

**Application to be determined – 200802 Naburn – Palmes Close to Vicarage Lane
DMMO application to record as public footpath A-B on the map below**

Evidence supporting the application	Evidence refuting the application
12 Evidence of use statement alleging use between 1980 and 2007 (27 years). 2 users alleging use for more than 20 years	
Aerial photographs showing a worn strip through the field corresponding with the application route.	
DMO Comment on the evidence as a whole	
<p>The user evidence statements are sufficient to raise an allegation that a public footpath exists over the way. The relevant 20 year period is 1987 to 2007, the public's right to use the route being called into question when the access stile between Palmes Close and the field was removed in October 2007 and no right of way signs erected. That being said, the evidence as it stands is not sufficient to confirm the order so a neutral stance is recommended towards confirmation at the moment.</p>	
Consultation responses	
<p>One of the affected land owners objected to the application but did not include any relevant evidence. The Ramblers had no comment to make and Naburn Parish Council had nothing further to add to the case.</p>	

<p>Have the relevant parish councils been consulted? (delete as appropriate)</p>	Yes
<p>Does the current evidence meet the statutory test for making the order? (delete as appropriate)</p>	Yes
<p>Will the order route be the same as the application route? (Attach a map showing the proposed order route) (delete as appropriate)</p>	Yes
<p>What status will the route have? (delete as appropriate)</p>	Footpath
<p>Officer recommended determination- (delete as appropriate)</p>	Make the order
<p>Officer recommended stance towards confirmation- (delete as appropriate)</p>	Take a neutral stance

Implications					
Crime & Disorder		Equalities		Other	
Human Resources		Legal		Highways	✓
Financial		ICT		Property	


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

Wheldrake Ward Councillor Comments	
Cllr.	Christian Vassie
No comments received at this stage but Ward Councillors will have a further opportunity to comment during the statutory 6 week consultation period that follows the making of an order.	

Executive Member for Transport Comments	
Cllr.	A. D'Agorne
Having considered the available evidence and the comments of ward councillors I am happy to support the making of the order.	

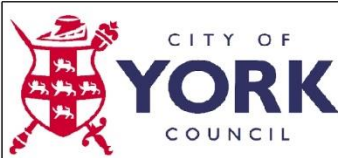
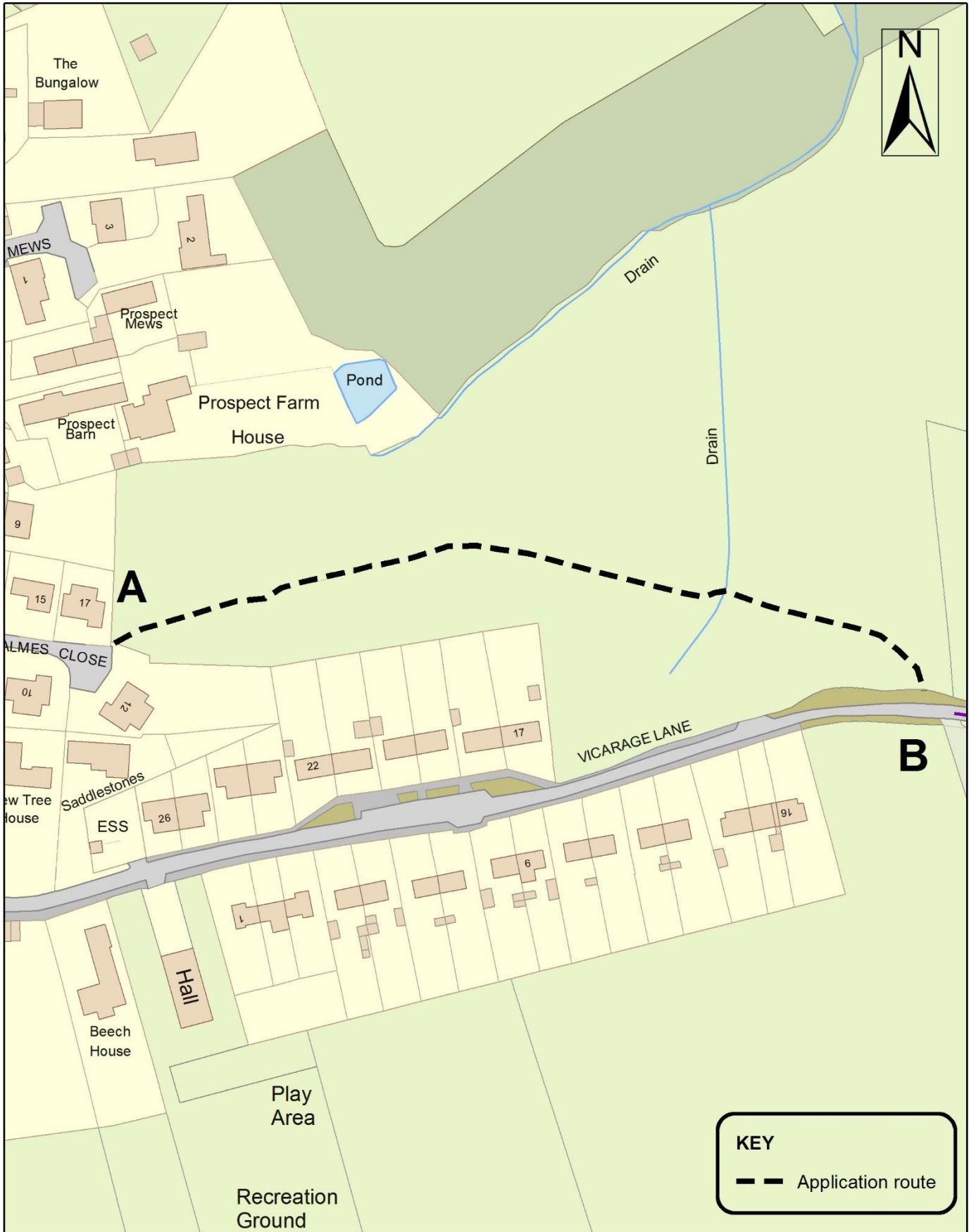
Senior Officer Comments

James Gilchrist	Assistant Director
Having considered the available evidence and the comments of the Executive Member for Transport I am happy for the order to be made, moving the process on to the next stage.	

Senior Officer Decision		Make the order	
Decision Date:		17 December 2019	
Decision made by:	James Gilchrist, Assistant Director Transport Highways and Environment		
Contact details:	01904 551550 rightsofway@york.gov.uk		
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:	17.12.19
			
James Gilchrist			
Assistant Director Transport, Highways and Environment			

Officer responsible for the report:

Name:	Russell Varley	Telephone No.	01904 553691
Position:	Definitive Map Officer	e-mail	russell.varley@york.gov.uk
Team:	Transport Service		



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200802 Naburn - Palmes Close to Vicarage Lane

Scale 1:1,500

Drawn By:RJV

Date:4/12/19

Public Rights of Way

Reference:

Drawing No.

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