

# **NOTICE OF ORDER**

## **Wildlife and Countryside Act 1981 S53**

City of York Council  
Public Footpath Naburn 7 Modification Order 2021

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **20 July 2023**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding a public footpath from Palmes Close to Vicarage Lane, Naburn (SE 6003 4557 to SE 6026 4555).

Any queries relating to this Order should be referred to Jessica Weatherby by email: [Jessica.Weatherby@planninginspectorate.gov.uk](mailto:Jessica.Weatherby@planninginspectorate.gov.uk) quoting reference number ROW/3313300 on all correspondence. Alternatively, queries may be sent in writing to The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5147.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at City of York Council, West Offices, Station Rise, YORK, YO1 6GA or on 01904 551550.

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 3 August 2023]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

#### **Within 8 weeks of the start date [by 14 September 2023]**

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary

of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

**Within 14 weeks of the start date [by 26 October 2023]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

**THE COUNCIL OF THE CITY OF YORK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**DEFINITIVE MAP AND STATEMENT FOR THE FORMER EAST RIDING OF  
YORKSHIRE NOW SITUATED INSIDE THE AREA OF THE COUNCIL OF THE  
CITY OF YORK**

**PUBLIC FOOTPATH NABURN 7  
MODIFICATION ORDER 2021**

Janie Berry  
Director - Legal & Governance  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

**THE COUNCIL OF THE CITY OF YORK****WILDLIFE AND COUNTRYSIDE ACT 1981****DEFINITIVE MAP AND STATEMENT FOR THE FORMER EAST RIDING OF  
YORKSHIRE NOW SITUATED INSIDE THE AREA OF THE COUNCIL OF THE  
CITY OF YORK****PUBLIC FOOTPATH NABURN 7  
MODIFICATION ORDER 2021**

This Order is made by the Council of the City of York under Section 53(2)(b) because it appears to the authority that the Definitive Map and Statement for the former East Riding of Yorkshire now situated inside the area of the Council of the City of York require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i). This is due to the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic.

The authority has consulted with every local authority whose area includes the land to which the Order relates. The Council of the City of York hereby order that:

1. For the purpose of this Order the relevant date is 2 June 2021.
2. The Definitive Map and Statement for the former East Riding of Yorkshire now situated inside the area of the Council of the City of York shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Public Footpath Naburn 7 Modification Order 2021.

**THE COMMON SEAL of THE COUNCIL OF THE CITY OF YORK** was hereunto affixed

this 25 day of JUNE 2021

in the presence of:



An Authorised Officer



No. In Seal Register: 12780

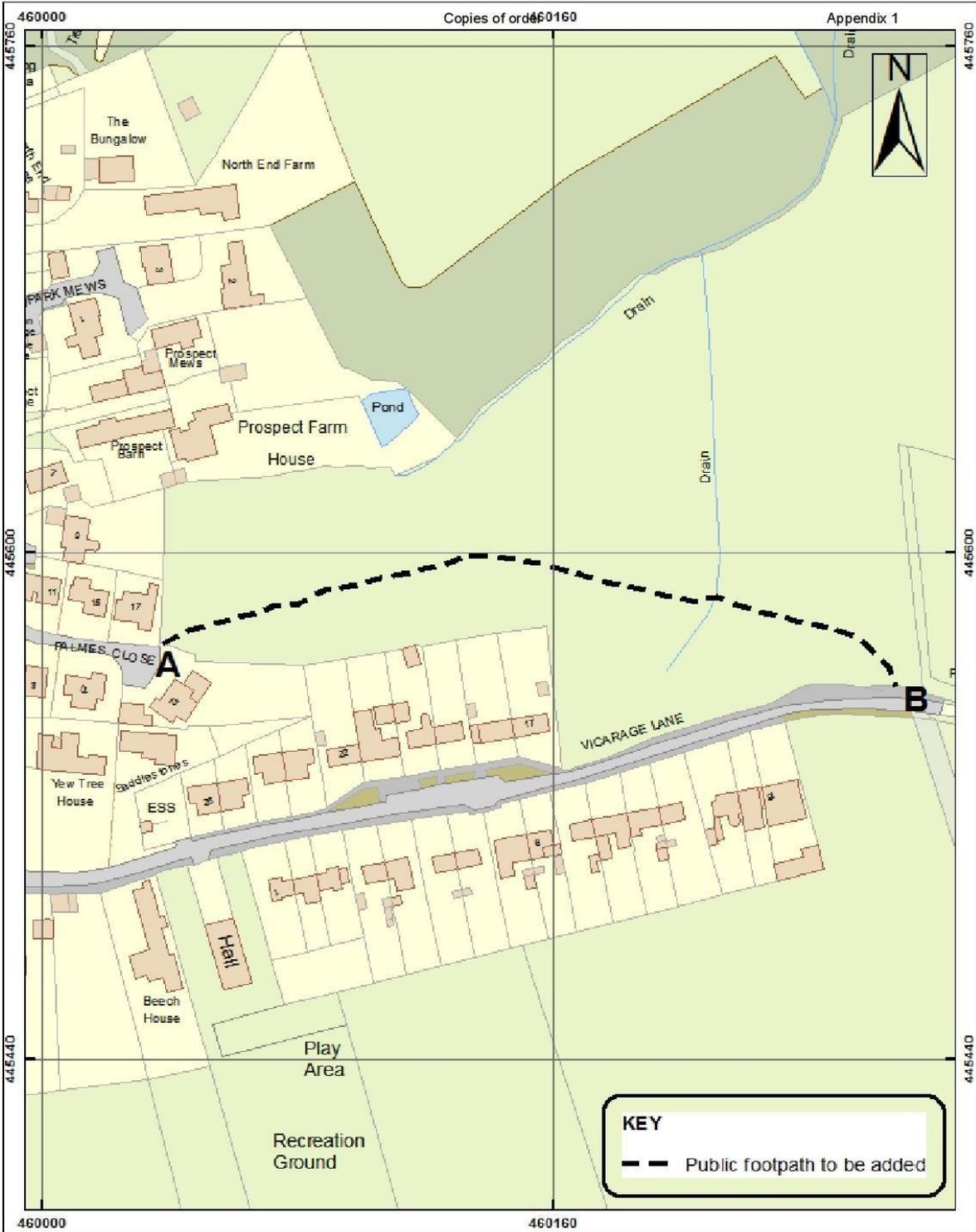
SCHEDULE  
PART I

Modification of Definitive Map  
Description of path to be added

<u>Section of Public Footpath as shown on the attached Map</u>	<u>Description</u>
Indicated on the Order Map and marked as A - B	Starting at grid reference (GR) SE 6003 4557 (POINT A) at its junction with the maintainable highway known as Palmes Close the 0.5 metre wide pasture surfaced public footpath crosses a stile then heads generally east for approximately 246 metres to GR SE 6026 4555 (POINT B) its junction with the maintainable highway known as Vicarage Lane.

**PART II**Modification of Definitive Statement  
Variation of Particulars of path or way

Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (M)	Lawful Obstructions And Conditions
4/7	SE 6003 4557 to SE 6026 4555	Starting at grid reference (GR) SE 6003 4557 at its junction with the maintainable highway known as Palmes Close the 0.5 metre wide pasture surfaced public footpath crosses a stile then heads generally east for approximately 246 metres to GR SE 6026 4555 its junction with the maintainable highway known as Vicarage Lane.	Pasture  (SE 6003 4557 to SE 6026 4555)	0.246km  (SE 6003 4557 to SE 6026 4555)  Total: 0.246km	0.5m  (SE 6003 4557 to SE 6026 4555)	Stile  (SE 6003 4557)  Field gate  (SE 6026 4555)



## PUBLIC FOOTPATH NABURN 7 MODIFICATION ORDER 2021

Scale 1:1,600	Drawn By: LRG	Date: 11/6/21
Public Rights of Way	Reference:	Drawing No.

Contains Ordnance Survey data © Crown copyright and database right 2021