

## ASSISTANT DIRECTOR DECISION

**Decision: Outcomes of the Applications to record a public rights of way on the definitive map within various Wards relating to the City of York Council.**

<b>Type of Decision:</b> Assistant Director	Key	N	Non-Key	Y
<b>Portfolio Area that decision relates to:</b>				
Leader (inc Policy, S & P)			Finance & Performance	X
Transport			Culture, Leisure & Com	
Environment & Climate C			Children & Young P & Edu	
Economy & Strategic Plan			Health & Adult Social Care	
Housing & Safer Neigh				

**Background**  
 Earlier this year the Executive (18 July 2019) authorised a change in the way CYC determines (decide whether to make an order) for definitive map modification order applications (DMMO). Instead of each order being placed before the Exec Member for Transport, the decision was delegated to a senior officer in consultation with the Exec Member and the affected ward councillors.

<b>Implications:</b> Crime & Disorder		Equalities		Other:
Human Resources		Legal	X	Highways
Financial		ITT		Property
				X

**Decision Date: 17 December 2019**

<b>Wards Affected:</b>						
All Wards		Fishergate		Holgate		Rural West York
Acomb		Fulford & Heslington	√	Hull Road		Strensall
Bishopthorpe		Guildhall		Huntington & New Earswick		Westfield
Clifton		Haxby & Wigginton	√	Micklegate		Bishopthorpe & Wheldrake
Copmanthorpe		Heworth		Osbalwick & Derwent	√	
Dringhouses & Woodthorpe	√	Heworth Without	√	Rawcliffe & Clifton		

**Comments/Observations:**  
 Assistant Director Transport Highways and Environment in consultation with Executive Member for Transport consider the following applications and determined the course of action as follows:

**Osbalwick & Derwent Ward**  
 199712 Kexby – BW8 to FP11 (Hagg Wood) – Agreed to proceed to the next stage **Make the Order** but CYC to take a **neutral stance**.  
 199712 Kexby – Hagg Farm to FP11 - Agreed to proceed to the next stage **Make the Order** - CYC to **support confirmation**.  
 200401 Dunnington – Common Road to footpath 7 - Agreed to proceed to the next stage **Make the Order** - CYC to **support confirmation**.

**Fulford & Heslington Ward**  
 200601 Heslington – Boss Lane to Main St - Agreed to proceed to the next stage **Make the Order** but CYC to take a **neutral stance**.

### **Heworth Without Ward**

200308, 200309, 200910 Heworth – Hempland Lane Allotments

200308 – **Reject the application** on technicalities (as outlined in the report).

200309 – **Reject the application** - CYC are landowners and might consider taking forward.

**Action: RV to discuss with internal officers (Dave Meigh) in the first instance and to make Heworth Ward Councillors aware.**

200910 – **Reject the application** – Cllr Webb spoke with RV despite no comments on the form. **Action: RV to raise with the Allotment Association regarding the boundary in respect of the lease.**

200803 - Heworth – Bad Bargain Lane to Burnholme Avenue – RV attended a site meeting with Cllr Ayre. There is sufficient evidence to make the order. Cllr Ayre is supportive of the application. The Landowner is split - Agreed to proceed to the next stage **Make the Order** but CYC to take a **neutral stance**.

### **Haxby & Wigginton Ward**

200002 Haxby – Sandy Lane - Agreed to proceed to the next stage **Make the Order** - CYC to **support confirmation**.

### **Dringhouses & Woodthorpe Ward**

199803 – Dringhouses & Woodthorpe – Mayfield Nature Reserve. Cllr Fenton sought clarification as to the process but no further comments.

**Action: As the landowner need to check with Nick Collins in respect of what is permitted in respect of the lease.**

Agreed to **Reject the application**.

### **Strensall Ward**

200203 Strensall – The Village to Southfields Road. Cllr Fisher is supportive of the application. There is no evidence at present but likely to be provided once the order made. Agreed to proceed to the next stage **Make the Order** but CYC to take a **neutral stance**.

### **Bishopthorpe & Wheldrake Ward**

200802 – Naburn – Palmes Close to Vicarage Lane. Objection has been received from the Farmer. The evidence is good. Agreed to proceed to the next stage **Make the Order** but CYC to take a **neutral stance**.

199810 Naburn – Landing Lane to Acaster Malbis. Agreed to proceed to the next stage **Make the Order** - CYC to **support confirmation**. Once proposal is passed - CYC to consult on the continuation to Bishopthorpe as a Restricted byway to continue the route as opposed to a dead end.

### **Rural West York**

201805 Skelton – Brecksfield to Burtree Dam – Application route was awarded as a public foot road by the 1807 inclosure award. RV checked the archives and there is no evidence this has been stopped. Agreed to proceed to the next stage **Make the Order** - CYC to **support confirmation**.

201805 Skelton – Village Hall to Moorlands Road - Agreed to proceed to the next stage **Make the Order** - CYC to **support confirmation**.

201805 Skelton – Hurns Bridge to Moorlands Wood – Evidence to make the order is very close. Agreed to proceed to the next stage **Make the Order** but CYC to take a **neutral stance**.

**Decision Made by:** James Gilchrist, Assistant Director Transport, Highways and Environment

**Contact Details:** Directorate of Economy and Place, West Offices

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**On behalf of:** Neil Ferris, Corporate Director of Economy and Place

**To be implemented by:**

Russell Varley  
Definitive Map Officer

**On Completion – Signed off by:**

**Date:** 17 December 2019

A handwritten signature in black ink, appearing to read 'J Gilchrist', written in a cursive style.

James Gilchrist

**Assistant Director Transport, Highways and  
Environment**