

Application to be determined – 200002 Haxby – Sandy Lane

DMMO application to record as public bridleway A-B on the map below

Evidence supporting the application	Evidence refuting the application
29 user evidence statements alleging use between 1947 and 1999. 15 people claim more than 20 years use	
16 people claim use on a cycle with 7 people alleging use on horse or mechanically propelled vehicle respectively.	
Historic photographs showing the lane	
Interviews with older residents about the lane	
A history of the lane prepared by a resident	
Sandy Lane is shown on all the Ordnance Survey maps available to CYC.	
DMO Comment on the evidence as a whole	
The application sought to record the route as a bridleway. However there is a considerable amount of vehicular use (mechanically propelled and cycle). The Natural Environment and Rural Communities Act 2006 has extinguished rights for mechanically propelled vehicles. Therefore it is more appropriate to make an order to record the route as a restricted byway (open to walkers, horse riders, and cyclists). There is no evidence refuting the application and the evidence before CYC more than meets the statutory test for making an order.	
Consultation responses	
One response was received from the Ramblers who added additional map evidence supporting the existence of the route.	

Have the relevant parish councils been consulted? (delete as appropriate)	Yes
Does the current evidence meet the statutory test for making the order? (delete as appropriate)	Yes
Will the order route be the same as the application route? (Attach a map showing the proposed order route) (delete as appropriate)	Yes
What status will the route have?	Restricted byway

(delete as appropriate)	
Officer recommended determination- (delete as appropriate)	Make the order
Officer recommended stance towards confirmation- (delete as appropriate)	Support confirmation

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		Osbaldwick & Derwent		Rawcliffe & Clifton Without	
Rural West York		Strensall		Westfield	
Wheldrake					

Haxby and Wigginton Ward Councillor Comments	
Cllr.	Ian Cuthbertson
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.	
Cllr.	Andrew Hollyer
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.	
Cllr.	Edward Pearson

I'm happy to support the recommendation to record the route as a restricted byway. I have walked this footpath many times!

Executive Member for Transport Comments

Cllr. A. D'Agorne

Having considered the available evidence and the comments of the ward councillor 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.

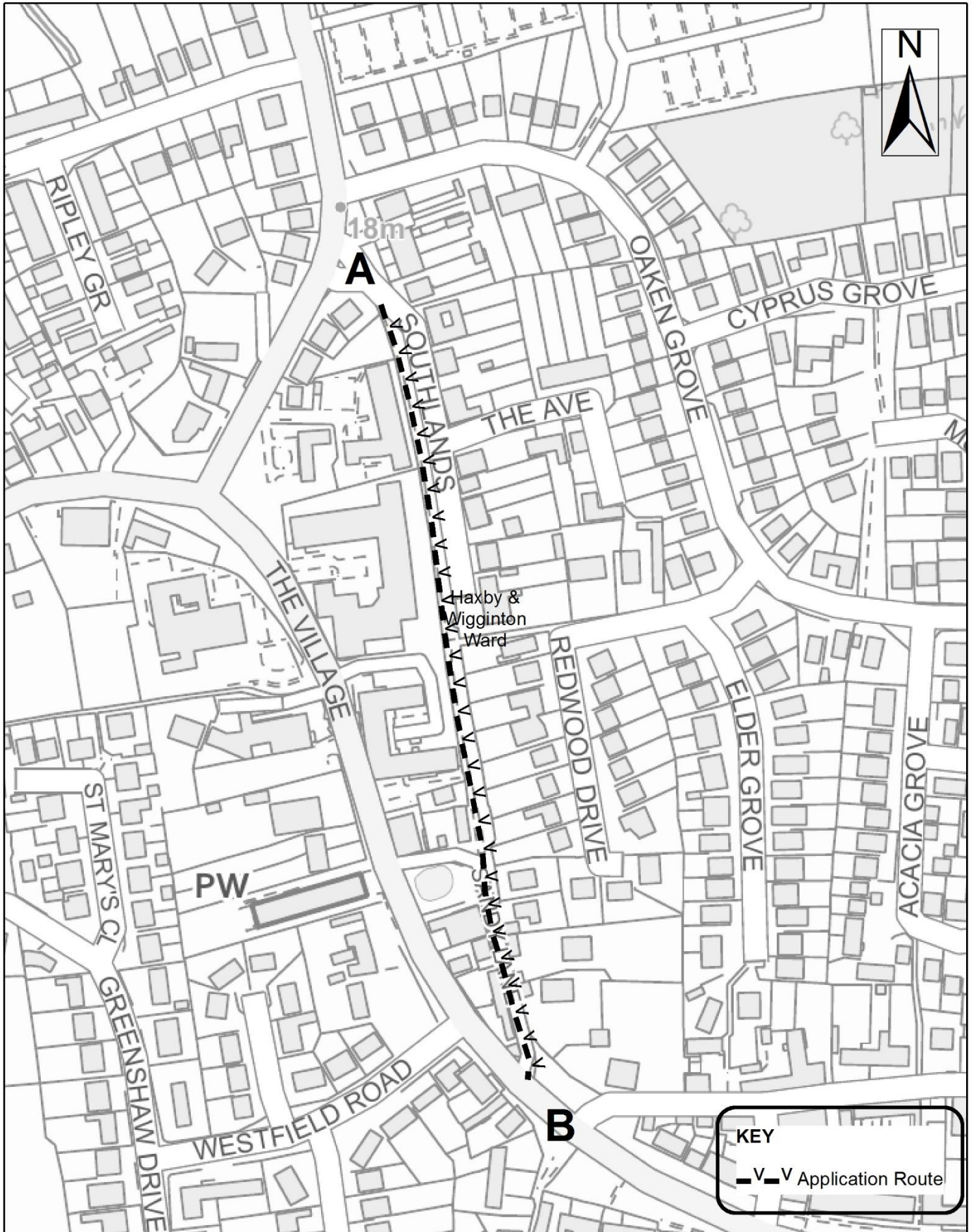
01904 553691

Position: Definitive Map Officer

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Team: Transport Service



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200002 Haxby - Sandy Lane

Scale 1:2,500

Drawn By:RJV

Date:4/12/19

Public Rights of Way

Reference:

Drawing No.

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