress with the scheme be noted and the proposal to proceed with the revised, better value and less disruptive scheme be supported.

(ii) The scheme be amended so that the cycle feeder lane remains in place on Lord Mayor's Walk and that a separately signalled left turn out of Clarence Street is not delivered at this stage but the operation of the junction is kept under review and a report brought back to enable a further decision to be taken if warranted by increased demand in the area.

Reason: To deliver a higher capacity junction whilst maintaining the existing cycle lane arrangements.

Councillor I Gillies, Executive Member

[The meeting started at 10.00 am and finished at 10.50 am].

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**Decision Session- Executive Member for
Transport & Planning****14 July 2016**

Report of the Director of City and Environmental Services

**Definitive Map Modification Order (DMMO) application to add a
footpath to the Definitive Map and Statement: Hoisty Field, Fulford.****Summary**

1. A definitive map modification order application has been received, supported by 19 evidence of user forms (UEFs). The claimed route is located at Hoisty Field, Fulford (Annex 1: Location Plan). The Planning Inspectorate produces guidance to assist in the interpretation of the Wildlife & Countryside Act 1981 (Annex 2: WCA 81 Definitive Map Orders: Consistency Guidelines). Evidence of user that supports a definitive map modification order application must have been by 'the public', representative of the people as a whole or the community in general.
2. In this case, the user evidence supplied in support of the application by a very limited number of local people is insufficient to be regarded as use by the public. The report therefore recommends that the Authority declines to make an Order on the basis that the application criteria has not been met.

Recommendations

2. The Executive Member is asked to consider:
 - 1) Option A - The Authority does not make an Order. This option is recommended.

Reason: The supporting evidence of use does not meet the application criteria.
 - 2) Option B – The Authority makes an Order. This option is not recommended.

Reason: The making of an Order lies outside the application criteria for a definitive map modification order that is supported by evidence of user.

Background

A DMMO application was received in January 2012 under the provisions of section 53 of the Wildlife and Countryside Act 1981. The claimed route commences at its junction with Public Footpath No.8 Fulford Parish, and proceeds in a generally northerly direction to exit onto Landing Lane (Annex 1: Location Plan). The application relies upon 19 UEFs (Annex 3) to support the claim that a public right of way subsists or is reasonably alleged to subsist.

This user evidence must be considered against the requirements of section 31 of the Highways Act 1980 (as set out in the Legal Implications below). There will be no presumption of dedication unless the claimed route has been actually enjoyed by the public as of right continually for the requisite period, on the balance of probabilities. The burden of proving this falls to the applicant. In determining the application, matters relating to suitability and condition of a route and possible need or nuisance are irrelevant and cannot be taken into account.

Prior to the receipt of the DMMO application, the land over which the claimed public footpath crosses, had been sold, and the new landowner has since carried out fencing works to secure the boundary. It appears that this has brought the status of the route into question for the purposes of section 31 of the Highways Act 1980.

In the case of non-determination of a DMMO application by the surveying authority, the applicant can apply to the Secretary of State for a direction requiring the local authority to determine a claim if it has not done so within 12 months of the date of receipt of the application. In this instance, the Secretary of State has directed the authority to determine the DMMO Order. If, there had been no direction from the Secretary of State, the DMMO Order would have progressed in date order with other applications which have been received but not yet determined, in accordance with the authority's Statement of Priorities.

Consultation

4. Pre-order consultation has taken place with the prescribed bodies and utility companies: no additional information has been forthcoming. Further contact with users who support the application has taken place with the request to clarify some details stated within their use of evidence forms.

A signed copy of a statement from the landowner's representative has been received from solicitors on behalf of the landowner and is attached at Annex 7.

Options

5. The Authority, as the surveying authority, is required to make a decision on the definitive map modification order application received. There are two options;

Option A – Not to authorise the Assistant Director of Governance and ICT to make a Definitive Map Modification to add a footpath to the Definitive Map and Statement.

This option would accord with the interpretation of relevant guidance of statutory legislation regarding the analysis of evidence of user by the public.

Option B – To authorise the Assistant Director of Governance and ICT to make a Definitive Map Modification Order to add a footpath to the Definitive Map and Statement.

This option would not be in accord with the interpretation of relevant guidance of statutory legislation regarding the analysis of evidence of user by the public.

Analysis

6. A Modification Order should be made if evidence shows that a public right of way exists. The evidence in support of the application is of claimed public use and the application has been considered under section 31 Highways Act 1980.

The UEFs claim use of the route in excess of 20 years. Whilst it is not necessary for all claimants to demonstrate continuous use

throughout the 20 year period, they must demonstrate that the use has been made by the public continually during that period. The main issue in this case is whether the evidence demonstrates use “by the public”.

Whilst there appears to be no legal definition of the term ‘the public’ as used in section 31, the application criteria for a definitive map modification order application stipulates that user of the route must have been by ‘the public’. That does not mean that users must have come from all over the country, they will usually be drawn from the local community. Consequently, use wholly or largely by local people may be use by the public, as, depending on the circumstances of the case, that use could be by a number of people who may sensibly be taken to represent the local people as a whole/the local community. This will vary from case to case. For example if the claimed route lies in a rural, sparsely populated area, usage of public rights of way may well mainly be by a relatively low number of local people. However, as noted in Ross Crail’s 2006 Rights of Way Law Review article “The Significance of User Evidence” (Annex 4), users must represent a wider cross-section of the public than just the owners or occupiers of nearby properties and their visitors:

Attached at Annex 5, is a location plan, indicating the residential addresses of 12 users who support the application: of the other users, one resides in Huntington, 4 reside in Essex and 2 in Surrey. Most of the users live in close proximity to the claimed route: the majority of these property addresses are situated at the southern end of Fulford village. Additionally, 10 of the 19 UEFs submitted are from individuals who live at the same 5 postal addresses.

The available user evidence is very limited in view of the location of the route in the immediate vicinity of a residential area. It is considered that use by such a limited range of individuals is not use by the public representative of the people as a whole, or the community in general. The very small number of individuals who claim to have used this route ‘as of right’ does not suggest that the route has a reputation within the immediate area as a public right of way or that the path has actually been used by the public.

It is concluded that there is insufficient user evidence to demonstrate that the public footpath rights exist on the claimed as required by section 31 of the Highways Act 1980.

5.

Option A – Not to make an Order

If the authority decides not to make an Order, the applicant may serve notice of appeal on the Secretary of State and the authority: this must be done within 28 days, of service of notice of the decision on the applicant. The Secretary of State will appoint an Inspector to consider the appeal. If the Secretary of State allows the appeal, the authority will be directed to make an Order

Option B – To make an Order

Bearing the above information in mind, this option is not recommended as it would go against the interpretation guidance of current statutory legislation on the subject of user evidence. However, if the decision is to make an Order, it would be advertised. There will be a period of not less than 42 days for objections to be made. If no objections are forthcoming, then the authority will confirm the Order. However, if objections are received, and not withdrawn the Order must be referred to the Secretary of State. The Secretary of State will then determine whether to confirm the Order by means of either written representations, an Informal Inquiry, or a Public Inquiry .

Council Plan 2015 - 2019

7. This report supports the Local Plan priority:

A council that listens to residents.

“Our purpose is to be a more responsive and flexible council that puts residents first and meets its statutory obligations.”

“We will be transparent in all we do, including being clear with communities and partners about the scale of the financial challenges we face.”

It is a statutory duty for the authority to process a duly made DMMO application. In determining the application the authority has written to those that submitted user evidence forms clarify the details within, before final analysis, whilst being mindful of, and adhering to, existing statutory legislation.

Implications

8. Financial

If the decision is to make an Order to add the footpath to the definitive map and statement (Option B), the authority will be required to advertise the Order in a newspaper received within the area. The cost of placing an advert will be approximately £1000. If objections to the advertised Order are received, the Order must be sent to the Secretary of State for determination. This will result in the Order being determined by either, written representations; a local hearing; or a Public Inquiry being held. In each case there are financial implications on the authority with respect to staff time; processing the Order; advertising the Order, preparing the Order for the Secretary of State; preparing the Order for written representations and facilitating a hearing or Inquiry. The cost to the authority for a hearing or Public Inquiry would be in the region of £2000 to £6000. Notwithstanding the above, the costs to the council of making an order or not are not relevant to the legislation and can therefore not be taken into account when determining an application.

- **Human Resources (HR)**

There are no HR implications.

- **Equalities**

If the authority decides not to make an Order, the legislation enables the applicant to make an appeal to the Secretary of State.

A Community Impact Assessment has been carried out (Annex 6). The impact is considered to be positive, subject to meeting the legislative criteria, in that evidence of user that supports a definitive map modification order application must have been by 'the public', and they must represent a wider cross-section of the public than just the owners or occupiers of nearby properties.

- **Legal**

The evidence needs to be tested against the criteria laid out in Section 31 of the Highways Act 1980 and a determination to make

an order if it is considered that a public footpaths subsists or is reasonably alleged to subsist. Section 31 states:-

(1) Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as a right and without interruption for a full period of 20 years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.

(2) The period of 20 years referred to in subsection (1) above is to be calculated retrospectively from the date when the right of the public to use the way is brought into question, whether by a notice such as is mentioned in subsection (3) below or otherwise.

(3) Where the owner of the land over which any such way as aforesaid passes:-

(a) has erected in such manner as to be visible to persons using the way a notice inconsistent with the dedication of the way as a highway, and

(b) has maintained the notice after the 1st January 1934, or any later date on which it was created the notice, in the absence of proof of a contrary intention, is sufficient evidence to negate the intention to dedicate the way as a highway.

Should it be considered that the user evidence submitted in support of the application shows that the route has been used as of right for a period of 20 years or more to meet the statutory tests as set out in sections 31(1) and (2) Highways Act 1980, it will be necessary to further consider whether there is evidence of no intention to dedicate by the landowner during the relevant period in accordance with section 31(3).

If, an Order is made, and subsequently receives an objection, the Order is required to be sent to the Secretary of State for determination. If a local hearing or public inquiry is convened, the authority will be required to facilitate any hearing or public inquiry.

If, an Order is not made, the applicant may serve notice of appeal on the Secretary of State and the authority: this must be done within 28 days, of service of notice of the decision on the applicant.

If the Secretary of State allows the appeal, the authority will be directed to make an Order.

Therefore, Officers must inform the applicant of the authority's decision, and the appeal process and relevant timescales.

- **Crime and Disorder**

When determining a definitive map modification order application, issues such as safety and security, whilst genuine concerns are not allowed to be taken into consideration.

- **Information Technology (IT)**

There are no IT implications.

- **Property**

There are no property implications.

- **Other**

There are no other known implications.

Risk Management

9. The risk to the Authority is a potential legal challenge. The basis on which a challenge could be made is that the evidence of use in support of the Order does not represent a wider cross-section of the community.

Contact Details

Author:

Joanne Coote
Definitive Map Officer
Tel: 01904 551442

Chief Officer Responsible for the report:

Tony Clarke
Head of Transport Service

Report
Approved

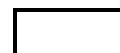


Date 4 July 2016

Specialist Implications Officer(s)

Legal- Sandra Branigan
551040

Wards Affected: Fulford



For further information please contact the author of the report

Background Papers:

Definitive Map Modification Order application file: Hoisty Field, Fulford.

Annexes

Annex 1: Location plan

Annex 2: The Planning Inspectorate WCA 81 Definitive Map Orders: Consistency Guidelines, Section 5

Annex 3: User Evidence Forms

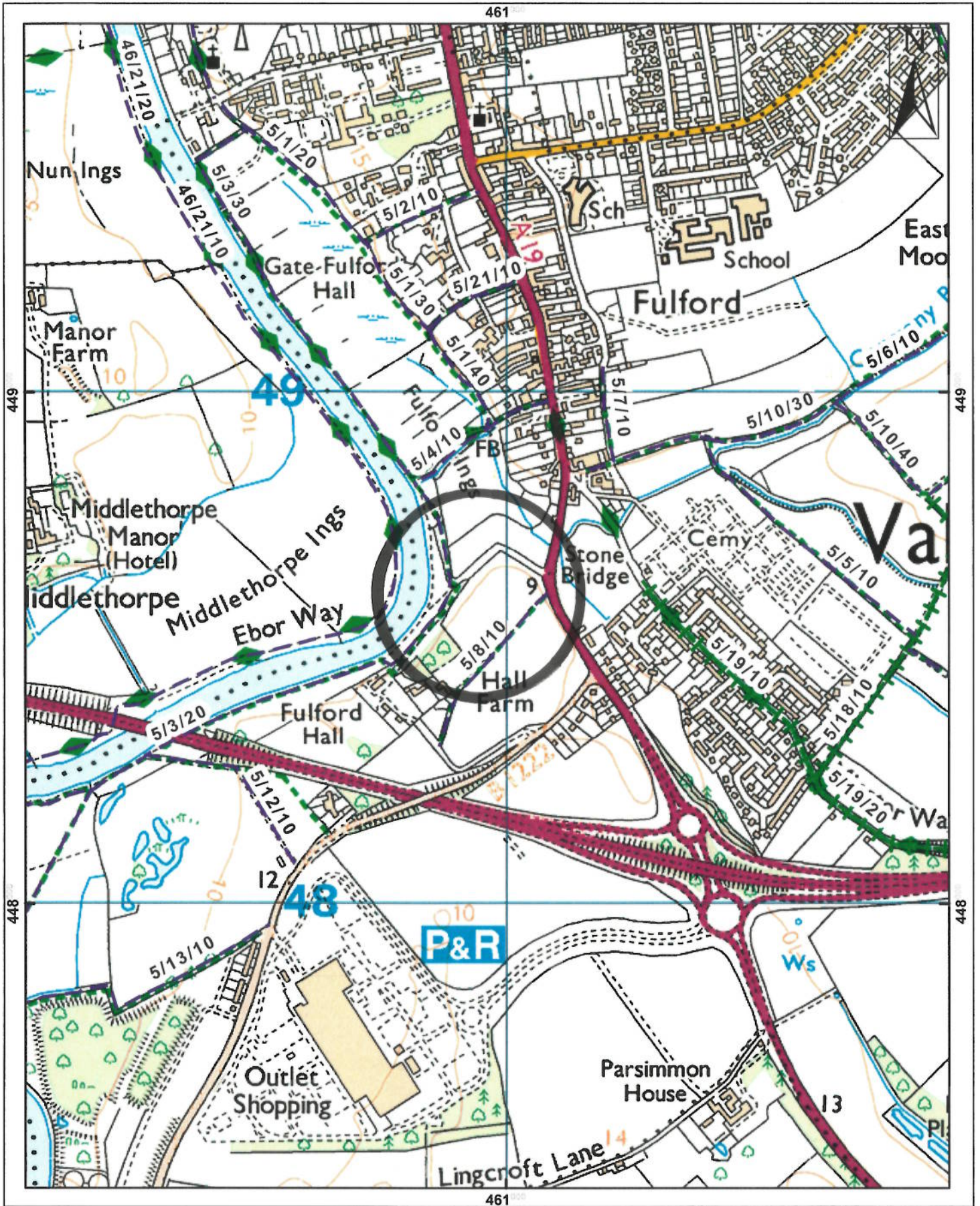
Annex 4: Crail, R. (2006) 'The significance of user evidence'. Rights of Way Law Review, section 9.2, pp. 1 – 5. *[available on application from Officer]*

Annex 5: **THIS ANNEX IS EXEMPT** Location of residential properties

Annex 6: Community Impact Assessment

Annex 7: Signed statement from landowners representative

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YO1 6GA
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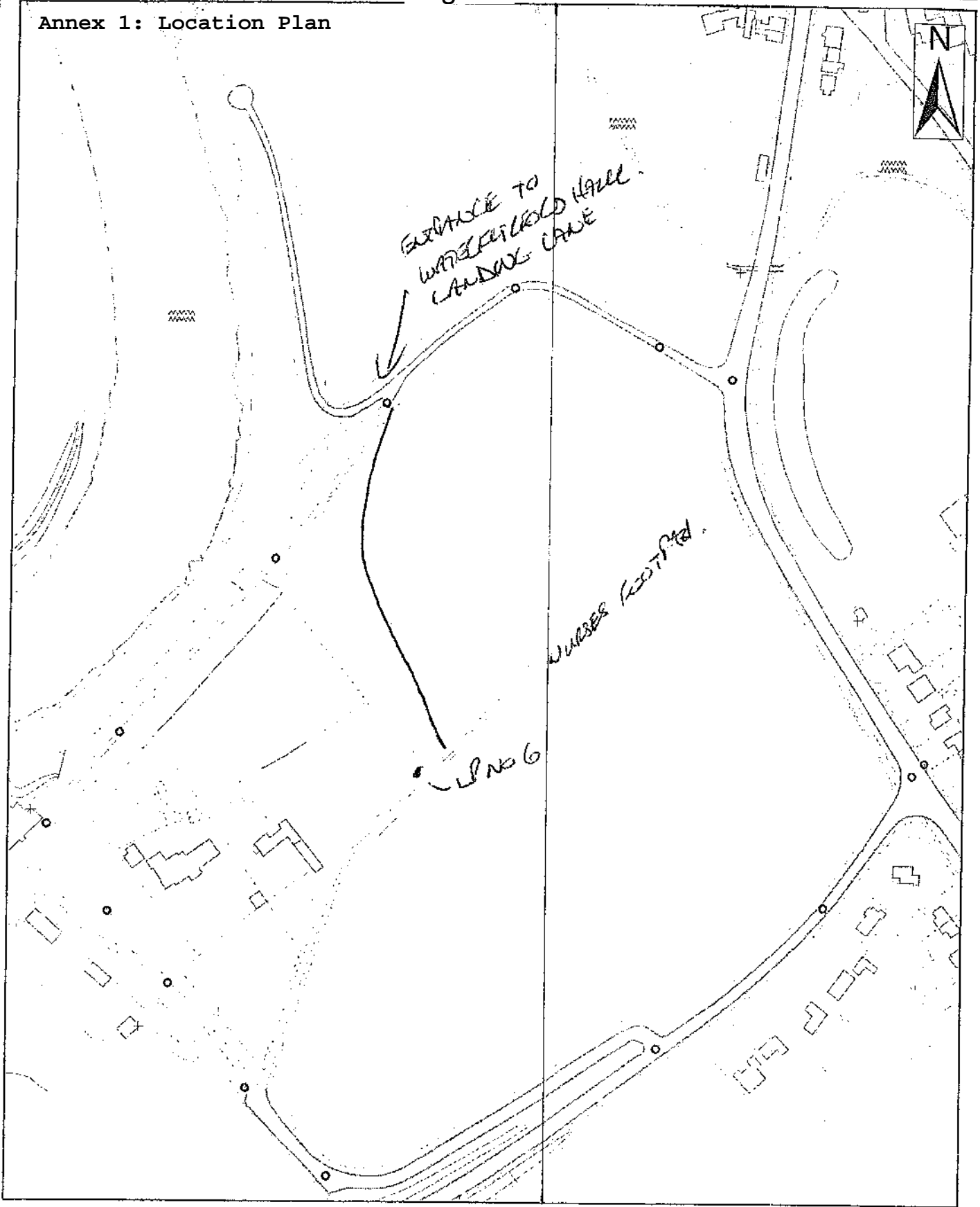
Annex 1: Location of claimed footpath Hoisty Field, Fulford

Scale 1:10,000	Drawn By:	Date:
Public Rights of Way	Reference:	Drawing No.

Contains Ordnance Survey data © Crown copyright and database right 2016

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Annex 1: Location Plan



461



9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct 11

Public Rights of Way

Reference:

Drawing No.

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SECTION 5 DEDICATION / USER EVIDENCE

REFERENCE MATERIAL

Statutes

Law of Property Act 1925 section 193

Rights of Way Act 1932

National Trust Act 1939

Countryside Act 1968 section 30

Highways Act 1980 section 31

Wildlife and Countryside Act 1981 sections 53(3)(b), 53(3)(c) and 66(1)

Road Traffic Act 1988

Charities Act 1993 section 36

Case Law

Poole v Huskinson (1843) 11 M & W 827 - common law dedication – intention to dedicate – interruption – limited dedication

Hollins v Verney 1854 - sufficiency of user

Dawes v Hawkins [1860] 8 CB (NS) 848 - no time limit on dedication – once a highway etc

Mann v Brodie 1885 - common law dedication – sufficiency of user – presumption – Scottish law – (Lord Blackburn on the difference of English law)

R v Residents of Southampton 1887 – ‘the public’

Sherrington UDC v Holsey 1904 - physical character of a way

Thornhill v Weekes (1914) 78 JP 154 - physical character of a way

Moser v Ambleside RDC (1925) 89 JP 59 - effect of ancient maps, modern – culs-de-sac surveys, interruptions, noticeboards – pleasure user

Hue v Whiteley [1929] 1 Ch 440 - ‘as of right’

Merstham Manor v Coulsdon and Purley UDC [1937] 2 KB 77 – ROW Act 1932 – ‘as of right’ – ‘without interruptions’

Jones v Bates [1938] 2 All ER 237 - dedication at common law – meaning of as of right (ROW Act 1932) – burden of proof – bringing into question

Lewis v Thomas 1950 1 KB 438 - interruption – intention to dedicate

Fairey v Southampton County Council [1956] 2 QB 439 – whether ROW Act 1932 is retrospective – intention to dedicate – differentiation between common law/statute law dedication – burden of proof

Davis v Whitby [1974] 1 All ER 806 - 20 years user

Dyfed County Council v SSW (1989) 58 P & CR 68 – use of foreshore for recreational activities

British Transport Commission v Westmorland County Council [1957] 2 All ER 353 – dedication must be compatible with purpose of land held

R v SSE ex parte Cowell [1993] JPEL 851 - Toll – annual manifestation of non-dedication

Jaques v SSE [1995] JPEL 1031 - common law dedication – true construction of S31 HA80 – no intention to dedicate – burden of proof – effect of requisitioning

Robinson v Adair (1995) Times 2 March 1995 -illegal vehicular user post 1930 – effect in relation to s31(1) HA80

Stevens v SSETR (1998) 76 P & CR 503 - rights along RUPPs – effect of Road Traffic Act 1930 on vehicular user evidence

R v SSE ex parte Billson [1998] 2 All ER 587 - duration of no intention to dedicate - rights over common land

R v Isle of Wight CC ex parte O'Keefe 1997 unreported (QBCOF 94/1223/D) – evidence of intention – meaning of as of right

R v Wiltshire CC ex parte Nettlecombe [1998] JPEL 707 – definition of BOAT – current user

Masters v SSE [2000] 4 All ER 458 (CA) - definition of BOAT – balance of predominant user - 1929 Handover map – OS maps

R v Oxfordshire CC ex parte Sunningwell PC [1999] 3 All ER 385 – history of prescription of dedication – belief element of as of right

R v SSETR ex parte Dorset CC [1999] NPC.72 - bringing into question – no intention to dedicate

Buckland and Capel v SSETR [2000] 3 All ER 205 - meaning of BOAT – discourse on *Nettlecombe* and *Masters* judgments

Masters v SSETR [2001] QB 151 (CA) - Court of Appeal judgment on meaning of BOAT

R v Planning Inspectorate Cardiff ex parte Howell (2000) unreported – vehicular use post 1930 (see also Robinson v Adair; and Stevens v SSETR)

Rowley and Cannock Gates Ltd v SSTLR [2002] EWHC (Admin) – positive actions of a tenant

R v City of Sunderland ex parte Beresford 2003 UKHL 60 – the proposition that use pursuant to permission given by the landowner is always precario is not correct. Also toleration equates with acquiescence; not permission

Bakewell Management Ltd v Brandwood [2004] UKHL 14 – presumed dedication of a public vehicular right of way

R (on the Application of Godmanchester Town Council) (Appellants) v SSEFRA and R (on the application of Drain) (Appellant) v SSEFRA [2007] UKHL 28 – lack of intention to dedicate – overt acts by the landowner to be directed at users of the way – duration of no intention to dedicate

Ramblers' Association v SSEFRA (2008) a cul-de-sac is capable of being dedicated as a highway

Planning Inspectorate Guidance

Rights of Way Advice Note No.12 – Wildlife and Countryside Act 1981 – Vehicles and Rights of Way

Other Publications

Halsbury's Laws of England Vol.21 paragraphs 65-86

'Rights of Way: A guide to law and practice' by John Riddall and John Trevelyan (published by the Open Spaces Society and the Ramblers' Association)

The following, articles which are of interest, have appeared in the RWLR

'Section 31 of the Highways Act 1980' - David Braham - Oct 1990 (Section 6.3)

'Section 31: update' - David Braham - April 1998 (Section 6.3)

'Dedication: the common law approach' - David Braham - Oct 1991 (Section 6.2)

'Public Access to Common Land' - Gerard Ryan – Jan 1995 (Section 15.4)

GUIDANCE

Introduction

- 5.1 Dedication of rights of way to the public can arise under statute law (s31 HA80) and under common law. The references above provide a good basis for understanding a subject which continues to arouse controversy. There has been frequent recourse to the Courts, which has provided a rich seam of judicial interpretations. Inevitably some of the dicta contained in earlier judgments have been superseded. The cases recommended for full reading reflect current judgments of which '*Sunningwell*' is a particularly helpful history of the prescription of dedication; *Godmanchester and Drain* [2007] provides the leading judgement on the operation of the proviso to HA80 s31 (1). These judgments will generally lead Inspectors to the other relevant case law listed (see Section 3 'Case Law').
- 5.2 These guidelines initially concentrate on issues affecting the interpretation of s31 HA80 then recommend rigorous testing of the user evidence forms, which almost invariably feature in claims for dedication under statute law. Finally, they address some aspects of deemed dedication at common law. Comment on specific topics is found later on in this section.

'The Public'

- 5.3 There appears to be no legal interpretation of the term *the public* as used in s31. The dictionary definition of the term is *the people as a whole, or the community in general*. Hence, arguably, use should be by a number of people who together may sensibly be taken to represent the people as a whole/the community in general. However, Coleridge LJ in *R v Residents of Southampton 1887* said that *user by the public must not be taken in its widest sense ... for it is common knowledge that in many cases only the local residents ever use a particular road or bridge*. Consequently, use wholly or largely by local people may be use by the public, as, depending on the circumstances of the case, that use could be by a number of people who may sensibly be taken to represent the local people as a whole/the local community.
- 5.4 It was held in *Poole v Huskinson (1843)* that *there may be a dedication to the public for a limited purpose ... but there cannot be a dedication to a limited part of the public*.

Currency and Balance

- 5.5 Dedication of a highway of a particular status will depend, amongst other things, on the type of public user. In this matter the definitions of minor highways in s66(1) WCA 81 are particularly relevant. The definition of a BOAT has proved troublesome.

- 5.6 However, the Court of Appeal settled the matter in *Masters v SSETR* (2000). Roch LJ held: *It is in my judgment clear that Parliament did not contemplate that ways shown in definitive maps and statements as RUPPs should disappear altogether from the maps and statements simply because no current use could be shown, or that such current use of the way as could be established by evidence did not meet the literal meaning of s66(1) and that Parliament did not intend that highways, over which the public have rights for vehicular and other types of traffic, should be omitted from definitive maps and statements because they had fallen into disuse if their character made them more likely to be used by walkers and horse riders than vehicular traffic.*
- 5.7 Thus for reclassification of RUPPs to BOATs under section 54 of the WCA 81, the position seems clear: the decision depends solely on the test of whether public vehicular rights exist and does not require current vehicular (or any other) use. For orders recording BOATs under section 53, public vehicular rights must be shown to exist but to satisfy the description BOAT as defined in s66(1) of the Act, the question of its use should still be addressed but in the light of Roch LJ's interpretation in the *Masters* judgment.

Duration

- 5.8 Use of a way by different persons, each for periods of less than 20 years, will suffice if, taken together, they total a continuous period of 20 years or more (*Davis v Whitby (1974)*). However, use of a way by tradespeople, postmen, estate workers, etc., generally cannot be taken to establish public rights. Wandering at will (roaming) over an area including the foreshore (*Dyfed CC v SSW 1989*), cannot establish a public right (Halsbury's Laws of England, Vol.21, paras 2 and 4 refer), and use of an area for recreational activities cannot give rise in itself to a presumption of dedication of a public right over a specific route (see RWLR article 'Dedication – the Common Law Approach').

Sufficiency

- 5.9 There is no statutory minimum level of user required for the purpose, and the matter does not appear to have been tested in the courts. However, it is clear that Inspectors must be satisfied that there was a sufficient level of use for the landowner to have been aware of it, and have had the opportunity to resist it if he chose. In *Hollins v Verney (1884)* it was said that: *No user can be sufficient which does not raise a reasonable inference of such a continuous enjoyment and that no actual user can be sufficient to satisfy the statute ... unless the user is enough to carry to the mind of a reasonable person (owner, etc.) the fact that a continuous right of enjoyment is being asserted and ought to be resisted.....* It follows then that use of a way is less cogent evidence of dedication if the landowner is non-resident – at any rate, if the owner had no agent on the spot – than if he is resident. If the landowner did not know that the way was being used, no inference can fairly be drawn from his non-interference.

- 5.10 Use of the way should also have been by a sufficient number of people to show that it was use by the public – representative of the people as a whole, or the community in general (see ‘The Public’ above) – and this may well vary from case to case. Very often the quantity of valid user evidence (see ‘User evidence,’ below) is less important in meeting these sufficiency tests than the quality (i.e. its cogency, honesty, accuracy, credibility and consistency with other evidence, etc.).
- 5.11 It was held in *Mann v Brodie 1885* that the number of users must be such as might reasonably have been expected, if the way had been unquestionably a public highway. Watson J said: *If twenty witnesses had merely repeated the statements made by the six old men who gave evidence, that would not have strengthened the respondents’ case. On the other hand the testimony of a smaller number of witnesses each speaking to persons using and occasions of user other than those observed by these six witnesses, might have been a very material addition to the evidence.* Arguably, therefore, the evidence contained in a few forms may be as cogent - or more cogent – evidence than that in many. However, Dyson J in *Dorset 1999* did not question that the Inspector had found the evidence contained in five user statements insufficient to satisfy the statutory test, even though the truth of what was contained in them had been accepted.

Subjective Belief

- 5.12 For many years before 1999, it was held that use as of right entailed use that was open, not by force and not by permission (*‘nec vi, nec clam, nec precario’*); furthermore, users had to have an honest belief that there was a public right of passage. Hence, it was necessary to prove that users believed that they had a right to use the way.
- 5.13 However, in *Sunningwell 1999* it was held that there is no requirement to prove any such belief, but only that the use was without force, without stealth and without permission. Hoffman LJ said: *To require an enquiry into the subjective state of mind of the users would be contrary to the whole English theory of prescription, which depends upon acquiescence by the landowner giving rise to an inference or presumption of a prior grant or dedication. For this purpose the actual state of mind of the road user is plainly irrelevant in my opinion the casual and, in its context, perfectly understandable aside of Tomlin J in Hue and Whiteley (1929) has led the courts into imposing upon the time-honoured expression ‘as of right’ a new and additional requirement of subjective belief for which there is no previous authority and which I consider to be contrary to the principles of English prescription ... user which is apparently as of right cannot be discounted merely because, as will often be the case, many of the users over a long period were subjectively indifferent as to whether a right existed, or even had private knowledge that it did not.*
- 5.14 However, if a user admits to private knowledge that no right exists, it could be that the explanation may have an important bearing on the second limb of the statutory test, the intention of the owner not to dedicate. Inspectors should investigate where appropriate.

Landowner's Toleration

- 5.15 In the same judgment, and in the context of a call not to be too ready to allow tolerated trespasses to ripen into rights, Hoffman LJ also held that toleration by the landowner of use of a way is not inconsistent with user as of right. In effect it is not fatal to a finding that use had been as of right. In *R (Beresford) v Sunderland CC [2003]*, Lord Bingham stated that a licence to use land could not be implied from mere inaction of a landowner with knowledge of the use to which his land was being put. Although the *Sunningwell* judgment is silent on the relationship between claimed toleration and acquiescence, Lord Scott stated in the *Beresford* case *I believe this rigid distinction between express permission and implied permission to be unacceptable. It is clear enough that merely standing by, with knowledge of the use, and doing nothing about it, i.e. toleration or acquiescence, is consistent with the use being "as of right".*
- 5.16 However, it is clear that permission may be implied from the conduct of a landowner in the absence of express words. Lord Bingham, in the same judgment stated that *a landowner may so conduct himself as to make clear, even in the absence of any express statement, notice, record, that the inhabitants' use of the land is pursuant to his permission.* But encouragement to use a way may not equate with permission: As Lord Rodgers put it in *Beresford*, *the mere fact that a landowner encourages an activity on his land does not indicate ... that it takes place only by virtue of his revocable permission.* In the same case, Lords Bingham and Walker gave some examples of conduct that might amount to permission, but the correct inference to be drawn will depend on any evidence of overt and contemporaneous acts that is presented. (see also 'No Intention to Dedicate' below).

'Bringing into Question'

- 5.17 *R v SSETR ex parte Dorset County Council 1999* is the most recent case addressing the meaning of s31(2) HA80; specifically what act or acts constitute 'bringing into question.'
- 5.18 Dyson J was not satisfied that the unusual circumstances pertaining, a landowner's letter to DoE subsequently passed to the OMA but not communicated to the users, satisfied the spirit of s31(2). Inspectors may be perplexed at the fine line drawn between these circumstances and those instanced in s31(6), but the principle emanating from the judgment is clear. The test to be applied is that enunciated by Denning LJ in *Fairey v Southampton County Council 1956*. Dyson J's interpretation of that judgment is that: *Whatever means are employed to bring a claimed right into question they must be sufficient at least to make it likely that some of the users are made aware that the owner has challenged their right to use the way as a highway.*
- 5.19 However, an action which of itself is insufficient to bring a right into question may well be sufficient to demonstrate an intention not to dedicate (see later paragraphs).

- 5.20 There is no rule of law that the “bringing into question” has to result from the action of the owner of the land or on their behalf. This issue was considered in *Applegarth v Secretary of State for Environment, Transport and the Regions [2001] EWHC Admin 487* (28 June 2001). The owner of a property whose means of access was via a track claimed to be a public bridleway, challenged the public use of the track even though he was not the owner of it. In this case, Munby J stated: “Whether someone or something has “brought into question” the “right of the public to use the way” is, as it seems to me, a question of fact and degree in every case.” Thus any action which raises the issue would seem to be sufficient. In this context the application for or making of a modification order under WCA81 s53 would not normally by itself constitute a “bringing into question” for the purposes of s31. However, where there is no identifiable event which has brought into question the use of a path or way, s31 ss (7A) and (7B) of HA80 (as amended by s69 of NERC06) provides that the date of an application for a modification order under WCA81 s53 can be used as the date at which use was brought into question.
- 5.21 The Inspectorate considers that the non-existence or disappearance of the landowner is not sufficient to defeat a presumption of dedication. Once use is established as of right and without interruption, the presumption arises. If there is no contradictory evidence in accordance with the proviso to s31(1) deemed dedication is made out and the Order should be confirmed. This is so whether there is an owner who cannot provide sufficient evidence of lack of intention or whether there is no owner available to produce such evidence.

‘No Intention to Dedicate’

- 5.22 Section 31 expressly provides for methods by which to show that during the period over which the presumption has arisen there was in fact no intention on the landowner’s part to dedicate the land as a highway. For instance, under section 31(3) a landowner may erect a notice inconsistent with the dedication of a highway, and if that notice is defaced or torn down, can give notice to the appropriate council under section 31(5). Under section 31(6), an owner of land may deposit a map and statement of admitted rights of way with “the appropriate council”. Provided the necessary declaration is made at ten yearly intervals thereafter, the documents are (in the absence of evidence to the contrary) “sufficient evidence to negative the intention of the owner or his successors in title to dedicate any additional ways as highways”. This is for the period between declarations, or between first deposit of the map and first declaration.
- 5.23 The interpretation of the phrase “intention to dedicate” was considered by the House of Lords in *R (on the application of Godmanchester and Drain) v SSEFRA [2007]* and is the authoritative case which deals with the proviso to HA80 s31. The House of Lords reversed the earlier judgement of the Court of Appeal and rejected the judgements of Sullivan J in *R v SSE ex parte Billson [1999]* and Dyson J in *R v SSETR ex parte Dorset CC [1999]* which had held that a landowner did not need to publicise his lack

of intention to dedicate to users of the way. In his leading judgement, Hoffmann LJ approved the obiter dicta of Denning LJ (as he then was) in *Fairey v Southampton County Council* [1956] who held "in order for there to be 'sufficient evidence there was no intention' to dedicate the way, there must be evidence of some overt acts on the part of the landowner such as to show the public at large – the people who use the path...that he had no intention to dedicate".

- 5.24 Hoffmann LJ held that "upon the true construction of section 31(1), 'intention' means what the relevant audience, namely the users of the way, would reasonably have understood the owner's intention to be. The test is ... objective: not what the owner subjectively intended nor what particular users of the way subjectively assumed, but whether a reasonable user would have understood that the owner was intending, as Lord Blackburn put it in *Mann v Brodie* (1885), to 'disabuse' [him]' of the notion that the way was a public highway".
- 5.25 In both *Godmanchester* and *Drain*, evidence in the form of letters between the landowner and the planning authority, and the terms of a tenancy agreement were held by the House of Lords to be insufficient evidence of a lack of intention to dedicate. As these documents had not been brought to the attention of the public the users could not have understood what the owner's intention had been.
- 5.26 For a landowner to be able to benefit from the proviso to s31(1) there must be 'sufficient evidence' that there was no such intention to dedicate. The evidence must be inconsistent with an intention to dedicate, it must be contemporaneous and it must have been brought to the attention of those people concerned with using the way. Although s31 ss (3), (5) and (6) specify actions which will be regarded as "sufficient evidence", they are not exhaustive; s31 (2) speaks of the right being brought into question by notice "or otherwise".
- 5.27 *Godmanchester and Drain* upheld the earlier decision of Sullivan J in *Billson* that the phrase "*during that period*" found in s31 (1) did not mean that a lack of intention had to be demonstrated "*during the whole of that period*". The House of Lords did not specify the period of time that the lack of intention had to be demonstrated for it to be considered sufficient; what would be considered sufficient would depend upon the facts of a particular case.
- 5.28 However, if the evidence shows that the period is very short, questions of whether it is sufficiently long (*'de minimis'*) may well arise, and would have to be resolved on the facts.
- 5.29 In the Court of Appeal case *Lewis v Thomas* 1949, Cohen LJ quoted with approval the judgment of MacKinnon J in *Moser v Ambleside UDC* 1925:

It was said, very truly, in the passage of Parke, B in Poole v Huskinson (1843) that a single act of interruption by the owner was of much more weight upon the question of intention than many acts of enjoyment. If you bear quite clearly in mind what is meant by an act of interruption by the owner, if it is an effective act of

interruption by the owner – I mean the owner himself – and is effective in the sense that it is acquiesced in, then I agree that a single act is of very much greater weight than a quantity of evidence of user by one or other members of the public who may use the path when the owner is not there and without his knowledge.

The fact that the owner, as is so constantly done, locks the gates once a year and that sort of thing is, or may be, a periodic intimation by the owner that he is not intending to dedicate a highway, but it must be an effective interruption; it must be by the owner himself, because if you have evidence of an interruption which is not effective in the sense that members of the public resent the interruption and break down the gate, or whatever it is, and that defiance of his supposed rights is then acquiesced in by the owner, or again, if it is an attempted interruption by a tenant without the assent or authority of the owner and is also an interruption that is ineffective and a failure because the public refuse to acquiesce in it, then, as it seems to me such an ineffective interruption, either by the owner or by the tenant, so far from being proof that there is no dedication, rather works the other way as showing that there has been an effective dedication.

This judgment established a number of principles that still endure.

- 5.30 However, in the subsequent case *Rowley v SSTLR & Shropshire County Council May 2002*, Elias J held that the acquiescence of a tenant may bind the landowner on the issue of dedication of a public right of way (for example in the case of long public user), but also that in the absence of evidence to the contrary, there is no automatic distinction to be drawn between the actions of a tenant acting in accordance with his/her rights over the property and that of the landowner in determining matters under s31HA80.

...seemed acquiescence of the tenant was the basis of the case for the assertion that there was user as of right...it would surely be implied that the tenant would have the right to decide who should be entitled to go on to his land and whom he may forbid. I find it difficult to see why the tenant's acquiescence should bind the landlord, but not positive acts taken by the tenant in accordance with the exercise of his rights over the property, to exclude strangers.

Elias J continued:

*the conclusion...that there was no evidence that any turning back had in any event been authorised by the freeholder involved an error of law. A similar argument was advanced in *Lewis v Thomas* [[1950] 1 K.B 438] and rejected, the court apparently taking the view that if it is alleged that the freeholder has a different intention to the tenant, there should at least be evidence establishing that.*

No intention to dedicate

In cases where a claimed right of way is in more than one ownership and only one of the owners has demonstrated a lack of intention to dedicate it for public use, the Inspector should explicitly consider whether it is possible that public rights have been acquired over sections of the way in other ownerships, even if this would result in cul de sac ways being recorded in the Definitive Map and Statement.

User Evidence

- 5.31 Claims for dedication having occurred under s31 HA80 will usually be supported by a number of user evidence forms.
- 5.32 The Inspector's own analysis of the forms is vital, so that omissions, lack of clarity, serious inconsistencies, possible collusion between witnesses and other anomalies may be identified. The analysis also allows the Inspector to reject invalid claims (e.g. no signature, no clear description of the way or of how it was being used) and to note the questions to raise at the inquiry. A similar analysis should be made of other types of user evidence that may be tendered, such as sworn statements, letters and the landowner's evidence. It should also be noted that user evidence forms are not standardised, and pose differing questions of varying pertinence and precision. Some are better than others in terms of specifying the evidence required.
- 5.33 If the potential value of user evidence forms is to be realised in full they must be completed with due diligence. All questions should be answered as accurately and as fully as possible. If questions which, from the claimed duration and extent of use, appear capable of being answered yet are not, it is open to the Inspector to assume that the respondent's recall was insufficient to provide this information. The Inspector may then question whether the claimed use is accurately recalled and the evidential weight of the form may well be reduced.
- 5.34 Similarly if an overall picture emerges from a variety of sources which differs significantly from the respondents' recollections, or if a particular difficulty which must have been encountered during claimed user is not mentioned, the Inspector may well wonder whether the claimed use is accurately and honestly recalled.
- 5.35 It is sometimes the case that objectors do not seek to challenge user evidence in cross-examination. If so, the Inspector needs to do so, in order to be in a position to decide what evidential weight to place on the witnesses' claims. If few, or none, of the users attends the inquiry, the Inspector should pose questions to the party presenting the evidence, so that the evidential weight can be determined. As with other evidence, user evidence tested in cross-examination generally carries significantly more weight than untested evidence. While questioning of witnesses needs to be incisive and thorough, Inspectors should be aware that members of the public giving evidence may be nervous or anxious and should deal with them accordingly.

Dedication at Common Law

- 5.36 'Rights of Way: A guide to law and practice' is a useful source of information. The referenced RWLR article 'Dedication: the common law approach' discusses the relevant principles, and shows how they were applied in practice by giving detailed consideration to the salient facts in reported cases.
- 5.37 The common law position was described by Farwell J, and Slessor and Scott LJ in *Jones v Bates 1938*, both quoted with approval by Laws J in *Jaques v SSE 1994*, who described the former's summary as *a full and convenient description of the common law*. Other leading cases that speak to dedication at common law are *Fairey v Southampton CC 1956*, *Mann v Brodie 1885* and *Poole v Huskinson 1843*. *Jaques* is a particularly helpful exposition on the differences between dedication at common law and under statute.
- 5.38 Halsbury states – "*Both dedication by the owner and user by the public must occur to create a highway otherwise than by statute. User by the public is a sufficient acceptance. And - An intention to dedicate land as a highway may only be inferred against a person who was at the material time in a position to make an effective dedication, that is, as a rule, a person who is absolute owner in fee simple; and At common law, the question of dedication is one of fact to be determined from the evidence. User by the public is no more than evidence, and is not conclusive evidence ... any presumption raised by that user may be rebutted. Where there is satisfactory evidence of user by the public, dedication may be inferred even though there is no evidence to show who was the owner at the time or that he had the capacity to dedicate. The onus of proving that there was no one who could have dedicated the way lies on the person who denies the alleged dedication*".
- 5.39 Sometimes dedication at common law will be argued as an alternative, in case the s31 claim fails. In any event, the Inspector should consider common law dedication where a s31 claim fails. Whilst the above principles affecting dedication by landowners and acceptance by user will normally apply in both situations (even though there is no defined minimum period of continuous user in common law), there is an important difference in the burden of proof. As Denning LJ made clear in *Fairey v Southampton County Council 1956* *The Rights of Way Act 1932 has introduced a new means by which the public may acquire a right of way, in addition to the old means of dedication, which, be it noted, is still preserved...* In later describing the effect of the 1932 Act he said: *It reverses the burden of proof; for whereas previously the legal burden of proving dedication was on the public who asserted the right... now after 20 years user the legal burden is on the landowner to refute it.*
- 5.40 From these comments it follows that, in a claim for dedication at common law, the burden of proving the owner's intentions remains with the claimant. For the reasons given by Scott LJ in *Jones v Bates 1938*, this is a heavy burden and, in practice, even quite a formidable body of evidence may not suffice. However, should it be asserted in rebuttal that

there was no one who could have dedicated the way, the burden of proof on this issue would rest with the asserting party (Halsbury, above, refers).

- 5.41 The principles established in *Rowley* (see paragraph 5.24) may, arguably, apply to equivalent issues arising under common law.

Land Held in Trust or Mortgaged

- 5.42 Halsbury gives useful guidance; Volume 21 para 73 states: *Where a mortgagor (borrower) is still in possession of the mortgaged land it would seem that the mortgagee's (lender's) assent to a dedication is necessary, and that a dedication cannot be inferred from user unless the mortgagee can be shown or presumed to have had knowledge of it.* Trustees of land held on trust for sale generally have power to dedicate on their own provided that no incompatibility is introduced (Halsbury Vol.21 para 74 refers). For leaseholds and copyholds the consent of both landlord and lessee or copyholder would usually be required for dedication. However, Inspectors should always check the detailed wording and provisions of the trust or mortgage document pertaining to the case before them, in case there are specific requirements for enabling powers. A public body can in general create a right of way, provided that the public use would not be incompatible with the purpose of the body. (See also 'Legal capacity to dedicate' in the referenced RWLR articles 'Section 31 of the Highways Act 1980' and 'Section 31: update' and note the provisions of HA80 s31(8)).

Vehicular use post 1930

- 5.43 Use without lawful authority of mechanically propelled vehicles adapted or intended for use on the roads on footpaths, bridleways and elsewhere than on roads became a criminal offence in 1930. The Countryside and Rights of Way Act 2000 extended this provision to all mechanically propelled vehicles.
- 5.44 However, lawful authority may be granted by a landowner, and Lord Scott, in *Bakewell Management Ltd v Brandwood* [2004] (in the context of the acquisition of an easement to drive over common land) held that if such a grant could have been lawfully made, the grant should be presumed so that long de facto enjoyment should not be disturbed. In overruling *Robinson v Adair* (1995), in which it had been held that no presumption of dedication could arise following long illegal user by motor vehicles, Lord Scott stated that

However, it was, so I assume for there is nothing to suggest the contrary, open to Mr Adair or his predecessors in title to have dedicated the road as a public highway. Such a dedication would have constituted 'lawful authority' for section 24(1) [of the Road Traffic Act 1988] purposes. The dedication would have been effective. That being so, I can see no reason why public policy would prevent a presumption of dedication arising from long use.

- 5.45 A grant would not be lawful if, for example, it gave rise to a public nuisance. The granting of vehicular rights over an existing footpath might constitute a public nuisance to pedestrians using that path.
- 5.46 Whilst it is therefore possible for long use of bicycles on a footpath or bridleway (subject to paragraph 5.43 below) to give rise to a claim for a BOAT, Inspectors will need to consider whether vehicular use of the way in question has given rise to or is likely to give rise to, a public nuisance i.e. if the use of bicycles has given rise to, or the use in the future of bicycles and/or any other vehicles on the way is likely to give rise to, a public nuisance, the claim for a BOAT must fail. The public nuisance issue is one to be determined by Inspectors by reference to the particular facts before them.
- 5.47 Use of bicycles on a public bridleway after 3rd August 1968 (the date on which section 30 of the Countryside Act 1968 came into force) cannot give rise to a claim, or be used to support a claim for vehicular rights.

Crown Land

- 5.48 The Highways Act 1980 does not apply to land belonging to (or held in trust for) the Crown, except under a special agreement as described in HA80 s327. Consequently, there cannot be a presumption of dedication of such land under s31.
- 5.49 It seems likely that s31 does not apply to land leased to the Crown, because the existence of the lease would take the land outside its scope. Furthermore, the creation of a right of way would adversely affect the Crown's leasehold interest. These arguments do not appear to have been tested in the courts, but, even if they were accepted, they would not prevent an effective presumption of dedication under s31 for a period before or after the Crown's ownership or leasehold of land.
- 5.50 Under common law, there can be a presumption of dedication of a way over Crown Land. However, there cannot be such a presumption over land requisitioned by the Crown, as there would be no one with power to dedicate (*Jaques 1994*).

Common Land

- 5.51 Public rights of way over defined routes can and do exist on common land and can be established by deemed dedication through user over a number of years. However, the effect of s193 of the Law of Property Act 1925, which creates (often restricted or conditional) public *rights of access for air and exercise*, may sometimes have to be considered, since it is believed to apply to a substantial number of commons. This issue is addressed in detail in *R v SSE ex parte Billson 1998*, and useful background information can be found in the RWLR article 'Public Access to Commons' (particularly pages 5,6).

The National Trust

- 5.52 The Trust has power to dedicate highways by virtue of s12 of the National Trust Act 1939. However, Trust bylaws may be in place and operate as a conditional permission to use the land. Such bylaws prevent a presumed dedication under s31, whether users were aware of them or not. Useful reference can be made to *National Trust v SSE* [1999] JPL 697, holding that the permissive nature of the use of NT land precluded user as of right.

Charities

- 5.53 Dedication requires the consent of the Charity Commissioners under s36 of the Charities Act 1993, unless the charity is within an exemption granted by or under that section.

Physical Characteristics of a Claimed Way

- 5.54 In some circumstances the physical characteristics of a way can prevent a highway coming into existence through deemed or inferred dedication. In *Sheringham UDC v Holsey 1904* it was held that use by wheeled traffic of a public footway appointed by an Inclosure Award at 6 feet wide had always been an illegal public nuisance in view of the obstruction and danger to pedestrians, and no length of time could legalise it. Furthermore, there was no one with power to dedicate. Hence there could not have been any dedication of the way as a vehicular highway. In *Thornhill v Weeks 1914*, Astbury J observed that: *it seems impossible that a lady who resided there would at once start dedicating a way through her stable yard ... In trying to form an opinion whether an intention to dedicate has existed, one must have some regard to the locality through which the alleged path goes. The fact that it goes through the stable yard [close to the house] is strong enough to raise a presumption against an intention to dedicate.*
- 5.55 Where physical suitability of a route is argued by parties, referring to gradient, width, surface, drainage, etc., Inspectors should be aware that what may now be regarded as extremely difficult conditions may well have been relatively commonplace and frequently met by stagecoaches, hauliers and drovers in times past, and that special arrangements were often in place to negotiate them.

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~~Annex 13~~



PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname:
(Mr/Mrs/Miss/Ms)

First Name (s) :

Year of birth :

Address:
.....
.....

Tel:

Occupation:

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : ...LANDING...LANE...

Grid Ref (if known):

To : ...NURSES FOOT PATH:

Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE – If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES/NO

a) If yes, please give details as to why?

..... I and others have used for last 45 years

b) What year do you believe the way has been public from?

..... 1966

2. Have you used the above route?

YES/NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years – 1970 – 1990)

..... 1966 to present 2011

3. Do you use the route?

YES/NO

a) If no, when did you stop using the route?

.....

b) Why did you stop using the route?

.....

4. By what means and between which years did you use the route?

a On foot/~~On horseback~~/~~On a bicycle~~/~~With a vehicle~~/Other

.....

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... *RECREATION*

c Approximately, how wide was the way?

..... *about 2 FEET*

d Describe the way eg surface

..... *G.R.A.S.S.*

5. When using the route where were you going to and from?

To: *Noburn lane*

From: *River side*

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... *since 1966 walking*

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate) ↑

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

~~YES~~/NO

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

~~YES~~/NO

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

~~YES~~/NO

a) If yes, give particulars and dates

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

~~YES~~/NO

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

~~YES~~/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

~~YES~~/NO

*Atkinson the Farmer has spoken to me when he rented it
the new bloke has seen me when he was burning rubbish to B.*

10/1/12 GAG

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

~~YES~~/NO


Who now owns the land crossed buy this way?

MR. & MRS. SAGGER

11. Have you ever been employed by, or a tenant of the landowner over which the route runs? **YES/NO**

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were? 

.....

12. When you used the way, were you working for the owner/occupier of the land crossed by the way? **YES/NO**

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? **YES/NO**
If so, from whom?

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? **YES/NO**
(if yes please give details)

.....

15. Have you ever enjoyed a private right along the route in question? **YES/NO**

Any other information you consider to be relevant:

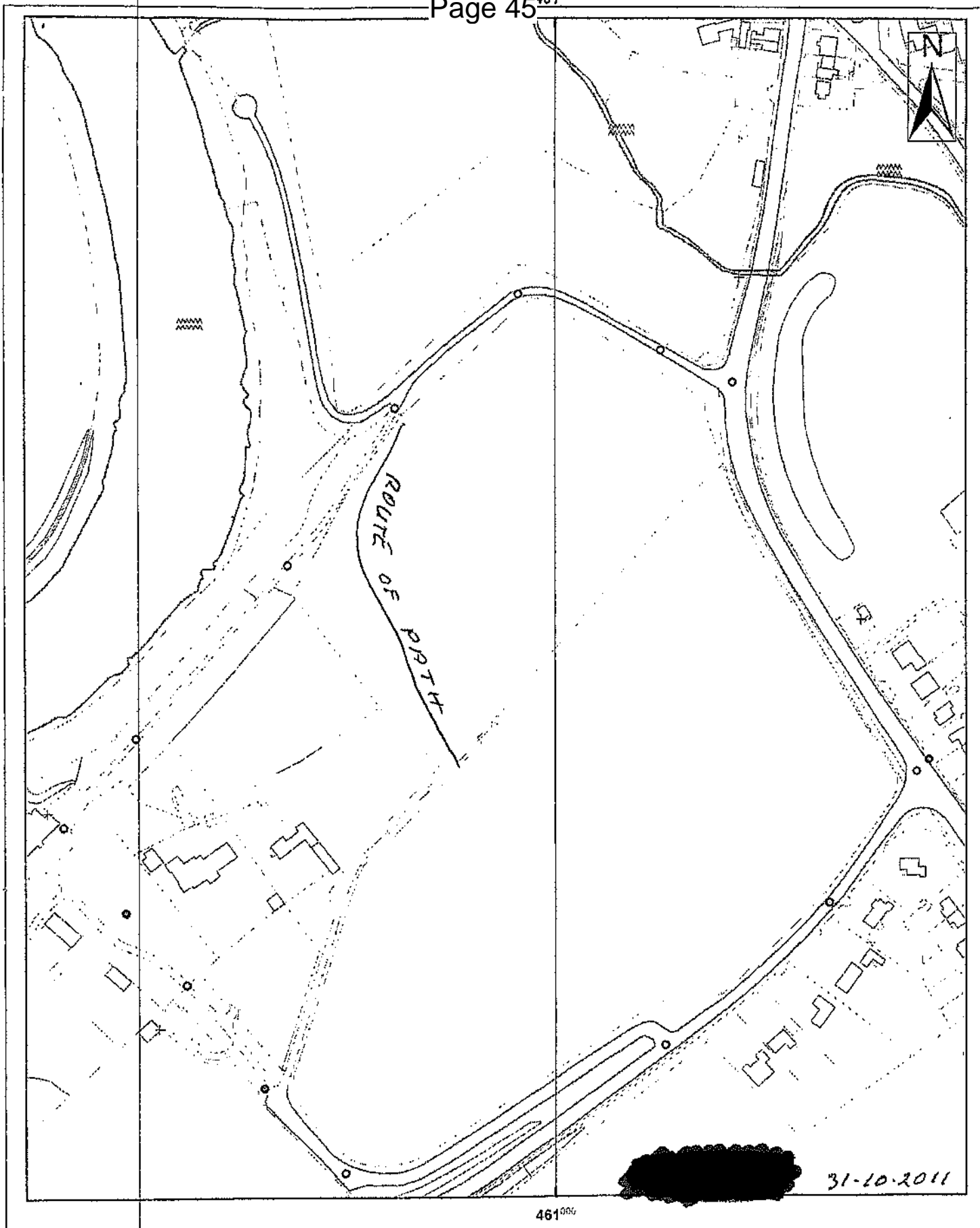
I acknowledge that this form will be made publicly available.

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date... 31-10-2011

WITNESS OF
Signature of Person Taking Statement.....
Date... 31/10/2011
(if different)



9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

First Name (s) : [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : Landing lane entrance to hall. Grid Ref (if known):

To : Nurses Footpath. Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / ~~bridleway / restricted byway / Byway open to all traffic~~

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE – If you are claiming more than one way use separate forms and maps
1. Do you believe the route to be public? YES/NO

a) If yes, please give details as to why? YES/NO

b) What year do you believe the way has been public from?
1970 - it was used by a scout. YES/NO

2. Have you used the above route? YES/NO

a) If yes, over how many years?
(please state any year range e.g. 10 years - 1970 - 1990)
10 + YES YES/NO

3. Do you use the route? YES/NO

a) If no, when did you stop using the route?
.....

b) Why did you stop using the route?
.....

4. By what means and between which years did you use the route?

a On foot/~~On horseback~~/~~On a bicycle~~/~~With a vehicle~~/Other

..... 1970 to present

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... recreation

c Approximately, how wide was the way?

..... Not more than 2ft.

d Describe the way eg surface

..... Compacted earth.

5. When using the route where were you going to and from?

To: Nurses footpath.

From: riverside (landing lane)

6. Have you seen other people using the way?

YES/~~NO~~

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... from the 1970's dog walkers there

7. Has the way always been on the same route?

YES/~~NO~~

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?

~~YES~~/NO

If yes, please give details of these. If gates, were they locked or unlocked?

Until mid November 2011 now fenced across

b) Any signs or notices?

~~YES~~/NO

If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

~~YES~~/NO

a) If yes, give particulars and dates

b) Has anyone ever told you the route was not public?

~~YES~~/NO

If yes, please give particulars and dates

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

~~YES~~/NO

d) Do you believe the owner/occupier was aware the public was using the way?

YES/~~NO~~

If yes, why?

Because he has built a bonfire next to it

10. Have you ever owned/tenanted/rented the land crossed by this way?

~~YES~~/NO

If yes, please give further details (including dates). You may prefer to use a Form F.

Who now owns the land crossed buy this way?

Jaeger water Fulford Hall

11. Have you ever been employed by, or a tenant of the landowner over which the route runs? **YES/NO**

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were.



.....

12. When you used the way, were you working for the owner/occupier of the land crossed by the way? **YES/NO**
If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? **YES/NO**
If so, from whom?

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? **YES/NO**
(if yes please give details)

.....


15. Have you ever enjoyed a private right along the route in question? **YES/NO**

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

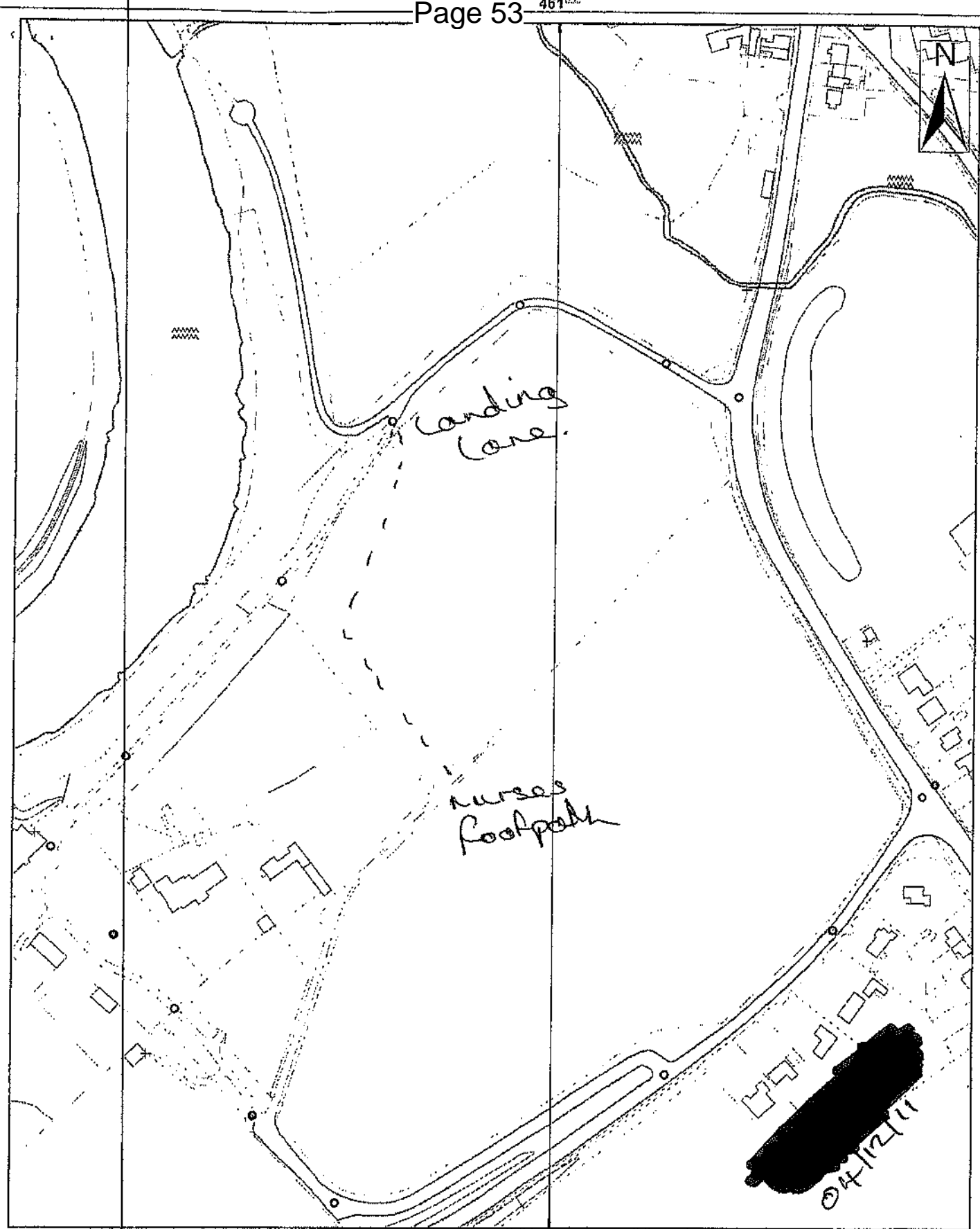
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/~~am~~ not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.....  Date. 04/12/11.

Signature of Person Taking Statement

Date.....
(if different)



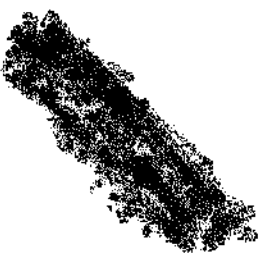
461⁰⁰⁰



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

<h3>Alignment of claimed route - Fulford</h3>		
Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname:
(Mr/Mrs/Miss/Ms)

First Name (s) :

Year of birth :

Address:
.....
.....

Tel:

Occupation:

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : *Landring Lane*

Grid Ref (if known):

To *Newell's footpath*

Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / ~~bridleway~~ / ~~restricted byway~~ / ~~Byway open to all traffic~~

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map and date the map and attach to this form.)

NOTE – If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES/~~NO~~

a) If yes, please give details as to why?

I have been using it and seen other

b) What year do you believe the way has been public from?

Before 2001

2. Have you used the above route?

YES/~~NO~~

a) If yes, over how many years and from what year to what year?
(please specify years and months)

2001 to 2011

3. Do you use the route?

YES/~~NO~~

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/~~On horseback~~/~~On a bicycle~~/~~With a vehicle~~/~~Other~~

2001 to present

b For what purpose did you use the route e.g. recreation, specific journey etc?

recreation

c Approximately, how wide was the way?

11 to 2'

d Describe the way eg surface

Trodden earth

5. When using the route where were you going to and from?

To: and from Riverside

From: Riverside to Nurses path

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle)

Many times in last ten years walking

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

No
~~YES/NO~~

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

~~YES/NO~~

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

~~YES/NO~~

a) If yes, give particulars and dates

.....
.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

~~YES/NO~~

.....
.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

~~YES/NO~~

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

~~YES/NO~~

.....
.....

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

~~YES/NO~~

Who now owns the land crossed buy this way?

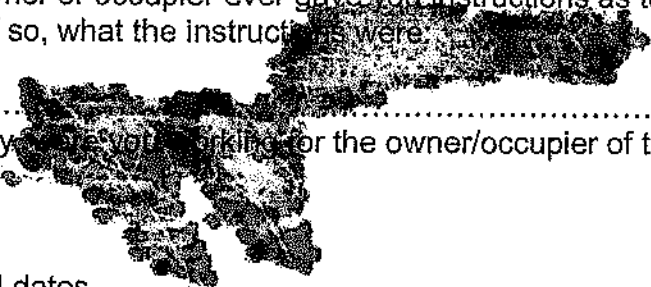
People at Waterfulford Hall

11. Have you ever been employed by, or a tenant of the landowner over which the route runs? ~~YES~~ NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were:



12. When you used the way, were you working for the owner/occupier of the land crossed by the way? ~~YES~~ NO
If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? ~~YES~~ NO
If so, from whom?

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? ~~YES~~ NO
(if yes please give details)

.....

15. Have you ever enjoyed a private right along the route in question? ~~YES~~ NO

Any other information you consider to be relevant:

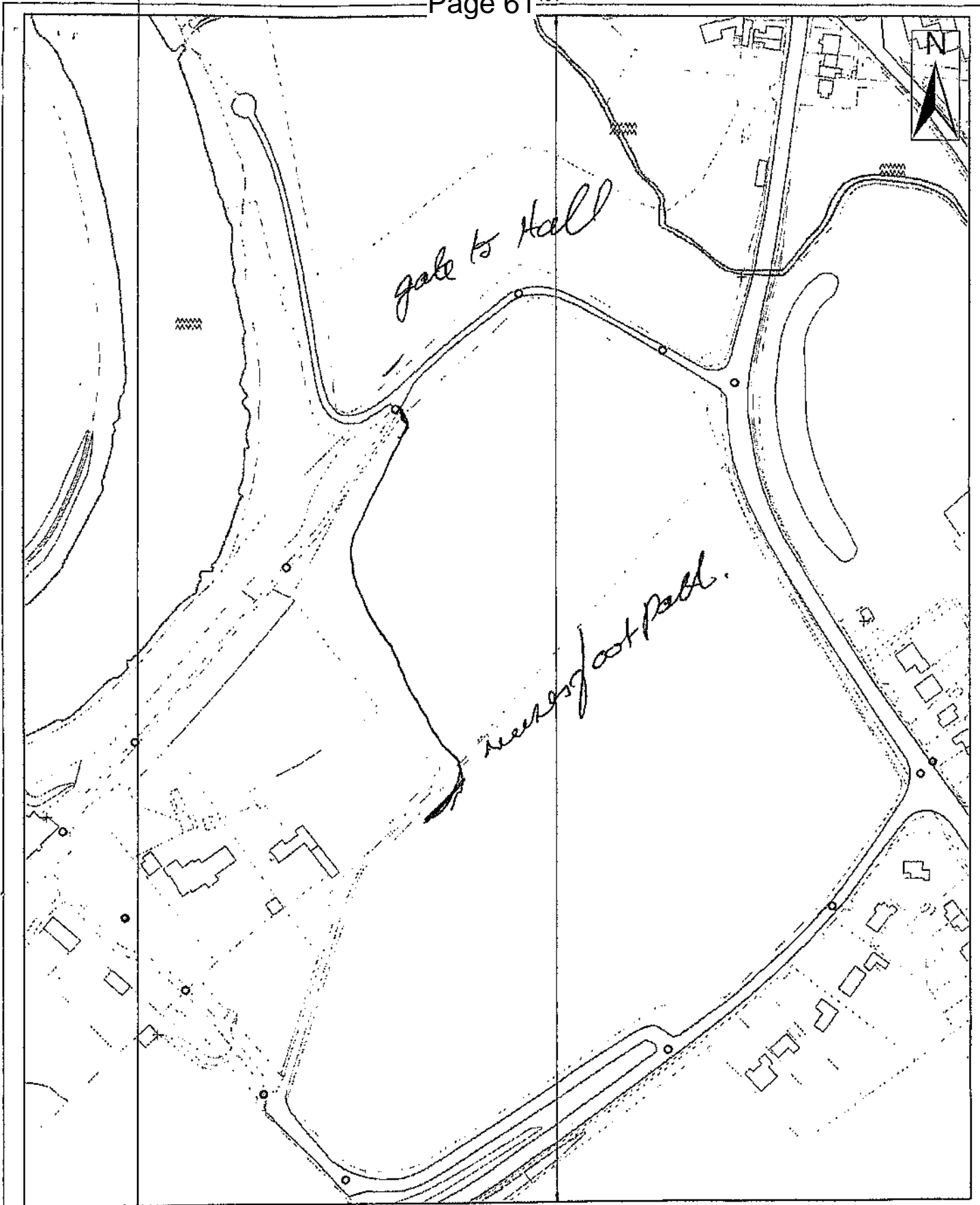
I acknowledge that this form will be made publicly available.

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/~~am not~~ willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date... 14-11-11

Signature of Person Taking Statement.....
Date... 14/11/11
(if different)



461⁰⁰⁰



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC [redacted] 14-11-11	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

[REDACTED]

First Name (s): [REDACTED] [REDACTED]

Year of birth: [REDACTED]

Address: [REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

Tel: [REDACTED] [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : lampost 6 Nurses footpath Grid Ref (if known):

To : landing lane Grid Ref (if known):

Parish (es):

Claimed Status of Route: (footpath) bridleway / restricted byway / Byway open to all traffic

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps.

1. Do you believe the route to be public? YES NO

a) If yes, please give details as to why?

As I use the path quite regularly and see other people

b) What year do you believe the way has been public from?

I have used the route for about 12 years

2. Have you used the above route? YES NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years -

1999 - 2011

3. Do you use the route? YES NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

On foot

b For what purpose did you use the route e.g. recreation, specific journey etc?

recreation

c Approximately, how wide was the way?

2 ft

d Describe the way eg surface

Track worn into grass

5. When using the route where were you going to and from?

To: landing lane

From: Path near hall farm

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

People walking dogs + for recreation 99-11

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

.....

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

.....

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

.....

.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

.....

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

The owner has seen me using the path.....

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

YES/NO

.....

Who now owns the land crossed buy this way?

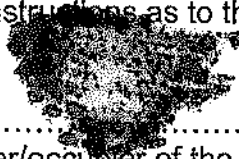
.....

11. Have you ever been employed by, or a tenant of the landowner over which the route runs? YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were:



12. When you used the way, were you working for the owner/occupier of the land crossed by the way? YES/NO
If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? YES/NO
If so, from whom?

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? YES/NO
(if yes please give details)

.....


15. Have you ever enjoyed a private right along the route in question? YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

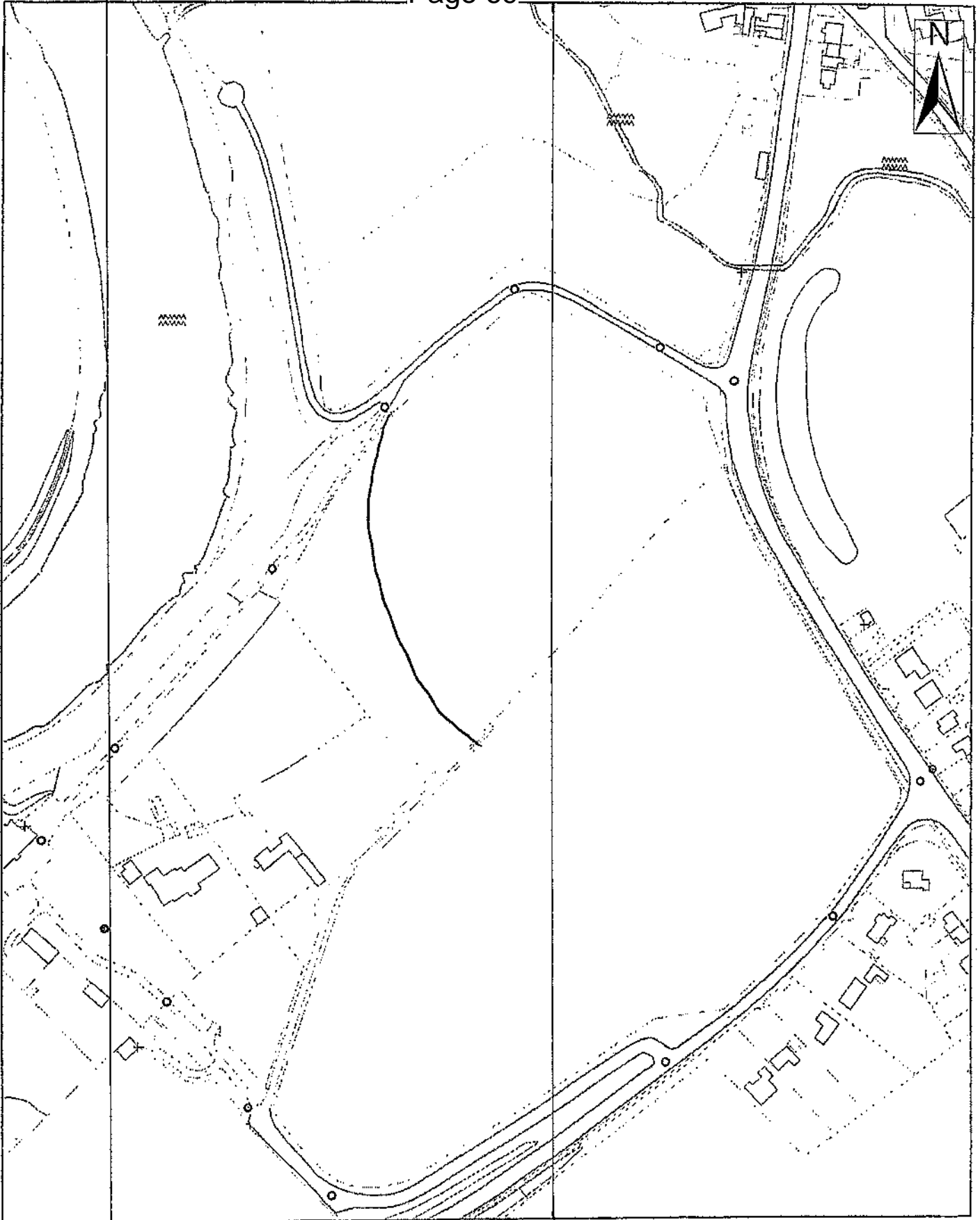
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date... 28-11-11

Signature of Person Taking Statement

Date.....
(if different)



461



CITY OF
YORK
COUNCIL

9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct11

Public Rights of Way

Reference:

Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]
(Mr/Mrs/Miss/Ms)

First Name (s) : [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED]
..... [REDACTED]
..... [REDACTED]

Tel: *NONE*

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : 19 59

Grid Ref (if known):

To : 20 11 - 11

Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / bridleway / ~~restricted byway / Byway open to all traffic~~

Name of Route: (if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES/NO

a) If yes, please give details as to why

b) What year do you believe the way has been public from?

IN 20 yrs I HAVE BEEN MAPPED

2. Have you used the above route?

YES/NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years

1989 - 2011

3. Do you use the route?

YES/NO

a) If no, when did you stop using the route?

21-11-11

b) Why did you stop using the route?

WAS TOLD THAT A FENCE WAS BEING PUT UP

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

..... ON FOOT WITH MY DOGS

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... DOG WALKING & PLEASURE, FISHING

c Approximately, how wide was the way?

..... 18" TO 24"

d Describe the way eg surface

..... WORN AWAY GRASS/ON SOIL

5. When using the route where were you going to and from?

To: FURBORN LINGS, OPPOST BISH PALACE

From: [REDACTED]

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... ~~NEAR~~ THE OWNER (DOREEN) OF HALL FARM, COTTAGE

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

~~YES/NO~~

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

~~YES/NO~~

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

~~YES/NO~~

a) If yes, give particulars and dates

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

~~YES/NO~~

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

~~YES/NO~~

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

~~YES/NO~~

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

~~YES/NO~~

Who now owns the land crossed buy this way?

NOT KNOWN

11. Have you ever been employed by, or a tenant of the landowner over which the route runs? **YES/NO**

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you permission to the use of the way by the public and, if so, what the instructions were

NONE

12. When you used the way, were you working for the owner/occupier of the land crossed by the way? **YES/NO**

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? **YES/NO**
If so, from whom?

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? **YES/NO**
(if yes please give details)

.....

15. Have you ever enjoyed a private right along the route in question? **YES/NO**

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am ~~not willing~~ to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date 22-11-11

Signature of Person Taking Statement

Date.....
(if different)



461⁰⁰⁰



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct11

Public Rights of Way

Reference:

Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]
(Mr/Mrs/Miss/Ms)

First Name (s) : [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED]
..... [REDACTED]
..... [REDACTED]
..... [REDACTED]

Tel: EX DIR
..... [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : LANDING LANE

Grid Ref (if known): SEE MAP.

To : HALL FARM - FULLING

Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES NO

a) If yes, please give details as to why?

I have walked along this path since 1963

b) What year do you believe the way has been public from?

1963

2. Have you used the above route?

YES NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years - 1970 -

48

3. Do you use the route?

YES NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

b For what purpose did you use the route e.g. recreation, specific journey etc?

c Approximately, how wide was the way?

6"

d Describe the way eg surface

Trodden path route.

5. When using the route where were you going to and from?

To: Lunching Lane

From: Hall Farm

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

Yes - walking - cycling.

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

.....

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

.....

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

Not.....

.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

Because he has seen them!.....

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

YES/NO

Who now owns the land crossed buy this way?

.....

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

12. When you used the way, were you acting for the owner/occupier of the land crossed by the way?

YES/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? (if yes please give details)

YES/NO

Have spoken to him in passing on two/three occasions.

15. Have you ever enjoyed a private right along the route in question?

YES/NO

?

—


Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

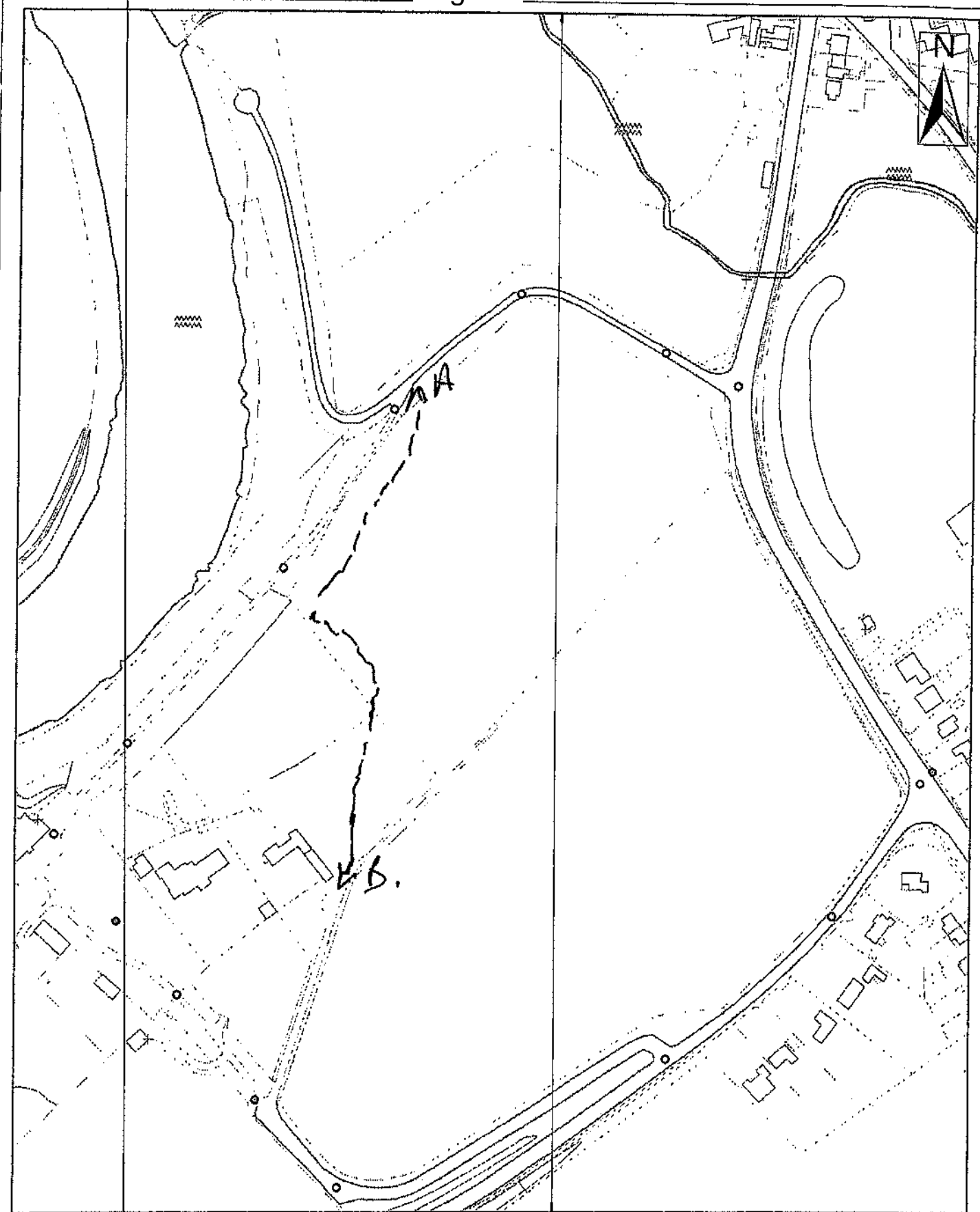
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature  Date *20th November 2011*

Signature of Person Taking Statement .. 

Date.....
(if different)



481000



CITY OF
YORK
 COUNCIL

9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct11

Public Rights of Way

Reference:

Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

First Name (s): [REDACTED]

Year of birth: [REDACTED]

Address: [REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : HALL FARM.....

Grid Ref (if known):

To : RIVER OUSE.....

Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route: FOOT PATH.....
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES NO

a) If yes, please give details as to why?

I have used it without hindrance for 41 years

b) What year do you believe the way has been public from?

PRIOR 1970.....

2. Have you used the above route?

YES NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years - 1970 - 1990)

41 years 1971 - 2011.....

3. Do you use the route?

YES NO

a) If no, when did you stop using the route?

.....

b) Why did you stop using the route?

.....

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

b For what purpose did you use the route e.g. recreation, specific journey etc?

Dog walking

c Approximately, how wide was the way?

1 meter

d Describe the way eg surface

Earth, grass, path

5. When using the route where were you going to and from?

To: RIVER OUSE

From: HALL FARM

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle)

ALWAYS SEE PEOPLE WALKING

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

YES/NO

Who now owns the land crossed by this way?

RICHARD JAGGER

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were.



12. When you used the way, were you working for the owner/occupier of the land crossed by the way?
If yes:

YES/NO

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

YES/NO

.....

15. Have you ever enjoyed a private right along the route in question?


YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

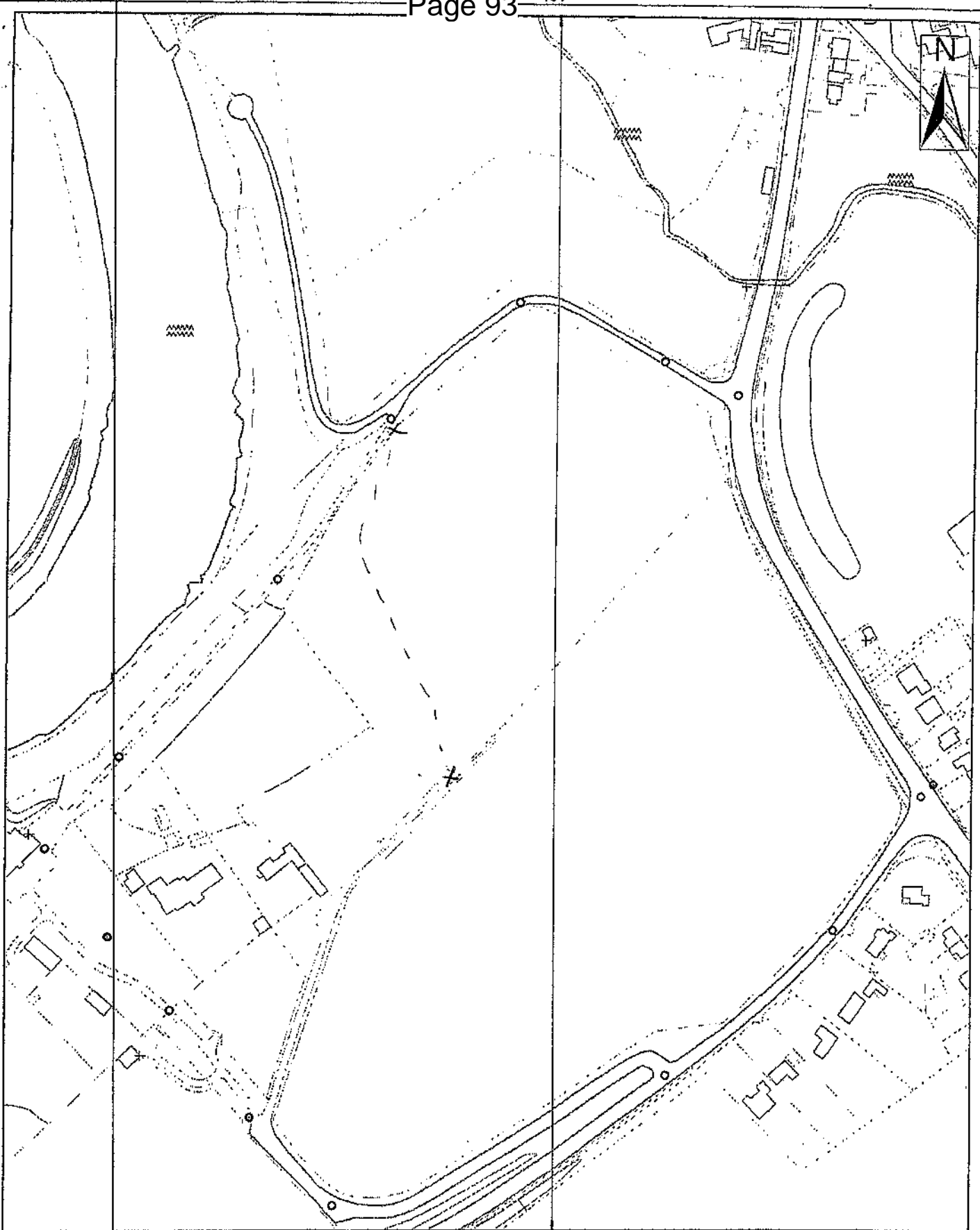
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

~~*I am~~ I am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature  Date *27th Nov 2011*

Signature of Person Taking Statement

Date.....
(if different)



461^{00.3}



CITY OF
YORK
 COUNCIL

9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct11

Public Rights of Way

Reference:

Drawing No.

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[Redacted signature] 27.10.11





PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname:

First Name (s) :

Year of birth :

Address:

Tel:

Occupation:

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : THE FOOTPATH KNOWN AS NURSES..... FOOTPATH Grid Ref (if known):

To : GATE TO WATER FULFORD Grid Ref (if known):

Parish (es): IN LANDING LANE

Claimed Status of Route: footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route: NOT KNOWN
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public? YES ~~NO~~

a) If yes, please give details as to why?

I AND MANY OTHER PEOPLE HAVE USED THIS PATH FOR NUMEROUS YEARS
DONT KNOW, BUT I HAVE USED IT REGULARLY FOR THIRTEEN YEARS

2. Have you used the above route? YES ~~NO~~

a) If yes, over how many years?
(please specify years and dates) 1998 TO CURRENT DATE

3. Do you use the route? YES ~~NO~~

a) If no, when did you stop using the route?
.....

b) Why did you stop using the route?
.....

4. By what means and between which years did you use the route?

a On foot/ On horseback/ On a bicycle/ With a vehicle/ Other

..... 1998 - 2011

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... RECREATION, DOG WALKING

c Approximately, how wide was the way?

..... 2'

d Describe the way eg surface

..... TRODDEN PATH ACROSS GRASSED FIELD

5. When using the route where were you going to and from?

To: ~~HALL FARM~~ RIVER OUSE

From: HALL FARM

6. Have you seen other people using the way?

YES NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... OVER THE WHOLE PERIOD, EVERY 4 OR 5 WEEKS, I

HAVE NOTED NUMEROUS OTHER WALKERS/DOG WALKERS,

7. Has the way always been on the same route?

YES NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?

If yes, please give details of these. If gates, were they locked or unlocked?

~~YES~~ (NO)

b) Any signs or notices?

If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

~~YES~~ (NO)

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

~~YES~~ (NO)

a) If yes, give particulars and dates

.....
.....

b) Has anyone ever told you the route was not public?

If yes, please give particulars and dates

~~YES~~ (NO)

.....
.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

~~YES~~ (NO)

d) Do you believe the owner/occupier was aware the public was using the way? If yes, why?

~~YES~~ (NO)

THE FIELD HAS BEEN FARMED SOMETIMES AND THE WORN PATHWAY HAS ALWAYS BEEN EASILY VISIBLE

10. Have you ever owned/tenanted/rented the land crossed by this way?

If yes, please give further details (including dates). You may prefer to use a Form F.

~~YES~~ (NO)

.....

Who now owns the land crossed buy this way?

RICHARD AND/OR DENISE JAEGER

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO YES NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

.....

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

YES/NO YES NO

If yes

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

YES/NO YES NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

YES/NO YES NO

.....

15. Have you ever enjoyed a private right along the route in question?

YES/NO YES NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing  Public Inquiry or Court to give evidence on this matter, if this should

Signature.....

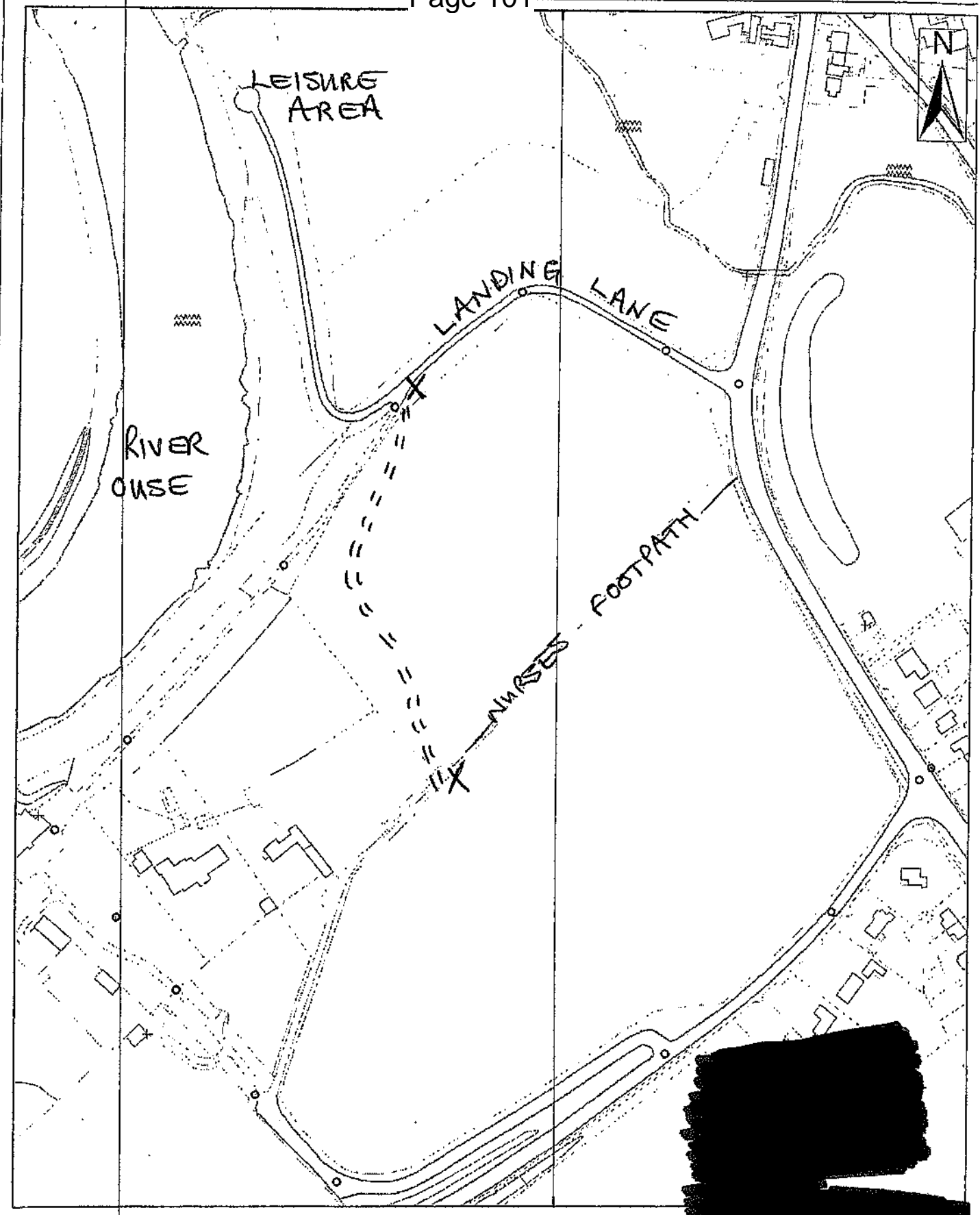
Date

27/11/11

Signature of Person Taking Statement

N/A

Date.....
(if different)



27/11/11

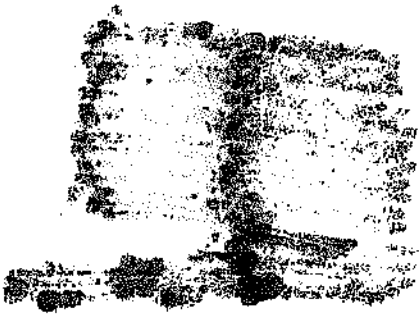


9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname:

First Name (s) :

Year of birth :

Address:

Tel:

Occupation:

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : Entrance to Water Fulford Hall, Landing Lane Grid Ref (if known):

To : Nurse's Footpath near Parish (es): Camp post 6. FULFORD Grid Ref (if known):

Claimed Status of Route: footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route: NOT KNOWN (if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public? YES NO

a) If yes, please give details as to why? Obviously a used footpath.

b) What year do you believe the way has been public from? Talking to local residents, at least 40 years

2. Have you used the above route? YES NO

a) If yes, over how many years? (please specify years and dates e.g. 20 years - 1970-1990) since January 2009

3. Do you use the route? YES NO

a) If no, when did you stop using the route? SATURDAY 19th November 2011

b) Why did you stop using the route? BECAUSE A FENCE HAS BEEN ERECTED ACROSS IT WITH NO POSSIBILITY OF ACCESS

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

..... On foot and with bicycle

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... Specific journey to visit friend & recreation

c Approximately, how wide was the way?

..... 2 1/2 feet

d Describe the way eg surface

..... Hard packed ground

5. When using the route where were you going to and from?

To: Naburn

From: River side

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... seen frequent use by many people over past 3 years

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

.....

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

.....

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

.....

.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

.....

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

BECAUSE HE HAS BONFIRE RIGHT BESIDE THE PATH OVER THE LAST 9 MONTHS

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

YES/NO

Who now owns the land crossed buy this way?

NOT KNOWN

.....

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

YES/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

YES/NO

.....

15. Have you ever enjoyed a private right along the route in question?

YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

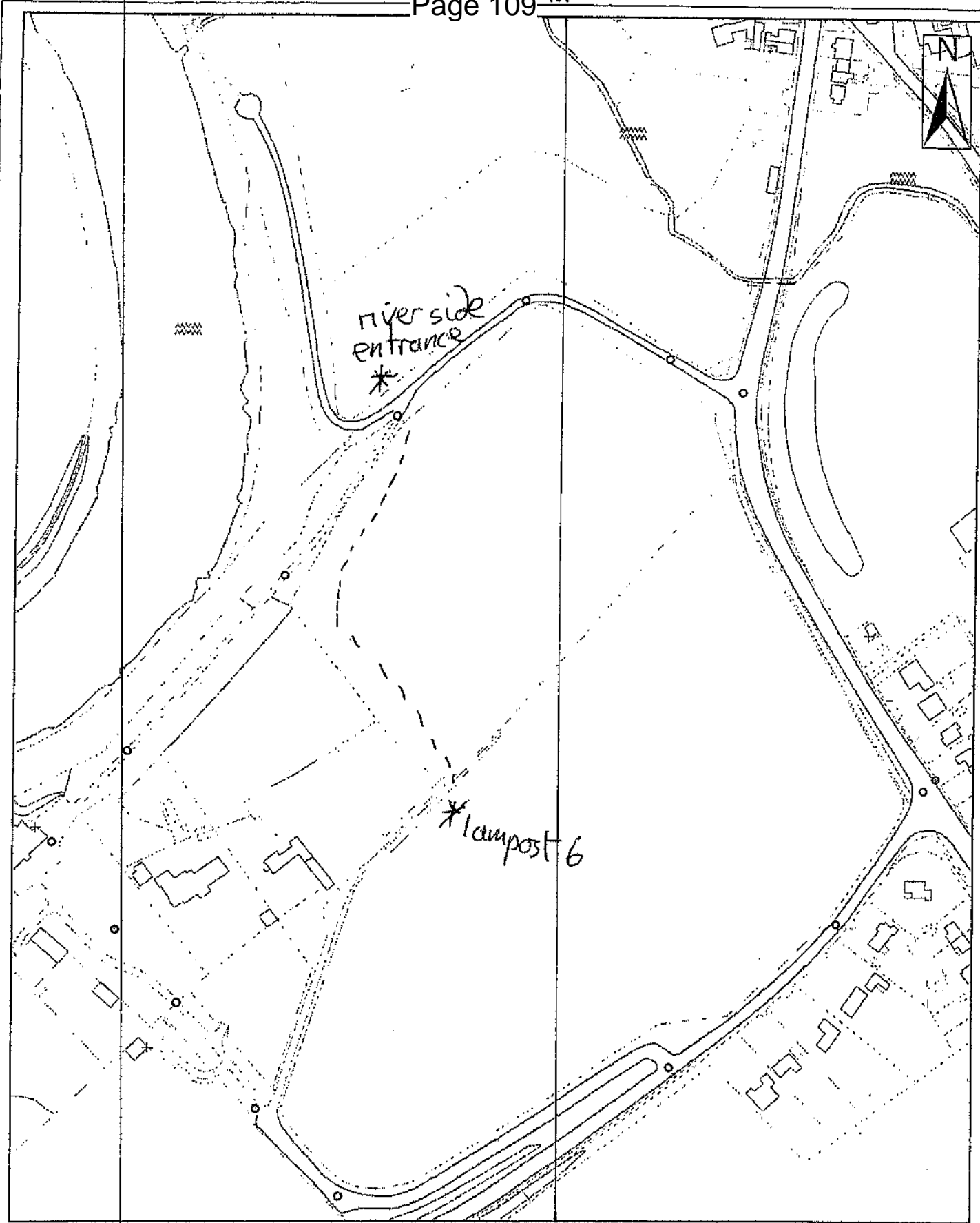
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/~~am not~~ willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date. 25 / NOV / 2011

Signature of Person Taking Statement

Date.....
(if different)



461^{50.3}



9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference: [REDACTED]	Drawing No.

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25/NOV/2011



CITY OF
YORK
COUNCIL

PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM.

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

[REDACTED]

First Name (s) : [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

SIDE ENTRANCE WATER

From : FORD HALL LANDING LANE

Grid Ref (if known):

To : LANPOST 6

Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / ~~bridleway / restricted byway / Byway open to all traffic~~

Name of Route: (if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES/NO

a) If yes, please give details as to why?

used on a daily basis for many years

b) What year do you believe the way has been public from?

unknown

2. Have you used the above route?

YES/NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years)

4 years (2007-2011)

3. Do you use the route?

YES/NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/~~On horseback~~/~~On a bicycle~~/~~With a vehicle~~/Other

b For what purpose did you use the route e.g. recreation, specific journey etc?

dog walking

c Approximately, how wide was the way?

18-24"

d Describe the way eg surface

well trodden path through field

5. When using the route where were you going to and from?

To: Camp post 6

From: Landing lane

6. Have you seen other people using the way?

YES NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

used as a short cut by walkers / dog walkers / cyclists

7. Has the way always been on the same route?

YES NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

Recently challenged by Mr Jagger who told me the land was private and I had no right to use the footpath

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

see 9a)

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

the number of people who access the way on a daily basis

10. Have you ever owned/tenanted/rented the land crossed by this way?

YES/NO

If yes, please give further details (including dates). You may prefer to use a Form F.

Who now owns the land crossed by this way?

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were



12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

YES/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

YES/NO

.....

15. Have you ever enjoyed a private right along the route in question?


YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

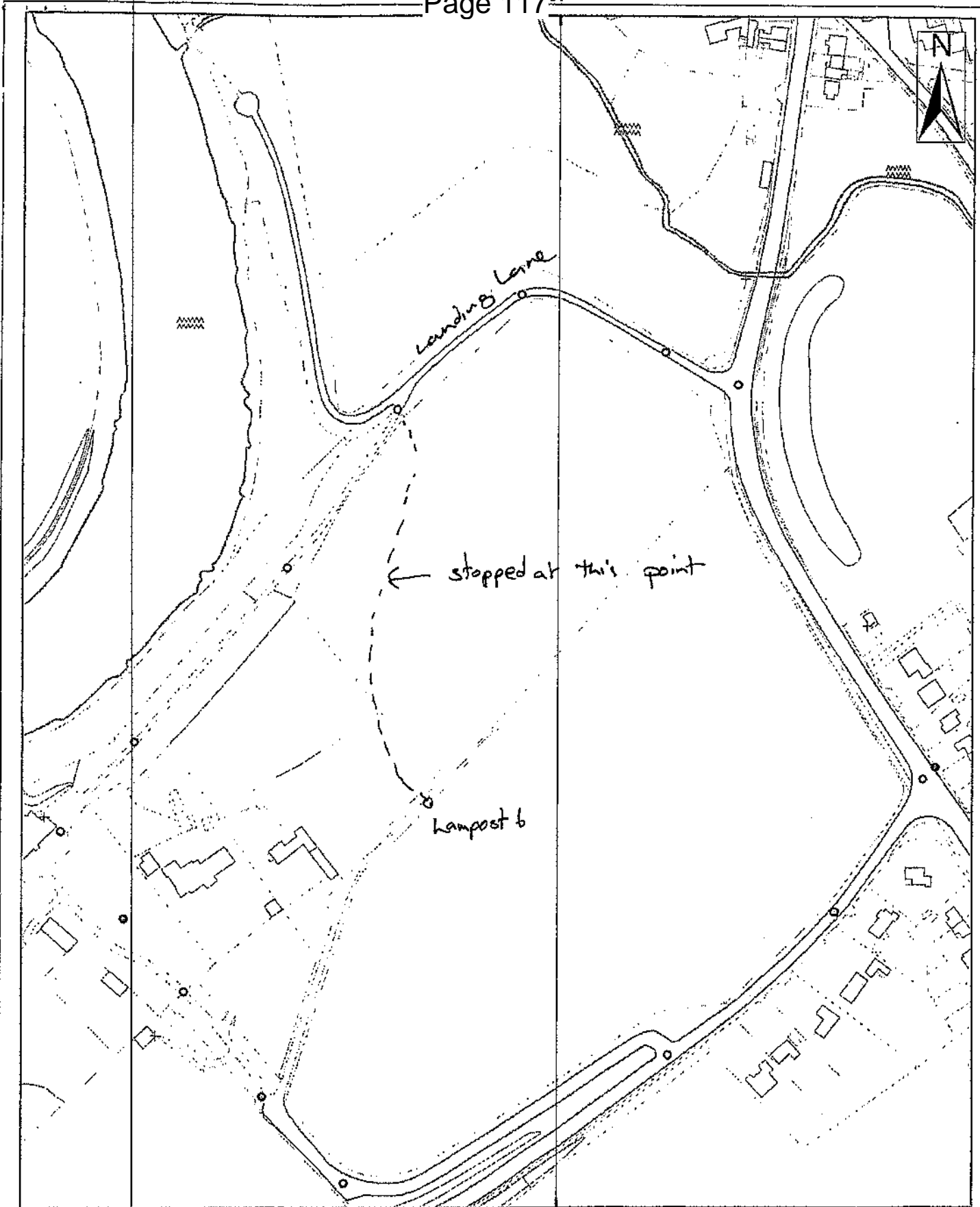
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature:  Date: 14-11-11

Signature of Person Taking Statement

Date.....
(if different)



461⁰⁰⁰



9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613151

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct11

Public Rights of Way

Reference:

Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]
(Mr/Mrs/Miss/MS)

First Name (s) :

Year of birth : [REDACTED]

Address: [REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : SIDE ENTRANCE
WATER FORD HALL
LANDING LANE

Grid Ref (if known):

To : LAMPPOST b.....

Grid Ref (if known):

Parish (es): on NURSES FOOTPATH

Claimed Status of Route: * footpath / ~~bridleway / restricted byway / Byway open to all traffic~~

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps
1. Do you believe the route to be public?

YES/NO

a) If yes, please give details as to why?

CONSTANTLY USED PATH

b) What year do you believe the way has been public from?

2. Have you used the above route?

YES/NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years - 1970 - 1990)

4 Years

3. Do you use the route?

YES/NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/~~On horseback~~/~~On a bicycle~~/~~With a vehicle~~/~~Other~~

LAST FOUR YEARS

b For what purpose did you use the route e.g. recreation, specific journey etc?

DOG WALKING

c Approximately, how wide was the way?

2 feet

d Describe the way eg surface

Trodden earth

5. When using the route where were you going to and from?

To: NURSES FOOT PATH

From: LANDING LANE

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle)

EVERY DAY I MEET AT LEAST ONE PERSON

DOG WALKING.

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

MR JAGGER STOPPED ME (about 6 weeks ago)
and SAID THE LAND WAS PRIVATE

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

AS ABOVE

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

well trodden path way.

10. Have you ever owned/tenanted/rented the land crossed by this way?

YES/NO

If yes, please give further details (including dates). You may prefer to use a Form F.

Who now owns the land crossed buy this way?

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

MR JAGGER TOLD ME I HAD NO RIGHT TO WALK ON HIS LAND

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

YES/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? (if yes please give details)

YES/NO

.....

15. Have you ever enjoyed a private right along the route in question?


YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

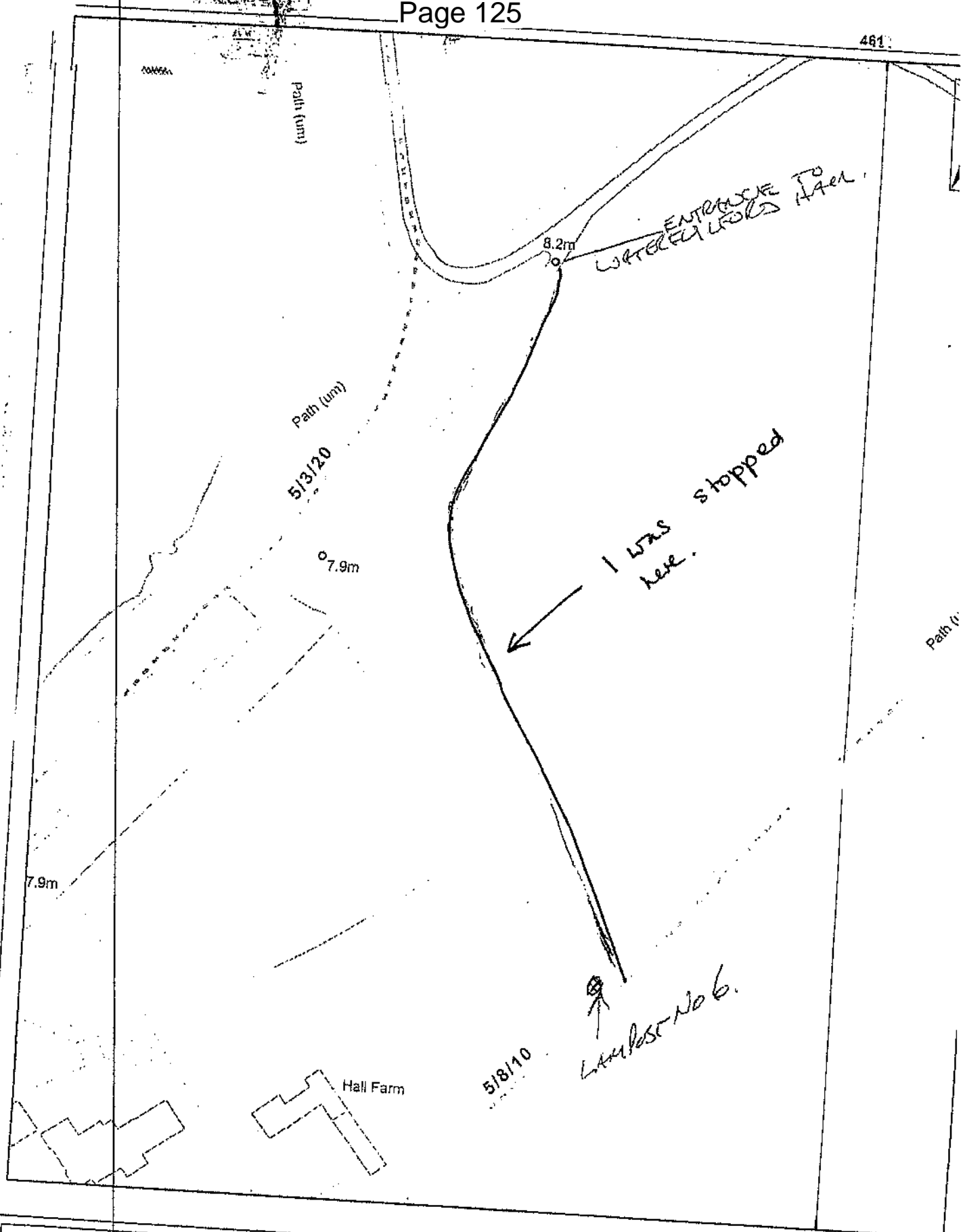
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

I am willing
*I am/~~am not~~ willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature...  Date *6.11.11*

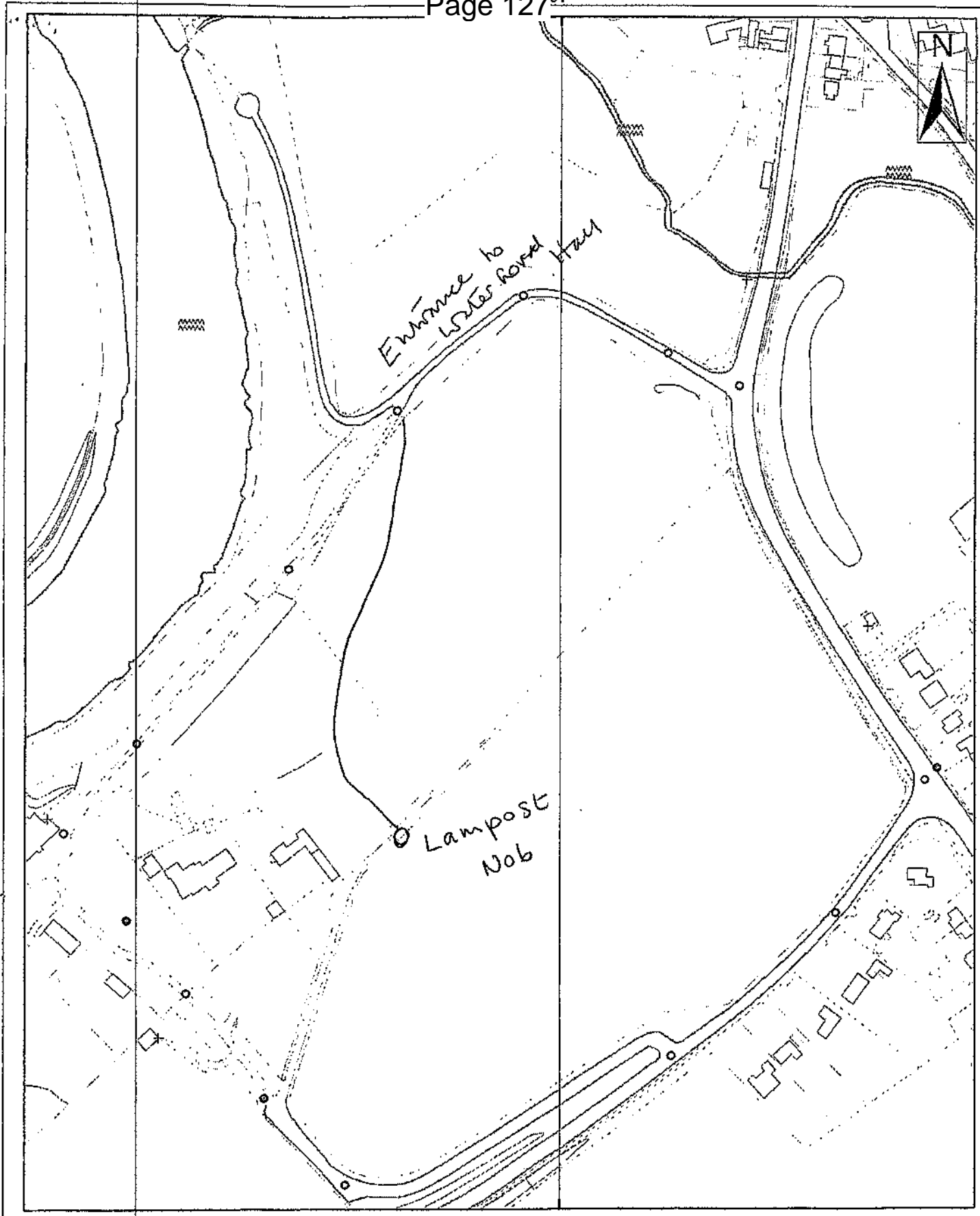
Signature of Person Taking Statement

Date.....
(if different)



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

<h3>Alignment of claimed route - Fulford</h3>			
Scale 1:1,250	Drawn By: JHC		
Public Rights of Way	Reference:	Date: 30/09/11	
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461006



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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10001 1/2 1/2



PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

First Name (s) : [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : LANDING LINE BY GATE

Grid Ref (if known):

To : NURSES FOOTPATH

Grid Ref (if known):

Parish (es): NEAR LANPOST

Claimed Status of Route: NO 6. FOOTPATH / bridleway / restricted byway / Byway open to all traffic

Name of Route: FOOTPATH
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES/NO

a) If yes, please give details as to why?

USED FOOTPATH 25 YEARS

b) What year do you believe the way has been public from?

FAMILY HISTORY SINCE 1970

2. Have you used the above route?

YES/NO

a) If yes, over how many years?

(please specify years and dates) 1986 - 1990

FROM 1986

3. Do you use the route?

YES/NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

..... ON FOOT. FROM 1986

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... RECREATION

c Approximately, how wide was the way?

..... 1/2 METRE

d Describe the way eg surface

..... TRODDEN SCRUBLAND

5. When using the route where were you going to and from?

To: RIVERSIDE

From: NURSES FOOT PATH

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... WALKING 1986 ONWARDS

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?

YES/NO

If yes, please give details of these. If gates, were they locked or unlocked?

From 19-11-11 FENCE ACROSS PATH

b) Any signs or notices?

YES/NO

If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

.....

b) Has anyone ever told you the route was not public?

YES/NO

If yes, please give particulars and dates

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?

YES/NO

If yes, why?

.....

10. Have you ever owned/tenanted/rented the land crossed by this way?

YES/NO

If yes, please give further details (including dates). You may prefer to use a Form F.

.....

Who now owns the land crossed by this way?

Believed Water Fulford Hall

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

~~YES~~/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

~~YES~~/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

~~YES~~/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

~~YES~~/NO

.....

15. Have you ever enjoyed a private right along the route in question?


~~YES~~/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

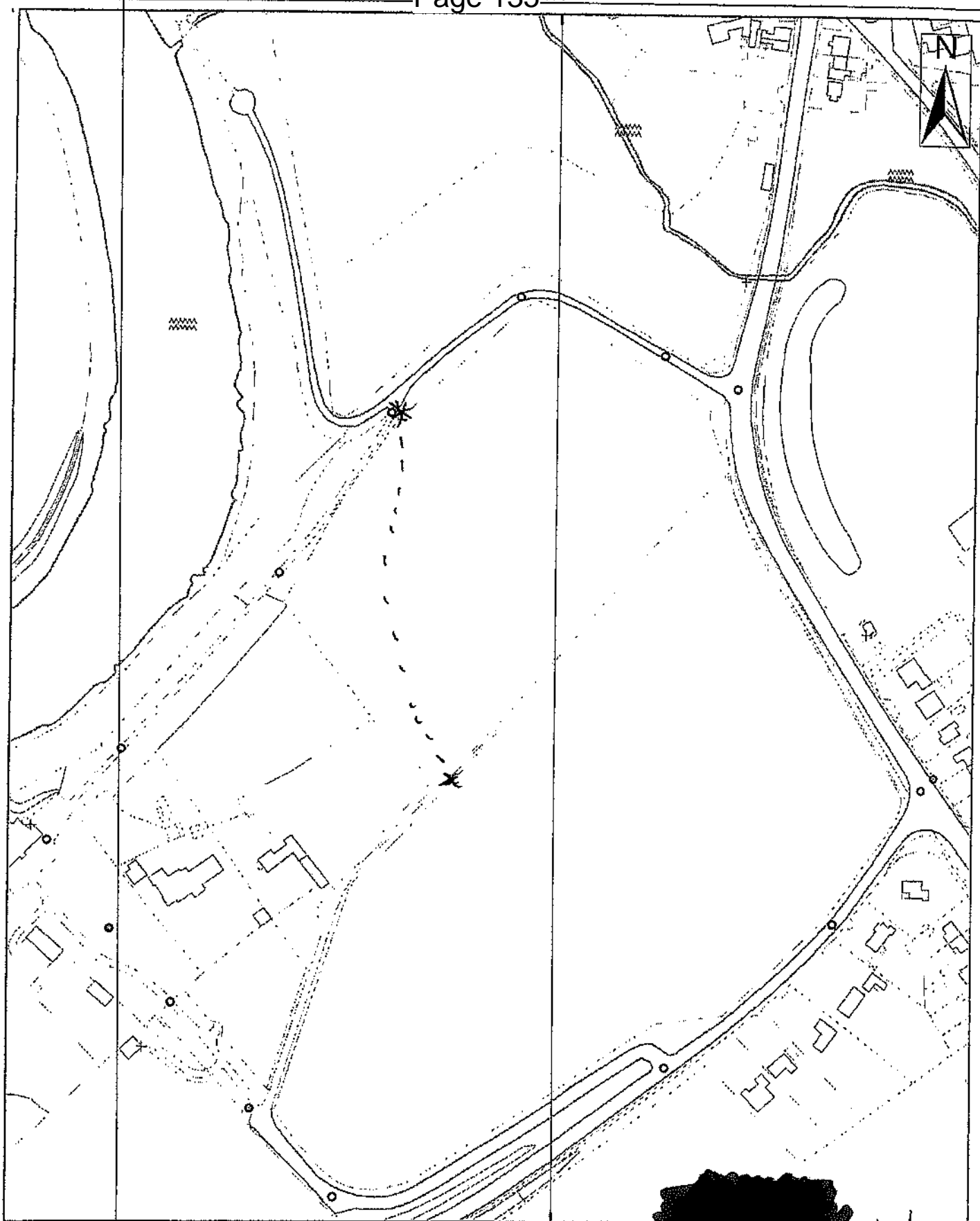
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/~~am not~~ willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date. 20/11/11

Signature of Person Taking Statement

Date.....
(if different)



461000

20/11/11



9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

First Name (s): [REDACTED]

Year of birth: [REDACTED]

Address: [REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : LANDING WANE BY GATE Grid Ref (if known):

To : NURSES FOOTPATH Grid Ref (if known):
Parish (es): NEAR LANPOST
NO. 6

Claimed Status of Route: * footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route: FOOTPATH
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE – If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public? YES/NO

a) If yes, please give details as to why?
USED FOOTPATH OVER 25 YEARS

b) What year do you believe the way has been public from?
FAMILY HISTORY SINCE 1970

2. Have you used the above route? YES/NO

a) If yes, over how many years?
(please specify years and dates e.g. 20 years 1970-1990)
FROM 1970

3. Do you use the route? YES/NO

a) If no, when did you stop using the route?
.....

b) Why did you stop using the route?
.....

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

..... ON FOOT 1970 1970

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... RECREATION PURPOSES & RIVER WALK

c Approximately, how wide was the way?

..... 2 METRE

d Describe the way eg surface

..... TRODDEN SCRUBLAND

5. When using the route where were you going to and from?

To: RIVERSIDE

From: NILES FOOTPATH

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... WALKING 1970 ONWARDS

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

FROM 19-11-11 FENCE NOW ACROSS PATH

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

.....
.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

.....
.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

.....

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

YES/NO

.....

Who now owns the land crossed buy this way?

BELIEVE OWNER OF WATER FULFOLS HALL

11. Have you ever been employed by, or a tenant of the landowner over which the route runs? YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions



12. When you used the way, were you working for the owner/occupier of the land crossed by the way? YES/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? YES/NO
If so, from whom?

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? YES/NO
(if yes please give details)

.....

15. Have you ever enjoyed a private right along the route in question? YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

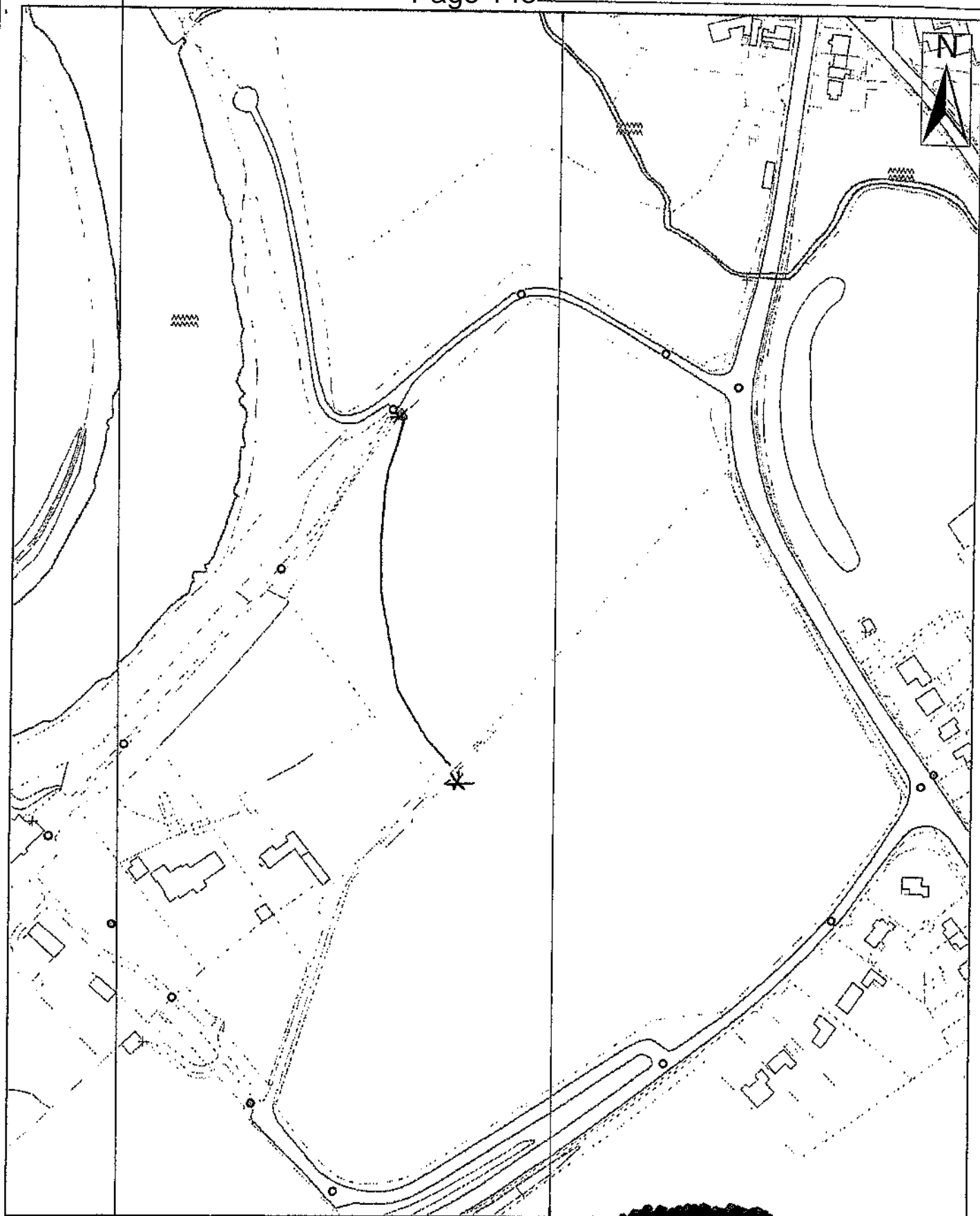
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/~~am not~~ willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.....  Date.. 28/11/11

Signature of Person Taking Statement

Date.....
(if different)



461000

25/11/11



CITY OF
YORK
COUNCIL

9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct11

Public Rights of Way

Reference:

Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

First Name (s): [REDACTED]

Year of birth : ... [REDACTED]

Address: [REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : Landing lane by gate Grid Ref (if known):

To : Nurses Footpath Grid Ref (if known):

Parish (es): near lampost no 6.

Claimed Status of Route: * footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route: Footpath
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES NO

a) If yes, please give details as to why?

I have used the path for 25 years

b) What year do you believe the way has been public for?

Family history from 1970.

2. Have you used the above route?

YES NO

a) If yes, over how many years?

(please specify years and dates e.g. 20 years 1970 - 1990)

From 1987

3. Do you use the route?

YES NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

1987 ~~to~~ present

b For what purpose did you use the route e.g. recreation, ~~specific journey~~ etc?

c Approximately, how wide was the way?

Half a metre

d Describe the way eg surface

Trodden Earth

5. When using the route where were you going to and from?

To: ~~Nurses Footpath~~ Riverside

From: Nurses Lane

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

Walking 1987 onwards

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

N/A

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/ NO

From 19.11.11 Fence across path

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/ NO

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/ NO

a) If yes, give particulars and dates

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/ NO

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/ NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/ NO

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

YES/ NO

Who now owns the land crossed buy this way?

Person at Water Fulford Hall

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?
If yes:

YES/NO

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

YES/NO

.....

15. Have you ever enjoyed a private right along the route in question?


YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

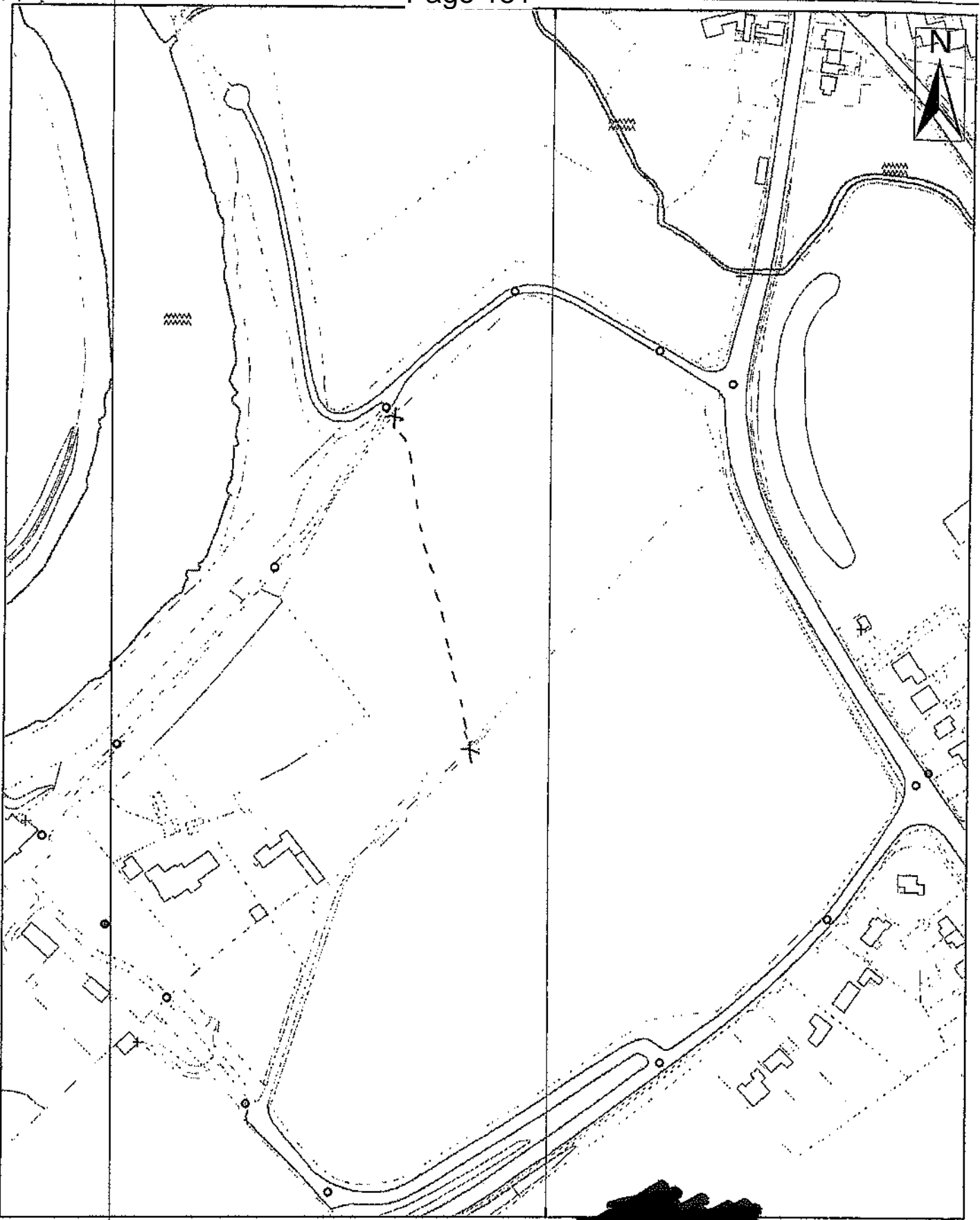
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/~~am not~~ willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature  Date 20:11:11

Signature of Person Taking Statement

Date
(if different)



461⁰⁰⁰

20.11.11



CITY OF
YORK
 COUNCIL

9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct 11

Public Rights of Way

Reference:

Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

This form is part of the process in establishing whether a public right of way exists. Please answer all questions as fully as possible, whether you believe it to be either for or against the claim, so that the correct status of the route may be determined. The information given in this form along with any accompanying documents or drawings will be made publicly available and may be used at a public inquiry.

Surname: [REDACTED]

First Name (s) : [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : Landing Lane by Gate Grid Ref (if known):

To : Nurses footpath by lampost (6) Grid Ref (if known):
Parish (es):

Claimed Status of Route: * footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route: Footpath
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and mark YES/NO

1. Do you believe the route to be public? YES/NO

a) If yes, please give details as to why?
I have used the path for 12 years

b) What year do you believe the way has been public?
Family History 1970

2. Have you used the above route? YES/NO

a) If yes, over how many years?
(please specify years and dates e.g. 20 years - 1970)
1970 - to present

3. Do you use the route? YES/NO

a) If no, when did you stop using the route?
.....

b) Why did you stop using the route?
.....

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

..... on foot between e present

b For what purpose did you use the route e.g. recreation, specific journey etc?

.....

c Approximately, how wide was the way?

..... 0.5 metres

d Describe the way eg surface

..... trodden footpath

5. When using the route where were you going to and from?

To: Mall Farm ↗

From: Riverside ↘

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... Walking dogs, or themselves 1979 - present

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?

YES/ NO

If yes, please give details of these. If gates, were they locked or unlocked?

..... From 19/11/11 a fence was installed across path

b) Any signs or notices?

YES/ NO

If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

..... None

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/ NO

a) If yes, give particulars and dates

.....
.....

b) Has anyone ever told you the route was not public?

YES/ NO

If yes, please give particulars and dates

.....
.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/ NO

d) Do you believe the owner/occupier was aware the public was using the way? If yes, why?

YES/ NO

..... Hence why he is providing hearing

10. Have you ever owned/tenanted/rented the land crossed by this way?

YES/ NO

If yes, please give further details (including dates). You may prefer to use a Form F.

.....

Who now owns the land crossed buy this way?

..... Person at Water Fulford Hall

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

YES/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? (if yes please give details)

YES/NO

.....

15. Have you ever enjoyed a private right along the route in question?

YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

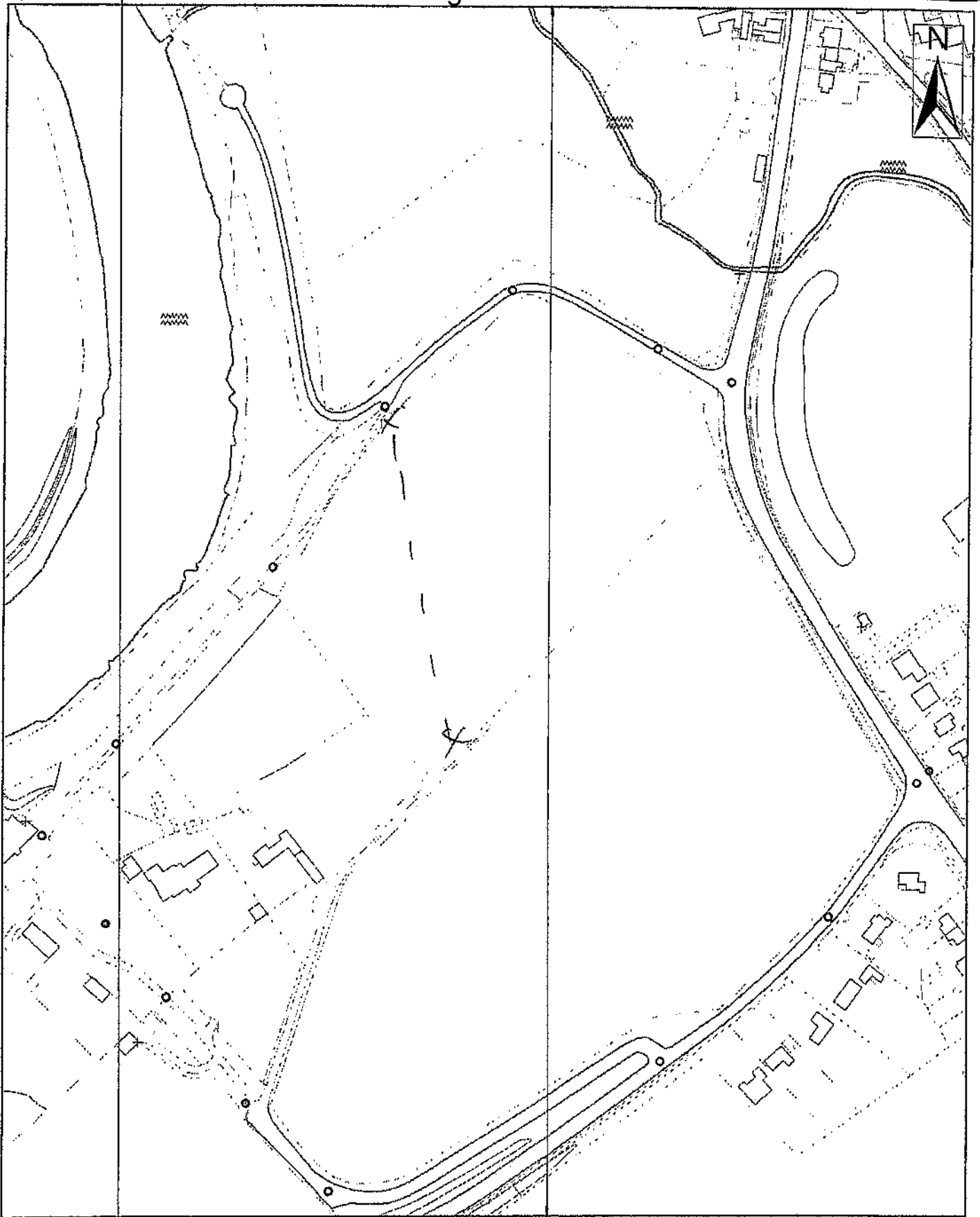
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date..... 20/4/11.....

Signature of Person Taking Statement

Date.....
(if different)



461000



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

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Sumo [REDACTED]

First Name (s) : [REDACTED] [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

Tel: [REDACTED] [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : LANDING... LAMP... BY GATE

Grid Ref (if known):

To : MURSEY... FORT PATH

Grid Ref (if known):

Parish (es): LAMP POST NO 6

Claimed Status of Route: * footpath / bridleway / ~~restricted byway~~ / Byway open to all traffic

Name of Route: ... FORT PATH ...
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps
1. Do you believe the route to be public? YES/NO

a) If yes, please give details as to why?

..... U.S.E.D. IT FOR 40 YEARS

b) What year do you believe the way has been public from?

..... MOVED HERE 1970

2. Have you used the above route? YES/NO

a) If yes, over how many years? 1978 - 2010
(please specify years and dates e.g. 20 years - 1970 - 1990)

3. Do you use the route? YES/NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/~~On horseback~~/~~On a bicycle~~/~~With a vehicle~~/~~Other~~

.....1976.....

b For what purpose did you use the route e.g. recreation, ~~specific journey etc?~~

.....

c Approximately, how wide was the way?

.....HALF.....METRE.....

d Describe the way eg surface

.....T.R.O.D.D.E.N.....E.A.R.T.H.....

5. When using the route where were you going to and from?

To:RIVER.....SIDE.....

From:MURSEC.....LANE.....

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

.....WALKING.....D.O.G.....FROM.....1970.....TO.....PRESENT.....

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

.....FROM.....19/11/11.....FENCE.....ACROSS.....PATH.....

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

.....

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

.....

.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

.....

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

.....

10. Have you ever owned/tenanted/rented the land crossed by this way?

YES/NO

If yes, please give further details (including dates). You may prefer to use a Form F.

.....

Who now owns the land crossed buy this way?

.....PERSON AT WATER FULFORD HALL.....

11. Have you ever been employed by, or a tenant of the landowner over which the route runs? **YES/NO**

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were



12. When you used the way, were you working for the owner/occupier of the land crossed by the way? **YES/NO**
If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route? **YES/NO**
If so, from whom?

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent? **YES/NO**
(if yes please give details)

.....

15. Have you ever enjoyed a private right along the route in question? **YES/NO**

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

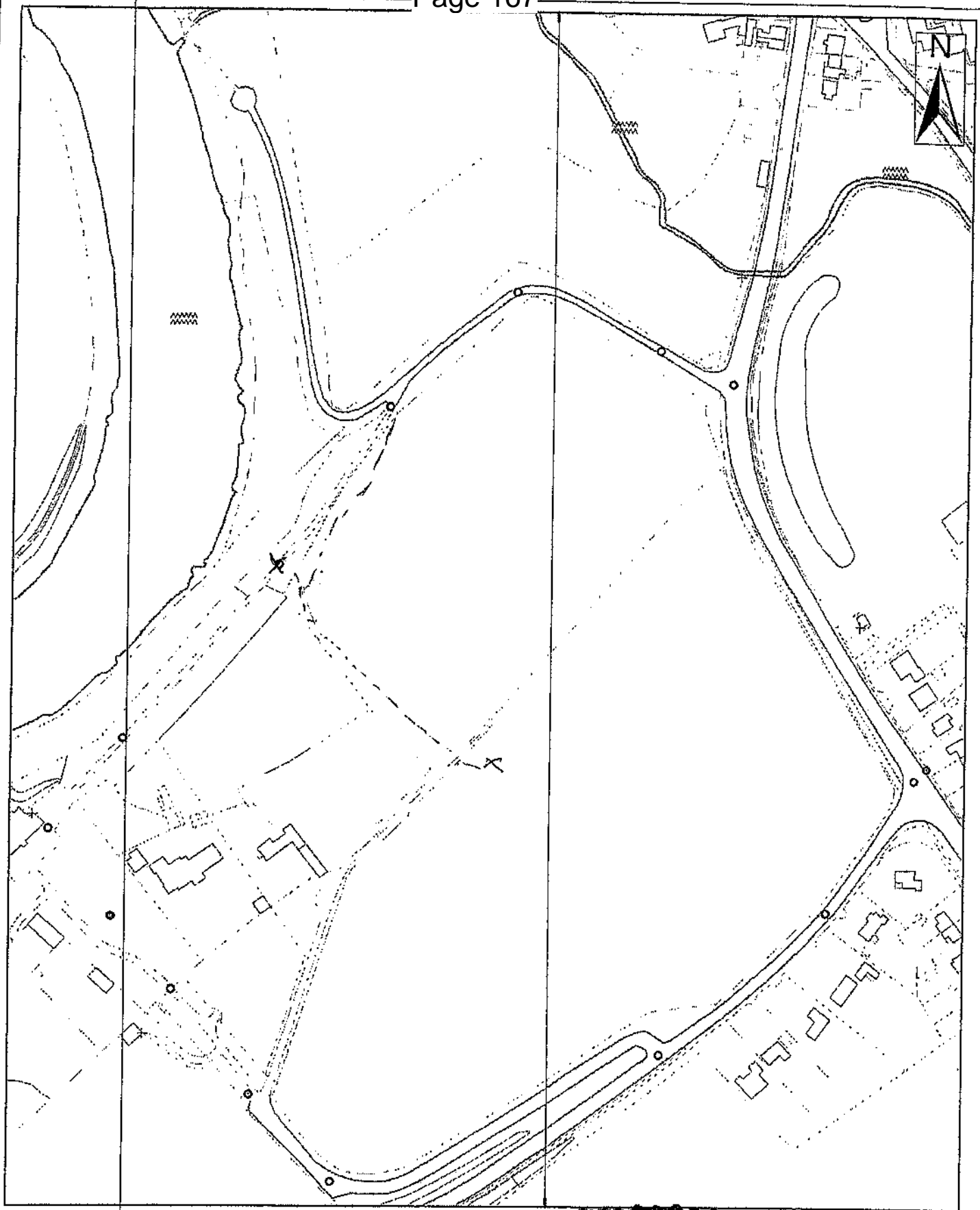
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date.. 05/11/11

Signature of Person Taking Statement

Date.....
(if different)



461 [redacted] 29/10/11



9 St. Leonards Place, York, YO1 2ET
Telephone: 01904613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

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Surname: [REDACTED]
[REDACTED]
First Name (s) : ... [REDACTED]
Year of birth : ... [REDACTED]
Address: [REDACTED] [REDACTED] [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
Tel: [REDACTED] [REDACTED]
Occupation: ... [REDACTED] [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

NURSES FOOTPATH
From : LANPOST No 6

Grid Ref (if known):

To : LANDING LANE

Grid Ref (if known):

Parish (es):

Claimed Status of Route: *footpath / bridleway / restricted byway / Byway open to all traffic

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES/NO

a) If yes, please give details as to why?

I USE THE ROUTE REGULARLY AND SEE OTHERS DOING SO. IT IS A

b) What year do you believe the way has been public from?

I HAVE USED THE FOOTPATH OVER THE LAST 20 YRS LIVING IN

2. Have you used the above route?

YES/NO

a) If yes, over how many years?

(please specify years and dates

20 YRS. 1991 - 2011

3. Do you use the route?

YES/NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

ON FOOT.

b For what purpose did you use the route e.g. recreation, specific journey etc?

RECREATION

c Approximately, how wide was the way?

2 FT.

d Describe the way eg surface

TRACK WORN INTO FIELD.

5. When using the route where were you going to and from?

To: LANDING LANE

From: THE PATH NEAR HALL FARM + VISE
VERSA

6. Have you seen other people using the way?

YES/NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

MAINLY PEOPLE WALKING FOR RECREATION +
DOG WALKING FOR PAST 20 YRS.

7. Has the way always been on the same route?

YES/NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

YES/NO

.....

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

YES/NO

.....

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

YES/NO

a) If yes, give particulars and dates

.....

.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

YES/NO

.....

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

YES/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/NO

HAVE BEEN SEEN BY THE OWNER USING THE PATH

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

YES/NO

Who now owns the land crossed buy this way?

.....

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

YES/NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you permission for the use of the way by the public and, if so, what the instructions were

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

YES/NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

YES/NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

YES/NO

.....

15. Have you ever enjoyed a private right along the route in question?

YES/NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

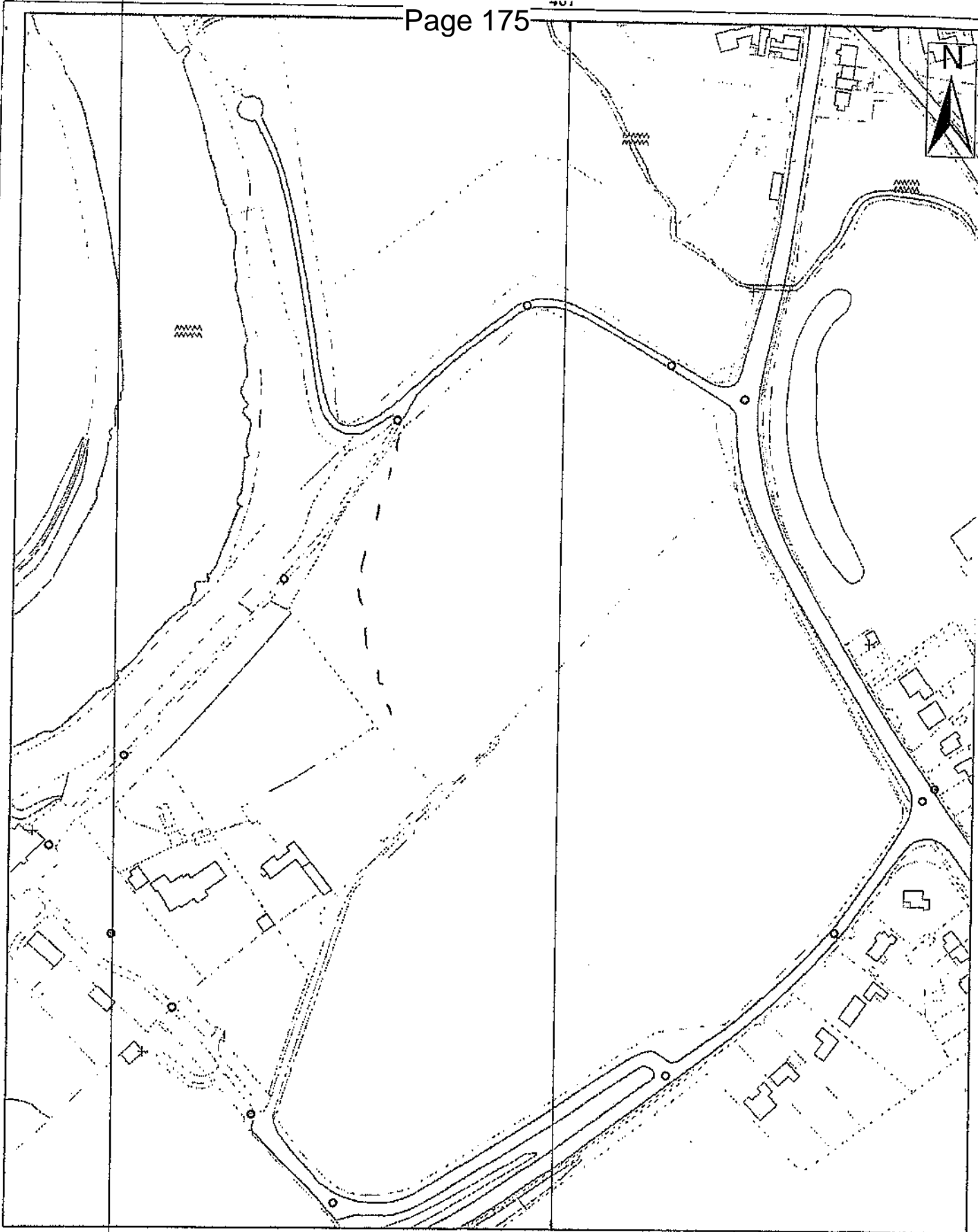
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I ~~am~~ am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date.....28.11.11.....

Signature of Person Taking Statement

Date.....
(if different)



461050



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500

Drawn By: JHC

Date: Oct 11

Public Rights of Way

Reference:

Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

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Summary: [REDACTED]

First Name (s) : [REDACTED]

Year of birth : [REDACTED]

Address: [REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Occupation: [REDACTED]

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

From : LANDING LANE

Grid Ref (if known):

To : FOOTPATH...PASSING
Parish (es): HALL FARM
FULFORD

Grid Ref (if known):

Claimed Status of Route: * footpath / ~~bridleway / restricted byway / Byway open to all traffic~~

Name of Route:
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and mark

1. Do you believe the route to be public?

YES / ~~NO~~

a) If yes, please give details as to why?

Used by the public for 20 yrs

b) What year do you believe the way has been public from?

PRE - 1980

2. Have you used the above route?

YES / ~~NO~~

a) If yes, over how many years?
(please specify years and dates e.g. 25 years - 1970 - 1995)

1991 - 2011 20 YRS.

3. Do you use the route?

YES / ~~NO~~

a) If no, when did you stop using the route?

.....

b) Why did you stop using the route?

.....

4. By what means and between which years did you use the route?

a On foot/On horseback/On a bicycle/With a vehicle/Other

..... 1991-2011 20 yrs.

b For what purpose did you use the route e.g. recreation, specific journey etc?

..... Recreational walking.

c Approximately, how wide was the way?

..... path through a field - 3 ft. wide approx.

d Describe the way eg surface

..... grassed field - footpath worn away

5. When using the route where were you going to and from?

To: Landing Lane on the River
From: Hall Farm.

6. Have you seen other people using the way?

YES NO

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle

..... 1991-2011
..... Most days - people walking.

7. Has the way always been on the same route?

YES NO

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

.....

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

~~YES~~ NO

.....

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

~~YES~~ NO

.....

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

~~YES~~ NO

a) If yes, give particulars and dates

.....

.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

~~YES~~ NO

.....

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

~~YES~~ NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES ~~NO~~

I have seen his gardeners/estate workers cutting down trees.

10. Have you ever owned/tenanted/rented the land crossed by this way?
If yes, please give further details (including dates). You may prefer to use a Form F.

~~YES~~ NO

.....

* Who now owns the land crossed by this way?

I understand from other walkers, but don't know specifically, that it is the ground of Fulford Hall

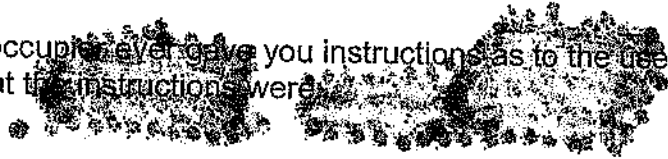
11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

~~YES~~ NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were.



12. When you used the way, were you working for the owner/occupier of the land crossed by the way?

~~YES~~ NO

If yes:

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

~~YES~~ NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

~~YES~~ NO

.....

15. Have you ever enjoyed a private right along the route in question?

~~YES~~ NO

Any other information you consider to be relevant:

The footpath crosses a totally unfenced field with no signs, notices, stiles or gates and links to public rights of way. I was amazed to find the field was privately owned.

I acknowledge that this form will be made publicly available.

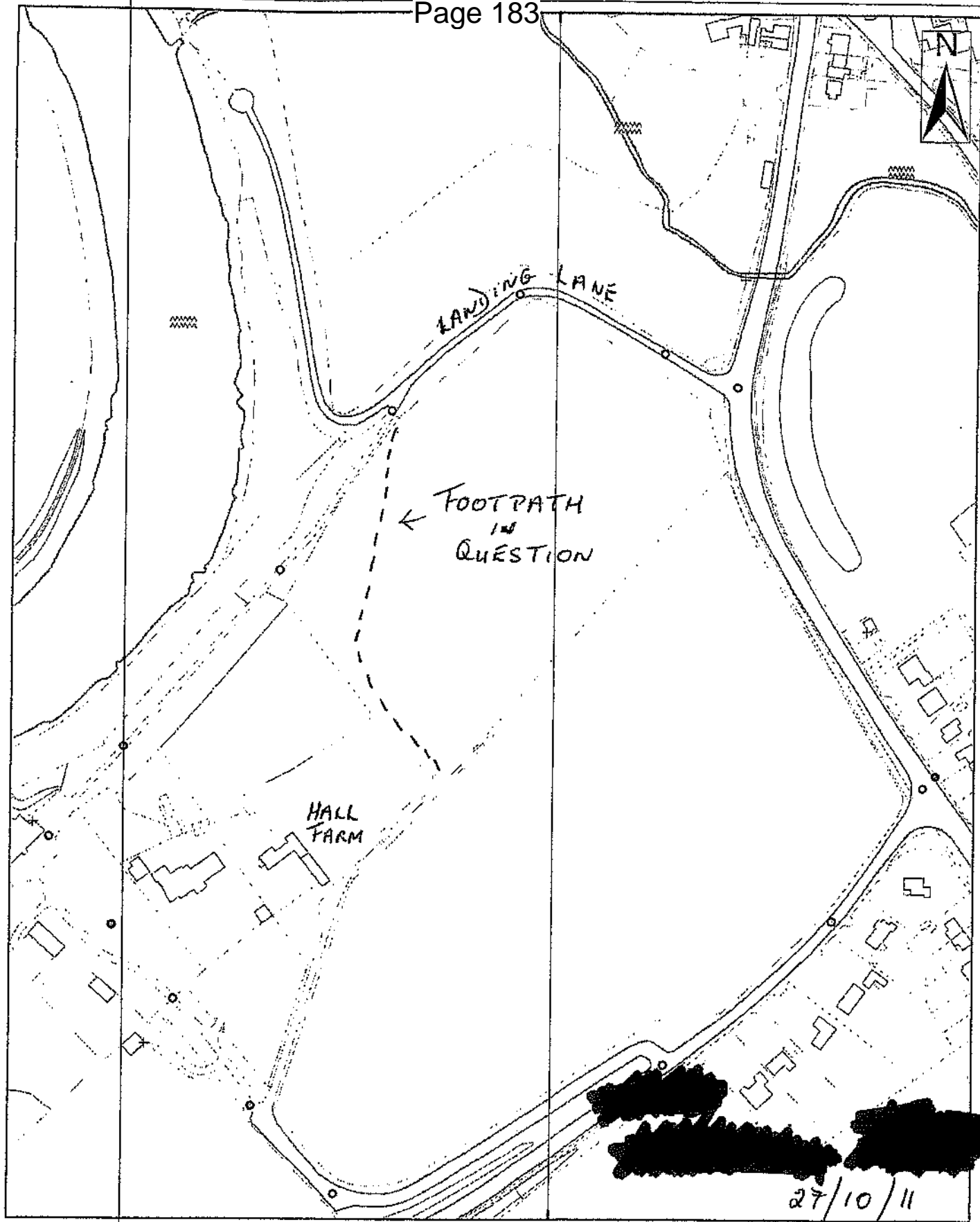
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/am not willing to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.......... Date..27.10.2011

Signature of Person Taking Statement

Date.....
(if different)



461000



9 St. Leonards Place, York, YO1 2ET
Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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PUBLIC RIGHTS OF WAY – USER EVIDENCE FORM

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Surname:
(Mr/Mrs/Miss/Ms)

First Name (s) :

Year of birth :

Address:

Tel:

Occupation:

NOTE – EVIDENCE GIVEN CANNOT BE TREATED AS CONFIDENTIAL

Description of Path

GATE TO WATERFALL FOLD HALL

From LAUNING LAVE

Grid Ref (if known):

To LAUNING NUMBER FOOTPATH

Grid Ref (if known):

Parish (es):

Claimed Status of Route: * footpath / ~~bridleway~~ / ~~restricted byway~~ / ~~Byway open to all traffic~~

Name of Route: I CALL IT DOREEN'S FOOTPATH
(if applicable)

(Please mark the route you are claiming on a separate map, sign and date the map and attach to this form.)

NOTE - If you are claiming more than one way use separate forms and maps

1. Do you believe the route to be public?

YES/NO

a) If yes, please give details as to why?

I HAVE BEEN USING IT SINCE 1989 (JUNE)

b) What year do you believe the way has been public from?

I THINK SINCE AT LEAST 1970

2. Have you used the above route

YES/NO

a) if yes, ever how many years?

(please specify years and dates e.g. 20 years - 1990 -

JUNE 1989 to NOV 2011

3. Do you use the route?

YES/NO

a) If no, when did you stop using the route?

b) Why did you stop using the route?

4. By what means and between which years did you use the route?

a On foot/~~On horseback~~/~~On a bicycle~~/~~With a vehicle~~/~~Other~~

b For what purpose did you use the route e.g. recreation, specific journey etc?

RECREATION

c Approximately, how wide was the way?

1' to 2'

d Describe the way eg surface

COMPACTED EARTH

5. When using the route where were you going to and from?

To: RIVERSIDE LANDING LAKE

From: ~~LANDING~~ NURSES FOOTPATH

6. Have you seen other people using the way?

YES/~~NO~~

If yes, please give further details (including which years, how often, what they were doing eg on a bicycle)

SINCE I USED THE ROUTE 1979 AND ALOT MORE PEOPLE SINCE DESIGNER OUTLET OPENED

7. Has the way always been on the same route?

YES/~~NO~~

If no, why did it change?

Can you state why and where it was before it was moved (please show route on map)

8. To your knowledge has there been any of the following on the way:
(Please mark on accompanying map if appropriate)

a) Any stiles, gates or other obstructions?
If yes, please give details of these. If gates, were they locked or unlocked?

~~YES~~/NO

.....

b) Any signs or notices?
If yes, please give details e.g. 'Private Road', 'Trespassers will be prosecuted' etc

~~YES~~/NO

.....

9. Have you ever been challenged by any owner or tenant of the land crossed by the route, or by anyone in their employment or been informed that it was not public?

~~YES~~/NO

a) If yes, give particulars and dates

.....

.....

b) Has anyone ever told you the route was not public?
If yes, please give particulars and dates

~~YES~~/NO

.....

.....

c) Were you ever told by an owner or tenant of the land crossed by the way, or by anyone, in their employment, that it was not public?

~~YES~~/NO

d) Do you believe the owner/occupier was aware the public was using the way?
If yes, why?

YES/~~NO~~

.....

10. Have you ever owned/tenanted/rented the land crossed by this way?

YES/~~NO~~

If yes, please give further details (including dates). You may prefer to use a Form F.

.....

Who now owns the land crossed buy this way?

OWNER OF WATERFORDS HALL

11. Have you ever been employed by, or a tenant of the landowner over which the route runs?

~~YES~~ NO

a) Give particulars and dates

.....

b) Say whether the owner or occupier ever gave you instructions as to the use of the way by the public and, if so, what the instructions were

12. When you used the way, were you working for the owner/occupier of the land crossed by the way?
If yes:

~~YES~~ NO

a) Give particulars and dates

.....

13. Have you ever obtained permission to use the route?
If so, from whom?

~~YES~~ NO

.....

14. Are you or have you been a friend/ acquaintance of any of the landowners/occupiers and thus have used the route with implied consent?
(if yes please give details)

~~YES~~ NO

.....

15. Have you ever enjoyed a private right along the route in question?

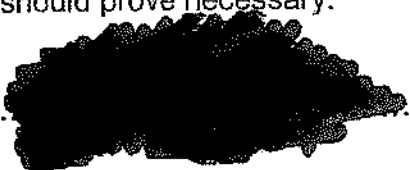
~~YES~~ NO

Any other information you consider to be relevant:

I acknowledge that this form will be made publicly available.

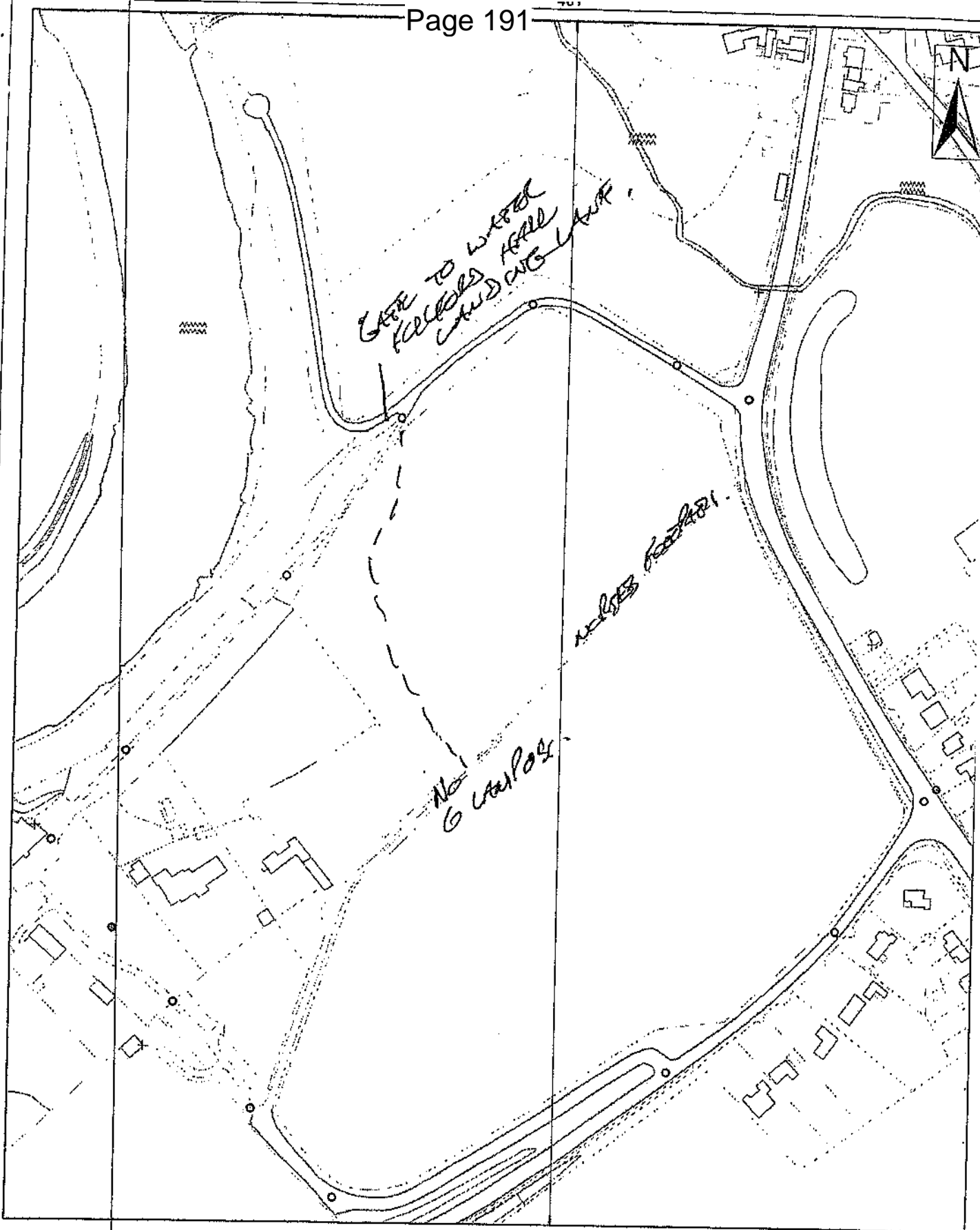
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true.

*I am/~~am not~~^{WILLIAMS} attending to attend a Hearing, Public Inquiry or Court to give evidence on this matter, if this should prove necessary.

Signature.....  Date... 30/10/11

Signature of Person Taking Statement

Date.....
(if different)



461⁰⁰³

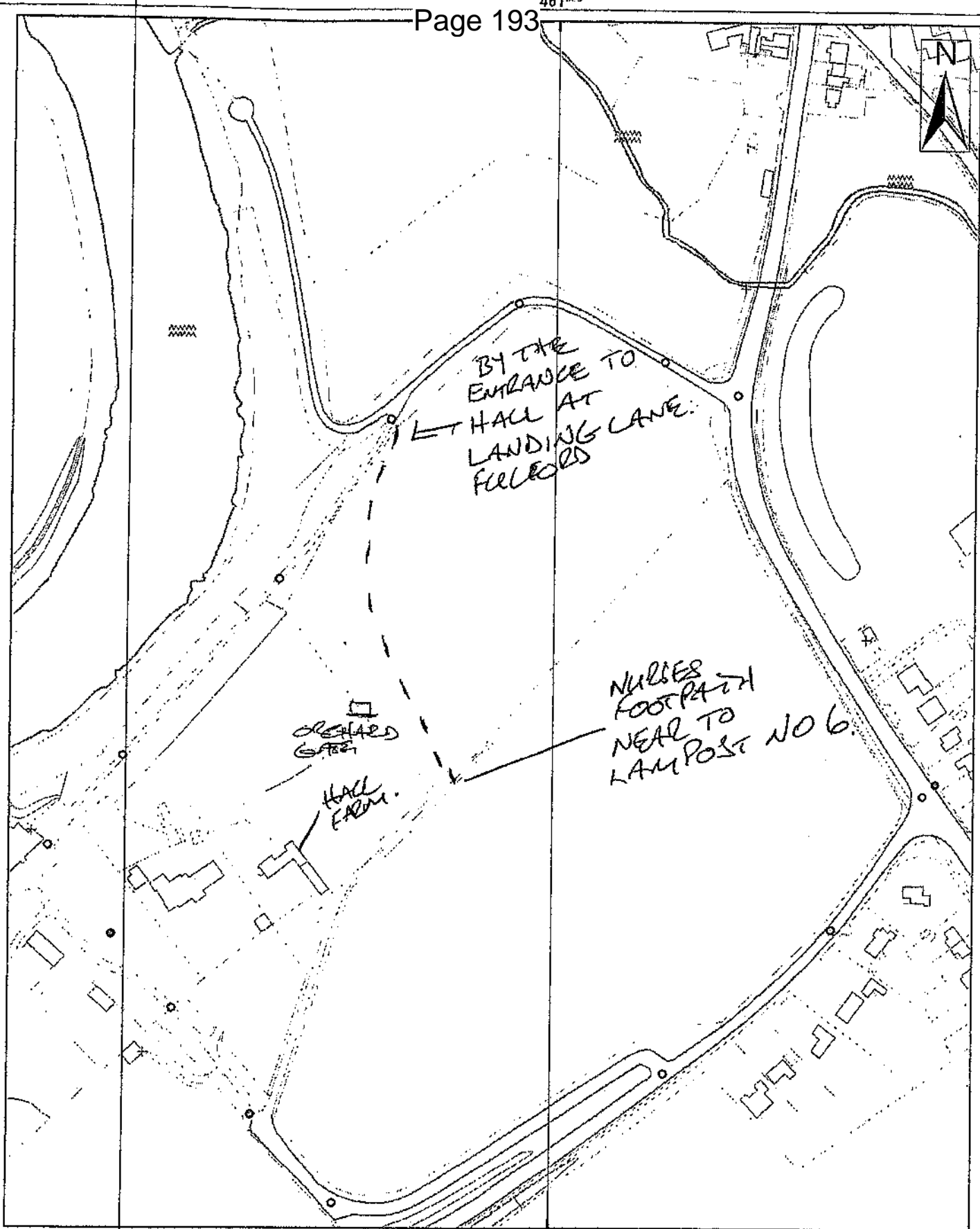


9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed way			36/10/11
Scale 1:2,500	Drawn By: JHC	Date: Oct 11	
Public Rights of Way	Reference:	Drawing No.	

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461000



9 St. Leonards Place, York, YO1 2ET
 Telephone: 01904 613161

Alignment of claimed route - Fulford

Scale 1:2,500	Drawn By: JHC	Date: Oct11
Public Rights of Way	Reference:	Drawing No.

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[Redacted] 9/09/2012



By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Community Impact Assessment: Summary

1. Name of service, policy, function or criteria being assessed:

Definitive Map Modification Order application – Hoisty Field, Fulford

2. What are the main objectives or aims of the service/policy/function/criteria?

Definitive Map Modification Orders (DMMO) are legal orders that amend the definitive map and statement: conclusive legal record of public rights. Any person(s) may apply to modify the definitive map and statement: in this case, the definitive map modification order application is to amend the definitive map and statement by adding an alleged public footpath located at Hoisty Field, Fulford. A DMMO application must be supported by evidence, and this can take the form of archival or user evidence, or a mixture of both. A definitive map modification order does not create public rights of way, it reflects the existing situation, by formally recording the footpath on the definitive map and statement.

The application must meet the application criteria. The analysis of the application's supporting evidence would suggest that with regard to use by 'the public', the criteria has not been met.

3. Name and Job Title of person completing assessment:

Joanne Coote – Definitive Map Officer

4. Have any impacts been Identified?

Yes

Community of Identity affected:**Summary of impact:**

The footpath is not added to the definitive map and statement, and permission for future use would therefore be required to be sought from the landowner

5. Date CIA completed: 10/05/16**6. Signed off by:**

7. I am satisfied that this service/policy/function has been successfully impact assessed.

Name:

Position:

Date:

Annex 6

8. Decision-making body: Executive Member Decision Committee	Date: 14th July 2016	Decision Details:
Send the completed signed off document to ciasubmission@york.gov.uk It will be published on the intranet, as well as on the council website. Actions arising from the Assessments will be logged on Verto and progress updates will be required		

Community Impact Assessment (CIA)

Community Impact Assessment Title: Definitive Map Modification Order application – Hoisty Field, Fulford

What evidence is available to suggest that the proposed service, policy, function or criteria could have a negative (N), positive (P) or no (None) effect on quality of life outcomes? (Refer to guidance for further details)

Can negative impacts be justified? **For example: improving community cohesion; complying with other legislation or enforcement duties; taking positive action to address imbalances or under-representation; needing to target a particular community or group e.g. older people.** NB. Lack of financial resources alone is NOT justification!

Community of Identity: Age

Evidence	Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
<p>Definitive Map officers, as part of their work, are required to process applications received to modify the definitive map and statement. Definitive Map officers must offer an interpretation of the guidance available on the legislative criteria.</p> <p>A confirmed order would add the public right to use of the footpath to the Definitive Map and Statement.</p>	<p>Access to the public rights of way network for mental health, and physical well-being.</p>	Negative	None

Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
<p>Positive: If the process is successful, a public footpath would be formally recorded on the definitive map and statement, and made available for public use.</p> <p>Negative: If the application criteria, has not been met, the definitive map modification order application cannot progress.</p>	Yes	The application criteria has not been met.	JH Coote	

Community of Identity: Carers of Older or Disabled People

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
As above		As above	Negative	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
Positive: As above Negative: As above	Yes	As above	JH Coote	

Community of Identity: Disability

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
As above		As above	Negative	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
Positive: As above Negative: As above	Yes	As above	JH Coote	

Community of Identity: Gender

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
N/A		N/A	None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
It is expected there will be no adverse affects on this Community of Identity.	Yes	N/A	JH Coote	

Community of Identity: Gender Reassignment

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
N/A		N/A	None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
It is expected there will be no adverse affects on this Community of Identity group.	Yes	N/A	JH Coote	

Community of Identity: Marriage & Civil Partnership

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
N/A		N/A	None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
It is expected there will be no adverse affects on this Community of Identity group.	Yes	N/A	JH Coote	

Community of Identity: Pregnancy / Maternity

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
As above		As above	Negative	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
Positive: As above Negative: As above	Yes	As above	JH Coote	

Community of Identity: Race

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
N/A		N/A	None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
It is expected, there will be no adverse affects on this Community of Identity group.	Yes	N/A	JH Coote	

Community of Identity: Religion / Spirituality / Belief

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
N/A		N/A	None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
It is expected, there will be no adverse affects on this Community of Identity.	Yes	N/A	JH Coote	

Community of Identity: Sexual Orientation

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
N/A		N/A	None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
It is expected there will be no adverse affects on this community of identity group.	Yes	N/A	JH Coote	

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I, **DAVID RICHARD JAGGER** of Water Fulford Hall, Naburn Lane, Fulford, York YO19 4RB
WILL SAY as follows:-

1. My wife (Denise Nichola Jagger) and I have been the owners of Water Fulford Hall, Naburn Lane, Fulford, York since 1997. In 2010 we bought some adjoining land, which was part of Lodge Farm, Fulford, York. The legal Title to this land is vested in the sole name of my wife but we are in effect joint owners. It is this land that the claimed footpath runs over.
2. Notwithstanding the fact that we have only owned this land since 2010 we have actively managed the adjoining land (which is part of Water Fulford Hall) since 1997 and I can comment in detail about the land and its use for many years before it became ours.
3. Our solicitors carried out the standard searches before the land was purchased and these revealed that there is a well-established public footpath/ancient track that runs across our land. To some this is referred to as the Nurses Footpath. It is tarmacked, lit by street lights and leads from our land onto Selby Road from which Landing Lane is easily accessible.
4. No other public footpaths were revealed by our searches and none were shown on any of the title deed plans that were supplied as part of the conveyancing process. Further, nothing was disclosed in the standard pre-Contract Enquiries.
5. Among other things, we have regularly tended a bonfire on part of our land that is immediately adjacent to the claimed right of way. We have very rarely seen anyone on the land in question and, if we have, it has generally been because they were lost and we then re-directed them. In any event, until 2009 the field was inaccessible because it had been "set aside" land for many years. The entire field was completely overgrown with waist high thistles and nettles. It was not farmed again and cleared until 2009.
6. During an eighteen month period between 2009 and 2011 Yorkshire Water closed the river bank towpath across our land in front of Water Fulford Hall in order to undertake extensive emergency civil engineering works to repair the rising main linking the York and Naburn sewerage works. This meant that it was very difficult to walk along the river bank and the public right of way was temporarily closed.

Yorkshire Water used the field in which the claimed footpath is sited in order to store some of their equipment and dog walkers began to exercise their dogs in that field because they were unable to use the river side walk. I suspect that a lot of the claimed use of the "footpath" in fact dates from this period.

7. For the reasons stated above I have to call into question a lot of the claimed evidence that has been submitted. This is in a standard format and much of the wording is almost identical. None of these forms are signed or supported by a Statement of Truth. I have had no opportunity to cross-examine these people and it is therefore very difficult to properly assess the value of what they say.
8. I realise that it may not be strictly material whether the claimed footpath has a specific purpose but the lack of any obvious need for the footpath (except perhaps for Mrs Crawley – the owner of Hall Farm) must call the Application into question, as does the fact that the claimed access on to Landing Lane has a mature tree blocking it – leaving a gap that is clearly too narrow for a pedestrian to negotiate without cutting down the tree. There has also never been any sign of a footpath on the ground itself so far as I am aware and I note that no photographs have been supplied in support of the application.
9. Mrs Crawley does have alternative and equivalent routes to access the river bank if she so wishes and we have given her (and her house visitors) licence to use our private back drive. This is near to (and roughly parallel to) the claimed footpath. It is a smooth and safe route to the river bank and I know that she has used it over the years when walking her dog. We have also given permission to another neighbour (a Mr Cheyne) to cross our land because he has in the past helped Mrs Crawley by walking her dogs. This route is clearly marked with "Private" signs and is not the subject of the claimed footpath. Prior to this application neither Mrs Crawley nor Mr Cheyne have referred to there being a public footpath over the claimed route when we have discussed with them their using this other route over our land.
10. My understanding is that it is common with applications like this for evidence to be supplied in the form of old Ordnance Survey maps, Enclosure documents, Finance Act records, parish council records and the like. I am not aware of any evidence of any kind having been submitted here other than the unsubstantiated Witness Statements that I have referred to above. I cannot see how they alone can support a successful application in the light of the points that I have made.

11. I realise that this is not strictly material to this particular application but I feel that I must make the point that we do very much encourage the public to use proper public rights of way that cross our land. There is a towpath that runs in front of Water Fulford Hall – on the edge of the river. We have actively encouraged its use by providing a disabled access gate and a J Barrier at three points along its route. We are pleased to see people using the towpath across our land and gaining so much pleasure from the river paths. Over the last two years we have converted eight acres of the riverbank to wild flower meadows as well as working with the University of York to preserve and extend a colony of rare Tansy beetles in this area. We are not people who look to exclude people from our land where there are proper legal rights of way.
12. I confirm that none of the walkers who I have met in this area over the years have ever claimed that they were exercising a legal right of way over the current claimed route. As I have said, it has not been accessible for many years (apart from the short period between 2009 and 2011) and the simple fact is that everyone who needs to access to either Selby Road or Landing Lane has excellent alternative routes which they have used in practice on a regular basis over many years.

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true.

DAVID RICHARD JAGGER^u

Dated the 27 day of June 2016.



**Decision Session – Executive Member for
Transport & Planning****14 July 2016**

Report of the Director of City and Environmental Services

**City and Environmental Services Capital Programme – 2016/17
Consolidated Report****Summary**

1. This report identifies the proposed changes to the 2016/17 CES Transport Capital Programme to take account of carryover funding and schemes from 2015/16.

Recommendations

2. The Executive Member is asked to:
 - 1) Approve the carryover schemes and adjustments set out in Annexes 1 and 2.
 - 2) Note the increase to the 2016/17 CES Transport Capital Programme budget, subject to the approval of the Executive.

Reason: To enable the effective management and monitoring of the Transport Capital Programme.

Background

3. The CES Transport Capital Programme budget for 2016/17 was confirmed as £3,793k at Full Council on 25 February 2016, and details of the programme were presented to the Cabinet Member at the April Decision Session meeting. The programme includes the Integrated Transport and CES Maintenance budgets, and is funded through the Local Transport Plan (LTP) grant, the Better Bus grant, the Department for Transport's Local Pinch Point Funding (Tranche 3) grant, developer contributions, and council resources.

4. Table 1 shows the current approved capital programme

Table 1: Approved 2016/17 Transport Capital Programme

	Gross Budget	External Funding	Capital Receipts
	£1,000s	£1,000s	£1,000s
Transport Capital Programme	3,793	3,110	683
Current Approved CES Capital Programme	3,793	3,110	683

External funding refers to government grants, non government grants, other contributions, developer funding, and supported capital expenditure

5. A number of amendments need to be made to the current capital programme in order to take account of carryover schemes and funding from 2015/16, and additional funding available in 2016/17.
6. Details of the 2015/16 Capital Programme outturn were presented to the Executive Member at the June Decision Session meeting.

Key Issues

7. Following a successful bid to the government's Office of Low Emission Vehicles, the council has been awarded £800k grant funding for the installation of rapid charger hubs around the outer ring road and city centre areas. This funding was received in March 2016, and it is proposed to add the funding to the capital programme to allow this work to be progressed in 2016/17.
8. Additional funding is also available from the Better Bus Area 2 grant for schemes to improve public transport in York; from the Economic Infrastructure Fund (EIF) for measures to improve the public realm in the Stonebow/ Peasholme Green area of the city centre; and from developer contributions to allow three schemes to be progressed following feasibility work carried out in 2015/16.
9. Due to delays to a number of schemes in the 2015/16 capital programme, there is £3,160k funding to be carried forward to 2016/17. This high level of underspend was due to delays in progressing some of the larger schemes in the programme; additional DfT funding being received too late in the year to deliver the schemes; and delivery of some schemes under budget.

10. The current budget and proposed adjustments are shown in Table 2.

**Table 2: Proposed Adjustments to 2016/17
Transport Capital Programme**

CES Capital Programme	Proposed 2016/17 Programme	Paragraph Ref
	£1,000s	
Current Approved Capital Programme	3,793	
<u>Adjustments:</u>		
Office for Low Emission Vehicles (OLEV) Grant	+800	21
Section 106	+133	22
Better Bus Area 2	+136	23
Public Realm EIF	+175	25
<u>Re-profiling:</u>		
Local Transport Plan	+1,068	19
A19 Pinchpoint Grant	+113	20
Better Bus Area Fund	+473	23
Clean Bus Technology Grant	+784	24
CYC Funding – Highways	+417	26
CYC Funding – Scarborough Bridge	+305	26
Revised CES Capital Programme	8,197	

11. Additional information, including details of the proposed changes to scheme allocations, is provided in Annexes 1 and 2 to this report.

Options

12. The Executive Member has been presented with a number of amendments to the programme of works for approval. These amendments are required to ensure the schemes are deliverable within funding constraints, whilst enabling the objectives of the approved Local Transport Plan to be met.

Analysis

13. The key proposed changes included in the report are summarised below and are detailed in Annex 1.
 - Addition of carryover funding for payment of the retention for the Access York project, and to fund any outstanding claims that are agreed in 2016/17.
 - Amendments to the Public Transport programme to include the 2016/17 Better Bus Area 2 grant and carryover funding from 2015/16, due to delays to several schemes in the programme.
 - Addition of carryover Clean Bus Technology grant funding for the conversion of tour buses to electric drive, and measures to reduce emissions from school buses.
 - Addition of OLEV grant funding for the provision of rapid charger hubs for electric vehicles.
 - Addition of carryover funding for the A19 Pinchpoint scheme.
 - Addition of funding from the council's Economic Infrastructure Fund for improvements to the city centre.
 - Addition of carryover LTP funding for traffic management schemes, pedestrian and cycling schemes, and safety and speed management schemes, which were not completed in 2015/16.
 - Addition of Section 106 funding to progress three pedestrian/ cycle schemes.
 - Addition of carryover CYC Resources funding for improvements to traffic signals across York, improvements to School Crossing Patrol equipment, and completion of the Vehicle Activated Signs review.

Council Plan

14. The Council Plan has three key priorities:
 - **A Prosperous City For All.**
 - **A Focus On Frontline Services.**
 - **A Council That Listens To Residents**
15. The Transport Capital Programme supports the prosperity of the city by improving the effectiveness, safety and reliability of the transport network, which helps economic growth and the attractiveness for visitors and residents.

The programme aims to reduce traffic congestion through a variety of measures to improve traffic flow, improve public transport, provide better facilities for walking and cycling, and address road safety issues.

16. Enhancements to the efficiency and safety of the transport network will directly benefit all road users by improving reliability and accessibility to other council services across the city.
17. The capital programme also addresses improvements to the transport network raised by residents such as requests for improved cycle routes, measures to address safety issues and speeding traffic, and improvements at bus stops such as real-time information display screens and new bus shelters.

Implications

18. The following implications have been considered.
 - **Financial:** See below.
 - **Human Resources (HR):** There are no Human Resources implications.
 - **Equalities:** There are no Equalities implications.
 - **Legal:** There are no Legal implications.
 - **Crime and Disorder:** There are no Crime & Disorder implications.
 - **Information Technology (IT):** There are no IT implications.
 - **Property:** There are no Property implications.
 - **Other:** There are no other implications.

Financial Implications

19. The total underspend against the Local Transport Plan (LTP) allocation in 2015/16 was £1,068k, which included £150k for the A19 Pinchpoint scheme and £97k for the Access York scheme, plus funding for schemes in the local safety schemes and speed management programmes. It is proposed to add this carryover funding to the 2016/17 capital programme to implement these schemes that were not completed in 2015/16, and to use the remaining funding to reduce the overprogramming from £360k to £129k.

20. It is proposed to add £113k DfT Pinchpoint grant funding to the 2016/17 capital programme to fund the proposed improvements for outbound traffic on the A19 (South).
21. Following a successful bid to the Office of Low Emission Vehicles, it is proposed to add £800k grant funding to the 2016/17 capital programme to fund the installation of new rapid charging points across York.
22. It is proposed to increase the Section 106 allocation by £133k to fund the implementation of three pedestrian/ cycle schemes required as planning obligations in 2016/17, following feasibility work on these schemes in 2015/16.
23. It is proposed to increase the Better Bus Area Fund allocation by £473k to include funding carried over from 2015/16, including funding for the Clarence Street bus priority scheme and improvements at Park & Ride sites. The 2016/17 Better Bus Area grant funding has also been added to the programme to fund schemes to improve public transport across the city.
24. The Clean Bus Technology grant funding for the conversion of tour buses to electric drive and work to reduce emissions from school buses will be carried forward and added to the 2016/17 capital programme to allow these two schemes to be progressed.
25. Funding previously approved by the Executive has been allocated from the council's Economic Infrastructure Fund for improvements to the public realm in the Stonebow/ Peasholme Green area.
26. It is proposed to carry forward funding from CYC Resources to continue the programme of improvements to pinchpoints on the bus network, upgrades to traffic signals across the city, and to fund the council's contribution to the Scarborough Bridge footbridge scheme.
27. If the proposed changes in this report are accepted, the CES Transport Capital Programme budget in 2016/17 would be **£8,197k** and would be funded as shown in Table 3:

Table 3: Proposed 2016/17 Budget

CES Capital Programme	Current Budget	Proposed Alteration	Proposed Budget
	£1,000s	£1,000s	£1,000s
Local Transport Plan	1,920	1,068	2,988
A19 Pinchpoint Grant (DfT)	650	113	763
OLEV Go Ultra Low Grant (DfT)	-	800	800
Section 106	300	133	433
Better Bus Area Fund	240	473	713
Better Bus Area 2	-	136	136
Clean Bus Technology Grant (DfT)	-	784	784
Public Realm (EIF)	-	175	175
CYC Resources – Highways	-	417	417
CYC Resources – Scarborough Bridge	333	305	638
CYC Resources – City Walls	350	-	350
Total Budget	3,793	4,404	8,197

Risk Management

28. The Capital Programme has been prepared to assist in the delivery of the objectives of the Local Transport Plan. Owing to the lower availability of funding for LTP schemes, there is a risk that the targets identified within the plan will not be achievable. For larger schemes in the programme, separate risk registers will be prepared and measures taken to reduce and manage risks.

Contact Details

Author:

Tony Clarke
Head of Transport
City & Environmental
Services
Tel No. 01904 551641

Chief Officer Responsible for the report:

Neil Ferris
Director – City and Environmental
Services

**Report
Approved**

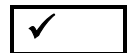


Date 5 July 2016

Specialist Implications Officer(s)

Wards Affected:

All



For further information please contact the author of the report

Background Papers:

CES 2016/17 Capital Programme Budget Report – 14 April 2016
CES 2015/16 Capital Programme Outturn Report – 9 June 2016

Annexes

Annex 1: 2016/17 CES Capital Programme Consolidated Report –
Amendments to Programme
Annex 2: 2016/17 CES Capital Programme Consolidated Report –
Current & Proposed Budgets

2016/17 CES Transport Capital Programme Consolidated Report – Amendments to Programme

1. This annex details the main proposed changes to the 2016/17 CES Transport Capital Programme to include funding and schemes carried over from 2015/16. Schemes are only included in this annex when alterations to scheme allocations or delivery programmes are proposed.
2. At this stage of the year, the majority of schemes in the capital programme are in the early stages of feasibility and outline design for implementation later in 2016/17. Updates on scheme progress will be included in the monitoring reports to the Executive Member later in the year.
3. Details of the current and proposed allocation for all schemes in the programme are set out in Annex 2.

Transport Schemes

4. It is proposed to increase the Access York allocation to £447k, to fund the payment of the retention to the contractor, and to fund any outstanding claims that are agreed in 2016/17.
5. The Park & Ride Site Upgrades allocation has been increased by £76k carryover funding from the Better Bus Area Fund (BBAF) for improvements to the Monks Cross office building (which were completed in April), and for the installation of a new CCTV system at Grimston Bar Park & Ride and a new barrier system at Monks Cross Park & Ride.
6. The council has received £136k Department for Transport (DfT) Better Bus Area 2 (BBA2) funding for public transport improvement works in 2016/17, and it is proposed to add this funding to the capital programme for schemes to improve public transport across the city.
7. The Bus Network Pinchpoints scheme was underspent at the end of 2015/16 as the proposed works on the A59 Corridor (Bus-SCOOT) are now being funded through the Traffic Signals Asset Renewal (TSAR) programme in 2016/17.

8. It is proposed to add the carryover funding to the 2016/17 capital programme to allow measures to address delays to bus services in the Tang Hall area to be progressed, and to allow the upgrade of real-time indicator displays at locations across York. As the A59 Corridor works are now being funded from the TSAR programme, it is proposed to transfer £65k carryover funding to the Clarence Street Bus Priority scheme in 2016/17.
9. The funding allocated for Congestion-Busting measures in 2015/16 was not required as all issues raised during the year related to maintenance concerns and were funded through revenue budgets. It is proposed to add £30k carryover BBA2 funding to the 2016/17 capital programme to continue this work, and add £33k carryover BBAF funding to this budget to allow a wider range of issues identified by bus operators to be addressed in 2016/17.
10. Progress on the Tadcaster Road improvements scheme was delayed in 2015/16 as the work cannot be progressed until the A59 Bus-SCOOT scheme has been completed. It is proposed to add the carryover Better Bus funding to the 2016/17 capital programme, which will allow work to review the traffic signals at the city centre end of the corridor to be progressed in later in the year.
11. The Clarence Street bus priority scheme was delayed in 2015/16 as the high cost of utility diversion works required for the original scheme meant that an alternative scheme needed to be developed. Following the approval of the revised scheme at the June Decision Session meeting, it is proposed to add £270k carryover BBAF funding from 2015/16 to the programme. The increased cost of the scheme can be funded from the underspend against the Bus Network Pinchpoints scheme, as stated above.
12. The conversion of four buses to electric drive was not progressed in 2015/16 due to delays in appointing a contractor to carry out the work. It is proposed to add the £476k DfT Clean Bus Technology grant to the 2016/17 programme to allow the conversion work to be progressed.

13. Funding has also been carried over to 2016/17 to fund the installation of a new bus shelter at the Museum Street Park & Ride stop, completion works on the Burdyke Avenue lay-by scheme, and the council's contribution to the regional real-time system upgrade being progressed by the West Yorkshire Combined Authority.
14. The funding for the Traffic Signals Asset Renewal scheme in 2015/16 was used to carry out surveys of all traffic signals in York and produce a prioritised list of sites for renewal work in future years. Due to the lower cost of the work in 2015/16, it is proposed to use £50k carryover funding to continue the Urban Traffic Management & Control programme in 2016/17, and add the remaining £18k carryover funding to the 2016/17 TSAR allocation. Funding has also been carried forward from 2015/16 for the installation of above ground vehicle detection equipment at traffic signals, which will be progressed as part of the TSAR programme.
15. The upgrades to six Variable Message Signs (VMS) on the Inner Ring Road were not completed by the contractor in 2015/16, and it is proposed to add the carryover funding to the 2016/17 programme to allow this work to be completed.
16. Following a successful bid to the Government's Office of Low Emission Vehicles, the council has been awarded £800k funding for the installation of rapid charger hubs around the outer ring road and city centre areas over the next two years. It is proposed to add the full amount of grant funding to the 2016/17 capital programme. It is anticipated that the funding will be split between 2016/17 and 2017/18 once a detailed programme of work has been developed.
17. Due to the lower cost of the preparatory work for the Traffic Signals Asset Renewal programme in 2015/16, it is proposed to allocate £50k carryover funding to continue the Urban Traffic Management & Control programme in 2016/17.
18. Following the completion of Phase 1 of the A19 Pinchpoint scheme in 2015/16, funding has been allocated in the 2016/17 capital programme for measures to improve outbound journey times and improve facilities for pedestrians and cyclists on Selby Road. It is proposed to increase this budget by £263k to include the carryover funding from 2015/16.

19. The council was awarded grant funding from the Clean Bus Technology funding in late 2015/16 to retrofit school buses in York to reduce polluting emissions. It is proposed to add this funding to the 2016/17 capital programme for the work to be progressed. This scheme will be match-funded by a contribution from the bus operators, which is expected later in the year.
20. Funding has also been carried forward from 2015/16 to complete the installation of electric vehicle rapid charging points at ten businesses in York, which should be completed in the first quarter of 2016/17.
21. The feasibility work on the proposed improvements to the Scarborough Bridge footbridge in 2015/16 had a lower cost than expected as the council received a contribution from the West Yorkshire Combined Authority for the work carried out by Network Rail. It is proposed to carry forward the remaining funding to 2016/17 to continue development work on this scheme, with implementation planned to commence at the end of 2017/18.
22. It is proposed to add Section 106 funding from developers to the 2016/17 capital programme for the new pedestrian crossing and bus shelter improvements on Campleshon Road, the installation of a new puffin crossing on New Lane Huntington, and the construction of a new cycle route on the former York College site, following feasibility work carried out in 2015/16.
23. An allocation has been added to the programme for the development and implementation of public realm improvements in the Stonebow/ Peasholme Green area of the city centre, which has been funded through the council's Economic Infrastructure Fund.
24. Carryover LTP funding has also been added to the 2016/17 capital programme for a number of smaller pedestrian and cycling schemes that were not completed in 2015/16, including the proposed cycle routes at Monkgate Roundabout and Holgate Road; the conversion of the Jockey Lane zebra crossing to a parallel crossing to link two sections of cycle route; improvements for pedestrians on Station Rise; and match funding for cycle parking at small businesses in York.
25. Details of the programme of school schemes have been added to the 2016/17 capital programme, and are shown in Annex 2 to this

report. Carryover funding has been added for two schemes that were not completed in 2015/16, and for the replacement of the 'wig-wag' flashing light systems used at School Crossing Patrol locations, following feasibility work carried out in 2015/16.

26. Carryover LTP funding has been added to the Safety Schemes programme for schemes that were not completed in 2015/16, including improvements at the Cornlands Road/ Gale Lane junction and the Hull Road/ Tang Hall Lane junction following analysis of accident data from these locations. Funding has also been carried over for the proposed amendments to chicanes on Heslington Lane, which was deferred in 2015/16 to allow the impact of recent changes to parking to be reviewed.
27. Carryover funding has also been added to the 2016/17 capital programme for the completion of speed management schemes identified in the speed review report to the November 2015 Decision Session meeting.
28. The review of Vehicle Activated Signs (VAS) in 2015/16 identified sites where existing VAS needed to be replaced, and agreed a policy for the installation of new VAS. Carryover funding has been added to the 2016/17 capital programme to allow two signs to be repaired, as the manufacturer was not able to complete this work in 2015/16.

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Scheme Ref	2016/17 Transport Capital Programme	16/17 Total Budget	Proposed 16/17 Consol. Budget (Total)	Comments
		£1,000s	£1,000s	

Access York Phase 1				
AY01/09	Access York Phase 1 - Retention	150.00	447.00	Allocation Increased - Addition of funding carried over from 2015/16 for payment of the retention and payment of outstanding claims

Total Access York Phase 1	150.00	447.00
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Public Transport Schemes				
PR01/16	Park & Ride Site Upgrades	100.00	176.00	Allocation Increased - Addition of funding carried over from 2015/16 for work at Grimston Bar and Monks Cross
PR02/16	Park & Ride ULEV Infrastructure	200.00	200.00	
PT01/16	Public Transport Facilities Priority Works	50.00	50.00	
New	New BBA2 Schemes		135.92	New Scheme - Improvements to public transport across the city

Public Transport - Carryover Schemes				
PT10/12b	BBAF - Rougier Street - Roman House Bus Shelter	240.00	247.00	Allocation Increased - Addition of carryover funding from 2015/16
PT02/15	Bus Network Pinchpoint Improvements		97.00	Carryover Scheme - Improvements in Tang Hall area to address delays to bus services and refurbishment of real-time displays across York
PT03/15	BBA2 - Congestion Busting		63.00	Carryover Scheme - Addition of funding carried over from 2015/16 for minor works identified by bus operators
PT04/15	BBA2 - Tadcaster Road Improvements		72.00	Carryover Scheme - Review of traffic signals and bus infrastructure along corridor
PT05/12	BBAF - Clarence Street Bus Priority Scheme		270.00	Carryover Scheme - Alternative scheme to be progressed with lower utility diversion costs
PT09/12b	BBAF - Museum Street Bus Stop		40.00	Carryover Scheme - Installation of bus shelter at P&R bus stop
PT02/14	Clean Bus Technology Fund		476.00	Carryover Scheme - Conversion of tour buses to electric drive to be progressed in 2016/17
PT04/14	Burdyke Avenue Layby		10.00	Carryover Scheme - Completion costs of parking lay-by scheme
PT05/15	Regional RT Information System		39.00	Carryover Scheme - Contribution to new real-time system being developed by West Yorkshire Combined Authority

Total Public Transport	590.00	1,875.92
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Scheme Ref	2016/17 Transport Capital Programme	16/17 Total Budget	Proposed 16/17 Consol. Budget (Total)	Comments
		£1,000s	£1,000s	
Traffic Management				
TM01/16	Traffic Signals Asset Renewals	400.00	418.00	Allocation Increased - Addition of carryover funding from 2015/16 for upgrades to traffic signals across York
TM02/16	Signal Detection Equipment Programme	100.00	236.00	Allocation Increased - Addition of carryover funding for installation of vehicle detection systems at traffic signals
TM03/16	Signing and Lining Schemes	20.00	20.00	
TM04/16	Air Quality Monitoring	20.00	20.00	
TM05/16	City Centre Footstreets Improvements	50.00	50.00	
TM06/15	Variable Message Signs (VMS) Upgrade	70.00	114.00	Allocation Increased - Addition of carryover funding for upgrades to VMS on the Inner Ring Road
TM06/16	James Street Link Road Phase 2	300.00	300.00	
TM07/16	Rapid Charger Hubs (Go Ultra Low York)		800.00	New Scheme - Installation of rapid charger hubs around the outer ring road and city centre areas
TM08/16	Urban Traffic Management & Control (UTMC)		50.00	New Scheme - Continuation of UTMC communications upgrades
Traffic Management - Carryover Schemes				
TM03/13	A19 Pinchpoint Scheme	1,000.00	1,263.00	Allocation Increased - Addition of carryover funding from 2015/16 to progress improvements to outbound journey times and improvements for pedestrians/ cyclists in area
TM08/15	School Bus Refits		308.00	Carryover Scheme - Grant funding from the DfT to refit school buses to reduce polluting emissions
AQ02/13	Electric Vehicle Rapid Charging Points - Businesses		24.50	Carryover Scheme - Installation of charging points at ten businesses in York
Total Traffic Management		1,960.00	3,603.50	

Pedestrian & Cycling Schemes				
CY01/16	Cycle Schemes	100.00	100.00	
PE01/16	Pedestrian Crossings - Review of Requests	50.00	50.00	
PE02/16	Pedestrian Minor Schemes	50.00	50.00	
CY02/16	Cycle Minor Schemes	20.00	20.00	
CY04/15	Scarborough Bridge Improvements	333.00	638.00	Allocation Increased - Addition of carryover funding from 2015/16 to continue feasibility and design work
CY03/16	Campleshon Road - Pedestrian Crossing & Bus Stop Upgrades		52.50	New Scheme - New zebra crossing and bus shelter (funded through developer contributions)
CY04/16	New Lane Huntington Pedestrian Crossing		40.00	New Scheme - New puffin crossing (funded through developer contributions)
PE03/16	Stonebow/ Peasholme Green Public Realm		175.00	New Scheme - Improvements to Stonebow/ Peasholme Green area of city centre

Scheme Ref	2016/17 Transport Capital Programme	16/17 Total Budget	Proposed 16/17 Consol. Budget (Total)	Comments
		£1,000s	£1,000s	
Pedestrian & Cycling - Carryover Schemes				
CY02/15	Monkgate Roundabout Cycle Route		20.00	Carryover Scheme - Improvements for cyclists at approaches to roundabout
CY03/15	Holgate Road Cycle Route		17.00	Carryover Scheme - New on-road cycle route between the Iron Bridge and Acomb Road
CY08/15	Former York College Cycle Route (Green Lane Link)		40.00	Carryover Scheme - New off-road cycle route from former York College site to Green Lane (funded through developer contributions)
CY05/13	University Road - Review of Scheme		5.00	Carryover Scheme - Review of new cycle route and speed management measures on University Road
CY01/13	Jockey Lane Cycle Route		10.00	Carryover Scheme - Conversion of zebra crossing to parallel crossing for pedestrians and cyclists
CY10/11	Haxby to Clifton Moor Cycle Route		25.00	Carryover Scheme - Retention payment and completion works
CY05/15	Hungate Pedestrian & Cycle Improvements (Phase 1A)		14.00	Carryover Scheme - Contribution for work carried out as part of Hiscox development
PE02/15	Station Rise Tactiles/Bollards		5.00	Carryover Scheme - Installation of tactile paving at crossing points completed in April 2016
CY09/15	Match Funding of Workplace Grants		5.50	Carryover Scheme - Match funding for cycle parking at small businesses in York

Total Pedestrian & Cycling Schemes	553.00	1,267.00
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Safety Schemes				
SR01/16	Knivesmire Primary	100.00	10.00	Improvements to crossing point on Bishopthorpe Road
SR02/16	Joseph Rowntree Secondary		10.00	Review of existing speed cushions
SR03/16	Hob Moor Primary		5.00	Improvements to signing & lining
SR05/15	Sheriff Hutton Road, Strensall		10.00	Installation of Vehicle Activated Sign
SR04/16	School Crossing Improvements		30.00	Upgrades to zebra crossings in vicinity of schools
SR05/16	Clifton Green Primary		2.50	Review of parking issues
SR06/16	St. Aelreds Primary		2.50	Review of existing School Safety Zone
SR07/16	Modeshift Stars - misc works		5.00	Funding to address minor issues raised by schools during travel planning work
SR08/16	Safety Audit Works		5.00	Safety Audits of schemes completed in previous years & associated minor works
SR09/16	Safe Routes Programme Development		20.00	Development of schemes to be progressed in future years

Scheme Ref	2016/17 Transport Capital Programme	16/17 Total Budget	Proposed 16/17 Consol. Budget (Total)	Comments
		£1,000s	£1,000s	
SR02/15	Sim Balk Lane SRS		8.00	Carryover Scheme - Proposed build-out at junction to improve crossing points
SR04/15	Tang Hall Primary SRS		12.00	Carryover Scheme - Amendments to signing, lining, and vehicle accesses in vicinity of school
SR01/15	School Crossing Patrol Improvements		86.00	Carryover Scheme - Upgrade of existing 'wig-wag' flashing light systems at School Crossing Patrol sites
Safety Schemes				
LS01/16	Local Safety Schemes/ Danger Reduction	100.00	135.00	Allocation Increased - Addition of carryover funding from 2015/16
a	Kingsway North / Burdyke Avenue / Crichton Ave LSS			
b	Thanet Rd outside Lidl LSS			
c	Clifton / The Avenue / Westminster Rd LSS			
d	Station Rd / Rougier St / Lendal Arch Gyratory LSS			
e	Micklegate / Skeldergate / North St LSS			
f	Local Safety Schemes Programme Development			
LS01/15a	Kingsway West / Tudor Rd LSS			
LS01/15b	Cornlands Rd / Gale Lane LSS			
LS01/15c	Hull Rd / Tang Hall Lane LSS			
LS01/15d	LSS Minor Schemes			
DR01/16	Reactive Danger Reduction		7.00	
DR01/14	SAF Heslington Lane Danger Reduction		12.00	Carryover Scheme - Review of speed limit and possible amendments to chicanes
Speed Management				
SM01/16	Speed Management Programme	50.00	102.00	Allocation Increased - Addition of carryover funding from 2015/16
SM02/16	Monitoring of existing speed limits		5.00	
SM01/15	Vehicle Activated Signs (VAS) Review		15.00	Carryover Scheme - Completion of review and replacement of existing VAS
Total Safety Schemes		250.00	482.00	
Scheme Development				
-	Future Years Scheme Development	50.00	50.00	
-	Previous Years Costs	50.00	50.00	
-	Staff Costs	200.00	200.00	
Total Scheme Development		300.00	300.00	
Total Integrated Transport Programme		3,803.00	7,975.42	

Scheme Ref	2016/17 Transport Capital Programme	16/17 Total Budget	Proposed 16/17 Consol. Budget (Total)	Comments
		£1,000s	£1,000s	

CES Maintenance Schemes				
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City Walls				
CW01/16	City Walls Restoration	350.00	350.00	

Total City Walls	350.00	350.00		
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Total CES Maintenance	350.00	350.00		
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Total Capital Programme	4,153.00	8,325.42		Programme Increased
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Total Overprogramming	360.00	129.00		Overprogramming Reduced
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Total Capital Budget	3,793.00	8,196.42		Budget Increased
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**Decision Session: Executive Member for Transport and Planning
14 July 2016****Report of the Director of City and Environmental Services****Consideration of the Objection received to the proposed amendments to the York Parking, Stopping and Waiting Traffic Regulation Order 2014:****R46: Lawrence Street, Residents' Priority Parking****Summary**

1. Amendments to the York, Stopping Parking and Waiting Traffic Regulation Order were required to facilitate changes to the agreed highway layout for the Vita Student Accommodation development at 126 Lawrence Street (St Joseph's Convent); planning reference 14/0204.

Recommendations

2. Implement the proposal as advertised. Provide a residential disabled parking bay should any resident affected require this amenity at the time of the works.

Reason: To facilitate the agreed highway works identified within the planning process whilst taking into account the special needs of any resident most affected by the works.

Background

3. The highway changes agreed within the planning process are outlined on the agreed drawing at Annex D.
4. South side of the carriageway, outlined in Annex A and B. The objection does not refer to this part of the proposal.

The proposal removes the 8 space Pay & Display facility from this area (estimated total income loss of approximately £3.50 per week). The new vehicle entrance necessitates the relocation of the bus stop, which in turn causes the relocation of the City Car Club Bay. This reduces significantly the parking amenity within the Zone at this location (currently 1 dedicated space and 8 shared paces). We are proposing to mitigate the loss to the Residents' Priority Parking zone by removing the pay and display amenity and allocating remaining space to Resident Parking only. A 60 minute parking allowance for non-permit holders will facilitate customers for

nearby business outlets in line with other resident parking bays in the zone.

It is anticipated the works on the south side of the carriageway will be completed within 3 months.

5. North side of the carriageway, outlined in Annex C.

The proposal removes 20 metres (3-4 spaces) of R46 Resident Parking amenity directly outside 87-93 Lawrence Street in order to accommodate the planned pedestrian refuge and improved bus stop facilities.

It is anticipated the works on the north side of the carriageway will be completed at the end of the project, in the next 12-18 months.

We have received one objection to the removal of the parking amenity on the north side of the carriageway.

Objection Details

With regard to the specific plans for change, I refer to the proposed "Bus Clearway" and crossing which will impact on my mother's house.

6. Bus clearway (North Side)

This will remove parking directly outside my mother's house (she still drives and is a Blue Badge holder) and limit the number of parking spaces, which could lead her to having some difficulty in finding a parking space. She uses her car regularly as she visits my father in a local care home. The pressure on parking spaces is increasing as there are more resident's vehicles in the area as more and more houses are being converted into multiple occupancy student accommodation. It is not unlikely that more pressure on these spaces might occur as a result of the development on the Convent site. I also have concerns about the raised footpath and kerbs and the impact this may have on those, like my mother, who are less able. Also, will this have any impact on refuse collection and where bins have to be left?

7. Pedestrian Crossing

Does it include flashing beacons? If so, again I have concerns for my mother as she sleeps downstairs in a room which will almost face the lights. Flashing lights throughout the night could cause some distress.

Options

8. a) Implement the proposal as advertised. Provide a residential disabled parking bay should any resident affected require this amenity at the time of the works.

This is the recommended option because it will facilitate the improvement works to ensure a safer crossing point to access the bus stop, whilst taking into account the special needs of any resident most affected by the works.

b) Implement the proposal for the south side of the carriageway only.

(This option was catered for within the approved drawing at planning (Annex D): the pedestrian refuge and bus stop improvement works were subject to feedback following required public consultation to amend the Traffic Regulation Order)

This is not the recommended option because we can mitigate the effects of the proposal on the resident affected by introducing an advisory disabled parking provision.

Analysis

9. The proposal removes parking amenity outside 87- 93 Lawrence Street. We can provide a disabled parking amenity within the remaining Residents' Priority Parking area. This cannot be reserved exclusively for the use of one particular resident but we have these in many of our resident parking areas and they are very effective. A space could be provided within 5 to 15 metres of the properties most affected. A Community Impact Assessment has been undertaken (Annex E).

Higher kerbs at bus stops are designed to aid disabled passengers. They allow better wheelchair access and a more level access for boarding the bus. A gradual ramped incline is installed to reach the higher level of footway at the bus stop area.

The proposal should not impact on refuse collection. This is a tactile footway crossing point with mid-carriageway refuge. There will be no flashing lights or noise disturbance for the adjacent residents.

Pressure for space

10. We estimate there are currently 35 dedicated Resident Parking spaces and 8 shared spaces within Pay & Display bays for the use of R46 permit holders. The proposal, if implemented will reduce the parking capacity within the zone to 34 dedicated spaces, an overall reduction of 21%.

Currently there are only 8 permits issued in R46 and 9 residents have authorisation cards to enable the purchase of visitor permits. The residential streets leading from Lawrence Street are, in the most part, unrestricted and this could be the reason for the low take up of permits in this zone.

The loss of spaces is not detrimental to the overall zone at this time. Sufficient space remains to accommodate all permit holders. Because the main take up of permits is from properties on the north side of the carriageway, residents of 87-91 Lawrence Street will no longer have the option to park adjacent to their frontage.

The number of Resident Parking permits issued at any one time can vary significantly, especially in areas where many properties are rented with a high turnover of occupiers. It is not possible to predict the level of space required to accommodate permit holders in the future.

The occupants of the new larger student accommodation blocks recently built or being built are not eligible to purchase permits for the R46 scheme.

Consultation

11. We advertised the proposal in "The Press", notices were placed on street and all properties within the R46 received details. North Yorkshire Police, Fire and Rescue Service, Ambulance Service, Freight Association and Haulier Association receive details of all proposed amendments to the Traffic Regulation Order.

Residents adjacent to the shortened bay to be consulted before implementation to find out whether they would benefit from the provision of a disabled parking amenity.

Council Plan

12. The process confirms the focus on accessing reliable bus services and community facilities.

The process confirms we are a council that listens to residents and works in partnership with local communities.

Implications

13. None

Financial

14. Implementation of proposals will be financed by the developer

Human Resources

15. None identified

Equalities

- 16. The proposal has identified it will be detrimental to one resident who is both elderly and disabled. A Community Impact Assessment has been undertaken and is included as Annex E.

Legal

- 17. The proposal requires an amendment to the York Parking, Stopping and Waiting Traffic Regulation Order 2014:

Road Traffic Regulation Act 1984 & the Local Authorities Traffic Orders (procedure) (England & Wales) Regulations 1996 apply.

Crime and Disorder

- 18. None identified

Information Technology

- 19. None identified

Land

- 20. None Identified

Other

- 21. None identified

Risk Management

- 22. There is an acceptable level of risk associated with the recommended option.

Contact Details

Author:

Sue Gill
Traffic Technician
Transport
(01904) 551497

Chief Officer Responsible for the report:

Neil Ferris
Director for City and Environmental
Services

Date: 21 June 2016

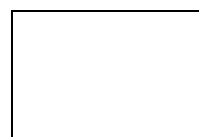


Specialist Implications Officer(s)

There are no specialist implications.

Wards Affected:

Fishergate
Guildhall



For further information please contact the author of the report.

Annexes

Annex A: Existing restrictions, south side of the carriageway

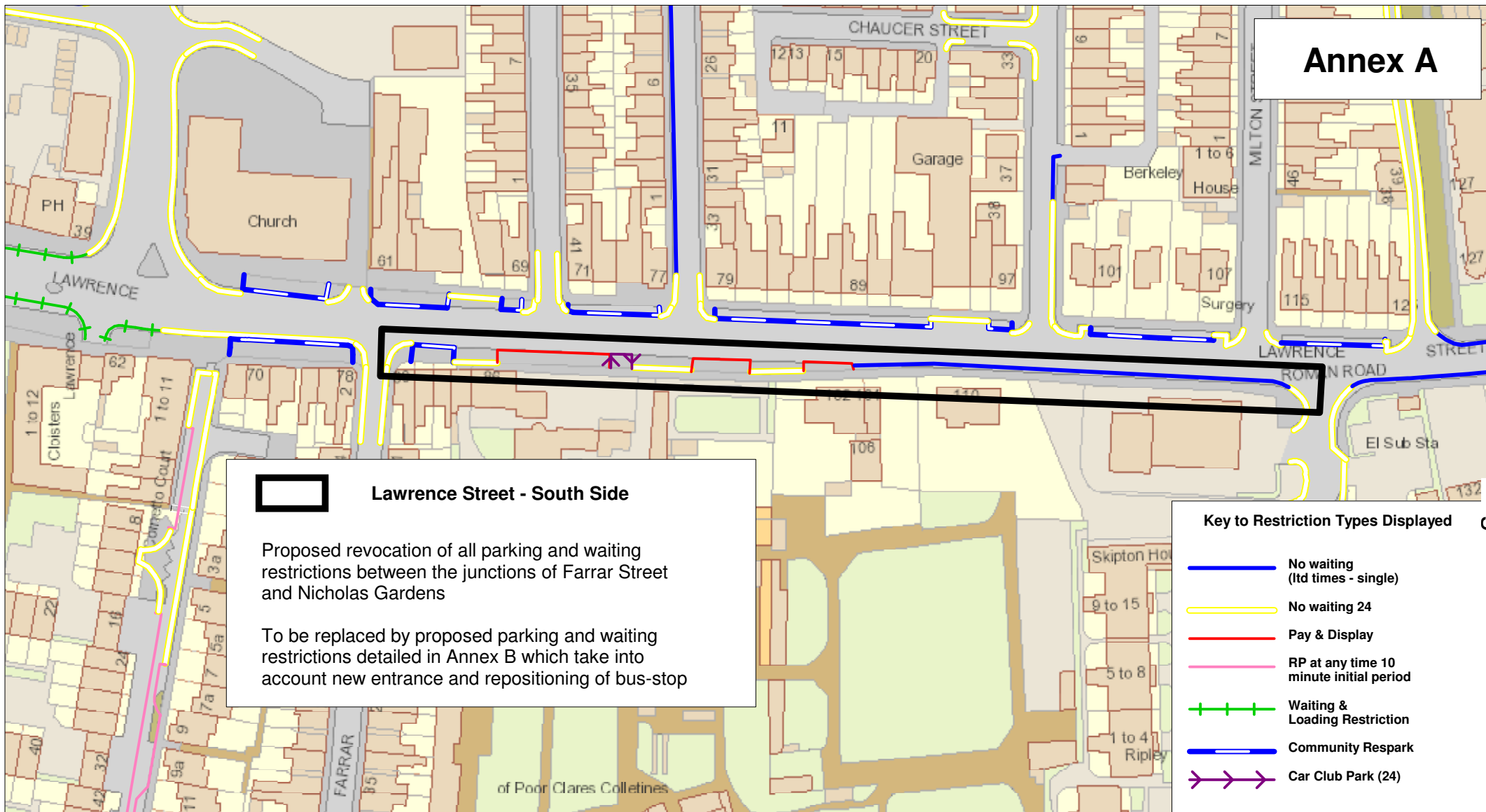
Annex B: Proposed restrictions, south side of the carriageway

Annex C: Proposed restrictions north side of the carriageway

Annex D: Highway changes identified within the planning process

Annex E: Community Impact Assessment

Annex A



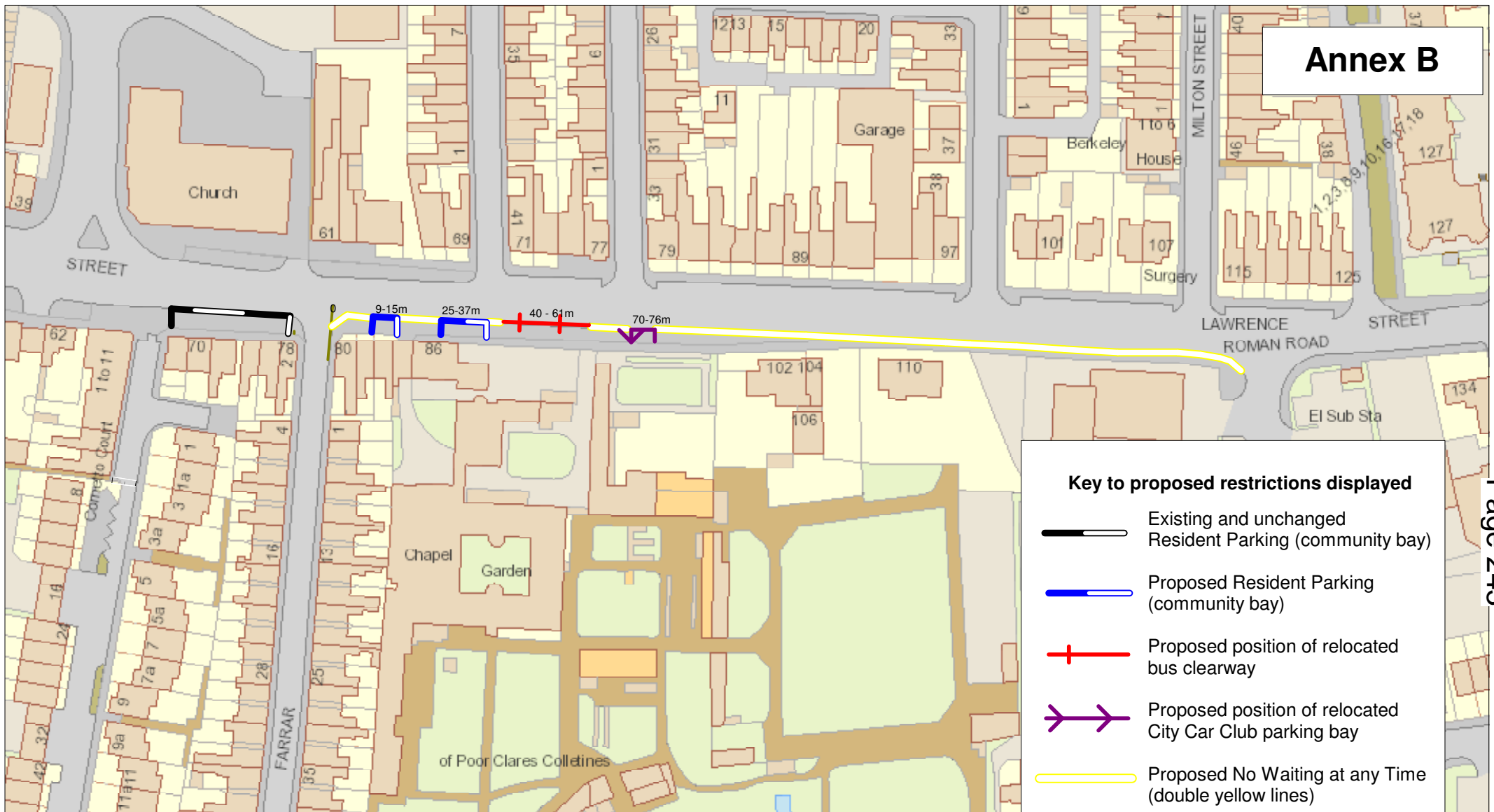
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Annex A, Lawrence Street






SCALE	1 : 1250
DATE	12/11/2015
DRAWING No.	
DRAWN BY	

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Annex B



Key to proposed restrictions displayed

-  Existing and unchanged Resident Parking (community bay)
-  Proposed Resident Parking (community bay)
-  Proposed position of relocated bus clearway
-  Proposed position of relocated City Car Club parking bay
-  Proposed No Waiting at any Time (double yellow lines)



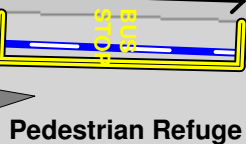
Annex B, Lawrence Street

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SCALE	1 : 1250
DATE	12/11/2015
DRAWING No.	
DRAWN BY	

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↔
**Proposed revocation of 20m
of Resident Parking amenity
for the provision of pedestrian
refuge and improved bus stop
facilities**



Key to Restriction Types Displayed

-  Resident Parking Community Parking (for any R46 Permit Holder) 60 minute period for non-permit holders
-  No Waiting at any Time (double yellow lines)
-  No Waiting (limited times, single yellow line)



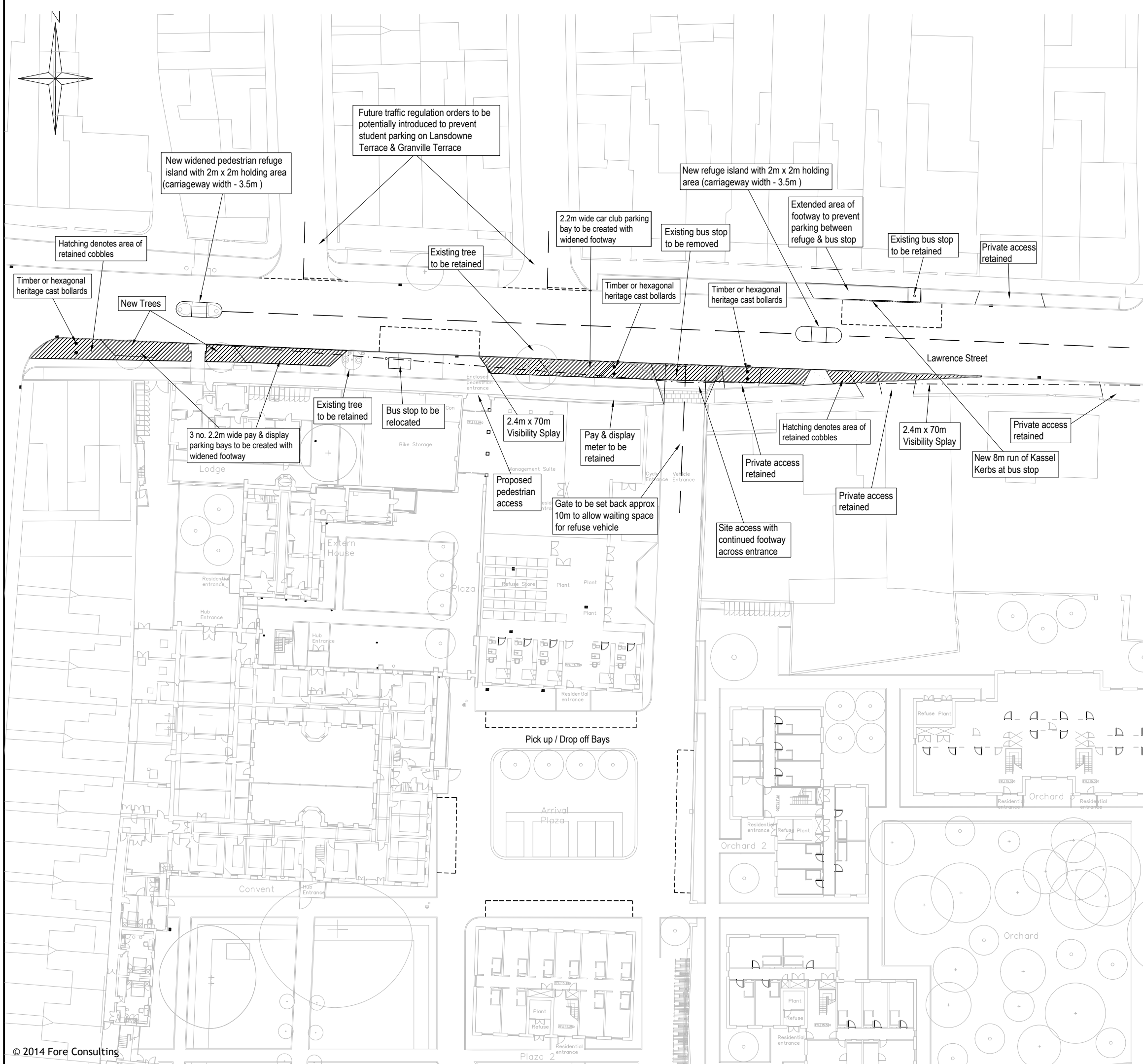
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Annex C, Lawrence Street (North Side)
Proposed Amendment to Traffic Regulation Order
to facilitate highway changes

SCALE	1 : 500
DATE	13/11/2015
DRAWING No.	
DRAWN BY	

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1. Preliminary layout subject to full topographical survey & detailed design including CDM compliance, statutory undertakers search, diversion requirements, highway drainage provision, land availability and local authority approval.
2. Notwithstanding the details as are shown indicatively on the attached plan the works are potentially subject to changes arising from the outcome of;
 - a) a 3 stage RSA
 - b) detailed technical design through Agreement under the Highways Act (1980)
 - c) feedback following required public consultation and advertising of the works including changes to TRO's



- REVISION F - Mar 2015, Extended area of footway added
- REVISION E - Mar 2015, Additional refuge incorporated
- REVISION D - Oct 2014, CoYC & Design team comments incorporated
- REVISION C - Oct 2014, New masterplan incorporated
- REVISION B - Sep 2014, Amended to include CoYC comments
- REVISION A - Sep 2014, Amended to include Re-formlandscape comments

Fore Consulting Limited
 2 Queen Street
 Leeds
 LS1 2TW
 0113 380 0250
 enquiries@foreconsulting.co.uk
 www.foreconsulting.co.uk



Client:
Vita York 1 Limited

Project:
Proposed Development of the Former St Josephs Convent, Lawrence Street, York

Drawing Title:
Proposed Site Access Arrangements

Scale:
1:500 @ A3
 Job Number:
3183

Drawing Status:
Draft
 Drawing Number:
3183/SK001/001
 Revision:
F

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Community Impact Assessment: Summary

1. Name of service, policy, function or criteria being assessed:

Proposed amendment to the York Parking, Stopping and Waiting Traffic Order 2014 to facilitate the highway requirements identified in planning reference 14/024, Vita Student Accommodation (St Joseph's Convent)

2. What are the main objectives or aims of the service/policy/function/criteria?

To ensure a safe crossing point to access the bus stop for students travelling to the University campus.

To improve the bus stop facilities outside 85 – 93 Lawrence Street in line with Disability Discrimination Act.

3. Name and Job Title of person completing assessment:

Sue Gill, Project Technician, Traffic Management

4. Have any impacts been Identified? (Yes/No)

Yes

Community of Identity affected:

Age, Disability

Summary of impact:

There are two positive impacts identified:

- Improved crossing facilities to the bus stop
- Improved bus stop facilities

There is one negative impact identified for age and disability community groups:

- Will remove the parking amenity directly outside property

5. Date CIA completed 24 May 2016

6. Signed off by:

Alistair Briggs

7. I am satisfied that this service/policy/function has been successfully impact assessed.

Name: Alistair Briggs

Position: Traffic Management Manager

ANNEX E

Date: 14/07/2016**8. Decision-making body:
Decision Session: Executive
Member for Transport and
Planning****Date:
14 July 2016****Decision Details:**

Send the completed signed off document to equalities@york.gov.uk. It will be published on the intranet, as well as on the council website.

Actions arising from the Assessments will be logged on Verto and progress updates will be required

Community Impact Assessment (CIA)

Community Impact Assessment Title:

Amendment to the Traffic Regulation Order, Lawrence Street

What evidence is available to suggest that the proposed service, policy, function or criteria could have a negative (N), positive (P) or no (None) effect on quality of life outcomes? (Refer to guidance for further details)

Can negative impacts be justified? For example: improving community cohesion; complying with other legislation or enforcement duties; taking positive action to address imbalances or under-representation; needing to target a particular community or group e.g. older people. NB. Lack of financial resources alone is NOT justification!

Community of Identity: Age

Evidence	Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Consultation has taken place with all properties within the R46 Boundary and Ward Councillors One resident believes the removal of parking directly outside the property would have a detrimental impact on the quality of life	Standard of Living Individual, family and social life Participation, Influence and voice	Positive & Negative	None

Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
<p>Positive: The pedestrian refuge will provide an additional and improved pedestrian crossing facility across a busy arterial route adjacent to the bus stop. The improved bus stop facility will give better disabled access for passengers</p> <p>Negative: The negative impact for one elderly and disabled resident is the proposal will remove the possibility of parking directly outside the property.</p>	YES	<p>As a proportionate means to achieving a legitimate aim</p> <p>To provide better pedestrian crossing and bus stop facilities for the wider community.</p>		

Community of Identity: Carers of Older or Disabled People

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
<p>Consultation has taken place with residents & Ward Councillors.</p> <p>No questions regarding provision for carers were raised by existing residents.</p>		<p>Standard of Living</p> <p>Individual, family and social life</p> <p>Participation, Influence and voice</p>	Positive & Negative	None
Details of Impact	Can negative impacts be justified?	Reason/Action	Lead Officer	Completion Date
<p>Parking spaces are being removed adjacent to residential properties and the number of available space reduced.</p> <p>This reduces the chance of carers being able to park within the zone or close to customer property.</p>	YES	<p>As a proportionate means to achieving a legitimate aim</p> <p>Concessions already exist to facilitate residents who require regular care and live in a Resident Parking Area</p> <p>Community permits: these are available for organisations where staff need to park in resident parking areas on a regular basis so they may directly serve the physical or spiritual</p>		

		<p>needs of the residents. Current cost is £51.50 annually (less than £1 per week) with discounts for some vehicles (short length/low CO2 emissions).</p> <p>Attendance Permits: Residents who require substantial or regular care or receive attendance allowance can apply for a free permit to enable their carers to park.</p> <p>Because there will be 34 dedicated spaces within the R46 zone and only 8 full time permits issued, space is normally available for carer parking within a short distance of customers.</p>		
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Community of Identity: Disability

Evidence	Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
<p>Consultation has taken place with residents & Ward Councillors.</p> <p>One issues was raised by existing residents on the grounds of disability/reduced mobility.</p> <p>Consultation has taken place with all properties within the R46 Boundary and Ward Councillors</p> <p>One resident believes the removal of parking directly outside the property would have a detrimental impact on the quality of life</p>	<p>Standard of Living Individual, family and social life Participation, Influence and voice</p>	<p>Positive and negative</p>	<p>None</p>

Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
<p>Positive: Residents with disabilities should find it easier to cross the road with the pedestrian refuge in place Disabled passengers will be able to cross the road closer to the bus stops</p> <p>Disabled passengers will find it easier to board the buses from the higher kerb line.</p> <p>Negative: A disabled resident of 87-93 Lawrence Street will lose the opportunity of parking directly outside their property</p>	<p>Yes</p>	<p>As a proportionate means to achieving a legitimate aim</p> <ul style="list-style-type: none"> • To provide better pedestrian crossing and bus stop facilities for the wider community. • We can provide a disabled parking bay for any disabled resident with a blue badge and mobility issues. For the resident most affected by this proposal the disabled parking amenity would be provided approximately 15m from property frontage. 		

Community of Identity: Gender

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Not applicable		Not applicable		
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
There is not expected to be either a positive or negative impact on this community of identity group				

Community of Identity: Gender Reassignment

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Not applicable		Not applicable		
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
There is not expected to be either a positive or negative impact on this community of identity group				

Community of Identity: Marriage & Civil Partnership

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Not applicable		Not applicable		
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
There is not expected to be either a positive or negative impact on this community of identity group				

Community of Identity: Pregnancy / Maternity

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Not applicable		Not applicable	None	None
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
There is not expected to be either a positive or negative impact on this community of identity group				

Community of Identity: Race

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Not applicable		Not applicable		
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
There is not expected to be either a positive or negative impact on this community of identity group				

Community of Identity: Religion / Spirituality / Belief

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Not applicable		Not applicable		
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
There is not expected to be either a positive or negative impact on this community of identity group				

Community of Identity: Sexual Orientation

Evidence		Quality of Life Indicators	Customer Impact (N/P/None)	Staff Impact (N/P/None)
Not applicable		Not applicable		
Details of Impact	<i>Can negative impacts be justified?</i>	Reason/Action	Lead Officer	Completion Date
There is not expected to be either a positive or negative impact on this community of identity group				

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Decision Session
Executive Member for Transport & Planning

14 July 2016

Report of the Director of City and Environmental Services

**Revisions to the Strategic Cycle Route Network Evaluation and
Prioritisation Methodology**

Summary

1. The purpose of this report is to update the Executive Member on revisions to the current methodology used for evaluating and prioritising the strategic cycle route network. The updated methodology will be used to identify future schemes to be investigated and delivered as part of the Transport Capital Programme.

Recommendations

2. The Executive Member is asked to note and approve the amendments to the methodology for the evaluation and prioritisation of the strategic cycle route network.

Reason: To enable the revised methodology, network and prioritised list of schemes to be adopted as council policy and to become part of the emerging Local Plan.

Timescale: The new methodology is proposed to be used from 2016/17 onwards.

Background

3. The current proposed strategic cycle route network, including the associated prioritised list of schemes to deliver it, were approved by the Cabinet Member for Transport, Planning and Sustainability on the 13th March 2013.
4. In the period since the network and prioritised list of schemes were first adopted an internal Transport Board has been established whose remit is to oversee and manage the delivery of strategic transport schemes across the city area covering all modes of transport.

5. The starting point for effective management of schemes is to ensure that the limited transport funds are allocated to projects which deliver the greatest benefit.
6. In recent years many local transport authorities have adopted a superhighway-type approach to planning cycle networks to mirror the equivalent road networks and to acknowledge that cycling is a realistic mode of transport for many shorter journeys and that many cyclists do not necessarily want to take long diversions to avoid busy road corridors. The provision of a direct, strategic network has benefits to both the national and local economy in terms of reduced levels of congestion and traffic-related air pollution and to individuals in terms of improvements to their health, safety on the roads and financially in terms of savings made in transport costs.
7. Whilst York's current strategic cycle route network does comprise many longer routes it can be very difficult to identify and to appreciate the strategic importance of many of the missing links. In order to make identification of the most critical missing links easier the network has been broken down into individual strategic routes. The majority of these routes form the radial links into the city centre from surrounding villages and the outskirts of the urban area. Other strategic routes, for example the Orbital Cycle Route, link up many radial routes without the need to travel anywhere near the city centre. The remainder of the network is made up of other minor links. An overall schematic plan of the strategic cycle network for the city is provided in Annex A
8. The main strategic routes proposed to be used in the prioritisation methodology are listed in the table below:

No.	Name of Strategic Route
1	Wigginton to City Centre via Wigginton Road & Haxby
2	Haxby to City Centre via Haxby Road & Bootham Stray
3	Strensall to City Centre via Huntington Rd & Foss Towpath
4	Hopgrove to City Centre via Malton Road
5	Stockton on the Forest to City Centre via Stockton Lane
6	Stamford Bridge to City Centre via NCN66 / 658 & DVLR
7	Dunnington to City Centre via A1079
8	Elvington & Wheldrake to City Centre via Heslington
9	Escrick & Naburn to City Centre via A19 & riverside paths
10	Selby to City Centre via NCN65

11	Acaster Malbis to City Centre via Bishopthorpe
No.	Name of Strategic Route
12	Tadcaster & Copmanthorpe to City Centre via Tadcaster Rd
13	Askham Richard & Askham Bryan to City Centre via Acomb
14	Askham Bryan to City Centre via Woodthorpe / Foxwood / Holgate / York Station
15	Rufforth to City Centre via Knapton / Acomb
16	Hessay & Poppleton to City Centre via A59
17	Acomb to City Centre via off-road and quiet roads
18	Beningbrough to City Centre via NCN65 / 658
19	Skelton to City Centre via A19
20	Clifton Moor to City Centre via Clifton and Wigginton Rd
21	Orbital Cycle Route
22	Outer Orbital Cycle Route
23	Racecourse to City Centre via South Bank / Bishophill
24	New Earswick to Monks Cross
25	Tang Hall to Millennium Bridge via NCN66
26	York Station to York Hospital

9. All of the strategic routes have been broken down into discrete, deliverable links. The Dunnington to City Centre route is provided as an example in Annex B. Each of these links has been colour-coded to indicate whether cycle facilities are currently in place or not using a red, amber, green traffic light-type system (see Annex B). Routes shown in green are already in existence and are of satisfactory quality, those shown in amber are in existence but need some improvement to bring them up to current design standards, and finally, those shown in red do not currently exist.
10. The existing methodology includes scores for a variety of factors including whether the route serves important destinations such as the City Centre, Major Employers, Shops etc. There are also added value factors such as tackling safety, overcoming barriers etc.
11. The new methodology continues to use the majority of the same factors as the original, however, a couple of new factors have also been taken into consideration. These are;
 - the number of strategic routes the link contributes towards, and;

- whether those strategic routes are near to completion.

These new factors will enable the routes which have the highest strategic importance to be identified and also those which are the most urgent because they are the final missing links on a specific route (see Annex C for the revised prioritised list of schemes).

Consultation

12. Separate consultation on the revised methodology has not been undertaken as it is considered that the changes follow the principles of the original methodology. The key change is how proposed cycle schemes will be justified and presented in future reports to the Executive Member.
13. Other aspects of cycling policy, including cycle parking, will be reviewed and brought forward separately to a future Executive Member Decision Session.

Options & Analysis

14. The Executive Member has the option to either continue with the existing policy or approve the proposed changes to the prioritisation methodology. The additional criteria added to the methodology will mean that resources will be directed towards schemes which will have the highest benefit for the residents of the city.

Council Plan

15. Considering this matter contributes to the following Council corporate priorities and their constituent aims, as set out in the Council Plan 2015-19:

A prosperous city for all

- *Efficient and affordable transport links enable residents and businesses to access key services and opportunities –*
A more joined-up cycle route network which connects surrounding villages, suburbs and the city centre via continuous cycle routes will give more residents travel opportunities which they may not currently consider appropriate.
- *Environmental sustainability underpins everything we do –*
cycling is one of the most sustainable forms of transport and is second only to walking in terms of its environmental impact.

- *Everyone who lives in the city can enjoy its unique heritage and range of activities* – connecting residential areas with leisure destinations by providing the appropriate cycle routes gives residents more travel options and reduces their reliance on motorised transport.
- *Visitors, businesses and residents are impressed with the quality of our city* – provision of an extensive cycle route network has the potential to give the city a more continental feel and reductions in traffic levels and congestion will reduce car-dominance.

A focus on frontline services

- *All York's residents live and thrive in a city which allows them to contribute fully to their communities and neighbourhoods* – providing residents with a continuous safe cycle route network makes cycling a realistic travel choice for many journeys in the city.
- *Everyone has access to opportunities regardless of their background* – cycle networks are a great leveller and have the potential to link all parts of the city equally. Cycling is a very cheap form of travel which many residents can access. Providing a safe, continuous network will draw in many more potential users than the current disjointed network.
- *Every child has the opportunity to get the best possible start in life* – provision of a safe network will encourage parents to let their children cycle for many journeys, safe in the knowledge that they will not be vulnerable. Cycling has the potential to improve the health of children and reductions in congestion also have positive impacts on local air quality.
- *Residents are encouraged and supported to live healthily* – provision of a continuous, safe cycle network, which links all residential areas will give residents a healthy option for their journeys within the city. Links beyond the Outer Ring Road to surrounding villages and beyond into the surrounding countryside will help encourage cycling as a leisure activity. As above, any reductions in traffic and congestion will have positive impacts on air quality.
- *Residents are protected from harm, with a low risk of crime* – provision of a safe cycle network will reduce the potential danger at junctions, roundabouts and across the city. Higher levels of cycling also help to raise awareness of the presence of cyclists and lower traffic speeds.

Higher levels of use of more remote cycle routes will help discourage crime on or alongside them.

A council that listens to residents

- *Focus on cost and efficiency to make the right decisions in a challenging financial environment* – Evidence shows that cycle facilities provide much higher cost to benefit ratios than facilities for motorised transport especially in terms of the health benefits. Investment in cycle route networks delivers many types of benefit including improved air quality, traffic reduction, reduced congestion, improved health and improved road safety.
- *Celebrate and champion the diversity of our population and encourage everyone to play an active role in the city* – cycling is an activity that many residents can enjoy irrespective of their gender, age, ethnic group and abilities. Cycling can help break down barriers in terms of disability with adapted cycles becoming more widely available. Several groups have been started across the city in the past few years which encourage older people back into cycling or target groups such as women or people with young children.

Implications

16. **Financial** : There are no financial implications of the recommendations. The new prioritisation methodology will only influence the choice of schemes to deliver within specified budgets.

Human Resources (HR) : There are no HR implications

Equalities : There are no Equalities implications other than the potential increase in transport options available to residents as a result of future expansion of the strategic cycle route network.

Legal : There are no Legal implications

Crime and Disorder : There are no Crime and Disorder implications

Information Technology (IT) : There are no IT implications

Property : There are no Property implications.

Other : There are no other implications

Risk Management

17. In compliance with the Council's risk management strategy there are no risks associated with the recommendations in this report.

Contact Details

Author:

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Chief Officer Responsible for the report:

Neil Ferris
Assistant Director City and
Environmental Services

Report
Approved



Date 21 June
2016

Wards Affected:

All

For further information please contact the author of the report

Background Papers: None

Annexes

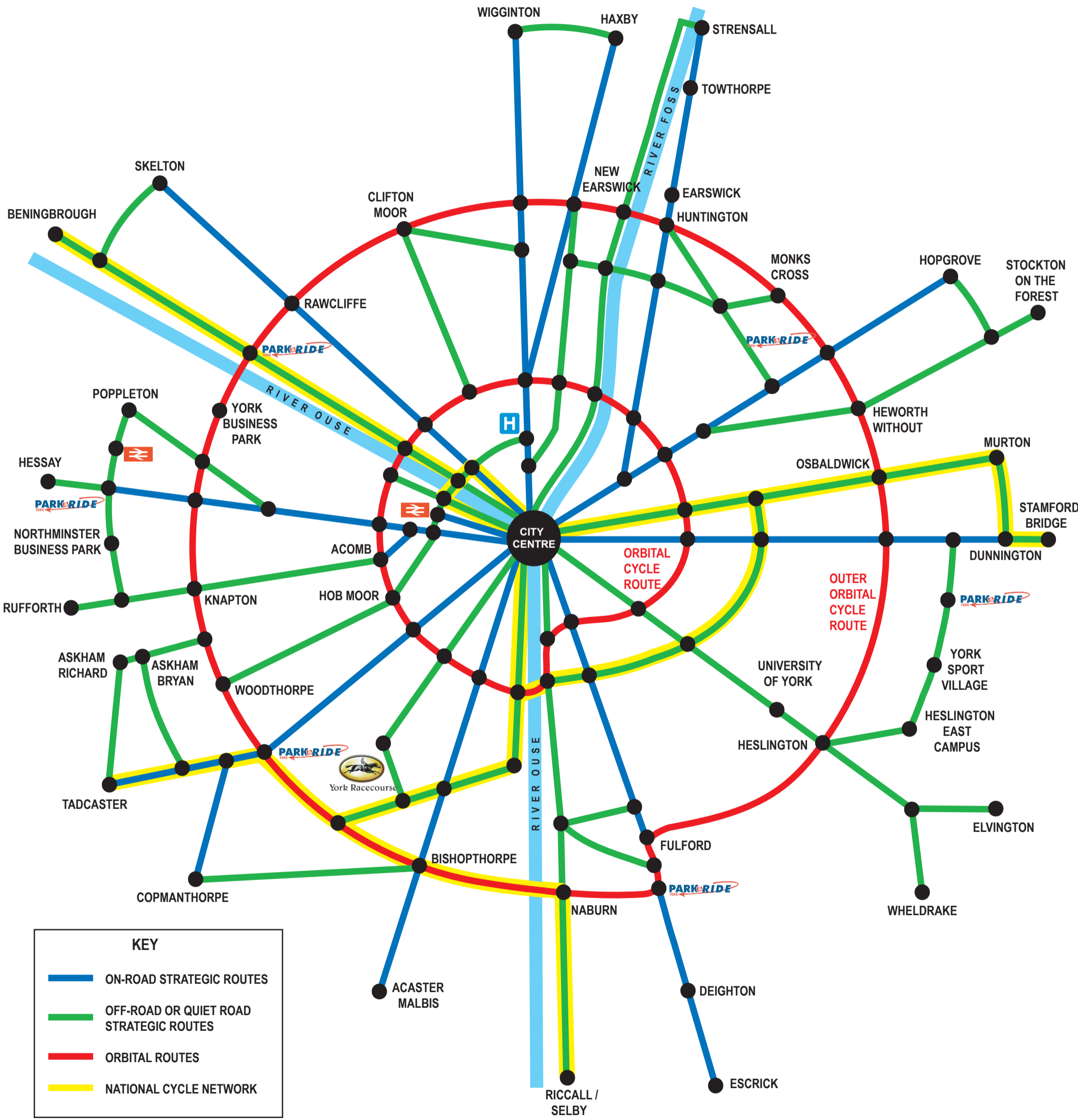
Annex A – Schematic Map of York's Strategic Cycle Route Network

Annex B – Colour-Coded Plan of a Specific Strategic Route -
Dunnington to City Centre via A1079

Annex C – Revised prioritised list of schemes using the new scoring
criteria

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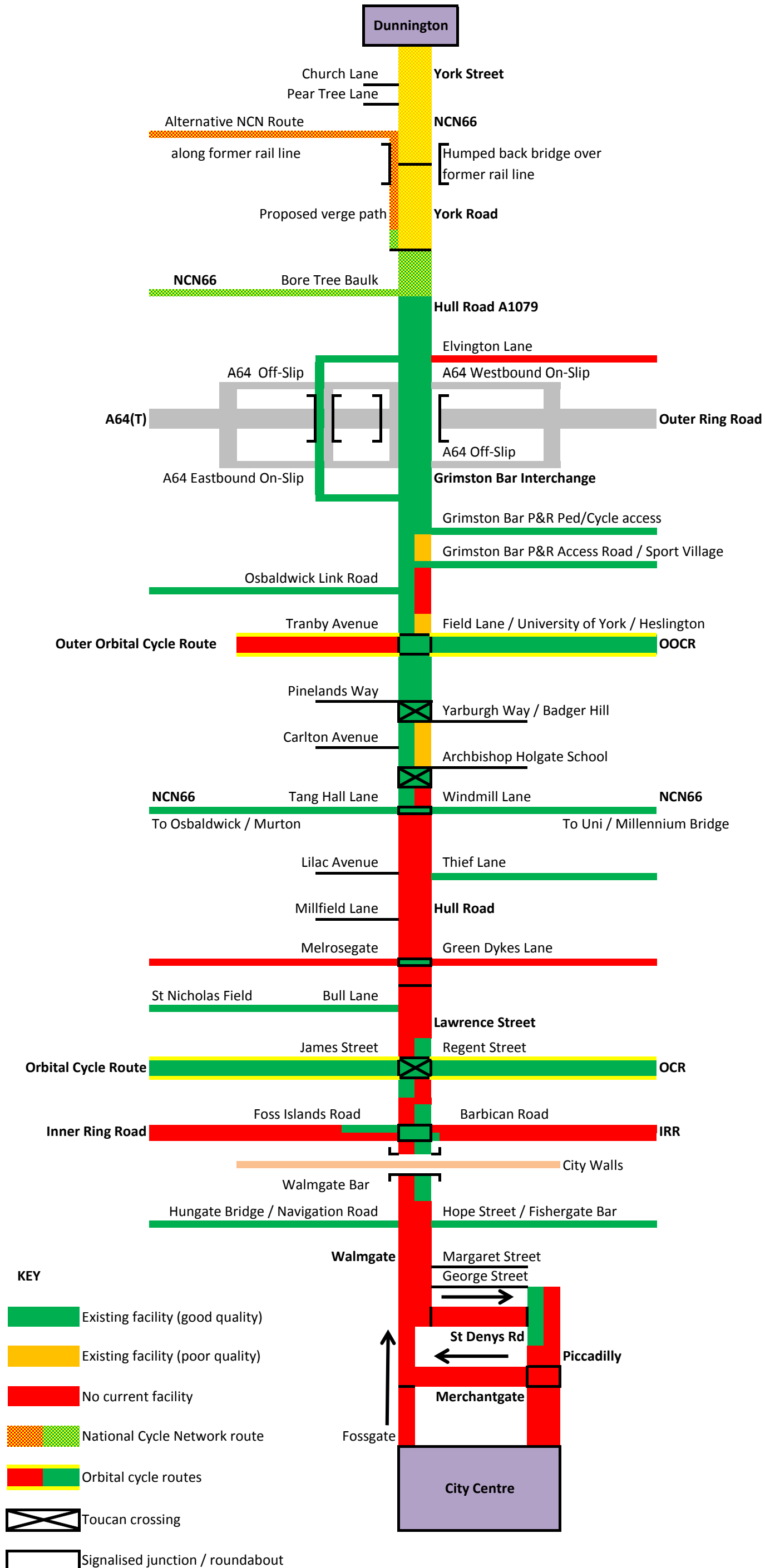
ANNEX A - SCHEMATIC MAP OF YORK'S STRATEGIC CYCLE ROUTE NETWORK



KEY

- ON-ROAD STRATEGIC ROUTES
- OFF-ROAD OR QUIET ROAD STRATEGIC ROUTES
- ORBITAL ROUTES
- NATIONAL CYCLE NETWORK

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Link ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value			Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +		
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)	Reduces rural severance (+2)		Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K +) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score		Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts	Buildability Score
1	University Road / Field Lane	Off-road facility linking the current facilities alongside Field Lane (Hesl) with the routes emanating from the NW corner of the University towards the city centre. Some of the southern sections due to be provided as part of the planning gain from the construction of the Heslington East Campus	Missing link on busy route to/from university	SRTS (University of York)	Elvington, Wheldrake, Osbaldwick, Murton, Dunnington, Badger Hill, Heslington East, Tang Hall, Heslington, Fulford	University of York, Schools (Archbishop Holgate's, Badger Hill, Lord Deramores, Fulford, St Oswalds), Science Park, City Centre, Sports Village	3	5	4	3	2	2	1	2	1	7.50	3	2	2	2	2	2	11.00	High	10	Low	1	Fairly difficult due to conservation area status of area and width constraints	3	35.50
2	Monkgate Rdbt	Provision of improved cycle facilities around and on the approaches to the roundabout bearing in mind the shelving of the Sainsburys Foss Bank expansion plans	Missing link on busy radial route and busy junction on inner ring road	SRTS (St Wilfreds, Park Grove)	Huntington, Heworth	City Centre, St Wilfrid's school, Foss Bank shops, Foss Islands Retail Park, York Station, City Gym	5	5	4	3	2	2	1	2	1	7.50	3	2	2				7.00	High	10	Medium	3	Difficult	3	33.50
3	University of York - Heslington East Campus links	Links through the new Heslington East campus through to the Grimston Bar P&R site	Missing radial route links from commuter belt inwards		Dunnington, Stamford Bridge, Grimston Bar	University of York, Science Park, City Centre, Heslington, Fulford	3	5	4	3	2	2	1	2	1	7.50	3		2	2	2	2	11.00	Medium	6	Low	1	Planning condition for heslington East campus	1	33.50
4	Tower Gardens access gates	Alterations to Tower Gardens access gates to make them more cycle friendly whilst still preventing unauthorised access for motorised vehicles	Network improvement scheme on busy off-road radial route		Fulford, Heslington, Fishergate, city centre (outbound)	City Centre, Fishergate, Fulford	5	5	4		2	2	1		1	5.00	3	2					7.00	High	10	Low	1	Easy if conservation issues can be overcome	3	33.00
5	High Petergate / Low Petergate / Colliergate / Fossgate / Walmgate (or Lendal / Blake Street, Davygate, Parliament Street)	Key north-south link through the Footstreets area proposed as part of the Footstreets Review and the Cycling City project - would need contra-flow facilities as most of it is one-way in a south-easterly direction	Missing link through pedestrianised area to enable cyclists to make cross-city movements without having to use sections of the inner ring road	CCMAF scheme	Clifton, Rawcliffe, Hull Road, Tang Hall	City Centre, University of York, York St John University	5	5	4		2	2	1	2		5.50	3		2	2	2		9.00	High	10	Medium / High	4	Difficult due to current status of route as part of the pedestrianised area and the one way streets involved	3	32.50
6	Museum Street / Lendal Bridge / Station Road	Improved links to the new Council HQ from the Bootham/Gillygate/Monk Bar direction plus improved access to the station	Improved Inner Ring Road provision and missing link from SE to NE of city		Clifton, Rawcliffe, The Groves, Huntington, Haxby, New Earswick, Holgate, South Bank, Dringhouses, Acomb	City Centre, Acomb, York St John University, York Station, York College, All Saints School, Millthorpe School, new CYC HQ	5	5	4	3	2	2	1	2		7.00	3	2	2				7.00	High	10	Medium / High	4	Difficult due to restricted widths available and status as part of IRR	3	32.00
7	Micklegate / Bridge Street / Nessgate / Coppergate / Pavement / Stonebow / Peasholme Green	Key east-west link across the city centre proposed as part of the City Centre Movement and Accessibility Framework. Whether there is sufficient width to provide any on-road facilities or not needs to be investigated otherwise the enforcement of the access restrictions need to be tightened up to make the route more traffic-free	Missing link to enable cyclists to make cross-city movements without having to use sections of the inner ring road	CCMAF scheme	South Bank, Holgate, Acomb, Dringhouses, Foxwood, Woodthorpe, Heworth, Tang Hall, Hungate	City Centre, Acomb, York College, All Saints School, Millthorpe School, Foss Islands Retail Park, Foss Bank shops, York Station	5	5	4	3		2	1	2		6.00	3	2	2		2		9.00	High	10	High	5	Difficult due to conflicts with other modes along this corridor and restricted widths available	3	32.00
8	Improvements to Station Road / Station Avenue gyratory	Provision where possible of facilities to aid cyclists using the gyratory	Missing links on network	TSAR project	Clifton, Holgate, Acomb	City Centre, York Station	5	5	4		2	2	1	2		5.50	3	2	2				7.00	High	10	Medium	3	Difficult due to large number of other users on same link and status as part of IRR	3	31.50
9	Clarence Street	Provision of some form of cycle facility (either on or off-road) along the whole length of Clarence Street to link up existing facilities on Wigginton Road and Gillygate	Missing link on busy radial route	LSTF / BBAF scheme	New Earswick, Haxby, Wigginton, Huntington	City Centre, York St John's University, York Hospital, Nestle, York Station	5	5	4	3	2	2	1	2		7.00	3	2				5.00	High	10	Medium	3	Difficult due to lack of available width so is dependent on land either side of highway	3	31.00	
10	Scarborough Bridge	Provision of ramped accesses onto and off the bridge with path widening across the river if feasible	Missing link on the Haxby to station route	SRT Station	Clifton, Rawcliffe, Clifton Without, The Groves, Huntington, Haxby, New Earswick	York Station, Hub Station, NCN65	5	5		3	2	2		2	1	5.00	3	2	2	2	2		11.00	High	10	V. High	7	Difficult due to Network Rail's reluctance to do anything	3	31.00
11	Route through former British Sugar site	Link from Millfield Lane / Low Poppleton Lane through to Plantation Drive / Ouseacres delivered by development	Route through development site to link up to routes to Poppleton / York Business Park	SRTS (Manor School)	Poppleton, York Business Park, Boroughbridge Road area	Manor School, Clifton Moor, York Business Park, Poppleton Park area	3	5	4	3	2	2	1	2		7.00	3			2	2	2	9.00	Medium	6	Low	1	Fairly easy as will be a planning condition of development but timescales are outside CYC control	1	31.00
12	Scarborough Bridge replacement	New bridge between York Central area and city centre between Scarborough and Lendal Bridges	New bridge to serve major new development site and to relieve pressure on Lendal Bridge and the sub-standard Scarborough Bridge	York Central Transport masterplan, Cultural Quarter project, Songlines Project	York Central, Leeman Road residential area, Acomb? Holgate Road / Poppleton Road areas?	City centre, York Central, York Station, Acomb?	5	5	4		2	2	1	2	1	6.00	3	2	2	2	2		11.00	High	10	V High	7	Very difficult due to costs involved and need for development to go ahead	5	30.00
13	Castle Piccadilly Foss Bridge	New shared use bridge to be provided as part of the Castle / Piccadilly development	New link from riverside path through to city centre	Castle / Piccadilly development brief	Fulford, Fishergate	City centre	3	5	4		2		1		1	4.00	3	2	2	2	2		11.00	High	10	Low	1	Difficult as entirely dependent on development happening	5	30.00
14	York Central - link from Chancery Rise	Link into York Central site from Chancery Rise	Missing link to major development site		Acomb, Holgate, South Bank	York Central, city centre, York Station	5	5	4	3	2	2	1	2	1	7.50	3	2	2	2	2		11.00	Medium / High	8	V High	7	Very difficult but may be a planning condition	5	29.50

Link ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value			Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +									
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)	Reduces rural severance (+2)		Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K +) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score		Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts	Buildability Score							
15	Holgate Road – link from Iron Bridge to Acomb Road junction	On-road provision where possible for inbound and outbound cyclists along Holgate Road with easy transitions onto existing off-road paths along the corridor where appropriate	Missing link on major radial route	SRTS (St Pauls)	Holgate, Acomb, Foxwood, Woodthorpe, Bishophill, South Bank	City Centre, Acomb, York Station, All Saints School, Millthorpe School, Mount School, Poppleton Park	5	0	4	3	2	2	1	2							7.00	3	2				2		7.00	High	10	Medium	3	Difficult due to width restrictions and parking	3	28.00	
16	Brownie Dyke / Castle Mills Bridge / Castle Piccadilly Development	Link between New Walk and City centre area via a pathway along eastern side of River Foss	Missing link on off-road radial route		Fulford, Fishergate, University of York	City Centre	5	5	4		2		1								3.50	3	2	2	2	2			11.00	Medium / High	8	High	5	Could be very difficult to achieve a scheme which is flood-proof and along backs of existing properties	5	27.50	
17	Wilton Rise to Leeman Road - replacement bridge	Replacement to Wilton Rise footbridge with associated approach ramps	Improved route to city centre		Acomb, Holgate	City centre, York Station	3	5	4	3	2	2	1	2	1						7.50	3	2	2	2	2			11.00	High	10	V High	7	Very difficult due to bridge spanning live rail line	5	27.50	
18	Fishergate Gyrotory	Improvements for cyclists on all arms of the gyrotory including crossing points and potential contra-flow facility along Paragon Street footway	Missing link on busy radial route and key junctions of the Inner Ring Road	Link to OCR	Fulford, Heslington, Fishergate, city centre (outbound)	City Centre, York Barbican, schools (St George's, Fishergate), Foss Islands Retail Park, University of York	3	5	4	3		2	1	2	1						6.50	3	2	2	2				9.00	High	10	Medium / High	4	Very difficult due to width constraints, high vehicle numbers and location on IRR	5	27.50	
19	Bar Lane / Toft Green / Tanner Row	Improved links to the new Council HQ from the Micklegate and North Street directions – possible contraflow facility along the section of Tanner Row (Only is junction signalised) between Rougier Street and North Street	Improved links to/from key trip attractor	CYC HQ Relocation	South Bank, Holgate, Acomb, Dringhouses, Foxwood, Woodthorpe	New CYC HQ, City Centre (N), York College, All Saints School, Millthorpe School, Scarcroft School, Acomb	3	5	4	3	2			2							5.50	3	2			2			7.00	Medium	6	Low	1	Easy	1	27.50	
20	Boroughbridge Road – outbound link between Water End junction and commencement of cycle lane beyond the Malvern Avenue junction	On or off-road provision to link up the two junctions	Missing link on radial route - Scrutiny Board scheme	Access York Phase 1 scheme	Clifton, Rawcliffe, City Centre	Acomb Centre, Manor School	3	5					1	2							3.00	3	2				2		7.00	High	10	Low (on road informal facility proposed)	1	Difficult due to height differences and utility services under the footway and in the adjacent verge	3	27.00	
21	Acomb Road – link from Holgate Road / Poppleton Road junction to Hobgate junction	On-road provision where possible for inbound and outbound cyclists along Acomb Road as far as the start of the OCR section	Missing link on radial route	SRTS (Acomb Primary)	Holgate, Acomb, Foxwood, Woodthorpe, Bishophill, South Bank	City Centre, York Station, All Saints School, Millthorpe School, Mount School, Acomb Centre, Poppleton Park	5	0	4	3	2	2	1	2							7.00	3	2						5.00	High	10	Medium	3	Difficult due to width restrictions, parking and various crossing points along stretch	3	26.00	
22	Link from former York College site to Green Lane	Link from current facilities through the site to the York to Selby path at Green Lane	Missing development site link		Dringhouses, Woodthorpe	University of York, City Centre, York Racecourse, Askham Bar	3	5	4		2	2	1	2	1						6.00	3			2	2			7.00	Medium	6	Low	1	Section 106 money available to pay for link but will need landowners permission	3	26.00	
23	New Lane - Malton Road to start of current on road mandatory lane	Infill of gap between the New Lane / Malton Road junction and the start of the on-road lane	Missing link	LSTF	Tang Hall, Heworth	Monks Cross (shops, Portakabin, Aviva) Huntington Stadium	3	5	4	3	2		1		1						5.50	3	2			2			7.00	Low / Medium	4	Low	1	Should be fairly easy provided enough width can be secured	1	25.50	
24	Rufforth to Acomb via Knapton and using existing and upgraded PROWs	Provision of off-road route leaving Knapton via the cattle creep under the A1237 then joining Moor Lane (bridleway) via a realigned path, along Moor Lane then across the northern edge of the Harewood Whin site to meet Wetherby Road just before the start of the built-up part of Rufforth	Missing route to outlying village cut off by Outer Ring Road – part s106 scheme / part potential Sustrans Connect2 scheme	Tremendous York	Rufforth, Acomb	Acomb Centre, Manor School, City Centre	3	5	4	3		2	1	2	1						6.50	3		2	2	2			9.00	Low	2	Low due to match funding and external funding sources	1	Mostly agreed with relevant landowners over several years still a few issues at the Rufforth end	2	25.50	
25	Huntington Road – Byland Avenue to Monkgate Rdbt	Link from the end of the current cycle lanes at the Byland Avenue junction along the remainder of the length of Huntington Road	Missing link along popular radial commuting route		Huntington, Earswick, (Strensall?)	City Centre	3	5	4	3	2	2	1	2							7.00	3	2			2			7.00	High	10	High	5	Extremely difficult but speed limit reductions may be a solution	5	25.00	
26	Cemetery Road	Facilities along Cemetery Road from Fulford Road to Paragon Street	Missing link on major radial route		Fulford, south Fishergate	City Centre, York Barbican, Hospital Fields Road Estate, Imphal Barracks, York Police Station	3	5	4	3	2		1								5.00	3	2			2			7.00	Medium / High	8	Medium?	3	Difficult due to restricted road widths and parking	3	25.00	
27	Sim Balk Lane - link from the sports changing room area to Church Lane (Bish)	Widen footpath on northern side to convert to shared use as far as the start of the village proper	Missing link on network and key route to college / Tesco	SRTS (York College)	Bishopthorpe, Acaster Malbis, Naburn?	York College, Askham Bar P&R, Tesco, Bishopthorpe Village	3	5				2	1	2	1						3.00	3	2		2	2			9.00	Medium	6	Medium	3	Fairly easy funds permitting	1	25.00	
28	River Foss Towpath	Shared use along Foss towpath from Monk Bridge to Strensall	Off-road radial route to city centre	SRTS (Robert Wilkinson, Ralph Butterfield, Huntington Primary & Secondary, Joseph Rowntree, Yearsley Grove)	Strensall, Towthorpe, Haxby, Earswick, Huntington, New Earswick	Robert Wilkinson, Ralph Butterfield, Huntington Primary & Secondary, Joseph Rowntree, Yearsley Grove, Strensall, Haxby, Huntington, New Earswick and City Centre facilities, Monks Cross	3	0	4	3	2	2	1	2	1						7.50	3	2	2	2	2	2			13.00	High	10	V High	7	Very difficult due to accommodating other interested groups	5	24.50
29	Clifton Moorgate Rdbt	Improvements to roundabout to make crossing the arms easier and more cycle friendly	Safety scheme – Scrutiny Board scheme	LSTF scheme?	Rawcliffe, Clifton Without	Clifton Moor	3	5			3	2		1		1					3.50	3	2						5.00	High	10	Low / Medium	2	Fairly difficult due to width restrictions and traffic volumes	3	24.50	

Link ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value			Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +		
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)	Reduces rural severance (+2)		Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K +) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score		Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts	Buildability Score
30	Clifton Moorgate – improved link from Hurricane Way to Rdbt	Off-road path linking the end of the Hurricane Way shared use path with shared use paths running around the periphery of the Clifton Moorgate / Stirling Road Rdbt	Missing Link on employment / leisure site	LSTF?	Rawcliffe, Clifton Without	Clifton Moor	3	5		3			1	1	2.50	3	2						7.00	Medium / High	8	Low?	1	Fairly difficult if the adjacent land isn't adopted highway or council-owned	3	24.50
31	Shipton Road cycle lanes between Clifton Park & Clifton Green junctions	On road provision between employment site and edge of current on-road provision	Link to employment site		Rawcliffe, Clifton Without, Skelton	Clifton Park, City Centre, York Hospital, Acomb, York Station	3	5	4	3	2	2	1	1	6.50	3	2						7.00	Medium	6	Medium	3	Could be difficult in places due to central refuges	3	24.50
32	Bootham crossing and St Marys link and ramp	Parallel crossing of Bootham near the Bootham Park entrance with a signed route down St Marys and a ramped access down onto Marygate Lane	Missing link on Haxby to Station route	SRT Station	Clifton, Huntington, New Earswick, Haxby	York Station, York Hospital, Nestle	3	5		3	2	2			4.50	3	2						9.00	Medium	6	Medium	3	Fairly difficult although many of the permissions and difficulties have already been overcome by past work on the scheme	3	24.50
33	Link from top of Station Rise to Queen Street along side of new HQ and on to station access ramp at Lowther Terrace	Improved off-road link along former railway line alignment to enable cyclists to avoid area in front of station, Queen Street bridge and Blossom Street	Improved links to/from key trip attractor	CYC HQ Relocation	Holgate, Acomb, Clifton	York Station, new CYC HQ, Acomb	3	0		3	2	2			3.50	3	2	2	2	2			11.00	Medium	6	Low	1	Easy as long as other landowners and businesses are happy with route provided	1	24.50
34	Link from Nunnery Lane end of Scarcroft Lane to Victoria Bar	Provision of link either on or off-road (through front of car park?) to join the existing route along Scarcroft Lane with the signed route from Victoria Bar into the city centre	Missing link in Blossom Street "alternative" route	SRTS (Scarcroft Primary)	Holgate, South Bank, Acomb, Foxwood, Dringhouses, Woodthorpe, Bishophill	City Centre, All Saints School, Millthorpe School, Scarcroft School, Acomb	3	5	4	3				2	4.50	3	2						7.00	Low / Medium	4	Low	1	Fairly easy as long as part of car park can be released and hotel can be passed	1	24.50
35	York Road (Acomb) – link from Severus Street junction to Front Street junction	On-road provision where possible for inbound and outbound cyclists along York Road from the end of the OCR section to Front Street with provision for cyclists to use the carriageway section of the road avoiding the closed gateway	Missing link on radial route and to shops	Link to OCR	Holgate, Acomb, Foxwood, Woodthorpe, Bishophill	City Centre, Acomb Centre, York Station	5	0	4	3			2	1	5.00	3	2						5.00	High	10	Medium	3	Difficult due to width restrictions, parking and various crossing points along stretch	3	24.00
36	Hull Road – southern link between end of current shared use just west of Yarbrough Way to Windmill Lane junction	Widening and conversion of footway along southern side to shared use along its whole length so that cyclists do not have to share bus lane with many buses and Park & Ride vehicles plus extension beyond the bus gate either on-road or off-road	Missing link on busy radial route	SRTS (Archbishop Holgate Secondary)	Osballdwick, Murton, Dunnington, Badger Hill, Heslington East	City Centre, University of York, Archbishop Holgate's School, Science Park, David Lloyd Centre	3	5	4	3	2			2	6.00	3	2						7.00	Medium	6	Medium	3	Difficult due to restricted width of footway unless road narrowed or footway widened into adjacent land	3	24.00
37	York Road, Dunnington	Link from the end of the off-road provision just north of the A1079 to the edge of the village	Missing link to commuter village and NCN improvement		Dunnington, Stamford Bridge	City Centre, University, Archbishop Holgate's School, Fulford School	3	5	4	3		1	1	2	6.00	3	2						9.00	Low / Medium	4	Medium	3	Fairly difficult due to verge widths available, utility apparatus in verge and speed of adjacent traffic	3	24.00
38	St Oswald's Road to Landing Lane	Off-road route extending the current riverside path as far as Landing Lane to link up to existing shared use paths at either end	Missing link on off-road radial route – Scrutiny Board scheme	Link to development site (Germany Beck)	Fishergate, Naburn	Designer Outlet, Naburn, City Centre	3	5	4			2	1	1	4.00	3	2						11.00	Low / Medium	4	Medium	3	Difficult due to landowner issues and status of the Ings (SSSI, village green etc)	3	24.00
39	Strensall Road link between A1237 and Six Bells Rdbt	Conversion of existing footway to shared use with appropriate widening if feasible	Much-requested link to outlying village for radial commuters – Scrutiny Board scheme		Strensall, Towthorpe	Huntington, City Centre, Monks Cross, Huntington School, York Hospital	3	5	4	3	2	2	1	2	7.50	3	2						9.00	Medium	6	V High	7	Difficult	3	23.50
40	York Road, Haxby	Facilities along York Road from A1237 to The Village including any improvements to existing sub-standard cycle lanes	Missing link to major suburb	SRTS (Ralph Butterfield, Headlands, Joseph Rowntree)	Haxby, Wigginton, New Earswick	Haxby facilities, Ralph Butterfield, Headlands, Joseph Rowntree schools (future Haxby Station?)	3	5	4	3	2	2	1	2	7.50	3	2						7.00	Medium	6	Medium?	3	Very difficult in parts due to restricted road widths	5	23.50
41	Walmgate Stray	Improvements to lighting at barracks end	Safety improvement		Fishergate, South Bank, Badger Hill	Science Park, University of York, Hospital Fields Road estate	3	0		3	2			2	4.00	3							5.00	High	10	Low	1	Fairly easy if MOD can be persuaded to alter their current lighting	1	23.00
42	Hospital Fields Road	Safety improvements for cyclists on busy industrial estate road	Safety improvement - Scrutiny Board scheme	SRTS (Uni of York)	South Bank, University of York, Dringhouses and beyond, Fishergate	University of York, Science Park, City Centre	3	5		3	2			2	4.00	3							3.00	High	10	Low / Medium	2	Difficult due to volume of HGVs and PSVs using the road	3	23.00
43	Hull Road / Thief Lane route	Provision of off-road path across the frontage of the David Lloyd Centre as far as Thief Lane plus minor improvements along Thief Lane to make it more attractive to cyclists especially at the point closure	Alternative radial route into the city centre avoiding the busy A1079	SRTS (St Lawrence's)	Osballdwick, Murton, Dunnington, Badger Hill, Heslington East	City Centre, University of York, Archbishop Holgate's School, Science Park, David Lloyd Centre	3	5	4		2	2	1	2	6.00		2						4.00	Medium / High	8	Medium	3	Could be some difficulty across front of David Lloyd site	3	23.00
44	Lord Mayor's Walk	Provision of facilities along this section of the Inner Ring Road	Missing link between two busy radial links on the inner ring road and York St John Uni	SRTS (York St John University)	The Groves, Clifton, City Centre, Heworth	City Centre, York St John's University, Foss Bank shops	3	5	4	3	2	2	1	2	7.00	3	2						5.00	Medium	6	Medium	3	Difficult due to being part of inner ring road and constrained widths	3	23.00
45	Millfield Lane Poppleton extension	Extension of off-road shared use path north of Long Ridge Lane to Ebor Way	Extension of Safe Route to School	SRTS (Manor School, Poppleton Ousebank)	Upper & Nether Poppleton	Manor School, City Centre	3	5	4	3			2		6.00	3							5.00	Medium	6	Low / Medium	2	Could be difficult if adjacent residents object	3	23.00

Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value			Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +	
				Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)	Reduces rural severance (+2)		Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K +) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score		Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts
46	Bishophorpe Road – link from end of shared use at Law College north to meet the off-road path at the southern edge of the former Terry's site (or run along rear)	Provision of off-road link between the two existing sections of path if feasible, may need the hedge to be moved or removed and the footway widened	Missing link on radial route		Bishophorpe, Acaster Malbis, Naburn? South Bank, Fishergate	City Centre, Crematorium, Law College, University of York, York Station	3	0	4	2	2	1	2	1	6.00	3	2	2	2	2	11.00	Medium	6	Medium	3	Difficult due to width constraints and it may be necessary to CPO some adjacent land or remove hedges	3	23.00
47	Bishophorpe Road – link from Green Lane south to slightly beyond the Crematorium	Provision of off-road path along the western verge as far as the top of the A64 bridge then crossed over onto a widened shared use path for the remaining section to rejoin carriageway just south of the Crematorium junction	Missing link on radial route		South Bank, Bishophill, Bishophorpe, Acaster Malbis	Crematorium, City Centre, York Racecourse, University of York, Law College, York Station	3	0	4			1	2	1	4.00	3	2	2	2	2	11.00	Medium	6	Medium	3	Fairly easy funds permitting and if sufficient width available	1	23.00
48	New Lane - Stratford Way snicket to Jockey Lane Rdbt	Link from Portakabin to the existing facilities at the Jockey Lane mini roundabout	Missing link on commuter route		New Earswick, Huntington South, Heworth, Heworth Without	Monks Cross, Portakabin	3	5		3	2	1	2	1	4.50	3	2		2		7.00	Medium	6	Medium	3	Fairly difficult due to available width and parking	3	22.50
49	Broadway - link from Heslington Lane rd to Fulford Road	Link along Broadway past the shops	Missing link on the Fulford Road to Hull Road route		Fishergate, Fulford, South Bank	University, Science Park	3	5		3	2	1	2	1	4.50	3	2		2		7.00	Medium	6	Medium	3	Fairly difficult due to available width and parking	3	22.50
50	Signed route between Woodland Way (Huntn) and North Moor Road (Huntn)	Provision of a signed route to take cyclists from the main road through Huntington to the link to Monks Cross mentioned above	Missing link between the above off-road link and the main road using quiet residential streets	LSTF scheme?	Huntington, Earswick, (Strensall?)	Monks Cross (shops, Portakabin, Aviva) Huntington Stadium	3	0		3	2	1		1	3.50	3	2		2	2	9.00	Medium	6	Low	1	Easy	1	22.50
51	Stockton Lane – feeder lane to Heworth Green rd	Provision of narrow feeder lane along the final inbound section of Stockton Lane to enable cyclists to bypass the queuing traffic	Cyclist priority measure on approach to junction		Heworth Without, Stockton on the Forest	City Centre	3	5	4			1			2.50	3	2				5.00	Medium	6	Low	1	Easy	1	22.50
52	North Street (Guildhall) Bridge	New footbridge between North Street Gardens and City Screen with associated improved cycle parking at North Street end	New bridge to relieve the pressure on Lendal Bridge for city centre bound trips	CCMAF scheme	Acomb, Station, Micklegate area	City Centre, Aviva, York Station	5	0	4	2	2	1		1	5.00	3	2	2	2		9.00	High	10	V High	7	Very difficult due to needing permission from landowners at either end and very high costs involved	5	22.00
53	Tower Street	Removal of traffic lane on dual carriageway section to provide cycle facilities	Scrutiny Board scheme		Fulford, Heslington, Fishergate, city centre (outbound)	City Centre, York Barbican, Foss Islands Retail Park	3	0	4	2	2	1		1	5.00	3	2	2	2		11.00	High	10	High	5	Very difficult due to width constraints, high vehicle numbers and location on IRR	5	22.00
54	Front Street (Acomb) – link along pedestrianised section to Green Lane junction	On-road provision to enable cyclists to get from York Road to Green Lane or along the remainder of Front Street avoiding the mini-roundabouts	Missing link on radial route and to shops		Holgate, Acomb, Foxwood, Woodthorpe	City Centre, Acomb Centre, York Station	3	0	4	3		2	1		5.00	3	2		2		7.00	Medium / High	8	Medium	3	Fairly easy in theory	1	22.00
55	Wilton Rise to Leeman Road - widened path	Widened shared use path along Cinder Lane between bridge and NRM with improved exit at Leeman Road	Improved route to city centre		Acomb, Holgate	City centre, York Station	3	0	4	3	2	2	1	2	7.00	3	2		2	2	9.00	Medium	6	Medium	3	Would need to purchase land either side of current path and amend fence line	3	22.00
56	Shipton Road - Loweswater Road to Clifton Park	Link between the end of the Shipton Road parallel service road and Clifton Park	Missing link on radial route		Skelton, Rawcliffe, Clifton, City Centre, Clifton Park (residential)	Clifton Moor, City Centre, Clifton Park (employment)	3	5	4	3	2	2	1		6.00	3	2				5.00	Medium	6	Medium	3	Fairly difficult due to speed limit and lack of available width in places	3	22.00
57	Fulford Main Street / Selby Road	Facility to link up current provision on Fulford Road and on Selby Road south of Landing Lane	Missing link on radial route		Naburn, Fulford (southern end), Fishergate (outbound trips)	City Centre, Designer Outlet, Naburn	3	5	4	2	2	1	2	1	6.00	3	2		2	2	11.00	Low	2	Medium	3	Very difficult due to conservation area status of area and width constraints	5	22.00
58	Beckfield Lane – provision of facilities along the southern section from just south of Ostman Road to Wetherby Road	Either on or off-road provision along the remaining section of Beckfield Lane	Missing link on commuting / school route - Scrutiny Board scheme	SRTS (Manor School)	Chapelfields, Foxwood, Acomb, Woodthorpe, Poppleton	Manor School, Clifton Moor, Acomb Centre, Energise, York Business Park	3	5		3	2	1	2	1	4.50	3			2	2	7.00	Medium / High	8	Medium / High	4	Very difficult due to existing opposition from adjacent residents, width restrictions and traffic flows / speeds	5	21.50
59	Hull Road – southern link path between existing shared use section (opp. Pinelands Way) and Field Lane rd including the roundabout	Widening and conversion of footway along southern side to shared use along its whole length so that cyclists do not have to share bus lane with many buses and Park & Ride vehicles	Missing link on busy radial route	SRTS (Archbishop Holgates Secondary)	Osbalwick, Murton, Dunnington, Badger Hill, Heslington East	City Centre, University of York, Archbishop Holgate's School, Science Park, David Lloyd Centre, Sports Village	3	0	4	3	2	1	2	1	6.50	3			2		5.00	Medium	6	Low	1	Fairly easy	1	21.50
60	Routes through Haxby Wigginton	Provision of suitable off-road or safer routes through the villages of Haxby & Wigginton – need to be investigated	Links from various sections of the villages to the existing facilities on York Road – Scrutiny Board scheme		Residential parts of village	Schools, shops and destinations farther afield via existing links	3	5	4	3		2	2		5.50	3			2		5.00	Medium	6	Medium	3	Dependent on where and how the routes are achieved (20mph zones may be easiest solution)	3	21.50
61	James Street Link Road Phase 2	Link between Layerthorpe and Heworth Green through two development sites	Missing link between radials		Heworth, Huntington, Hull Road	Foss Islands Retail Park, York University, City Gym, Nestle, Hospital	3	0		3	2	1	2	1	4.50	3	2		2	2	9.00	Medium	6	Medium	3	Easy due to it being a planning condition	1	21.50

Link ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value			Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +		
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CN/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)	Reduces rural severance (+2)		Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K+) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score		Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts	Buildability Score
62	Link from Hob Moor Drive to Beech Avenue along Collingwood Avenue	Provision of signed route with any appropriate improvements to link the path emerging from Hob Moor to the signed route up Beech Avenue (and then onwards towards the city centre via Holgate Road / Wilton Rise and footbridge to Leaman Road)	Missing link on route to city centre / English Martyrs School		Holgate, Foxwood, Woodthorpe, Acomb	English Martyrs School, Our Lady's School, St Paul's School, City Centre, Energise, York Station	3	0	4		2			2	1	4.50	3						7.00	Medium	6	Low	1	Easy - signing only required	1	21.50
63	Hull Road - Grimston Bar to Field Lane inbound	On-road link between two extremes	Missing link		Stamford Bridge, Dunnington, Elvington	City centre, University of York	3	0	4	3	2	2		2		6.50	3	2		2		2	9.00	Low / Medium	4	Medium	3	Fairly easy if bus lane can be made more cycle friendly	1	21.50
64	Link between Earswick village and Huntington using the Foss towpath	Link from the south of Earswick village emerging along a PROW from the end of Stablers Walk then running parallel with the A1237 to the Foss then under the A1237 along the towpath to rejoin the residential streets at the end of Vesper Walk	Grade-separated crossing of the busy A1237 linking the two villages either side of it and providing a safe crossing for utility and leisure trips	SRTS (Huntington Primary and Secondary schools)	Earswick, Strensall	Huntington schools, Joseph Rowntree School, Monks Cross, (New Earswick?)	3	0	4	3	2		1	2	1	6.50	3	2	2	2		2	11.00	Low / Medium	4	Medium	3	Dependent on gaining approvals of Earswick and Huntington Parish Councils and being able to construct path along towpath	3	21.50
65	Northfield Lane (Poppleton) - link from crossing point of the A1237 near Knapton Main Street and the shared use path just north of the Northminster Business Park	Provision of on or off-road facilities to link the above scheme and anyone leaving Knapton and crossing the A1237 at-grade with the Industrial Estate, the future Park & Ride Site and Poppleton (inc Rail Station)	Missing link to employment site / outlying village / Park & Ride site		Knapton, Rufforth, Acomb, Poppleton	Poppleton Bar P&R (when built), Poppleton Station, Acomb Centre, Northminster Business Park	3	5		3	2	2	1		1	4.50				2	2	2	6.00	Low / Medium	4	Medium	3	Fairly easy in theory as traffic levels are fairly low once past Northminster Business Park	1	21.50
66	Knapton - link from A1237 to Beckfield Lane	Link from end of existing shared use path at the A1237 end of Main Street via Ten Thorn Lane and Knapton Lane to Beckfield lane	Missing link on rural route to edge of urban area	SRT Northminster Business Park	Rufforth, Knapton, Acomb	Acomb, Northminster Business Park, Poppleton Bar P&R, Poppleton Station	3	5	4	3		2	1	2	1	6.50							8.00	Low	2	Medium	3	Fairly difficult to fit anything meaningful in restricted width available but measures to reduce traffic speed and volume more suitable	3	21.50
67	Front Street (Acomb) - link between Green Lane and Gale Lane junctions	On-road provision to enable cyclists to get from Green Lane to Gale Lane safely and to highlight their presence to motorists (especially those at the mini-roundabout and emerging from Morrison's car park	Missing link on radial route, to shops and to school	SRTS (Westfield Primary, York High)	Holgate, Acomb, Foxwood, Woodthorpe	City Centre, Acomb Centre, York Station, York High School	3	0	4	3		2	1	2		6.00	3	2					5.00	High	10	Medium	3	Difficult due to width restrictions, parking and various crossing points along stretch	3	21.00
68	Innovation Way to Windmill Lane	Improve current grade separated path by widening and easing bends	Improved link to Science Park & University		Tang Hall, South Bank, Acomb	Science Park, University of York, Hospital Fields Road estate	3	0		3	2		2	1	4.00	3	2						5.00	High	10	Low	1	Fairly difficult as adjacent land not owned by CYC	3	21.00
69	Haxby Road - Alder Grove (New Earswick) to Wigginton Road junctions	Link along popular commuting route from Haxby / New Earswick to the city centre avoiding the off-road, unlit path across Bootham Stray	Popular radial route with no current facilities south of the northern end of New Earswick		New Earswick, Haxby, Wigginton	City Centre, Nestle, Hospital	3	0	4		2	2	1	2	1	6.00	3	2		2	2	2	11.00	Medium / High	8	High	5	Extremely difficult	5	21.00
70	Laythorpe/ Hawthorn Grove / East Parade / Heworth Village / Hempland Lane / Heworth Allotment access road to Tang Hall Beck link	Link from Laythorpe Bridge & Foss Islands path to Applecroft Road and Hemplands School	Missing link on minor radial link, to Heworth village amenities, allotments and primary school	SRTS (Heworth Primary, Hempland Primary)	Heworth Without, Heworth, Osbaldwick	Orbital Route, City Centre, Foss Islands Retail Park, Hemplands School	3	0	4	3		2	1	2		6.00	3	2			2		7.00	Medium / High	8	Medium but dependent on what can be achieved on road	3	Difficult due to lack of available width and on street parking	3	21.00
71	Foss Islands Road - Walmgate Bar to Navigation Road	Link along section of Inner Ring Road	Missing link between major radial route and new access point into City Centre via Hungate Bridge		Tang Hall, University of York, Fishergate	City Centre, York St John University	3	0	4	3		2	1	2		6.00	3	2	2				7.00	Medium	6	Low if sufficient room for on road lanes	1	Depends on available road width and parking arrangements	3	21.00
72	Bootham Stray to Burton Green link	Provision of link between the southern end of the Bootham Stray path across Wigginton Road, over the level crossing and then off-road to the northern end of Burton Green by widening and hard-surfacing the existing footpath	Missing link enabling potential users to avoid Crichton Avenue	SRTS (Joseph Rowntree School, Huntington Secondary)	New Earswick, Haxby, Wigginton, Clifton	Clifton Moor, Clifton Schools (Burton Green, Clifton Green, Canon Lee), Joseph Rowntree school, Huntington School	3	0		3	2		2	1	4.00	3	2	2	2				9.00	Medium	6	Medium	3	Fairly easy (although Network Rail will have an input near level crossing)	1	21.00
73	Link between Murton and Dunnington following former railway line	Link between Murton and Dunnington using land which was formerly the Derwent Valley Light Railway with a safe crossing of the A166	More direct NCN route alignment for NCN66		Dunnington, Stamford Bridge	City Centre, Monks Cross	3	5	4	3			2	1	5.00	3	2	2	2		2		11.00	Low / Medium	4	High	5	Very difficult due to lack of landowner support and difficulty crossing the A166 safely	5	21.00
74	British Sugar site to Water End	Developer funded? path east of the rail lines linked to the proposed ECML ped/cycle bridge	Missing link between major new development site and city centre	British Sugar transport masterplan	British Sugar site, Boroughbridge Road residential area, Acomb, Leaman Road area	City centre, Clifton Moor	3	0	4	3	2	2	1	2	1	7.50	3	2	2	2	2	2	13.00	Medium	6	V. High	7	Very difficult due to need to use Network Rail and Yorkshire Water's land and need to make route flood-proof	5	20.50
75	Link from Broadway West to Fulford Ings	Lighting improvements along this existing path and possible provision of separate cycle path to reduce conflict	Safety improvement - Scrutiny Board scheme		South Bank, Fishergate, Heslington, Fulford	City Centre, University of York, Fulford School, Science Park	3	0	4	3			1	2	1	5.50	3			2			5.00	Medium	6	Low	1	Fairly easy	1	20.50

Link ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value		Potential Usage	Usage Score	Cost (to CYC)		Buildability	Overall Score +				
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)		Reduces rural severance (+2)	Added Value Score			High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K+) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score	Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts
76	Stratford Way / New Lane	Link between Huntington Road and Portakabin / Monks Cross	Missing link and safe crossing point	LSTF	New Earswick, Huntington South	Monks Cross (shops, Portakabin, Aviva) Huntington Stadium, Huntington Schools	3	0		3	2	1	2	1	4.50	3	2						9.00	Medium	6	Low / Medium	2	Stratford Way - signing only needed as already traffic calmed, New Lane crossing may be more difficult as land requisition may be needed	3	20.50
77	Link between Woodland Way (Hunt) and Alpha Court (NW part of Monks X)	Provision of an off-road link between the end of the Woodland Way cul de sac and the dead end of the link from Monks Cross to Alpha Court to help cyclists avoid New Lane and Jockey Lane	Missing link which will also provide a traffic-free short-cut for Huntington residents	Travel to Campus	Huntington, Earswick, (Strensall?)	Monks Cross (shops, Portakabin, Aviva) Huntington Stadium	3	0		3	2	1		1	3.50	3	2						11.00	Medium	6	Medium	3	Dependent on permissions from landowners and planning permission being granted	3	20.50
78	Bad Bargain Lane - Meadlands to Stockton Lane	Link between Stockton on Forest route and the current provision on Meadlands Lane	Missing link		Heworth, Osbaldwick, Stockton on Forest, Hopgrove Lane South, Derwenthorpe	Stockton on Forest, Heworth, Derwenthorpe	3	0	4					1	1	3.00	3		2	2	2	2	11.00	Low	2	Low	1	Fairly simple if signing only scheme	1	20.00
79	Hamilton Drive - link from Collingwood Road to Moorgate	Provision of on-road link between the north-south route at the Collingwood Road / Beech Ave junction to the OCR at Moorgate either by using cycle lanes or signing only	Missing link on route to city centre / OLMQ School	SRTS (OLQM School)	Holgate, Foxwood, Woodthorpe, Acomb	Acomb, English Martyrs School, Our Lady's School, Hob Moor Schools, St Paul's School, City Centre, Energise, York Station	3	0	4	3		2	1	2	1	6.50	3	2					5.00	Medium / High	8	Medium	3	Difficult due to parking and width constraints	3	19.50
80	Tang Hall Lane / Windmill Lane	Link between Heworth Village and University / Science Park including improvements to existing NCN 66 route	Missing link between University / Science Park and student / employee accommodation, poor quality NCN route in sections	NCN improvements, SRTS (Uni of York)	Heworth, Tang Hall, Badger Hill, Heslington	University of York, Science Park, Tang Hall shops, Heworth amenities, Archbishop Holgates School, Lord Deramores School, Badger Hill Primary, Burnholme School	3	0		3	2		1	2	1	4.50	3	2					7.00	Medium / High	8	Medium but depends what facilities are needed	3	Difficult due to parking, width constraints, verge widths, vehicle crossovers and trees	3	19.50
81	Lowther Street / Penllys Grove Street / Townend Street	Improvements to parallel one-way link roads between Clarence Street and Huntington Road / Monkgate	Well used links which are traffic calmed but are not very cycle friendly due to full width features used	SRTS (Park Grove Primary) SRT Hospital	Clifton, The Groves, Heworth	City Centre, Foss Bank, Foss Islands Retail Park, Nestle, York Hospital, Park Grove School, St Wilfred's School	3	0	4		2		1	2		4.50	3	2					7.00	Medium / High	8	Medium?	3	May be difficult due to potential speed increases which may result from replacing speed humps with speed cushions	3	19.50
82	Wigginton Road - link from Clifton Moorgate to start of current off-road path at Nestle		Missing link on radial route		Wigginton, Haxby, New Earswick	Clifton Moor, Nestle, York Hospital, City Centre	3	0	4	3	2	2	1		1	6.50	3	2					9.00	Medium	6	High	5	Fairly difficult due to restricted verge widths in places and speed of adjacent traffic	3	19.50
83	DVLR route from Osbaldwick to Murton	Potential link along alignment of former Derwent Valley Light Railway between Metcalfe Lane and Murton Lane (delivered by any future development?)	Potential NCN route and future development related route	NCN improvement	Murton, Dunnington, Osbaldwick, Heworth	City Centre, Dunnington & beyond on NCN, Osbaldwick, Murton	3	5	4					2	1	3.50	3		2	2	2	2	11.00	Low / Medium	4	High	5	V. Difficult as land not owned by CYC and homes already built on alignment	5	19.50
84	Heslington to Wheldrake via Heslington Common	Link from Heslington Lane to Wheldrake running alongside Fulford Golf Course to Wheldrake Lane	Link to outlying village		Wheldrake, Heslington, York	University of York, Science Park, City Centre	3	0	4	3	2		1	2	1	6.50	3		2	2	2	2	11.00	Low	2	Medium?	3	Fairly difficult due to crossing other landowners' property	3	19.50
85	Shipton Road (Skelton) - path between Fairfields Drive and St Giles Road	Widened off-road path alongside the A19 converted from footpath to shared use between two of the access points into Skelton and to enable cyclists wishing to join the York to Beningbrough path to get opposite the Stripe Lane junction	Extension to existing radial route	Links to the NCN	Rawcliffe, Clifton Without	Skelton amenities, NCN 65	3	5		3	2		1		1	3.50	3						5.00	Low	2	Low?	1	Fairly easy if a path can be found through the trees and shrubs	1	19.50
86	NCN 65 - link over flood bank to Clifton Park	Ramped access onto NCN65 on Clifton Ings linking Clifton Park residential and employment areas to the off-road path	Missing link to employment and residential sites	LSTF scheme	Skelton, Rawcliffe, Clifton, City Centre, Clifton Park (residential)	Clifton Park (businesses), City Centre	0	5	4	3	2	2	1		1	6.50							4.00	Medium	6	Low	1	Fairly easy provided the Environment Agency are happy with the scheme and the gradients aren't too steep	1	19.50
87	York Central - link from Water End	Link into York Central site from Water End	Missing link to major development site		Clifton, Acomb, Boroughbridge Road residential area	York Central, city centre, York Station	3	0	4	3	2	2	1			6.00	3	2	2	2	2		11.00	Medium / High	8	V High	7	Very difficult but may be a planning condition	5	19.00
88	Heslington to Wheldrake / Elvington route	Route to the two outlying villages using a combination of quiet roads and off-road provision - feasibility study almost complete but problems highlighted with key sections of the routes due to lack of landowner support	Links to outlying villages from the main urban area - route to school and employment sites	SRTS (Elvington School, Fulford School, Lord Deramores School, Uni of York)	Wheldrake, Elvington, Sutton on Derwent, Thorganby and other villages beyond	University of York, Fulford School, Archbishop Holgate's School, Science Park, City centre?	3	0	4	3	2		2	1	6.00	3		2	2	2	2		11.00	Low / Medium	4	Medium?	3	Very difficult due to having to pass over numerous landowners' land and lack of landowner support. Whinhorpe?	5	19.00
89	Westfield Lane (Wigginton & Haxby)	Links along western then southern edges of Wigginton / Haxby to meet York Road near Haxby Gates	Missing quiet road / off road link	SRTS (Wigginton & Headlands Primaries, Joseph Rowntree School)	Wigginton, Haxby	Wigginton Primary, Headlands Primary, Clifton Moor, Joseph Rowntree School	3	0	4	3			1	2	1	5.50	3						7.00	Medium	6	Medium?	3	May be difficult in parts	3	18.50

ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value			Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)	Reduces rural severance (+2)		Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K +) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score	
90	Wigginton Road - link from A1237 to Clifton Moorgate	Link between the A1237 roundabout and Clifton Moorgate	Missing link on radial route		Wigginton, Haxby, New Earswick	Clifton Moor (south), Nestle, York Hospital, City Centre	3	0	4	3	2	2	1	1	6.50	3	2	2	2	9.00	Low / Medium	4	Medium / High	4	Difficult due to the lack of verge width available on some stretches and speed of adjacent traffic	3	18.50	
91	Lawrence Street / Hull Road - link from Walmgate Bar to Tang Hall Lane	Provision of on-road facilities along the remaining length of the A1079 as far as the Inner Ring Road	Missing link on busy radial route - Scrutiny Board scheme	York City Beautiful	Osballdwick, Murton, Dunnington, Badger Hill, Heslington East, Tang Hall, Heslington	City Centre, University of York, Archbishop Holgate's School, Science Park	3	0	4	3	2	2	1	2	7.00	3	2	2		7.00	High	10	V. High	7	Very difficult due to width constraints and high vehicle numbers	5	18.00	
92	Askham Lane - link between Gale Lane to Ridgeway junctions	On-road provision to enable cyclists to get from Gale Lane to Ridgeway safely and to highlight their presence to motorists especially at the mini-roundabouts	Missing link on radial route, to shops and to school	SRTS (Westfield Primary)	Holgate, Acomb, Foxwood, Woodthorpe	City Centre, Acomb Centre, York Station, York High School, Westfield School	3	0	4	3			1	2	5.00	3	2			5.00	Medium / High	8	Medium	3	Difficult due to width restrictions, parking and various crossing points along stretch	3	18.00	
93	Bishopthorpe Road - provision from Terry's entrance to Scarcroft Road junction	On-road provision along section of Bishopthorpe Road with no current cycle facilities (if feasible)	Missing link on radial route - Scrutiny Board scheme		Bishopthorpe, Acaster Malbis, Copmanthorpe, Dringhouses	City Centre, York Station, Millthorpe School, All Saints School, York Racecourse	3	0	4		2	2	1	2	6.00	3	2		2	9.00	Medium	6	Medium / High	4	Very difficult due to width restrictions, parking and fairly narrow footways	5	18.00	
94	Moor Lane, Woodthorpe	Link between current facilities at the new A1237 rdbt and the Chalonsers Road mini-rdbt	Missing distributor link	SRTS (York College, Askham Bryan College)	Askham Bryan, Askham Richard, Woodthorpe, Dringhouses	York College, Askham Bar P&R, Tesco, Askham Bryan College	3	5					2	1	3.00	3	2		2	7.00	Low / Medium	4	Medium / High	4	Difficult due to width of road, trees and many driveways	3	18.00	
95	Melrosegate / Green Dykes Lane	Link between Heworth Village and University	Missing link between University / Science Park and student / employee accommodation	SRTS (Uni of York)	Heworth, Tang Hall, Heslington Lane area	University of York, Science Park, St Lawrence's School, Hull Road amenities, Heworth amenities	3	0		3	2		1	2	4.50	3	2			5.00	Medium / High	8	Medium but depends what facilities are needed	3	Difficult due to parking, width constraints, verge widths, vehicle crossovers and trees	3	17.50	
96	Wigginton Road - link north of A1237 to Wigginton village	Provision of shared use path alongside Wigginton Road in verge to link the village of Wigginton with the Outer Ring Road	Link to outlying village - Scrutiny Board scheme		Wigginton, Shipton by Beningbrough, Haxby? Skelton?	Clifton Moor, City Centre, York Hospital, Nestle	3	0	4	3	2	2	1	1	6.50	3	2	2	2	9.00	Low / Medium	4	High	5	Difficult due to nature of adjacent verge and potential utility apparatus in it	3	17.50	
97	Tadcaster Road - extension of off-road path from the current termination at the toucan near the Tyburn southwards to the Marriott Hotel	Extension of off-road shared use path or segregated provision with cyclists using a path behind the fence line	Enhancement to radial route facility - Scrutiny Board scheme	SRTS (York College, Millthorpe & All Saints Schools)	South Bank, Bishophill, Dringhouses, Woodthorpe, Foxwood	City Centre, Dringhouses School, York College, Tadcaster Road shops and businesses	3	0	4			2			4.00	3		2		5.00	Medium / High	8	Medium	3	Difficult due to width restrictions unless footpath is widened into stray	3	17.00	
98	Askham Lane - link between the Ridgeway and Foxwood Lane junctions	Link between the two mini-roundabouts at either end of the stretch fronting Westfield School	Missing link at edge of radial route and well used by school children	SRTS (Westfield Primary, York High, Manor CE)	Westfield, Foxwood, Askham Bryan	Acomb, City Centre, various schools	3	0	4	3		2	1	2	6.00	3	2			5.00	Medium	6	Medium	3	Difficult due to restricted width available	3	17.00	
99	Bishopthorpe Road link from Crematorium to Bishopthorpe Main Street	Link from end of proposed off-road path to the village	Missing link to village		Bishopthorpe, Acaster Malbis	Crematorium, City Centre, York Racecourse, University of York, Law College, York Station	3	0	4				1	2	4.00	3	2		2	9.00	Low / Medium	4	Medium	3	Difficult due to lack of available width, Conservation area status and landowners either side of the road	3	17.00	
100	Tadcaster Road to Cherry Lane	Link from St Helens Rd junc to Cherry Lane	Missing Link		Acomb, Foxwood, Dringhouses	Knavesmire, LIDL, York High, Acomb shops, Acorn Rugby Club, Hob Moor schools	3	0		3			1	2	3.50	3	2	2		7.00	Medium	6	Medium	3	Fairly difficult due to restricted width on major radial road	3	16.50	
101	York Road (Acomb) - link from Beckfield Lane past The Green to the Front Street junction	Link from southern end of Beckfield Lane past The Green to the Front Street junction	Missing link on end of radial route		Rufforth, Knapton, Acomb	Acomb, Northminster Business Park, Poppleton Bar P&R, Poppleton Station	3	0	4	3		2	1	2	6.50	3	2		2	7.00	Low / Medium	4	Medium / High	4	Difficult due to restricted width available and on street parking	3	16.50	
102	Fulford to Crockey Hill via Forest Lane	Quiet road / off road alternative to A19 using Fordlands Road, Forest Lane, Tillmire Farm access road and verge path down A19	Alternative radial route towards the city centre avoiding the busy A19	SRTS (Fulford School, Uni of York)	Crockey Hill, Fulford, Heslington	Fulford, University of York, Fulford School	3	0	4	3			1	2	5.50	3		2	2	9.00	Low	2	Medium	3	Section parallel with A19 will be difficult also need to negotiate access along private road	3	16.50	
103	Energise to Hob Moor route	Formalise route using the link path between Energise and Gale Lane, Danesfort Ave and the path running between Kingsway West and Green Lane	Missing link between off road network and leisure / education site	SRTS (York High, Hob Moor School, OLOM School, Millthorpe School)	Holgate, South Bank	Energise, York High	0	5		3				2	3.00	3		2		5.00	Medium	6	Low / Medium	2	Fairly easy if opposition from other path users can be overcome and shool are happy with access being open to the public	1	16.00	
104	Ridgeway	Link between proposed Askham Lane and Beckfield Lane facilities	Missing distributor link	SRTS (Manor School)	Foxwood, Woodthorpe, Westfield, Chapelfields	Manor School, Clifton Moor, Acomb Centre, Energise, York Business Park	3	0		3	2		1	2	4.50	3	2			5.00	Medium	6	Medium	3	Difficult due to nature of road, trees and many driveways	3	15.50	
105	Stockton Lane - Heworth Green rdbt to Ashley Park	On road provision along minor radial route	Missing link on radial route	SRTS (Hempland School)	Stockton on the Forest, Heworth Without	City Centre, Foss Bank, Foss Islands Retail Park	3	0	4			2	1	2	4.50	3			2	5.00	Low / Medium	4	Low unless measures other than white lining are needed	1	Fairly difficult due to road width in certain locations and parked vehicles	3	15.50	
106	Askham Lane - Foxwood Lane to Moor Lane rdbt	Link between the current facilities at the Moor Lane roundabout and Foxwood Lane	Missing minor radial route link		Askham Bryan, Askham Richard	Acomb, City Centre, various schools	3	0	4	3		2	1	2	6.50	3	2		2	7.00	Low	2	Medium	3	Fairly difficult if verges contain utility apparatus	3	15.50	

ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value		Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +		
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CN/MI/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)		Reduces rural severance (+2)	Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K +) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.		Cost Score	Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts
107	Poppleton to Hessay route - route leaving Poppleton via Black Dike Lane, across the A59 then down Burlands Lane and westwards to Hessay (could form part of a route to Harrrogate)	Provision of a mainly off-road or on quiet roads link between the two villages of Hessay and Poppleton to take cyclists off the busy A59 including a link to the new Park & Ride site	Missing link between very small rural village with no shops, school etc with a larger one with more amenities		Hessay, Rufforth? Poppleton	Poppleton Bar P&R (when built), Poppleton Station, Poppleton amenities, Manor School, Poppleton Ousebank school	3	0		3		2	1	2	1	4.50	3	2	2	2	2	9.00	Low	2	Medium	3	Difficult due to having to negotiate with several landowners and lack of PROWs in the vicinity	3	15.50
108	Prices Lane / Nunnery Lane	Links from Bishopgate Street to Victoria Bar	Missing link between radial routes		Bishophorpe, South Bank, Clementhorpe	City Centre, Priory St Centre, Micklegate amenities	0	5	4			2	1	2	1	5.00	3	2				5.00	Medium	6	Medium	3	Difficult unless on road lanes used or the Bar Walls Moat	3	15.00
109	Askham Bryan / Askham Richard to Askham Bryan College	Link using Askham Fields Lane and Mill Lane to link to A64 path	Missing rural link	SRTS (York College / Askham Bryan College)	Askham Bryan, Askham Richard, Woodthorpe, Dringhouses	York College, Askham Bryan College	3	0	4					2	1	3.50	3	2	2		2	9.00	Low	2	Medium	3	Safe crossing of A1237 could be expensive	3	14.50
110	A19 to York / Selby path south of Deighton	Link between Escrick / Deighton and York / Selby path using Naburn Lane and Moor Lane	Missing village link	Link to the NCN	Wheldrake, Escrick, Deighton, Naburn	Naburn, York, Selby	3	0					2	1	1.50	3			2		2	7.00	Low	2	Low	1	Easy, signing only	1	14.50
111	York Business Park to former British Sugar Site	Developer funded? new bridge link between new residential development and Business Park with potential rail halt	Missing link between major new residential development and employment / leisure / restaurant / retail site	British Sugar transport masterplan	British Sugar site, Boroughbridge Road residential area, Acomb	York Business Park, Clifton Moor	3	0	4	3		2	1	2		6.00		2	2	2	2	8.00	Low / Medium	4	High	5	Very Difficult due to having to cross a live railway line and negotiate with Network Rail	5	14.00
112	Dalton Terrace	Facilities along Dalton Terrace	Missing link between two radial routes	SRTS (Mount School, Tregelles, All Saints Upper, Millthorpe, St Pauls)	Acomb, Holgate, South Bank	Mount School, All Saints, Millthorpe, Acomb, Poppleton Park, Bishophorpe Road shops	0	0		3	2		1	2		4.00	3	2				5.00	High	10	Low / Medium	2	Difficult at the Holgate Road end where the road is narrower	3	14.00
113	The Village, Haxby	Facilities along the whole length of The Village between York Road roundabout and Moor Lane	Missing link on main road through Haxby		Wigginton, Haxby	Health Centre, Ralph Butterfield School, Haxby Facilities (future Haxby Station?)	3	0					1	2		1.50	3	2			2	7.00	Medium	6	Medium / High	4	Difficult due to restricted road widths and parking	3	13.50
114	Rawcliffe Lake path	Widening existing path or provision of separate cycle path around lake to reduce conflict and link to new path across Rawcliffe Rec.	Safety scheme to improve link to schools, shops, employment	SRTS (Lakeside Primary, Clifton with Rawcliffe Primary)	Clifton, Rawcliffe, Clifton Without	Lakeside School, Clifton with Rawcliffe School, Clifton Moor	0	0		3	2		1	2	1	4.50	3	2		2	2	9.00	Medium	6	Medium	3	Fairly difficult due to boundary treatments in one section but path could be widened towards lake away from the lighting columns	3	13.50
115	Kilburn Road & Allotments link	Link between Fulford Road and Walmgate Stray route	Missing link to University	SRTS (University of York)	Fulford Road, Fishergate area	University of York, Fulford Road amenities, Fishergate allotments	0	0		3	2		1	2	1	4.50	3	2		2		7.00	Medium	6	Low	1	Section through allotments may be tricky	3	13.50
116	Naburn Railway Bridge to Naburn Village	Provision of link from Sustrans NCN 65 to Naburn village	Missing rural link		Naburn, Fulford, York	Naburn village, NCN65	3	0					1	2	1	2.00	3	2		2	2	9.00	Low	2	Medium	3	Fairly difficult due to lack of available width, speed of adjacent traffic and level differences	3	13.00
117	Osballdwick Beck Route	Route alongside Osballdwick Beck from St Nicholas Field to Moore Avenue	Missing off-road link	SRTS (Derwent, Osballdwick, Archbishop Holgates)	Osballdwick, Murton, Tang Hall	Derwent School, Osballdwick School, Archbishop Holgates, Foss Islands Retail Park, St Nicholas Field, Hull Road Park	0	0	4				1	2	1	4.00	3	2		2	2	9.00	Medium	6	Medium?	3	Some sections may be difficult to widen and may be opposed by pedestrians	3	13.00
118	New Lane to Monks Cross	Link between New Lane and Monks Cross north of the Portakabin site	Missing link to employment / shopping site	SRTS Huntington Secondary	New Earswick, Huntington	Huntington Secondary, Monks Cross	0	0		3	2		1	2		4.00	3			2	2	7.00	Low / Medium	4	Low	1	Easy if planning condition of adjacent development	1	13.00
119	Mill Lane / The Village, Wigginton	Facilities along whole length of Mill Lane and The Village from Wigginton Road to Moor Lane	Missing link on main road through Wigginton	SRTS Wigginton Primary	Wigginton, Haxby	Haxby facilities, Wigginton Primary, Health Centre	3	0					1	2		1.50	3	2			2	7.00	Low / Medium	4	Medium	3	Difficult due to restricted road widths and parking	3	12.50
120	Stockton Lane - Ashley Park to Stockton on the Forest	On road? Provision along minor radial route (with 60mph speed limit)	Missing link on radial route		Stockton on the Forest, Heworth Without	City Centre, Foss Bank, Foss Islands Retail Park, Stockton on the Forest amenities	3	5	4	3			1		1	4.50	3			2	2	7.00	Low	2	V High	7	Very difficult due to lack of verge width in certain areas and narrowness of bendy road	5	12.50
121	Station Road / Landing Lane, Haxby	Facilities along whole length of Station Road and Landing Lane to River Foss	Missing link on main road through Haxby	SRTS Ralph Butterfield	Wigginton, Haxby, Towthorpe, Strensall	Haxby facilities, Ralph Butterfield, Headlands, Joseph Rowntree schools, Clifton Moor (future Haxby Station?)	0	0		3			1	2	1	3.50	3	2	2		2	9.00	Medium	6	Medium	3	Difficult due to restricted road widths and parking	3	12.50
122	Water Lane to Clifton with Rawcliffe School	Link including Water Lane, Lancaster Way, Melton Avenue, Reighton Drive, Beaverdyke and Greystoke Road	Mostly quiet route through Clifton Without	SRTS (Clifton with Rawcliffe School)	Kingsway, Clifton, Rawcliffe, Skelton	Clifton with Rawcliffe School, Rawcliffe Lake, Clifton Moor	0	5		3			1	2	1	3.50	3			2		5.00	Low / Medium	4	Low / Medium	2	Mostly signing unless measures provided on Water Lane	3	12.50

Link ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route										Added Value			Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +		
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)	Link to New Development (+2)	Reduces rural severance (+2)		Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points	V High (£500K +) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score		Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts	Buildability Score
123	Riverside path from Landing Lane to Naburn Lane	Further extension again of previous scheme to link to Naburn Lane facilities	Missing link on off-road radial route - Scrutiny Board scheme		Fishergate, Fulford, Naburn	Designer Outlet, Naburn, City Centre	3	0	4			2	1	1	4.00	3					2	7.00	Low	2	Medium / High	4	Difficult due to landowner issues and status of the lngs (SSSI, village green etc)	3	12.00	
124	Germany Beck on-site cycle routes and links to feeder roads	Routes through the site and to adjoining residential areas	Links to and through new development site		Naburn, Fulford	University, Science Park	0	0			3	2	1	2	1	4.50	3			2	2	2	9.00	Low	2	Medium	3	Planning condition for Germany Beck site	1	11.50
125	Wheldrake to Escrick	Provision of a link between Wheldrake and Escrick / Deighton through the North Selby Mine site	Missing link between villages		Wheldrake, Escrick, Deighton	NCN65, Wheldrake School and other amenities, Escrick village and amenities	3	0					1	2	1	2.00	3					2	7.00	Low	2	Medium	3	Middle section fairly simple if permissions can be granted from landowners, end sections could be trickier	3	11.00
126	Burdyke Avenue	Improved link between OCR at Kingsway North Rdbt and Water Lane / Canon Lee School	Well used route to school, parts of Clifton Moor and large employers	SRTS (Canon Lee Secondary)	Clifton, Clifton Without, Rawcliffe	Clifton Moor, Canon Lee School, Clifton with Rawcliffe School, Burton Green Primary, Nestle, York Hospital	0	0			3	2	1	2	1	4.50	3	2					5.00	Medium	6	Low / Medium depending on whether on road or off road solution found	2	Difficult due to on street parking, verge constraints and numerous vehicle crossovers	3	10.50
127	Mill Lane	Heworth Green to East Parade	Missing link with some facilities at one end	LSS (at Heworth Green end)	Tang Hall, Heworth, Bell Farm, Dodsworth Ave estate	Heworth amenities, Foss Islands Retail Park, Nestle, York Hospital	0	0			3	2	1	2	1	4.50	3	2					5.00	Medium	6	Medium but depends whether the junctions at either end need tweaking	3	Difficult due to having to accommodate other vehicle movements on a fairly narrow road	3	9.50
128	Heworth Road	Link between Heworth Green roundabout and Heworth Village	Missing link between radial route and Heworth amenities	SRTS (Heworth School), LSTF?	Heworth, Tang Hall, Muncastergate estate	Heworth amenities, Foss Islands Retail Park, Nestle, York Hospital, Monks Cross	0	0			3	2	1	2	1	4.50	3	2					5.00	Medium	6	Medium	3	Difficult due to width constraints, parking and if adjacent verge is used potential removal or disturbance of trees	3	9.50
129	Askham Fields Lane (part), Chapel Lane, York Road, Main Street (Askham Richard)	Links to Askham Bryan College from Askham Bryan and Askham Richard villages	Missing route to Askham Bryan College and rural link	SRTS (Askham Bryan College)	Askham Bryan, Askham Richard, Woodthorpe, Dringhouses	Askham Bryan College, City Centre, Acomb	0	0	4	3			1	2	1	5.50	3				2	5.00	Low / Medium	4	Low / Medium	2	Fairly simple unless measures required to slow traffic	3	9.50	
130	Grimston Bar Interchange to Murton Lane	Provision of missing section between roundabout circulatory lane and Murton Lane north of the A166	Missing rural link		Murton, Dunnington	City Centre, NCN66, Murton, Dunnington	0	0	4				2	1		3.50	3						7.00	Low	2	Low / Medium	2	Should be fairly simple although HA may need to be consulted if they own any of the verge and the verge may also be full of utility apparatus	1	9.50
131	Link from Cherry Lane to Bracken Road	Route around outside of racetrack linking Middlethorpe estate to the other racecourse routes	Missing off-road link	SRTS (York College)	Middlethorpe Estate, Dringhouses, South Bank, Clementhorpe	York College, Askham Bar	0	0					2	1	2	1	3.00	3			2	2	7.00	Low / Medium	4	Low / Medium	2	Negotiations with racecourse may be tricky due to route passing their stables	3	9.00
132	Link between Copmanthorpe and Bishopthorpe	Route between the two villages away from the main roads	Route between villages	Link to NCN 65	Copmanthorpe, Bishopthorpe	Copmanthorpe, Bishopthorpe, NCN65	0	0					1	2	1	2.00	3	2	2	2		2	11.00	Low	2	Medium? May be part funded by Network Rail	3	May be some difficulties getting permissions and crossing drainage ditches	3	9.00
133	Thanet Road to Tadcaster Road	Link from LIDL to Tadcaster Road	Missing link		Acomb, Foxwood, Dringhouses	Knavesmire, LIDL, York High, Acomb shops, Acorn Rugby Club, Hob Moor schools	0	0			3		1	2	1	3.50	3	2					5.00	Medium	6	Medium	3	Fairly Difficult due to available width and parking	3	8.50
134	Askham Bryan Lane and Main Street	On road link between A1237/Moor Lane rdbt and Chapel Lane junction	Missing route to Askham Bryan College and rural link	SRTS (Askham Bryan College)	Askham Bryan, Askham Richard, Woodthorpe, Dringhouses	Askham Bryan College, City Centre, Acomb	0	0	4	3			1	2	1	5.50	3				2	5.00	Low / Medium	4	Medium	3	Fairly simple unless measures required to slow traffic	3	8.50	
135	York Road, Naburn to York to Selby path	Link between the main road and NCN 65 using Vicarage Lane	Missing village link	SRTS (Naburn School), Link to NCN	Naburn, Deighton, Escrick	Naburn, York, Selby	0	5					2	1		1.50					2	2.00	Low	2	Low	1	Fairly simple footpath conversion	1	8.50	
136	Heslington Road to Walmgate Stray	Link onto stray from Heslington Road between Fishergate Allotments and The Retreat	Missing off-road link to NCN	Link to NCN	Heslington Road / Lawrence Street area, Fulford Road	Fishergate Allotments, Impfal Barracks, University of York, Heslington	0	0			3		2	1		3.00	3	2		2			7.00	Low / Medium	4	Medium	3	Could be conservation issues	3	8.00
137	Germany Beck to Heslington Tillmire	Route using existing PROWs and tracks from Fulford to Fir Tree Farm	Route to villages, countryside		Fulford, Heslington, Fishergate, Wheldrake, Elvington	Fulford, Fulford School	0	0					1	2	1	2.00	3			2	2	2	9.00	Low	2	Medium	3	Sections on land privately owned will probably be difficult to negotiate	3	7.00
138	Off-road link between Askham Richard and Askham Bryan using PROWs	Link between two villages using Buttacre Lane and ROWs	Alternative to on-road route	SRTS (St Marys)	Askham Richard, Askham Bryan	St Marys Primary, Askham Richard, Askham Bryan, York	0	0					2	1		1.50	3				2	5.00	Low	2	Low	1	Some ROW improvements needed plus permissions	1	6.50	
139	Mill Lane, Askham Richard	Quiet road between village and radial route out of city	Alternative route with less traffic	SRTS (St Marys)	Askham Richard, Askham Bryan?	Tadcaster and villages inbetween	0	0					2	1		1.50	3				2	5.00	Low	2	Low	1	Easy signing-only	1	6.50	
140	A64 to Askham Bryan College Link	Link off A64 path via Westfield House access road		SRTS (Askham Bryan College)	Tadcaster and villages inbetween	Askham Bryan College	0	0					2			1.00	3						3.00	Low	2	Low	1	Easy if landowner permissions granted	1	4.00

Link ID	Link Name	Description	Reason for Prioritisation	Contribution to other CYC initiatives?	Linking		Strategic Route		Destination Types Served by Route							Added Value				Potential Usage	Usage Score	Cost (to CYC)		Build-ability		Overall Score +				
					Origin(s)	Destination(s)	Part of 3+ Strategic Routes (5 pts), Part of 1/2 Strategic Routes (3pts), Not part of a Strategic route (0 pts)	One of few remaining links (+5)	City Centre (+4)	Major Centre: Acomb/CM/MX/Uni (+3)	Major Employers (+2)	Station (York / Poppleton) / P&R (+2)	Shops (+1)	Schools / Educ sites (+2)	Leisure destination (+1)	Destination Factor (Total/2)	Tackles Safety (+3)	Addresses pinchpoint (+2)	Overcomes barrier i.e. Ring Road, River, Rail, Strayland (+2)	Provides alternative route to major road (+2)		Link to New Development (+2)	Reduces rural severance (+2)	Added Value Score	High (>500) 10points / Medium (100-500) 6 points / Low (<100) 2 points		V High (£500K+) 7 pts / High (£250K - £500K) 5 pts / Medium (£50K - £250K) 3 pts / Low (<£50K) 1 pt.	Cost Score	Easy 1 pt / Difficult 3 pts / Extremely Difficult 5 pts	Buildability Score
141	Riverside floodbank path through Clifton Ings and Rawcliffe Ings	Path along top of the eastern floodbank next to the River Ouse	Missing leisure route		Skelton, Rawcliffe, Clifton, City Centre	Skelton, City Centre, Clifton Ings, Rawcliffe Ings	0	0	4						1	2.50			2	2		2	6.00	Low	2	High	5	Difficult if floodbank top needs widening	3	2.50

KEY

+ Overall Score = (Strategic Route scores + Destination Factor + Mean Added Value Score + Usage Score) - (Cost Score + Buildability Score)

- Scheme where feasibility work is programmed or some has already been done
- Development related or funded scheme

- Abbreviations**
- LSTF Local Sustainable Transport Fund
 - NCN National Cycle Network
 - CCMAF City Centre Movement & Accessibility Framework
 - SRTS Safe Routes to School
 - OCR Orbital Cycle Route
 - SRT Safe Route to
 - LSS Local Safety Scheme
 - SSSI Site of Special Scientific Interest
 - BBAF Better Bus Area Fund
 - CYC City of York Council
 - OLQM Our Lady Queen of Martyrs



**Decision Session – Executive Member
Transport and Planning**

14 July 2016

Report of the Director of City and Environmental Services

Petition – “Safer Road Crossing for Bishopthorpe Road”

Summary

1. This report presents a petition signed by around 350 people requesting safer road crossing facilities for Bishopthorpe Road at its junction with Campleshon Road. The Executive Member is asked to consider the petition and approve the continuation of work on a scheme already included in the School Safety Engineering Programme 2016/17 for this location.

Recommendation

2. It is recommended that the Executive Member approves Option (i):
 - For Officers to continue developing proposals as part of this year’s School Safety programme with a view to implementing an appropriate scheme this financial year.

Reason: To improve pedestrian crossing facilities on Bishopthorpe Road at its junction with Campleshon Road.

Background

3. A pedestrian refuge has been in place on Bishopthorpe Road just north of the Campleshon Road junction since at least 2002. This is part of a well used route to school for many local residents, and its location is shown on **Annex A**.

4. In April 2015 a site meeting was held with the Head of Knavesmire Primary School during which several road safety issues were discussed, one of which was difficulties experienced by parents and children crossing Bishopthorpe Road near the junction with Campleshon Road. The Head was advised that these issues would be investigated and a feasibility study for Knavesmire Primary School was included in the School Safety block of the Transport Capital Programme 2015/16. Following preliminary investigations, it was considered that improvements could be made to benefit pedestrians, and consequently proposals are currently being developed using School Safety funding from the Transport Capital Programme 2016/17.
5. In January 2016 correspondence was entered into with a local resident, Ward Councillors and the area's MP regarding this issue. An article was also published in the York Press in February 2016.
6. A petition with around 350 signatures requesting a safer road crossing, and specifically a pelican crossing, on Bishopthorpe Road was received by the Council on 12 May 2016. The front page is shown as **Annex B**.

Traffic Survey and Accident Data

7. North Yorkshire Police records show one injury accident in the vicinity of this junction in the three years 2013 to 2015. A northbound cyclist on Bishopthorpe Road was hit by a vehicle turning left into Campleshon Road thereby sustaining serious injuries. There are no recorded injury accidents involving pedestrians in the last fifteen years.
8. A 20mph speed limit was introduced on Bishopthorpe Road in September 2012 starting just south of the Campleshon Road junction. The most recent vehicle speed surveys were taken in July 2015 between Balmoral Terrace and Rectory Gardens (about 200 metres north of the refuge). Mean speeds were found to be 25mph in both directions and 85th percentile speeds 29mph southbound and 30mph northbound.
9. A pedestrian crossing survey in March 2016 recorded 292 pedestrian crossing movements between 7am and 7pm. The busiest hours were 8 to 9am (79 pedestrians of which 30 were children under 11 years old) and 3 to 4pm (72 pedestrians of which 30 were children under 11 years

old) which concurs with school start and finish times. A total of 19 pedestrian movements were undertaken by someone elderly or with a mobility issue. 23 pedestrians crossed to the north of the site and 32 to the south of the site. The same survey recorded 5852 vehicles in this 12 hour period.

10. The average waiting time to cross the road on that day was found to be 6 seconds between 8 and 9am and 4 seconds between 3 and 4pm.

Feasibility Study Findings

11. The petition specifically requests a pelican crossing, however there are several safety factors that suggests a pelican crossing would not be appropriate:
 - There are relatively low numbers of pedestrians (particularly off-peak). Pedestrians have a tendency to take less care at controlled crossings, which becomes increasingly risky when combined with drivers becoming accustomed to the signals remaining at green. There are also similar issues for zebra crossings which are little used at quieter times of the day.
 - The average waiting time to cross is not lengthy. There is typically a delay from a pedestrian pushing the button to the green man to allow time for safe braking. If the road is believed to be clear pedestrians will typically cross straight away, when any approaching vehicles may not be expecting to stop or be speeding up as the lights change.
 - There is a good pedestrian safety record. National research has found that sites with no or low accident numbers often have an increase in accidents following the implementation of a crossing.
12. There are also practical reasons that would make a pelican crossing difficult to implement, which are:
 - The proximity to the Campleshon Road junction. National guidance recommends a minimum distance of 20 metres between a side road and a signalised crossing to give drivers an adequate opportunity to appreciate the existence of a crossing and brake safely. A complete signalisation of the junction (estimated cost of at least £100,000) or installing crossing over 20 metres from the junction would be required to ensure that this

could be overcome. Guidance on siting zebra crossings close to junctions is more relaxed but the following issues still apply.

- It is considered that a crossing 20 metres north of the junction would not be acceptable to residents. They have no off-street parking and as a consequence park on-street. To meet visibility requirements 25 metres of parking would not be permitted on both sides of the crossing.
- This parking issue does not exist south of the junction but it is further away from the pedestrian desire line and as a consequence pedestrians are unlikely to walk this far to cross when waiting a few seconds would allow them to cross at a more convenient location. Drivers typically focus on the crossing rather than on its approaches, so there is an increased risk of conflict in this manoeuvre.

13. However, it is considered that there are improvements that could be made which would be appropriate to the numbers crossing, practical to the location and safer. At the time of writing, the proposals have not been finalised, but work is focussing on:

- Widening the refuge to increase the distance between pedestrians waiting to cross and passing traffic;
- Reviewing parking restrictions around the junction;
- Tightening up the radius of the Campleshon Road junction to reduce the crossing distance of the west half of Bishopthorpe Road, and;
- Possibly traffic calming the approaches to the refuge.

These measures would make use of the refuge safer, improve visibility and bring better compliance with the 20mph speed limit.

Consultation

14. Consultation with the Emergency Services, Knavesmire Primary School, road user groups, relevant Councillors and the local community will be carried out when a scheme design is developed. The outcome of this consultation will be reported back to the September Decision Session at the earliest.

Options

15. The available options are:

- Option (i) – Continue with developing proposals as part of this year's School Safety programme with a view to implementing a scheme this financial year to provide a safer means of crossing.
- Option (ii) – Do nothing, and reallocate the funding to other programmes of work.

Analysis

16. Option (i) Although accident records and traffic surveys do not indicate a significant problem, improvements to the crossing facilities at this location would address the concerns of residents and be beneficial for pedestrians. There also appears to be strong public support for improvements. This option is therefore recommended.

17. Option (ii) Failure to address the concerns raised in the petition would result in pedestrians continuing to feel at risk, and in the light of strong public opinion, taking no action could be considered inappropriate.

Council Plan

18. The potential implications for the priorities in the Council Plan are:

- **A Council That Listens To Residents**

Concerns for safety at this location have generated a large amount of correspondence, a petition and media interest. Investigating these concerns with a view to improving pedestrian facilities demonstrates that the Council is listening to residents.

Implications

19. Financial – The current allocation for School Safety in the 2016/17 Transport Capital Programme is £100k of which £10k is shown for a scheme at this location. This is however based on very early investigatory work and is likely to rise.

20. Human Resources - None.

21. Equalities - None.

22. Legal – None.

23. Crime and Disorder – None.

24. Information Technology (*IT*) - None

25. Property - None.

Risk Management

26. In compliance with the Council’s risk management strategy, the following risks associated with the recommendations in this report have been identified and described in the following points, and set out in the table below:

27. Authority reputation – this risk is in connection with public perception of the Council if work is not undertaken in the light of a campaign for action. This risk has been given a score of 10.

Risk Category	Impact	Likelihood	Score
Organisation/ Reputation	Minor	Probable	10

28. This risk score, falls into the 6-10 category and means the risk has been assessed as being “Low”. This level of risk requires regular monitoring.

Contact Details

Author:

Louise Robinson
Engineer
Transport Projects
01904 553463

Chief Officer responsible for the report:

Neil Ferris, Director of City and Environmental Services

**Report
Approved**



21 June 2016

Specialist Implication Officer(s)

There are no specialist implications.

Wards Affected: Micklegate

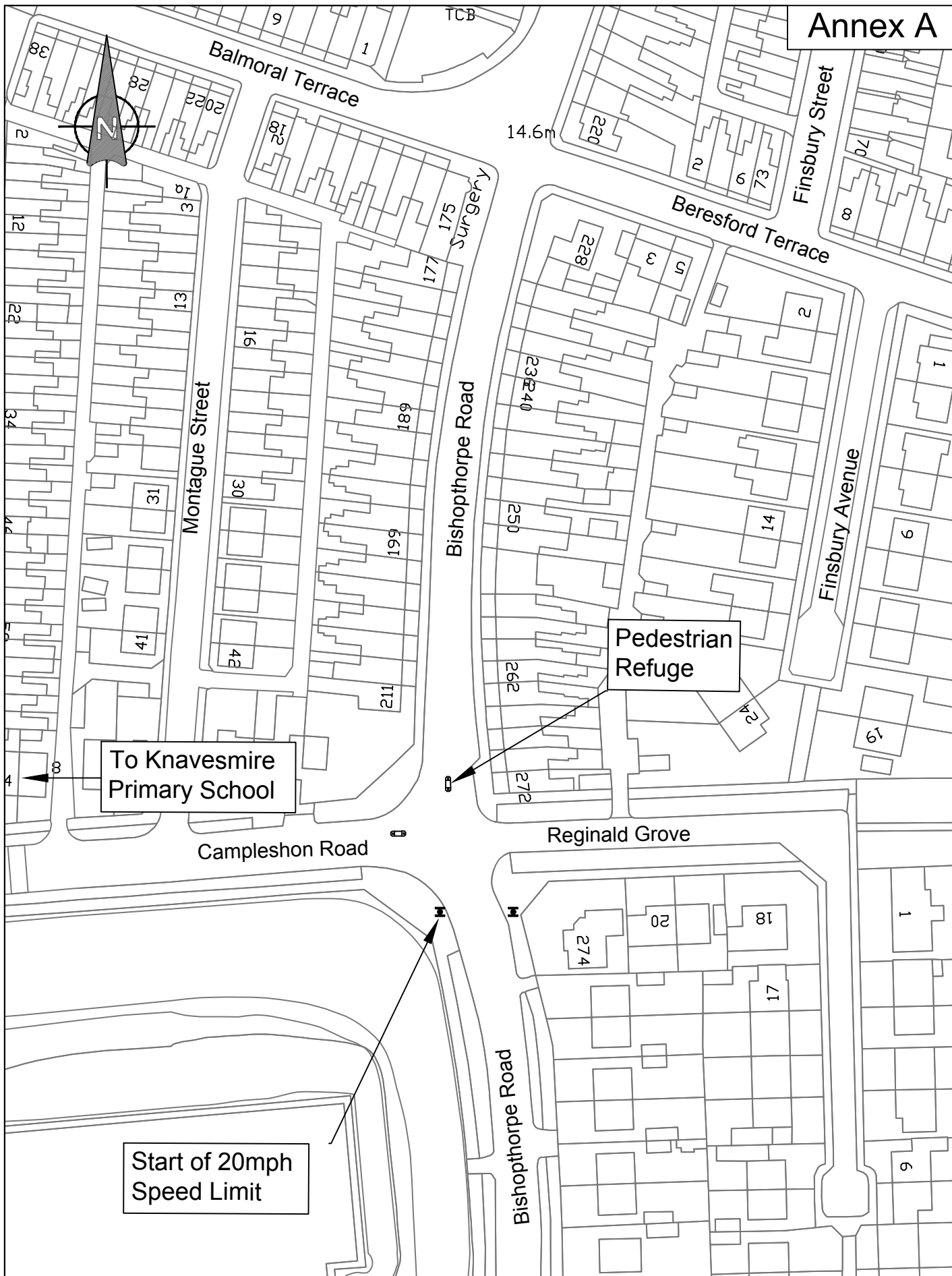
For further information please contact the author of the report.

Annexes

Annex A: Location plan

Annex B: Copy of front page of the petition

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School Safety Programme 2016/17
 Knavesmire Primary - Bishopthorpe Road - Refuge Crossing Point
 Location plan



Highways – Transport Projects and Delivery Team
 Eco Depot, Hazel Court, James Street, York, YO10 3DS
 www.york.gov.uk

REV	AMENDMENTS	DATE	TP/160003/Annex A	SCALE	1:1000
			Drawn RB	Checked LR	DATE 27/05/2016

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SAFER ROAD CROSSING FOR BISHOPTHORPE ROAD

Our local community desperately need a safer crossing at the top of Bishopthorpe road (junction with Campelshon Road) approaching the Knavesmire Primary School. This is an extremely busy junction, which, at present, leaves pedestrians exposed and vulnerable to the oncoming traffic. The current small island in the centre of the road is insufficient to protect pedestrians from speeding cars and poor visibility. This has created a huge risk especially to our children crossing to get to Primary School. Please sign the petition below to help support our cause to have a safer road crossing installed to keep everyone safe.

We the undersigned are concerned residents who ask the City of York Council act now to put a pelican crossing in place at the top of Bishopthorpe Road by junction of Campelshon Road.

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Executive Member Decision Session Transport and Planning

14 July 2016

Written Comments Annex

Agenda item	Received from	Comments
5. Hoisty Field	Denise N Jagger	See Separate Sheet
6. Consideration of the Objection received to the proposed amendments to the York Parking, Stopping and Waiting Traffic Regulation Order 2014 R46: Lawrence Street, Residents' Priority Parking	Cllr D'Agorne	In support of proposals to allow for the crossing and bus stop.
9. Petition-"Safer Crossing for Bishopthorpe Road"	Cllr D'Agorne	In relation to the Bishopthorpe Rd crossing (which I pass daily) the main concern is parking on the east side close to the crossing – visibility would be significantly improved by extending the build out to the north, perhaps with planters to prevent parking so close to the crossing.

I am pleased to make this written submission to the meeting taking place on Thursday 14th July and would be grateful if it could be included with the online agenda and other papers to be considered at the meeting in relation to **Item 5 Definitive Map Modification Order (DMMO) Application to add a footpath to the definitive map and statement: Hoisty Field, Fulford.**

1. I am Denise Jagger of Water Fulford Hall, owner of the land known as Hoisty Field over which an application has been made for a public right of way. **I am wholly supportive of, and welcome, the recommendation in the report from the Transport and Planning Office not to make an order in relation to the above matter.** My husband, Richard Jagger and I jointly own Water Fulford Hall and have done since 1997. We decided to acquire the adjoining land known as Hoisty Field in 2010 and although it was acquired in my sole name, for all practical purposes it is jointly owned with my husband who manages this land and our surrounding land. For this reason he submitted a written statement relating to this matter dated 27th June 2016.
2. After learning of the application we instructed our solicitor John Walker of Guest Walker & Co to look into the matter and in 2015 we requested a site visit so we could better explain the position. There followed a delay due to resource and extended sick leave within the Transport and Planning office which regrettably was compounded by some confusion and lost correspondence between our solicitor and the Transport and Planning office which meant that the site visit was not initially arranged and we only learnt of the meeting on 14th July sometime during June. We have never received the notice dated 18 April 2016 referring to the meeting date. I mention this to explain my inability to attend in person on 14th July. My husband and I are on our annual holiday and with only a few weeks' notice of the meeting we were unable to change our arrangements, hence I am sending this written statement.
3. The failure to receive the notice and the delayed site meeting also explains why we have not submitted or encouraged the submission of any other statements in support of our position. I am dismayed to read of people claiming to regularly walk across our land in exercise of a right of way and had we had more time our children, close neighbours, family members, tenants and a number of people who work for us and regularly visit us would I am sure write a statement in support of our view and naturally we will seek to provide these should we be required to in future.
2. Put simply I have not witnessed people walking along the alleged right of way nor do I believe this has been practically possible.
3. My husband and I acquired Water Fulford Hall and surrounding land in 1997 including a large part of the riverbank in front of our property over which there is a public right of way. We are totally accepting of this and have worked hard to improve access for the public, putting in gates, grazing sheep to keep down the previously overgrown fields and most recently planting wild flowers.
4. We noted when we moved in the public right of way which is an ancient farm track and is known locally to some as the Nurses Footpath that runs across Hoisty Field from the main road in Fulford to the entrance to Water Fulford Hall. We use this right of way ourselves on bicycles and when jogging and it is used by local people walking dogs (there is an obvious circuit across this field using the Nurses Footpath past our main entrance and then left back out onto Naburn Lane) and as a short cut to the Designer Outlet as it cuts off part of the corner of Naburn Lane

and leads to steps up onto Naburn Lane from which there is pedestrian access to the Designer Outlet.

5. When we moved into Water Fulford Hall our then neighbour who lived in Dovecote Garden Cottage asked if we would allow him access across our land as a quick route to the river bank where he walked his dog. We were happy to agree to this as a temporary measure for this particular neighbour. He therefore walked out of the back of his property onto our back drive and then out through our gate onto the river bank. At the same time we met [REDACTED] who then lived and still lives in [REDACTED], she too regularly walked her dogs (she had two and over the years these have died and she now has just one) and therefore we also gave her permission to walk on our land to exercise them particularly as she was already elderly and we had improved the surrounding drives and paths and knew that this would be an easy and safe walk for an elderly person. She has therefore walked her dogs on our land with our permission ever since we arrived – sometimes at the back of the Stables and Coach House, also owned by us, but also to access the riverbank. When we first arrived we did not own Hoisty Field and therefore the licence we gave her was to leave the Nurses Footpath to walk along the side of our orchard and then turn right onto our back drive from which she could access Landing Lane and the riverbank. She regularly uses this route (less so now but previously at least once a day). This route runs parallel and close by to the alleged right of way which is the subject of the application and when we took our children to school we would regularly see her perhaps up to three times a week on our back drive and would wave and say good morning. The route she used to reach our back drive was alongside our orchard – she could not reach our back drive along the alleged right of way (unless she climbed over our fence which she clearly couldn't do physically) hence we are confident that she wasn't using the alleged route as claimed. [REDACTED] is now over 90 years old and with poor eyesight and memory and I certainly wouldn't want to upset or confuse her by asking her to clarify exactly where she was walking and therefore have not so far asked her to confirm these facts.
6. As [REDACTED] has aged and been less able to walk her dog, a neighbour [REDACTED] started walking it (although we believe he now no longer does this) and therefore we gave both him and [REDACTED] various family members and friends who regularly visited her from the South, permission to use the same route when they are walking her dog. In the case of [REDACTED] this was explicit permission, in the case of [REDACTED] family and visitors this was implied as we had given permission to [REDACTED] and as they were walking her dog we had no objection to them following the same route. This has always been intentional and a neighbourly act on our part to assist someone who would otherwise need to take a longer route to access the riverbank. At no time have we intended to establish or to encourage a general right of way. To re-emphasise the area of land we agreed she could walk along to reach the riverbank runs along the side of our orchard parallel to the alleged right of way and is flatter and provides access to our back drive and from there onto the riverbank.
7. In 2010 neighbours locally were concerned as the land that we now learn is known as Hoisty Field was for sale and they were worried about inappropriate development, as indeed were we. One of the local residents, [REDACTED] tried to organise a group of residents to put in a bid to buy the land at auction but when this proved impossible he encouraged us to acquire the land explaining that he believed it may otherwise be acquired by travellers. As the land adjoins our own and we were likely to be the only local residents in a position to be able to bid for the land we did so and acquired it in 2010.

8. We used John Walker of solicitors Guests Walker & Co when acquiring the land and there was no mention at any point of there being a right of way over the land, the title deeds and other papers do not refer to it nor have we ever seen any path or right of way marked on any maps we have seen of the area. We take a particular interest in the history of Water Fulford Hall and its surrounding land and have a number of books, articles and old maps of the area many of them given to us by long standing local residents, none of which make any mention of, nor show, any path in the area under discussion. We also support a number of local history societies who regularly visit our house and grounds and never has such an alleged right of way been referred to.
9. We were therefore very surprised to learn of this application not least because during the time we lived at Water Fulford before we acquired the land, it had been set aside and therefore badly overgrown and impassable on foot. After acquiring the land we needed to recoup what we could financially and so decided to erect a fence so that we could then rent it out to local farmers as a whole or in two parts, one either side of the Nurses Footpath.
10. Between 2009 and 2011 Yorkshire Water needed to replace the main sewer which runs along the riverbank in front of our property and the large scale digging that ensued meant that in effect the riverbank was impassable and unusable by dog walkers. As a result a number of whom we assume were local people started to walk their dogs around Hoisty Field. We didn't encourage this but nor did we actively stop people since we couldn't be present all of the time to police it and we knew what was in effect trespassing would cease once the locals could restart walking along the riverbank. I assume therefore that the references in the submissions to the dog walkers in the area relates to this period when a few local people may have walked their dogs around the field not necessarily along the alleged footpath.
11. One reason I totally reject the argument for the application is that it simply isn't practical to walk along the route suggested. As I mention earlier, before we acquired the land in 2010 it was unfarmed and exceedingly rough, uneven and overgrown and after we acquired the land we could verify that there is no discernible path. Moreover where it allegedly comes out onto Landing Lane there is a large tree and it would be very difficult to squeeze past it on to Landing Lane therefore I can't understand why "the public" would ever select this as a route when there is easy access on alternative public routes.
12. In any event the only people such a route could conceivably benefit are the residents of [REDACTED] or our tenants, as there would be no reason for anyone else to want to take that particular track unless they were starting from [REDACTED]. Other locals and members of the public would find it easy and logical to walk along the main road in Fulford to access the riverbank via Landing Lane or they would walk along the Nurses Footpath as a short cut to the Designed Outlet. For anyone else it simply isn't on their route. In the case of [REDACTED] friends and family of hers who walked her dog we had already given her permission to walk along side our orchard which is flat and passable, as we had with [REDACTED] as he was visiting [REDACTED] to collect her dog.
13. The references therefore in the witness statements to local residents seeing people walking their dog along the alleged footpath I suggest are local people assuming that they are walking along the alleged route when in fact they are [REDACTED] and her visitors walking a parallel route alongside our orchard with licence from us.

14. There is also reference in the submitted statements to us tending our garden bonfire alongside the alleged footpath at the side of our orchard. We have used this area for some years and invariably our gardener has tended the bonfire although sometimes it will have been my husband Richard. In the latter case Richard has occasionally seen people in the vicinity and generally they have been [REDACTED], [REDACTED] or friends of [REDACTED] walking her dog and so he has not challenged them. However occasionally when he has seen people straying off the well-marked Nurses Footpath or sometimes wandering along our back drive, he has explained that the land is private and that they cannot use it. If our gardener has seen people he may or may not have challenged them as he wouldn't always know who they were. However he has confirmed to us that he has redirected people on occasions and certainly if there had been a large number of people he didn't recognise trespassing on our land as the applicant claims, then our gardener who is often in that area, would have alerted us.
15. To suggest that people regularly use the alleged route I find difficult to accept. Several times a day myself, my husband and two children and our tenants drive and/or walk along Naburn Lane, the Nurses Footpath and our back drive all of which provide a good sight line to Hoisty Field and at various times I have jogged along a circuit from Naburn Lane down the main street and then cut back along the Nurses footpath to Water Fulford Hall. If there had been a number of people regularly using the route as alleged I am quite sure one of us would have seen them. Indeed when occasionally strangers have trespassed on to parts of our land whether the back drive, the river bank or surrounding fields our children and tenants have alerted us so that we can redirect them and explain that the land is private. We have a private sign as you approach Water Fulford Hall and, until recently, we had a very old private sign on a tree along our back drive but this Winter this sign as well as two other private signs along our back drive and the path at the side of our orchard have been removed, but not by us. The people I see most regularly walking in the area are [REDACTED] (less so recently given her age) and [REDACTED] and I have never seen them on the route alleged as a public footpath.
16. I have read with interest the report on the application and respect and welcome the Planning and Transport Office recommendation not to grant an application. If for any reason this recommendation is not followed then I will seek to submit a number of statements from family, friends, residents and people who work for us and regularly pass by the alleged right of way who I am confident concur with my view point and that of my husband. I am disappointed that, given the delays and errors in communication, I not only didn't receive the notice of hearing but when I heard about it through my solicitor we had only a short time in which my husband could submit a written statement to be considered by the Planning and Transport Office and I was unable to rearrange my holiday to attend the meeting in person. I therefore hope that this written statement helps to shed light upon this situation.

Denise N Jagger
12th July 2016

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]