

**Application to be determined – 201805 Skelton – Brecksfield to Burtree Dam**

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

<b>Evidence supporting the application</b>	<b>Evidence refuting the application</b>
Skelton Inclosure Act 1806	None of the Ordnance Survey maps available to the council show this path.
Skelton Inclosure Award and Map 1807	
<b>DMO Comment on the evidence as a whole</b>	
The application route was awarded as a public foot road by the 1807 inclosure award. No evidence has been supplied that shows it has ever been formally stopped up. As such it still exists as a pedestrian highway and should be recorded on the definitive map. The proposed order route is longer than the application route because it reflects what was awarded by the inclosure commissioners.	
<b>Consultation responses</b>	
Both the parish council and the Ramblers support the application. Part of the land affected by the application is owned by a trust who have indicated that they object to the application.	

Have the relevant parish councils been consulted? (delete as appropriate)	<b>Yes</b>
Does the current evidence meet the statutory test for making the order? (delete as appropriate)	<b>Yes</b>
Will the order route be the same as the application route? (Attach a map showing the proposed order route) (delete as appropriate)	<b>No</b>
What status will the route have? (delete as appropriate)	<b>Footpath</b>
Officer recommended determination- (delete as appropriate)	<b>Make the order</b>
Officer recommended stance towards confirmation- (delete as appropriate)	<b>Support confirmation</b>

<b>Implications</b>					
Crime & Disorder		Equalities		Other	
Human Resources		Legal		Highways	✓
Financial		ICT		Property	


<b>Affected Wards</b>					
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					

<b>Rural West York Ward Councillor Comments</b>	
Cllr.	James Barker
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.	Anne Hook
Cllr Hook sought clarification about the process and the area affected by the application.	

<b>Executive Member for Transport Comments</b>	
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.	

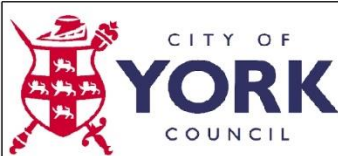
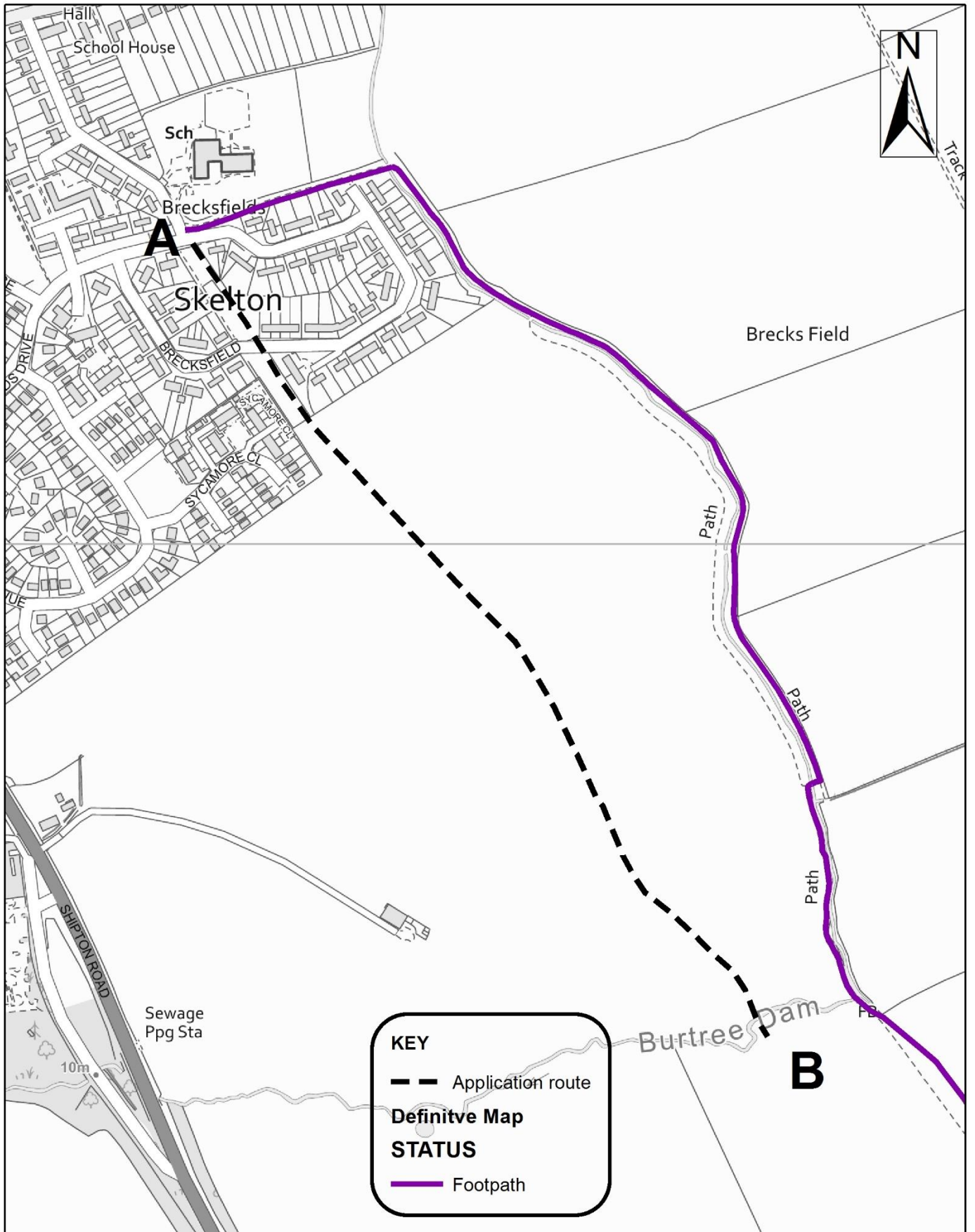
<b>Senior Officer Comments</b>

James Gilchrist	<b>Assistant Director</b>
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		<b>Make the order</b>	
Decision Date:		<b>17 December 2019</b>	
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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## 201805 Skelton - Brecksfield to Burtree Dam

Scale 1:5,000

Drawn By:RJV

Date:9/12/19

Public Rights of Way

Reference:

Drawing No.

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