

From: [Derek Jackson](#)
To: [McPhail, Zoe](#)
Subject: Hurns Bridge to Moorlands Statement of Case ROW_331840
Date: 11 March 2024 14:13:24

You don't often get email from [REDACTED]. [Learn why this is important](#)

In response to your letter, 6th March, I would like to respond to a point made by all objectors in their Statement of Case. They state or imply that the first section of the application was never a Public Right of Way. I did include in my Statement of Case that Hurns Lane is listed on the "List of Streets" with a classification of "Publicly Maintainable". I also included the report from City of York Council in DJ Appendix 1 explaining the requirements to be "Publicly Maintainable" and quoted the Parliamentary Briefing Sheet requirements for something to be maintainable at Public Expense in my Statement of Case.(Ref. BRIEFING PAPER Number CBP 402, 10 April 2018, Private or 'Unadopted' Roads in England and Wales.) This is supported by Land Registry information NYK 362621 included in my statement of Case which stated:

“subject also to subsisting Rights of Way across fields numbered 134,128,127 and 70.^[L]_[SEP]”

I therefore conclude that Hurns Lane is confirmed to be a Public Street that did cross Field numbers 134 and 128. The List of streets classification confirms that the route was a Public Rights of Way before 1835 adding doubts as to whether the three objectors do actually know the historic nature of their own land.

All the other points of difference I will leave to the Inspectorate but I have already listed my key points in the Summary presented in my Statement of Case.

Many thanks

Derek Jackson