

**STATEMENT OF CASE OF BISHOPTHORPE PARISH COUNCIL**

**PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH  
BISHOPTHORPE 3 MODIFICATION ORDER 2019**

**30 November 2022**

## STATEMENT OF CASE OF BISHOPTHORPE PARISH COUNCIL

### PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3 MODIFICATION ORDER 2019

PLANNING INSPECTORATE REFERENCE: ROW/3286833

#### Introduction

1. This document comprises the Statement of Case of Bishopthorpe Parish Council (“**the Parish Council**”) relating to the Public Footpath Acaster Malbis 9 & Public Footpath Bishopthorpe 3 Modification Order 2019 (“**the Order**”) made on 10 October 2019 by the City of York Council as order making authority (“**the OMA**”).
2. The Order is the subject of one objection from the Parish Council (see appendix 2 of the OMA’s Statement of Case dated October 2022).
3. This Statement of Case explains the Parish Council’s position and, in particular, why the Parish Council has objected to the Order being confirmed in the form in which it has been made by the OMA.
4. In particular this Statement of Case sets out the Parish Council’s comments on the OMA’s Statement of Case and on a number of the items included in the Appendices to the OMA’s Statement of Case (“**the OMA’s Appendices**”).

#### Objection

5. The Parish Council objects to the exclusion from the Order of the path linking Chantry Lane to Ferry Lane, passing through the disused churchyard (“**the Churchyard Footpath**”). The Churchyard Footpath is marked A-B on the plan at page 211 of the OMA’s appendices. For the avoidance of doubt, that lettering differs from that used in the Order.
6. On page 8 of the OMA’s Statement of Case the OMA says that, “*The information relating why the OMA omitted part of the application is set out in the report presented to the Executive Member for Transport, a copy of which can be found at appendix 19.*”
7. That report (paragraph 16 on page 200 of the OMA’s appendices) recommends the exclusion of the Churchyard Footpath “*because the evidence before the council shows that the land between A and B is consecrated and public rights of way cannot be established over consecrated ground. Therefore the requirements of section 31(1) of the Highways Act 1980 do not apply to the section of the application route between A and B on the map.*”
8. The Parish Council submits:
  - 8.1. That that is wrong in law;
  - 8.2. That public rights of way *can* be established over consecrated ground; and
  - 8.3. That the requirements of Section 31(1) *do* apply to the Churchyard Footpath.
9. The detailed reasoning previously submitted by the Parish Council is set out in its Additional Submission contained in Appendix 20 (pages 213 to 223 of the OMA’s Appendices). A copy is included as Appendix A to this Statement of Case. The Parish

Council stands by that Additional Submission and requests the Secretary of State to consider it as if it were repeated in full in this Statement of Case.

10. It is noted that the OMA itself says at paragraph 53 of its Statement of Case that "*the OMA considers that the Parish Council's position has some merit*". We would question whether the OMA would have omitted the Churchyard Footpath from the Order had it seen the Parish Council's Additional Submission before the Order was made.

#### **Additional evidence and comments**

11. In Appendix 5 of the OMA's Appendices (page 32 onwards) the OMA sets out details of user evidence. The table at page 31 summarises the evidence of 13 users. The Parish Council understands that that table relates to the use of the footpath *from Ferry Lane to Acaster Malbis* and that that table was included by the OMA to demonstrate the evidence relating to the footpath that was *included* in the Order).
12. Some of those evidence forms also refer to the Churchyard Footpath (referring typically to a path from the Old Church Yard to the Swing Bridge (which we believe to be a reference to Naburn Bridge, between points C and D on the plan annexed to the Order).
13. The Inspector's attention is drawn to the further details of user evidence set out in paragraph 17 of the OMA's Report to the Executive Member for Transport (page 201 of the OMA's Appendices, Appendix 19) ("**the Officer's Report**"). There were 51 user evidence statements in total, alleging continuous use from 1930 to 2001. As the OMA acknowledges at paragraph 20 of that report, 38 of the user evidence statements **refer only to the Churchyard Footpath**.
14. At paragraph 24 of the Officer's Report the OMA says that the evidence "*seems to lead to the inevitable conclusion that a public right of way is reasonably alleged to subsist over the whole application route (A to B to C to D)*". The lettering there refers to that used in that report, where A-B is the Churchyard Footpath).
15. We attach (Appendix B) a copy of the 51 user evidence forms submitted to the OMA.
16. The Officer's Report refers to evidence from maps. At paragraph 28 the OMA refers to a map from 1968 which "*provides confirmation that a physical feature existed on the ground that would have allowed the public to pass from Chantry Lane to Ferry Lane during the relevant period*".
17. A map from 1967 (not 1968) is extracted at page 167 of the OMA's Appendices, entitled "County Series 25 inches to 1 mile 1967". We attach (Appendix C) an extract from that map ("**the 1967 Map**"), showing the area that is the subject of our objection. This map does indeed show the line of the Churchyard Footpath. We submit that it is clear evidence that the footpath existed in 1967, seven years before the start of the relevant period for user evidence (1974 to 1994) which forms the basis of the Order.
18. In further support of that evidence, we attach:
  - 18.1. Appendix DC - a copy of the transfer dated 24 February 1999 of the then disused churchyard (through which the Churchyard Footpath runs) by the Church Commissioners to St Andrew's Trust Bishopthorpe ("**the Trust**"); and
  - 18.2. Appendix E - a copy of the further transfer dated 24 February 1999 by the Church Commissioners to the Trust of the land which includes the first section of the

Churchyard Footpath (from Chantry Lane to the point at which it meets the boundary of the land comprised in the first mentioned transfer).

19. The plans on these two transfers appear to be based on the Ordnance Survey. They show the route of the Churchyard Footpath, from the point at which it meets the boundary of the land transferred, to Ferry Lane (north east of Ferry Cottage, which has since been demolished and replaced with a modern house). Given the comments made by the OMA about a 1968 (sic) map showing the Churchyard Path, the plans from the 1999 transfers provide further evidence of the existence of the relevant physical feature.

### **Original and current route**

20. The Inspector will note that the two transfers to the Trust were made in 1999, five years after the end of the relevant period for user evidence (1974 to 1994) which forms the basis of the Order.
21. The Parish Council is aware of work undertaken by the Trust since the land was transferred to it. On his inspection of the site, the Inspector will see iron railings delineating the edge of the old churchyard, creating a physical path along the route shown on the second 1998 transfer (Appendix E). The Inspector will see that that route continues now between the riverbank and the iron railings, leading to Ferry Lane. The Parish Council believes that some of the *current* route may now pass over land "reclaimed" from the river, by river defence works undertaken by the Trust. The Parish Council believes however that the original route was as shown on the plans appended to the transfers to the Trust (Appendix D and Appendix ED).
22. The current route of the path may in part therefore be different to its route during the relevant period. If the Inspector is minded to include the Churchyard Footpath in the Order, the Parish Council believes that the proper route would be as shown on the 1967 Map and the 1999 transfers to the Trust and not along its current route. The Parish Council would not however object to a diversion of that route to correspond with the current route. The interest of the Parish Council in this respect is in establishing/preserving a footpath to connect Chantry Lane to Ferry Lane. The route by which that connection is made is of secondary interest and importance to the Parish Council.

### **Procedure**

23. At paragraph 53 b) of the OMA's Statement of Case the OMA says, "*As the objection does not relate to the Order under consideration the OMA respectfully asks the Inspector to consider setting the objection aside using s15 (7) (2a) of the Wildlife and Countryside Act 1981.*" We presume that the OMA refers here to paragraph 2A (sic) of Schedule 15 (not Section 15).
24. As we read that paragraph, the Secretary of State is not obliged either to hold a local inquiry or to afford the Parish Council the opportunity to be heard if, in his opinion, any representation or objection made by the Parish Council is irrelevant to his determination. We would respectfully submit that, for all the reasons set out in this Statement of Case, the objection made by the Parish Council is relevant, in that:
- (a) It goes to the fundamental issue of the mismatch between the extent of the footpath to which the Parish Council's applications related and that in respect of which the Order has been made;
  - (b) The OMA has omitted the Churchyard Footpath due to an error of law;
  - (c) It would be perverse to disregard the Parish Council's objection solely because the omission of the Churchyard Footpath means that the objection relates to a length of



footpath to which the Order does not relate; that is surely one of the reasons why the 1981 Act requires certain Orders to be submitted to the Secretary of State for confirmation.

- (d) If the Secretary of State were to disregard the Parish Council's objection, the Parish Council would need to start afresh by submitting yet another application, wasting precious time and public funds on an issue that can be determined now. That issue, in essence, is whether public rights of way *can* be established over consecrated ground. the Parish Council has waited for several decades for its applications to be determined. A further delay on this point would be difficult to justify or explain to parishioners.

**The remainder of the Order – the route from Ferry Lane to Acaster Malbis**

25. The Parish Council has no objection to the remainder of the Order and indeed welcomes the modification of the Definitive Map to include the route shown from A to K on the plan attached to the Order. The only objection by the Parish Council is that the Order should also have included the Churchyard Footpath.

*Stewart Harrison*

Chair, Bishopthorpe Parish Council

30 November 2022

## **APPENDICES**

**Page 6 - Appendix A – Additional Submission**

**Page 16 - Appendix B – User evidence statements (51)**

**Page 120 - Appendix C – 1967 OS map extract**

**Page 122 - Appendix D – Transfer (1) to the Trust dated 24 February 1999**

**Page 128 - Appendix E – Transfer (2) to the Trust dated 24 February 1999**

# **STATEMENT OF CASE OF BISHOPTHORPE PARISH COUNCIL**

## **PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3 MODIFICATION ORDER 2019**

### **APPENDIX A - ADDITIONAL SUBMISSION**

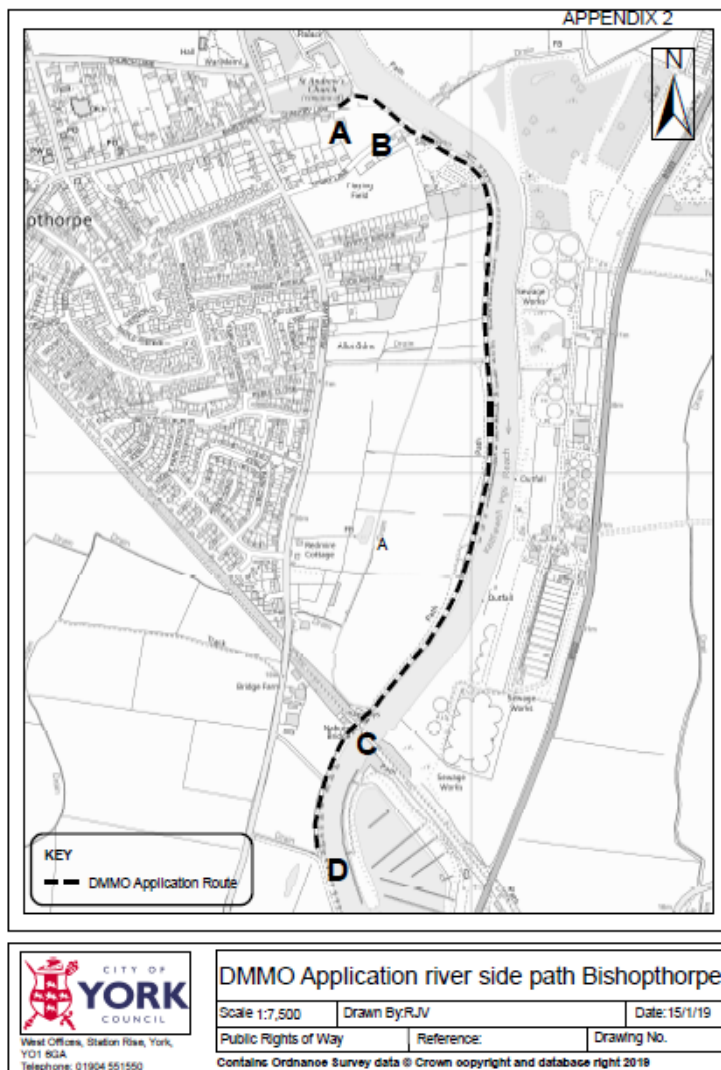
**30 November 2022**

# DEFINITIVE MAP MODIFICATION ORDER APPLICATION TO RECORD A PUBLIC FOOTPATH BETWEEN CHANTRY LANE BISHOPTHORPE AND ACASTER MALBIS 3

## ADDITIONAL SUBMISSION BY BISHOPTHORPE PARISH COUNCIL

### INTRODUCTION

1. Applications were made by Bishopthorpe Parish Council (**the Parish Council**) to North Yorkshire County Council and/or City of York Council (**CYC**) in 1994, 2004 and 2006 to make a Definitive Map Modification Order (**DMMO**) in respect of the route from Chantry Lane, Bishopthorpe, to Ferry Lane, Bishopthorpe and beyond.
2. This submission relates only to the section from Chantry Lane to Ferry Lane, shown on the map that accompanied CYC's report and minutes (**the Route Map**) as A to B. The Route Map is reproduced below:



3. The 1994 and 2004 applications differed in that the former related only to the route A to B to C and the latter to the route A to B to C to D.

4. The section A to B (Chantry Lane to Ferry Lane) runs through the churchyard of the former St Andrew's Church. The church has not been used since the 19<sup>th</sup> Century. Most of the building was demolished in 1899. A new church was built elsewhere in the village and is still in regular use. The façade of the former St Andrew's Church is still standing, surrounded by a grassed churchyard. The River Ouse runs on the other side of the footpath A to B.
5. Our understanding is that the churchyard ceased to be used regularly for burials after the "great flood" of 1892 (which apparently washed many bodies away from the graves) and that, since then, the graveyard has been used only on a very few occasions, for burials in old family graves (up to the 1920s) or for the interment of ashes. John R Keble MA (former Vicar of Bishopthorpe) wrote a *History of the Parish and Manor-House of Bishopthorpe*, published in 1905. He commented there (page 29) that:

*The main village drain was made in 1828, under the direction of Mr Raisin, Archbishop Harcourt bearing the larger share of the cost. It is unfortunate that it should have been taken through the churchyard, as it prevented a large part of it from being used.*

6. The church façade and graveyard nevertheless remain as a prominent feature at the end of Chantry Lane, alongside the grounds of the Archbishop's Palace and the river.
7. The land itself was transferred by the Church Commissioners for England to its current owner, St Andrew's Trust Bishopthorpe, by two transfers dated 24<sup>th</sup> February 1999 (after the end of the "relevant period" mentioned in paragraph 18 below).
8. By Executive Member decision on 25 July 2019 York City Council (**CYC**) resolved:
  - 8.1. To approve the making of a DMMO to record the route from Ferry Lane to Acaster Malbis 3 (B to C to D), as shown on the map at Appendix 2 to the minutes (the Route Map) as a public footpath; and
  - 8.2. To reject the 2006 application because it was not "duly made" and (it appears) because "it relates only to the consecrated land (A-B)".
9. The reference in CYC's minutes to consecrated land is made only in respect of the (rejected) 2006 application but the Parish Council's understanding is that these two resolutions should be read together, with the effect that the DMMO that has been made excludes the section A to B because that section crosses consecrated land.
10. The Parish Council has previously objected to the path from Chantry Lane Bishopthorpe to Ferry Lane Bishopthorpe (A to B) being excluded on this ground (that it is consecrated land).

11. In doing so the Parish Council said that it is debatable whether the path is, or ever has been, consecrated land but the Parish Council also quoted the following extract (the opening paragraph) of an Opinion of the Legal Advisory Commission to the General Synod dated October 2016 (**the LAC Opinion**):

*The Commission is of the opinion that land forming part of a churchyard can, after 20 years use by the public as of right, be deemed to have been dedicated a highway under section 31 of the Highways Act 1980.*

12. A copy of the LAC Opinion is available on the Church of England's website at:

[https://www.churchofengland.org/sites/default/files/2017-12/churchyards\\_-\\_highways\\_oct\\_2016.pdf](https://www.churchofengland.org/sites/default/files/2017-12/churchyards_-_highways_oct_2016.pdf)

13. The purpose of this statement is to add comment to support the Parish Council's objection.

### **Further supporting comments**

14. The issue of whether the land crossed by the path is, or ever has been, consecrated land is unresolved, though the Parish Council understands informally from the Church of England that at least part of the route A to B shown on the Route Map may not be consecrated land. That is immaterial to the central point of this submission however, which is that there is no reason in law why a DMMO should not be made to record a public footpath over consecrated land.
15. The rationale for our assertion is set out at length in the LAC Opinion. We feel it appropriate however to comment upon the reasons given by CYC in the report (dated 15 July 2019) of the Corporate Director of Economy and Place to the Decision Session – Executive Member for Transport on 25 July 2019 (**the Officer's Report**). The map at appendix 2 of the Officer's Report is the Route Map referred to above.
16. Section 16 of the Officer's Report says, as to the option of including the length A to B (Chantry Lane to Ferry Lane):

*This is not recommended because the evidence before the council shows that the land between A and B is consecrated and public rights of way cannot be established over consecrated ground. Therefore the requirements of section 31(1) of the Highways Act 1980 do not apply to the section of the application route between A and B on the map at appendix 2.*

17. We believe that that statement is wrong in law.

18. Section 31(1) of the Highways Act 1980 says that:

*Where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a*

*full period of 20 years, the way is to be deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.*

19. It would appear from the Officer's Report (see paragraphs 24 and 28 in particular) that there is sufficient evidence to satisfy the requirements of actually enjoyment by the public as of right and without interruption for a full period of 20 years, and that CYC was satisfied that there was nothing that would constitute "*sufficient evidence that there was no intention during that period to dedicate it*". For these purposes we note that the relevant period is 1974 to 1994, though the evidence submitted (51 evidence forms) alleges uninterrupted use between 1930 and 2001. We are accordingly only addressing the issue of consecrated land in this submission.
20. This point is addressed in paragraphs 21 to 34 of the Officer's Report.
21. Paragraph 33 of the Officer's Report places reliance on two cases in support of its argument that, "*once land is consecrated it ...cannot give rise to a public right of way at common law.*", being the cases of St Martin Le Grand, York (1988) (relating to a private easement) and Oakley v Boston (1976) (access over glebe land).
22. We do not think that St Martin Le Grand, York supports that argument. We do not think that Oakley v Boston is relevant to the present case. Specifically:

#### 22.1. St Martin Le Grand

In paragraph 33 of the Officer's Report it is stated that, in St Martin Le Grand, "*existence of a lost grant made by the church could not be presumed*". That is not our reading of the judgement in St Martin Le Grand.

In St Martin Le Grand the court held that a pedestrian right of way across the (consecrated) churchyard had been exercised as of right by the occupiers of the buildings around the churchyard for at least the previous hundred years and "*that it was to be presumed that such right had been conferred by way of lost faculty*".

The issue in St Martin Le Grand was as to the nature of the right of way – was it a permanent easement or one which could be terminated? It was on this point that the lack of a "faculty" (ecclesiastical licence) was relevant. That issue however is of no direct significance to our case, as St Martin Le Grand concerned a private easement and not one which (as in our case) is subject to the deemed dedication principles of the Highways Act 1980.

Paragraph 17 of the LAC Opinion explains further why the decision in St Martin Le Grand is not applicable to the question of whether a public right of way can be created across a consecrated churchyard, distinguishing between Section 2 of the Prescription Act 1832 (which was relevant to that case) and Section 31(1) of the Highways Act 1980 (which is relevant to ours).



## 22.2. Oakley v Boston

The case of *Oakley v Boston*, [1976] Q.B. 270 relates to a private easement over unconsecrated glebe land (and was decided specifically by reference to the provisions of the Ecclesiastical Leasing Acts 1842 and 1858 insofar as they related to glebe land).

We would question the relevance of this case to our case, which relates to a *public* right of way over *consecrated* land. *Oakley v Boston* is not mentioned in the judgment in *St Mary's Longdon* (2011) (see paragraph 23 below), or in the *Widford Order Decision* (2013) (see paragraph 26 below), or in the *LAC Opinion* (2016) (or for that matter in the judgement in *St Martin Le Grand* (1988) (see paragraph 22.1 above).

23. Of direct relevance (but not mentioned in the Officer's Report) is the case of *St Mary's Longdon* (2011) 13 Ecc LJ 370, a decision of the Consistory Court of the Diocese of Worcester as to a footpath through the churchyard of *St Mary's Church, Longdon*. In that case the court said that:

*... if there exists a strip of land over a churchyard that is used just as though it were a footpath, the right of the public to use it to cross the churchyard should be presumed to have come into existence at some stage as a result of the due process of law.*

adding (our emphasis):

*... there is no reason in principle why there should not be a public right of way on foot across a churchyard, notwithstanding the effect of consecration. Such a right could have come into existence prior to the land in question being consecrated – either by specific grant or presumed dedication at common law. Alternatively, it could have come into existence following the consecration, again either by virtue of an actual dedication or by presumed dedication, authorised in either case by the authority of a faculty – even though, in the latter case, that is almost certain to be a legal fiction.*

24. *St Mary's Longdon* expressly acknowledges the concept of presumed dedication, being the "legal fiction" on which Section 31(1) of the Highways Act 1980 is built. It enshrines the principle that, by enacting Section 31(1) in this way, parliament was saying that continuous user of 20 years or more, as of right and without interruption, would be deemed to constitute the dedication of the way/path, whether or not it was actually dedicated, whether or not the owner was empowered to dedicate it and whether or not some other licence, consent or permission (such as a faculty) was required.

25. That principle is well explained the *LAC Opinion*. In particular:

25.1. Section 13 of the *LAC Opinion* says:

*... the way becomes a highway by operation of law. As Scott LJ said in Jones v Bates [1938] 2 All ER 237 at 246, "The change of the law brought*

*about by statute is that, upon proof of such user for the requisite period, the conclusion of dedication follows as a presumption juris et de jure, instead of as an inference of fact to be drawn by the tribunal of fact. The phrase of the Act 'shall be deemed to have been dedicated' is merely an historical periphrasis for saying that the way thereupon by operation of law becomes a highway."*

25.2. Sections 15 to 21 of the LAC Opinion set out the legislative history of what is now Section 31(1) of the Highways Act 1980. Earlier versions of that section had distinguished between two situations, one of which required 20 years' continuous use with the proviso that there had to be a person in possession of the land who could dedicate the way/path. The other required 40 years' use with no such proviso. The two provisions were later merged into what became section 31(1) of the Highways Act 1980 *with no such proviso*. This was a clear recognition that parliament intended that Section 31(1) would not depend upon there being a person in possession of the land who was capable of dedicating the way/path (such as an incumbent of a church, who would require a faculty in order validly to grant a permanent easement, such as a right of way).

26. Further evidence of the acceptance of the position can be found in the Order Decision dated: 24 May 2013 under reference Ref: FPS/M1900/7/66/M (Inspector Mr Roger Pritchard, relating to a path passing through the churchyard of St John the Baptist's Church, Widford (**the Widford case**)). In that case, the Inspector reviewed the legal precedents and concluded that:

*... if evidence supports a claim for deemed dedication under Section 31 of the 1980 Act, the legal precedents suggest that the claim can be accepted*

and made a DMMO accordingly.

27. Having established that the authorities demonstrate that a public footpath may be created over consecrated land, the LAC Opinion (paragraphs 30 to 34) suggest that Section 31(8) *may* also be relevant. Section 31(8) says:

*Nothing in this section affects any incapacity of a corporation or other body or person in possession of land for public or statutory purposes to dedicate a way over that land as a highway if the existence of a highway would be incompatible with those purposes.*

In that respect:

27.1. It is arguable whether the churchyard in this case was held "for public or statutory purposes" during the relevant period. Such an expression might more readily be used to describe a central government body or local authority undertaking statutory functions for the benefit of the general public.

27.2. The LAC Opinion (paragraph 31) nevertheless acknowledges the possibility that an incumbent in possession of a churchyard may be "in possession of such land for public purposes", as does the Inspector in the Widford case.

27.3. As the Inspector in the Widford case puts it (in paragraph 31 of his Order Decision):

*However, notwithstanding whether it applies to the Church of England, if Section 31(8) is to be relevant, it must be demonstrable that the specific public right of way claimed is incompatible with the purposes for which the land over which it passes is held. Section 31(8) does not to my mind provide a blanket exemption. If a body falls within its scope, it still has to show that the particular right of way from which it seeks exemption from deemed dedication would be incompatible with its public or statutory purposes.*

27.4. Paragraphs 32 – 34 of the LAC Opinion say:

*The test is a pragmatic one, to be applied on the facts of the particular case.*

...

*Where a claimed footpath has been used by the public for more than for more than 20 years, there are likely to be (for both statutory undertakers and churches) evidential problems in proving such incompatibility, whether one looks to what was foreseeable at the start or end of the 20 year period.*

...

*There could, however, be cases where continued use of the path by the public might impede further burials, or the proper functioning of the church and/or the churchyard. Even where the churchyard was closed by Order in Council, so that the public purpose of burial of bodies will have ceased and the existence of the highway could not be said to be inconsistent with future such burials, the footpath might be inconsistent with the future interment of ashes (which is permissible in a closed churchyard). The position in each case will need to be assessed on its own facts.*

27.5. We submit that there is nothing in the present circumstances that would make the use of the footpath incompatible with the functioning of the churchyard. The church has been closed since the 1890s and the building (except for its façade) was demolished then. Burials ceased in the 1920s. As noted in paragraph 5, a significant part of the graveyard was unusable since the main village drain was laid through it in 1828. Many of the gravestones have been removed from their original positions, leaving wide spaces between the relatively few that remain, allowing for free passage through the churchyard. This case could be readily distinguished from one where, for example, a public footpath might interfere with the ongoing use of a churchyard for burials.

28. In summary therefore the Parish Council submits that:

28.1. Section 31(1) of the Highways Act 1980 does apply to consecrated land;

28.2. Accordingly, CYC was wrong to exclude from the DMMO the section of footpath from Chantry Lane to Ferry Lane (A to B on the Route Map) for the reason given (because “it relates only to the consecrated land (A-B)”);

28.3. The evidence overwhelmingly supports the requirement of actual enjoyment by the public as of right and without interruption for a full period of 20 years, and there is no evidence of a lack of intention during that period to dedicate the path; and

28.4. If Section 31(8) does apply (which is arguable) then, in the circumstances of this case, the existence of a public footpath through the churchyard highway would not be incompatible with the purpose for which the land is or was held at the relevant time.

*Stewart Harrison*

Chair, Bishopthorpe Parish Council

10 September 2021

# **STATEMENT OF CASE OF BISHOPTHORPE PARISH COUNCIL**

## **PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3 MODIFICATION ORDER 2019**

### **APPENDIX C – USER EVIDENCE STATEMENTS (51)**

**30 November 2022**

# NORTH YORKSHIRE COUNTY COUNCIL

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

1	Surname: Mr, Mrs, Miss, Ms    Amos Christian Names: HAROLD HENRY Age, or if over 21, state over 21:    OVER 21
2	Address: 5 DRUMMOND VIEW BISHOPTHORPE YORK YO 2 1SH
3	Occupation: RETIRED
4	Name or route of path: RIVERSIDE PATH
5	National Grid References (ends of path), or other means of identification: OLD CHURCH YARD TO SWING BRIDGE
6	Parish: BISHOPTHORPE
7	District: SELBY
*8	Type of path: Footpath/Bridleway/Byway open to all traffic
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del>
*10	Is the path well defined: Yes/No
11	Width of path: 2 ft to 8 ft
12	How long have you known the path: 30 YEARS
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): AS ABOVE
14	How often over the period have you used the path: AS ABOVE
15	For what purpose did you use the path: LEISURE WALKING
16	Have you ever been prevented from or challenged when using the path: NO

17	Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.  <p style="text-align: center;">2 STILES</p>
18	Name of owner(s) or tenant(s), if known:
* 19	Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del> /No  If "Yes" give dates and particulars of instructions the owner gave about the path, if any:
Any further information:	

Date .15.10.94 .....

Signature *[Signature]* .....

Signature of person taking Statement ... *[Signature]* .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.



## Public Rights of Way - User Evidence Form

Surname: * Mr <del>Mr</del> Mrs. Miss. Ms. <u>BAKER.</u>		
Christian Name (s): <u>ROGER.</u>		
Age: (If over 21, you may insert "Over 21") <u>OVER 21.</u>		
Address: <u>2, HARCOURT CLOSE, BISHOPTHORPE.</u>		
Occupation: <u>PENSIONER.</u>		
Name or route of Path: <u>CHERRY LANE - OLD CHURCHYARD - BOTTOM FERRY LANE.</u>		
National Grid References, at each end of the path, or other means of identifying the route: <u>Cherry Lane through Old Churchyard along river bank to Ferry Lane</u>		
Parish of: <u>BISHOPTHORPE.</u>		
Type of Path: *Footpath / Bridleway / Byway Open to All Traffic		
Do you regard the route to be a Public Right of Way? * Yes / <del>No</del>		
Is the path well defined? *Yes / <del>No</del> <u>WAS VERY WELL DEFINED.</u> If "Yes" How?		
Width of path (if defined): <u>APPROX. 3YDS.</u>		
How many years have you known of the existence of this path? <u>35 YEARS.</u>		
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <u>35 YEARS 1966-2001.</u>		
Have you used the path: i) on foot? *Yes / <del>No</del> ii) on horseback? * Yes / No iii) by motor vehicle? * Yes / No iv) by cycle? * Yes / No		
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) <u>WEEKLY.</u>		
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) <u>PLEASURE &amp; RECREATION.</u>		
Have you ever been prevented from, or challenged when, using the path? * Yes / No If "Yes" please give details		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <u>STILE DOWN STREAM END OPENING ON TO BOTTOM OF FERRY LANE.</u>		

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

THIS PATH, AND RIVER SIDE SURROUNDINGS HAVE BEEN ONE OF BISHOPTHORPE'S MOST PLEASANT AREAS IN THE VILLAGE, ENJOYED BY WALKERS & FISHERMEN, THE TREES MAKING A LOVELY DAPPLED SHADDED SPOT FOR THE CASUAL RIVER OBSERVER. SHOULD ALWAYS BE A CORNER OF OUR VILLAGE FOR EVERYONE TO ENJOY.

\* Delete as appropriate

Signature:  .....

Date: .....

Signature of Person  
Taking the Statement: .....

Date: .....

**PLEASE NOTE**

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

# NORTH YORKSHIRE COUNTY COUNCIL

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

②

1	Surname: <del>Mr</del> , Mrs, Miss, <del>Ms</del> BALDWIN ✓ Christian Names: Joyce Age, or if over 21, state over 21: over 21
2	Address: 15 MAPLE AVENUE BISHOPTHORPE
3	Occupation: HOUSEWIFE
4	Name or route of path: RIVERSIDE PATH
5	National Grid References (ends of path), or other means of identification: OLD CHURCH YARD to SWING BRIDGE
6	Parish: BISHOPTHORPE
7	District: SELBY
*8	Type of path: Footpath/ <del>Bridleway/Byway open to all traffic</del>
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del>
*10	Is the path well defined: Yes/ <del>NO</del>
11	Width of path: 2ft to 8ft
12	How long have you known the path: over 40 years
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): on foot for walks
14	How often over the period have you used the path: regularly
15	For what purpose did you use the path: walking
16	Have you ever been prevented from or challenged when using the path: NO

17	Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc. <p style="text-align: center;">2 Stiles</p>
18	Name of owner(s) or tenant(s), if known:
* 19	Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del> /No  If "Yes" give dates and particulars of instructions the owner gave about the path, if any:
Any further information:	

Date ..... 14<sup>th</sup> Feb. 94 .....

Signature ..... J. Baldwin .....

Signature of person taking Statement ..... *M. Wright* .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.

## Public Rights of Way - User Evidence Form

Surname: * <del>Mr.</del> <del>Mrs.</del> <del>Miss</del> <del>Ms.</del> <b>BARKER</b>		
Christian Name (s): <b>BEATRICE (JUNE)</b>		
Age: (If over 21, you may insert "Over 21") <b>"OVER 21"</b>		
Address: <b>11. MAIN STREET. BISHOP THORPE YORK YO23 2RA</b>		
Occupation: <b>HOUSE WIFE</b>		
Name or route of Path: <b>PATH TO FERRY LANE</b>		
National Grid References, at each end of the path, or other means of identifying the route : <b>Chantry Lane through old Church Yard along water bank to Ferry Lane</b>		
Parish of: <b>BISHOP THORPE</b>		
Type of Path: <b>*Footpath / <del>Bridleway</del> / <del>Byway Open to All Traffic</del></b>		
Do you regard the route to be a Public Right of Way ?		<b>* Yes / <del>No</del></b>
Is the path well defined ? <b>*<del>Yes</del> / No</b> If "Yes" How?		
Width of path (if defined) :		
How many years have you known of the existence of this path ?		<b>70. PLUS</b>
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)		<b>1930 - 2000</b>
Have you used the path:	i) on foot ?	<b>*Yes / No</b>
	ii) on horseback ?	<b>*<del>Yes</del> / No</b>
	iii) by motor vehicle ?	<b>*<del>Yes</del> / No</b>
	iv) by cycle ?	<b>*<del>Yes</del> / No</b>
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally)		<b>WEEKLY</b>
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops)		<b>PLEASURE</b>
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details		<b>*<del>Yes</del> / No</b>
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.  <b>HAND GATES.</b>		



Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : B. J. Barker

Date : 10 - 10 - 2001

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

Public Rights of Way - User Evidence Form

CITY OF YORK  
DEBS  
RECEIVED  
24 SEP 2001

Surname: \* Mr. ~~Miss~~ **BAYLES**

Christian Name (s): **ROYSTON TARN**

Age: (If over 21, you may insert "Over 21") **OVER 21**

Address: **2. FERRY LANE, BISHOP TROPPIC, YORK, YO23 2SS**

Occupation: **RETIRED**

Name or route of Path: **ALONGSIDE RIVER BETWEEN FERRY LANE & CHANTRY LANE**

National Grid References, at each end of the path, or other means of identifying the route :  
**NK.**

Parish of: **BISHOP TROPPIC**

Type of Path: \*Footpath / ~~Bridleway / Byway Open to All Traffic~~

Do you regard the route to be a Public Right of Way ? \* Yes / ~~No~~

Is the path well defined ? \*Yes / ~~No~~  
If "Yes" How? **WELL TRODDEN OVER MANY YEARS**

Width of path (if defined) : **2 FT. IN PARTS WIDER IN OTHER PARTS**

How many years have you known of the existence of this path ? **17 3/4 YRS**

Over what period have you used the path ?  
(Please specify how many years and dates e.g.: 20 years - 1970 - 1990) **16 3/4 YRS. (NOV 83 - AVE. 2000)** with

Have you used the path: i) on foot ? \*Yes / ~~No~~  
ii) on horseback ? \* ~~Yes~~ / No  
iii) by motor vehicle ? \* ~~Yes~~ / No  
iv) by cycle ? \* ~~Yes~~ / No

How often did you / do you use the path ?  
(e.g.: weekly; monthly; occasionally) **3-4 TIMES PER WEEK.**

For what purpose did you / do you use the path ?  
(e.g.: work, pleasure, recreation, to get to shops) **PLEASURE & RECREATION**

Have you ever been prevented from, or challenged when, using the path ? \* Yes / No  
If "Yes" please give details

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. **1 ~~STILE~~ ON ENTERING PATH ONLY FROM FERRY LANE RD**



Name and Addresses of Owners (and Tenants, if tenanted) if known:

ST. ANDREW'S TRUST.  
C/O RUSSELL WHICHT, ARCHITECT.  
CHANDRY LANE  
BISHOPSTORPE

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

THIS SHORT PATH OF ONLY SAY 60/70 YDS IS ALONGSIDE THE RIVER AND GIVES THE ONLY SIGHT OF BISHOPSTORPE PALACE TO LOCALS AND TO THE MANY VISITORS TO THE CAMP SITE AND THE BOATYARD WHO WISH TO WALK INTO YORK AND ∴ AVOID THE TRAFFIC ON FERRY LANE - WHICH DOES NOT HAVE A FOOTPATH.

\* Delete as appropriate

Signature *[Signature]*

Date : 19/9/01

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. BRIND	
Christian Name (s): FREDA MARY	
Age: (If over 21, you may insert "Over 21") Over 21	
Address: 54 Acaster Lane BISHOPTHORPE YORK YO23 2SG	
Occupation: RETIRED TEACHER	
Name or route of Path: PATH between Chantry Lane and Kewy Lane, Bishopthorpe	
National Grid References, at each end of the path, or other means of identifying the route :	
Parish of: BISHOPTHORPE	
Type of Path: *Footpath / Bridleway / Byway Open to All Traffic	
Do you regard the route to be a Public Right of Way ? * Yes <del>No</del>	
Is the path well defined ? *Yes / <del>No</del> If "Yes" How? well worn	
Width of path (If defined) : 5 feet	
How many years have you known of the existence of this path ? <del>24</del> 40 years.	
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 24+ 1976 <del>1976</del> until closed	
Have you used the path: i) on foot ? *Yes / <del>No</del> ii) on horseback ? *Yes / No iii) by motor vehicle ? *Yes / No iv) by cycle ? *Yes / No	
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) twice weekly	
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) pleasure	
Have you ever been prevented from, or challenged when, using the path ? *Yes / <del>No</del> If "Yes" please give details	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. Hand Gate at South end	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \*~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

(This path was frequented regularly by old & young residents of Bishopthorpe (and wider areas) as a pleasant relaxing walk, in the evenings, weekends & winter afternoons particularly. It has been missed very much during the last two/three years since the area has been closed.

\* Delete as appropriate

Signature : ..... Freda M Bind .....

Date : ..... 3. 10. 01. ....

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. <del>Mrs.</del> <del>Miss.</del> Ms.													
Christian Name (s): RICHARD PETER HARGOOD BRIND													
Age: (If over 21, you may insert "Over 21") OVER 21													
Address: 54 HEASTON LANE BISHOP THORPE YORK YO 23 2SG													
Occupation: Retired Chartered Quantity Surveyor													
Name or route of Path: Between Chertony Lane and Ferry Lane Bishopthorpe													
National Grid References, at each end of the path, or other means of identifying the route :													
Parish of: BISHOP THORPE													
Type of Path: *Footpath / Bridleway / Byway Open to All Traffic													
Do you regard the route to be a Public Right of Way? * Yes / <del>No</del>													
Is the path well defined? *Yes <del>No</del> If "Yes" How? Riverside													
Width of path (If defined) : 3 to 5 feet approx													
How many years have you known of the existence of this path? 45													
Over what period have you used the path? 45 years 1955 until closed (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)													
Have you used the path: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">i)</td> <td style="width: 30%;">on foot ?</td> <td style="width: 40%;">*Yes / No</td> </tr> <tr> <td>ii)</td> <td>on horseback ?</td> <td>* Yes / No</td> </tr> <tr> <td>iii)</td> <td>by motor vehicle ?</td> <td>* Yes / No</td> </tr> <tr> <td>iv)</td> <td>by cycle ?</td> <td>* Yes / No</td> </tr> </table>		i)	on foot ?	*Yes / No	ii)	on horseback ?	* Yes / No	iii)	by motor vehicle ?	* Yes / No	iv)	by cycle ?	* Yes / No
i)	on foot ?	*Yes / No											
ii)	on horseback ?	* Yes / No											
iii)	by motor vehicle ?	* Yes / No											
iv)	by cycle ?	* Yes / No											
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) from 1977 twice weekly when we moved to Bishopthorpe before from 1955 to 1976 occasionally													
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) pleasure													
Have you ever been prevented from, or challenged when, using the path? * Yes / <del>No</del> If "Yes" please give details Since path was closed off by St Andrews Trust													
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. Hand Gate at Ferry Lane end													

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

*This path is attractive riverside path giving views of the Bishopthorpe Palace and a broad stretch of tree lined river*

\* Delete as appropriate

Signature : *[Handwritten Signature]*

Date : *3 Oct 2001*

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



# NORTH YORKSHIRE COUNTY COUNCIL

⑤

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

1	Surname: <del>Mr</del> , Mrs, <del>Miss</del> , Ms <i>Brittain</i> <span style="float: right;">x</span> Christian Names: <i>Beatrice</i> Age, or if over 21, state over 21: <i>over 21.</i>
2	Address: <i>92 Beech av, Bisphopthorpe</i>
3	Occupation: <i>housewife</i>
4	Name or route of path: <i>RIVERSIDE PATH</i>
5	National Grid References (ends of path), or other means of identification: <i>OLD CHURCHYARD to SWING BRIDGE.</i>
6	Parish: <i>BISHOPTHORPE</i>
7	District: <i>SELBY</i>
*8	Type of path: Footpath/ <del>Bridleway/Byway</del> <del>open to all traffic</del>
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del> <i>Yes.</i>
*10	Is the path well defined: Yes/ <del>NO</del>
11	Width of path: <i>2ft to 8ft</i>
12	How long have you known the path: <i>20 years</i>
13	Over what period have you used the path on foot, <del>horseback or by motor vehicle</del> , (state which): <i>20 year.</i>
14	How often over the period have you used the path: <i>regularly.</i>
15	For what purpose did you use the path: <i>recreation.</i>
16	Have you ever been prevented from or challenged when using the path: <i>No</i>

17	Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.  <p style="text-align: center;"><i>2 Stiles</i></p>
18	Name of owner(s) or tenant(s), if known:
* 19	Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del> /No  If "Yes" give dates and particulars of instructions the owner gave about the path, if any:
Any further information:  <p style="text-align: center;"><i>wanted as public right of way</i></p>	

Date ..... *14th Feb. 1994* .....

Signature ..... *B Britten* .....

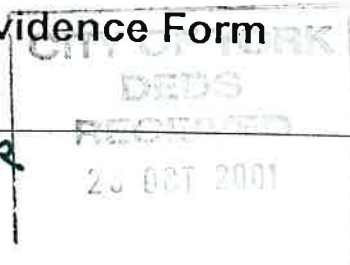
Signature of person taking Statement ..... *M Wright* .....

**PLEASE NOTE**

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.



Public Rights of Way - User Evidence Form



Surname: \* Mr. Mrs. Miss. Ms. **MRS. CARTER**

Christian Name (s): **SYLVIA MARGARET**

Age: (If over 21, you may insert "Over 21") **59**

Address: **12 LANG ROAD, BISHOPTHORPE, YORK YO23 2QL**

Occupation: **MUSIC TEACHER**

Name or route of Path: **NOT KNOWN**

National Grid References, at each end of the path, or other means of identifying the route :  
**ON THE RIVER BANK BETWEEN CHANTRY LANE AND FERRY LANE**

Parish of: **BISHOPTHORPE**

Type of Path: \*Footpath / ~~Bridleway~~ / ~~Byway Open to All Traffic~~

Do you regard the route to be a Public Right of Way ? \* Yes / ~~No~~

Is the path well defined ? \*Yes ~~No~~  
If "Yes" How? **THE EARTH WAS WELL TRODDEN AND HARD. THE VEGETATION, THOUGH LUSH, WAS UNABLE TO GROW ACROSS BECAUSE OF PUBLIC USE.**

Width of path (if defined) : **2 to 3 feet ; variable**

How many years have you known of the existence of this path ? **31 years**


Over what period have you used the path ? **29 years**  
(Please specify how many years and dates e.g.: 20 years - 1970 - 1990) **1970 - 1999 (when it was fenced off)**

Have you used the path: i) on foot ? \*Yes / ~~No~~  
ii) on horseback ? \* ~~Yes~~ / No  
iii) by motor vehicle ? \* Yes / No  
iv) by cycle ? \* ~~Yes~~ / No

How often did you / ~~do you~~ use the path ? **MONTHLY**  
(e.g.: weekly; monthly; occasionally)

For what purpose did you / do you use the path ? **TO ENJOY WALKING BY THE RIVER**  
(e.g.: work, pleasure, recreation, to get to shops)

Have you ever been prevented from, or challenged when, using the path ? \* ~~Yes~~ / No  
If "Yes" please give details

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.  
**OPEN AT CHANTRY LANE END.  
HAND GATE  AT FERRY LANE END**

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : Sylvia M. Carter

Date : 19<sup>th</sup> October 2001

Signature of Person  
Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

# NORTH YORKSHIRE COUNTY COUNCIL

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

④

1	Surname: Mr, <del>Mrs</del> , <del>Miss</del> , <del>Ms</del> <b>CAYTON</b> Christian Names: <b>LESLIE FRANK</b> Age, or if over 21, state over 21: <b>OVER 21</b>
2	Address: <b>5 MONTAGUE ROAD BISHOPSTHORPE TORIK YO2 1SL</b>
3	Occupation: <b>RETIRED</b>
4	Name or route of path: <b>RIVERSIDE PATH</b>
5	National Grid References (ends of path), or other means of identification: <b>OLD CHURCHYARD TO STONE BRIDGE</b>
6	Parish: <b>BISHOPSTHORPE</b>
7	District: <b>SELBY DISTRICT COUNCIL</b>
*8	Type of path: Footpath/ <del>Bridleway</del> / <del>Byway open to all traffic</del>
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del>
*10	Is the path well defined: Yes/ <del>NO</del>
11	Width of path: <b>2 feet to 8 feet</b>
12	How long have you known the path: <b>45 YEARS</b>
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): <b>ON FOOT <del>ALWAYS</del></b>
14	How often over the period have you used the path: <b>AS ABOVE</b>
15	For what purpose did you use the path: <b>WALKING</b>
16	Have you ever been prevented from or challenged when using the path: <b>No</b>

17	Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.  <i>2 STILES</i>
18	Name of owner(s) or tenant(s), if known:
* 19	Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del> /No  If "Yes" give dates and particulars of instructions the owner gave about the path, if any:
Any further information:	

Date ... *18-2-94* .....

Signature ... *A. J. Clayton* .....

Signature of person taking Statement ... *A. J. Logos* .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms.	<del>MS.</del> CAYTON
Christian Name (s) :	LESLIE FRANK
Age: (If over 21, you may insert "Over 21")	OVER 21
Address:	5. MONTAGUE ROAD BISHOPTHORPE YORK YO23 2SL
Occupation:	RETIRED
Name or route of Path:	CHANTRY LANE TO FERRY LANE
National Grid References, at each end of the path, or other means of identifying the route :	
Parish of:	BISHOPTHORPE
Type of Path:	*Footpath / Bridleway / Byway Open to All Traffic FOOTPATH
Do you regard the route to be a Public Right of Way ?	* Yes / No YES
Is the path well defined ? *Yes / No If "Yes" How?	IT IS PRESENTLY ALL BLOCKED OFF
Width of path (if defined) :	
How many years have you known of the existence of this path ?	70 YEARS
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	1930 to '90s closure.
Have you used the path:	
i) on foot ?	*Yes / No YES
ii) on horseback ?	*Yes / No NO
iii) by motor vehicle ?	*Yes / No NO
iv) by cycle ?	*Yes / No NO
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally)	REGULARLY
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops)	PLEASURE + RECREATION
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details	* Yes / No NO
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.	FENCE AND GATE AT FERRY LANE END



Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

*See enclosed letter.*

\* Delete as appropriate

Signature : *L. J. Kayton*

Date : *4-10-01*

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

Throughout my lifetime  
(until recently) Bishopthorpe  
villagers have enjoyed access to  
the Old Churchyard and a path  
through to Jerry Lane. I sang in  
the choir there in the thirties  
and fished in the river as a  
schoolboy. In the fifties I had  
a boat moored down there, for  
which I paid a mooring fee to  
Bishopthorpe Parish Council. If I  
can be of further assistance I am  
quite willing to be interviewed.

L. J. Layton

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. <del>Ms.</del> <b>CLARK</b>	
Christian Name (s): <b>JILL</b>	
Age: (If over 21, you may insert "Over 21") <b>54</b>	
Address: <b>1 ACASTOR LANE, BISHOPTHORPE YORK YO23 2SA</b>	
Occupation: <b>HOUSEWIFE</b>	
Name or route of Path:	
National Grid References, at each end of the path, or other means of identifying the route : <b>CHANTRY LANE TO FERRY LANE</b>	
Parish of: <b>BISHOPTHORPE</b>	
Type of Path:	*Footpath / Bridleway / Byway <del>Open to All Traffic</del>
Do you regard the route to be a Public Right of Way ?	* Yes / <del>No</del>
Is the path well defined ? *Yes / <del>No</del> If "Yes" How?	<b>1 1/2 METRES WELL TRODDEN PATH</b>
Width of path (if defined) :	<b>1 1/2 METRES</b>
How many years have you known of the existence of this path ?	<b>24 YEARS</b>
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	<b>24 YEARS 1977 - 2001</b>
Have you used the path:	
i) on foot ?	*Yes / <del>No</del>
ii) on horseback ?	* Yes / No
iii) by motor vehicle ?	* Yes / No
iv) by cycle ?	* Yes / <del>No</del> <b>4 YEARS AGO WITH CHILDREN.</b>
How often <del>did you</del> / do you use the path ? (e.g.: weekly; monthly; occasionally)	<b>WEEKLY - 2 TO 3 TIMES PER WEEK</b>
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops)	<b>PLEASURE / RECREATION DIRECT ROUTE TO RIVER.</b>
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details	* <del>Yes</del> / No
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <b>KISSING GATE AT FERRY LANE END OF PATH.</b>	



Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

WE HAVE USED THIS PATH SINCE WE CAME TO BISHOPTHORPE AND WORKED AT THE PALACE. THIS PATH HAS ALWAYS BEEN USED BY THE PEOPLE OF BISHOPTHORPE FOR LEISURE AND AS A MEANS OF ACCESS TO THE RIVER, BOATYARD AND RESTAURANT.

\* Delete as appropriate

Signature : J E Blah

Date : 9-9-01

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

# NORTH YORKSHIRE COUNTY COUNCIL

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

1	Surname: <del>Mr, Mrs, Miss, Ms</del> CHAYBURN. <span style="float: right;">x</span> Christian Names: ALICE Age, or if over 21, state over 21: OVER 21.
2	Address: 12, MONTAGNE Rd. Bishopthorpe YORK YO2. . 1SS
3	Occupation: RETIRED
4	Name or route of path: RIVERSIDE PATH
5	National Grid References (ends of path), or other means of identification: OLD CHURCHYARD to SWING BRIDGE.
6	Parish: BISHOPTHORPE
7	District: SELBY
*8	Type of path: Footpath/ <del>Bridleway/Byway open to all traffic</del>
*9	Do you regard the path as public (SEE NOTE 2): YES/NO
*10	Is the path well defined: Yes/NO
11	Width of path: 2ft to 8ft
12	How long have you known the path: 30 yrs.
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which):
14	How often over the period have you used the path: ALL THE TIME
15	For what purpose did you use the path: Walking
16	Have you ever been prevented from or challenged when using the path: No.

17	Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.  <p style="text-align: center;">2 Stiles</p>
18	Name of owner(s) or tenant(s), if known:
* 19	Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del> /No  If "Yes" give dates and particulars of instructions the owner gave about the path, if any:
Any further information:	

Date ... 14. 2. 94 ...  
 Signature ..... *A. B. Bayburn* .....  
 Signature of person taking Statement ..... *Hubright* .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.

## Public Rights of Way - User Evidence Form

Surname: * <del>Mr.</del> <del>Mrs.</del> <del>Miss.</del> <del>Ms.</del>	CHEFTON
Christian Name (s):	GILLIAN
Age: (If over 21, you may insert "Over 21")	OVER 21
Address:	94 ACASTER LANE BISHOPTHORPE YORK YO23 2SG
Occupation:	OCCUPATIONAL THERAPIST
Name or route of Path:	
National Grid References, at each end of the path, or other means of identifying the route:	Clarity Lane through Old Churchyard along riverbank to Ferry Lane
Parish of:	
Type of Path:	*Footpath / <del>Bridleway</del> / <del>Byway Open to All Traffic</del>
Do you regard the route to be a Public Right of Way?	* Yes / <del>No</del>
Is the path well defined? *Yes / <del>No</del> If "Yes" How?	WELL WORN TRACK
Width of path (if defined):	2 feet to 3 feet
How many years have you known of the existence of this path?	12
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	10 yrs 1991 - 2001
Have you used the path:	
i) on foot?	*Yes / <del>No</del>
ii) on horseback?	* <del>Yes</del> / <del>No</del>
iii) by motor vehicle?	* <del>Yes</del> / <del>No</del>
iv) by cycle?	* <del>Yes</del> / <del>No</del>
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally)	WEEKLY
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops)	PLEASURE RECREATION
Have you ever been prevented from, or challenged when, using the path? If "Yes" please give details	* <del>Yes</del> / No
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.	KISSING GATE AT FERRY LANE

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \*Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature :  .....

Date : 22/10/01 .....

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: * <del>Mr.</del> Mrs. <del>Miss</del> Ms.	CROOKS		
Christian Name (s):	JO		
Age: (If over 21, you may insert "Over 21")	OVER 21		
Address:	16 ACASTER LANE, BISHOPTHORPE, YORK YO23 2ST		
Occupation:	RETIRED		
Name or route of Path:	PATH BETWEEN CHANTRY LANE AND FERRY LANE		
National Grid References, at each end of the path, or other means of identifying the route:	CHANTRY LANE TO FERRY LANE		
Parish of:	BISHOPTHORPE		
Type of Path:	*Footpath / <del>Bridleway</del> / Byway Open to All Traffic		
Do you regard the route to be a Public Right of Way?	* Yes / <del>No</del>		
Is the path well defined? *Yes / <del>No</del> If "Yes" How?	it has a hinging gate at the entrance from Ferry Lane		
Width of path (if defined):	8 feet (approx)		
How many years have you known of the existence of this path?	27 years		
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	1974 up to the day it was closed for repair.		
Have you used the path:	i) on foot?	*Yes / <del>No</del>	YES
	ii) on horseback?	*Yes / No	NO
	iii) by motor vehicle?	*Yes / No	NO
	iv) by cycle?	*Yes / No	NO
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally)	DAILY		
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops)	WALKING THE DOG		
Have you ever been prevented from, or challenged when, using the path? If "Yes" please give details	* <del>Yes</del> / No		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.			
Danger signs on the arch - which they were going to repair - over 12 months ago. Hinging Gate at Ferry Lane entrance.			

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

From the said path, the walk can be continued by the river to:  
a) a path on the right called the road to meetings. This has a gate at either end and leads to Acaster Lane.  
b) a second path on the right immediately after the last stile before the iron bridge. This path runs parallel with the cycle path and leads either on to an entrance to the cycle path on the left or back onto Acaster Lane on the right.  
My husband and I have used these paths several times a week over the past 27 years.

\* Delete as appropriate

Signature: ..... J. Crooks .....

Date: ..... 10.9.01 .....

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. <del>Mrs.</del> <del>Miss.</del> <del>Ms.</del> <b>DIXON</b> ✓		
Christian Name (s): <b>GEOFFREY</b>		
Age: (If over 21, you may insert "Over 21") <b>87 YEARS</b>		
Address: <b>35 MAIN STREET BISHOPTHORPE YORK YO23 2RA</b>		
Occupation: <b>RETIRED</b>		
Name or route of Path:		
National Grid References, at each end of the path, or other means of identifying the route :		
Parish of: <b>BISHOPTHORPE</b>		
Type of Path: *Footpath / <del>Bridleway</del> / <del>Byway Open to All Traffic</del>		
Do you regard the route to be a Public Right of Way ? * Yes / <del>No</del>		
is the path well defined ? * <del>Yes</del> / No If "Yes" How?		
Width of path (If defined) :		
How many years have you known of the existence of this path ? <b>82 YEARS</b>		
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <b>70 YEARS 1931-2001</b>		
Have you used the path: i) on foot ? *Yes / <del>No</del> ii) on horseback ? * <del>Yes</del> / No iii) by motor vehicle ? * <del>Yes</del> / No iv) by cycle ? * <del>Yes</del> / No		
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <b>OCCASIONALLY</b>		
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <b>PLEASURE</b>		
Have you ever been prevented from, or challenged when, using the path ? * <del>Yes</del> / No If "Yes" please give details		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.		



Name and Addresses of Owners (and Tenants, if tenanted) if known:

/ / / /

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

/ / / /

Any Further Information which you consider to be relevant :

/ / / /

\* Delete as appropriate

Signature : G.S. Dixon

Date : 27<sup>th</sup> Sept 2011

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. <del>Mrs.</del> <del>Miss.</del> <del>Ms.</del> <b>DIXON</b>		
Christian Name (s): <b>ROBERT</b>		
Age: (If over 21, you may insert "Over 21") <b>OVER 21</b>		
Address: <b>11 SIMBANK LANE BISHOP THORPE YORK YO23 2QH</b>		
Occupation: <b>RETAIL BUTCHER</b>		
Name or route of Path:		
National Grid References, at each end of the path, or other means of identifying the route :		
Parish of: <b>BISHOP THORPE</b>		
Type of Path: *Footpath / <del>Bridleway</del> / <del>Byway Open to All Traffic</del>		
Do you regard the route to be a Public Right of Way ? * Yes / <del>No</del>		
is the path well defined ? <del>Yes</del> / No If "Yes" How?		
Width of path (if defined) :		
How many years have you known of the existence of this path ? <b>45 YEARS</b>		
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <b>45 YEARS 1956-2001</b>		
Have you used the path: i) on foot ? *Yes / <del>No</del> ii) on horseback ? * <del>Yes</del> / No iii) by motor vehicle ? <del>Yes</del> / No iv) by cycle ? * <del>Yes</del> / No		
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <b>OCCASIONALLY</b>		
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <b>PLEASURE</b>		
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details * <del>Yes</del> / No		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.		

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : R.A. Dixon

Date : 27<sup>th</sup> Sept 2001

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

Public Rights of Way - User Evidence Form

CITY OF YORK  
DEDS  
RECEIVED  
17 SEP 2001

Surname:  Mr.  Mrs.  Miss.  Ms. **DORAN-THORP**

Christian Name (s) : **BRIAN**

Age: (If over 21, you may insert "Over 21") **OVER 21**

Address: **7 HARCOURT CLOSE**  
**ACASTER LANE BISHOPTHORPE YORK YO23 2SW**

Occupation: **RETIRED**

Name or route of Path: **CHANTRY LANE TO FERRY LANE**

National Grid References, at each end of the path, or other means of identifying the route :

Parish of: **BISHOPTHORPE**

Type of Path:  Footpath /  Bridleway /  Byway Open to All Traffic **FOOTPATH.**

Do you regard the route to be a Public Right of Way ? \* Yes / No **YES**

Is the path well defined ? \*Yes / No **IT IS THROUGH THE OLD CHURCH**  
If "Yes" How? **YARD AND BURIAL GROUND.**

Width of path (If defined) : **3 METRES.**

How many years have you known of the existence of this path ? **35 YEARS PLUS.**

Over what period have you used the path ?  
(Please specify how many years and dates e.g.: 20 years - 1970 - 1990) **1965 - 1999.**

Have you used the path: i) on foot ? \*Yes / ~~No~~ **YES.**  
ii) on horseback ? \*Yes / No  
iii) by motor vehicle ? \*Yes / No  
iv) by cycle ? \*Yes / No

How often did you / do you use the path ?  
(e.g.: weekly; monthly; occasionally) **DAILY.**

For what purpose did you / do you use the path ?  
(e.g.: work, pleasure, recreation, to get to shops) **RECREATION.**

Have you ever been prevented from, or challenged when, using the path ? \* Yes / No  
If "Yes" please give details **NO**

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. **FENCING AND SIGNS SAYING THE FOOTPATH IS CLOSED FOR RESTORATION OF THE RIVERBANK. WHICH HAVE BEEN THERE FOR OVER A YEAR. HAND GATE AT THE ENTRANCE OF FERRY LANE**

Name and Addresses of Owners (and Tenants, if tenanted) if known:

BISHOPTHORPE PARISH COUNCIL

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes / No

NO

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

THIS PATH WAS CLOSED FOR RENOVATION OF THE RIVER BANK, AFTER THE WORK WAS COMPLETED ALL THE MACHINERY WAS REMOVED, AND NO FURTHER WORK ENSUED. THE FOOTPATH WAS NEVER REOPENED AND HAS BEEN CLOSED FOR OVER ONE YEAR.

\* Delete as appropriate

Signature: B. Noun - Shop

Date: 13-9-2001

Signature of Person Taking the Statement: .....

Date: .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: * <del>Mr.</del> <del>Mrs.</del> <del>Miss</del> <del>Ms.</del> DUGGAN		
Christian Name (s): BARBARA		
Age: (If over 21, you may insert "Over 21") Over 21		
Address: 68 ACASTER WALK BISHOPTON YORK YO23 2SS		
Occupation: HOUSEWIFE / CARER		
Name or route of Path: AS BELOW		
National Grid References, at each end of the path, or other means of identifying the route : CHANTLY LANE THROUGH OLD CHURCH YARD ALONG RIVER BANK TO FERRY LANE		
Parish of: BISHOPTON		
Type of Path: *Footpath / <del>Bridleway / Byway Open to All Traffic</del>		
Do you regard the route to be a Public Right of Way? * Yes / <del>No</del>		
Is the path well defined? *Yes / <del>No</del> If "Yes" How? WELL MARKED EARLY PATH ALONG RIVER BANK		
Width of path (if defined): NARROW		
How many years have you known of the existence of this path? 50ish		
Over what period have you used the path? mid 1980's to present time (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)		
Have you used the path: i) on foot? *Yes / <del>No</del> ii) on horseback? *Yes / No iii) by motor vehicle? *Yes / No iv) by cycle? *Yes / No		
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) OCCASIONALLY		
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) RECREATION		
Have you ever been prevented from, or challenged when, using the path? * <del>Yes</del> / No If "Yes" please give details		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. ONE STILE NEAR OLD CHURCH ON RIVER BANK		



Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

As a child, along with other children of the village, we used to use the path between the old church and ~~the~~ my lane on a regular, ie probably once every 2-3 weeks, for pleasure. We enjoyed the old church building and its history and the walk along the river bank, watching the barges passing. As my husband is now in a wheelchair we can no longer use this, or any other riverside path - which we miss very much.

\* Delete as appropriate

Signature : B. Dwyer

Date : 14.11.01

Signature of Person  
Taking the Statement : .....

Date : .....

#### PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <u>LARKINSHAW</u>	
Christian Name (s): <u>LEWIS</u>	
Age: (If over 21, you may insert "Over 21") <u>OVER 21</u>	
Address: <u>3 DW GREY PLACE</u> <u>BISHOPTHORPE YO23 2SN</u>	
Occupation: <u>RETIRED</u>	
Name or route of Path: <u>FERRY LANE BY RIVER BANK TO CHANTRY LANE</u>	
National Grid References, at each end of the path, or other means of identifying the route : <u>Chantry Lane through old churchyard along riverbank to Ferry Lane</u>	
Parish of: <u>BISHOPTHORPE</u>	
Type of Path: *Footpath / <u>Bridleway</u> / Byway Open to All Traffic	
Do you regard the route to be a Public Right of Way ? * Yes / <u>No</u>	
is the path well defined ? *Yes / <u>No</u> If "Yes" How? <u>BY PASSAGE OF FEET</u>	
Width of path (if defined) : <u>APPROX 6 FT</u>	
How many years have you known of the existence of this path ? <u>36</u>	
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <u>36 YEARS 1965 - 2001</u>	
Have you used the path: i) on foot ? *Yes / <u>No</u> ii) on horseback ? *Yes / <u>No</u> iii) by motor vehicle ? *Yes / <u>No</u> iv) by cycle ? *Yes / <u>No</u>	
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <u>MONTHLY APPROX</u>	
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <u>PLEASURE + RECREATION</u>	
Have you ever been prevented from, or challenged when, using the path ? *Yes / <u>No</u> If "Yes" please give details	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <u>KISSING GATE FERRY LANE END OF PATH</u>	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Not known

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \*Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : E. G. ...

Date : 3 Oct 2001

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. <del>Mrs.</del> <del>Miss.</del> <del>Ms.</del> GAULTIER	
Christian Name (s): MARK	
Age: (If over 21, you may insert "Over 21") 42	
Address: 9A ACASTER LANE BISHOPTHORPE YORK YO23 2SG	
Occupation: MUSICIAN	
Name or route of Path:	
National Grid References, at each end of the path, or other means of identifying the route : Chantry Lane through old churchyard along westbank to Ferry Lane	
Parish of:	
Type of Path:	*Footpath / <del>Bridleway</del> / <del>Byway Open to All Traffic</del>
Do you regard the route to be a Public Right of Way ?	* Yes / <del>No</del>
Is the path well defined ? *Yes / <del>No</del> If "Yes" How?	Well worn track
Width of path (if defined) :	2 feet to 3 feet variable
How many years have you known of the existence of this path ?	12
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	10 yrs 1991 - 2001
Have you used the path:	
i) on foot ?	*Yes / <del>No</del>
ii) on horseback ?	* <del>Yes</del> / No
iii) by motor vehicle ?	* <del>Yes</del> / No
iv) by cycle ?	* <del>Yes</del> / No
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally)	weekly
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops)	pleasure, recreation
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details	* <del>Yes</del> / No
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. kissing gate at Ferry Lane entrance	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \*~~Yes~~/ No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

\* Delete as appropriate

Signature: M. Gaultier

Date: 22/10/01

Signature of Person Taking the Statement: .....

Date: .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <b>GREEN</b>	
Christian Name (s): <b>Carole.</b>	
Age: (If over 21, you may insert "Over 21") <b>53</b>	
Address: <b>48 MAIN ST BISHOPTHORPE YORK YO23 2RB</b>	
Occupation:	
Name or route of Path: <b>FERRY LANE TO CHANTRY LANE</b>	
National Grid References, at each end of the path, or other means of identifying the route : <b>CHANTRY LANE TO FERRY LANE.</b>	
Parish of: <b>BISHOPTHORPE</b>	
Type of Path: *Footpath / Bridleway / Byway Open to All Traffic	
Do you regard the route to be a Public Right of Way? * Yes / No	
Is the path well defined? *Yes / No <b>BORDERED BY FENCE &amp;</b> If "Yes" How? <b>RIVER BANK PATH WORN BETWEEN BUSHES.</b>	
Width of path (if defined): <b>1 metre sometimes less.</b>	
How many years have you known of the existence of this path? <b>ALL MY LIFE (I grew up nearby)</b>	
Over what period have you used the path? <b>JAN 1975 — present.</b> (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	
Have you used the path: i) on foot? *Yes / No ii) on horseback? *Yes / No iii) by motor vehicle? *Yes / No iv) by cycle? *Yes / No <b>IN EARLY YEARS</b>	
How often did you / do you use the path? <b>2-3 TIMES PER WEEK.</b> (e.g.: weekly; monthly; occasionally)	
For what purpose did you / do you use the path? <b>ESSENTIAL CONNECTION (e.g.: work, pleasure, recreation, to get to shops) BETWEEN RIVER PATH &amp; VILLAGE.</b>	
Have you ever been prevented from, or challenged when, using the path? * Yes / No If "Yes" please give details	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <b>AT FERRY LANE END A KISSING GATE.</b>	



Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature :  .....

Date : 5/9/01 .....

Signature of Person

Taking the Statement : AS ABOVE .....

Date : 15.12.01 .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

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### Public Rights of Way - User Evidence Form

Surname: \* Mr. Mrs. ~~Miss. Ms.~~ **HARTE**

Christian Name (s): **RICHARD + KAY**

Age: (If over 21, you may insert "Over 21") **BOTH OVER 21.**

Address: **4 LANG ROAD, BISHOP<sup>TH</sup>ORPE YORK YO23 2QL**

Occupation: **PERSONNEL MANAGER / RETIRED FAMILY NURSE** PLANNING

Name or route of Path: **CONNECTING CHANTRY LANE WITH FERRY LANE**

National Grid References, at each end of the path, or other means of identifying the route :

Parish of: **BISHOP<sup>TH</sup>ORPE**

Type of Path: **FOOT PATH** \*Footpath / Bridleway / Byway Open to All Traffic

Do you regard the route to be a Public Right of Way?  Yes / No

Is the path well defined?  Yes / No  
If "Yes" How?

Width of path (If defined) :

How many years have you known of the existence of this path? **31 YRS -**

Over what period have you used the path ?  
(Please specify how many years and dates e.g.: 20 years - 1970 - 1990) **31 YRS '70 - '00**

Have you used the path:

i)	on foot ?	<input checked="" type="radio"/> Yes / No
ii)	on horseback ?	* Yes <input checked="" type="radio"/> No
iii)	by motor vehicle ?	* Yes <input checked="" type="radio"/> No
iv)	by cycle ?	* Yes / <input checked="" type="radio"/> No

How often did you / do you use the path ?  
(e.g.: weekly; monthly; occasionally) **2/3 TIMES A WEEK**

For what purpose did you / do you use the path ?  
(e.g.: work, pleasure, recreation, to get to shops) **DOG WALKING**

Have you ever been prevented from, or challenged when, using the path ?  Yes / No  
If "Yes" please give details **RECENT BUILDING WORK NO REASON WHY IT CAN'T BE OPENED**

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. **THE PATH IS CURRENTLY BLOCKED OFF! THERE WERE NO SIGNS PREVIOUSLY. THERE WAS A 'KISSING GATE' FROM THE BOTTOM OF FERRY LANE**

Name and Addresses of Owners (and Tenants, if tenanted) if known:

~~BISHOP~~ PARISH COUNCIL ?  
BISHOPTWORPE

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : [Signature]

Date : 18.9.01

Signature of Person Taking the Statement : [Signature]

Date : 18.9.01

**PLEASE NOTE**

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

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### Public Rights of Way - User Evidence Form

Surname: \* Mr. Mrs. ~~Miss. Ms.~~ **HARTE**

Christian Name (s): **RICHARD + KAY**

Age: (If over 21, you may insert "Over 21") **BOTH OVER 21.**

Address: **4 LANG ROAD, BISHOP<sup>TH</sup>ORPE YORK YO23 2QL**

Occupation: **PERSONNEL MANAGER / RETIRED FAMILY NURSE** PLANNING

Name or route of Path: **CONNECTING CHANTRY LANE WITH FERRY LANE**

National Grid References, at each end of the path, or other means of identifying the route :

Parish of: **BISHOP<sup>TH</sup>ORPE**

Type of Path: **FOOT PATH** \*Footpath / Bridleway / Byway Open to All Traffic

Do you regard the route to be a Public Right of Way?  Yes / No

Is the path well defined?  Yes / No  
If "Yes" How?

Width of path (If defined) :

How many years have you known of the existence of this path? **31 YRS -**

Over what period have you used the path ?  
(Please specify how many years and dates e.g.: 20 years - 1970 - 1990) **31 YRS '70 - '00**

Have you used the path:

i)	on foot ?	<input checked="" type="radio"/> Yes / No
ii)	on horseback ?	* Yes <input checked="" type="radio"/> No
iii)	by motor vehicle ?	* Yes <input checked="" type="radio"/> No
iv)	by cycle ?	* Yes / <input checked="" type="radio"/> No

How often did you / do you use the path ?  
(e.g.: weekly; monthly; occasionally) **2/3 TIMES A WEEK**

For what purpose did you / do you use the path ?  
(e.g.: work, pleasure, recreation, to get to shops) **DOG WALKING**

Have you ever been prevented from, or challenged when, using the path ?  Yes / No  
If "Yes" please give details **RECENT BUILDING WORK NO REASON WHY IT CAN'T BE OPENED**

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. **THE PATH IS CURRENTLY BLOCKED OFF! THERE WERE NO SIGNS PREVIOUSLY. THERE WAS A 'KISSING GATE' FROM THE BOTTOM OF FERRY LANE**

Name and Addresses of Owners (and Tenants, if tenanted) if known:

~~BISHOP WOLFE~~ PARISH COUNCIL ?  
BISHOP WOLFE

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : [Signature]

Date : 18.9.01

Signature of Person Taking the Statement : [Signature]

Date : 18.9.01

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <u>HEWITT</u>	
Christian Name (s): <u>JOHN (BERNARD)</u>	
Age: (If over 21, you may insert "Over 21") <u>OVER 21.</u>	
Address: <u>9 MONTAGUE ROAD</u> <u>BISHOPSTONBE YORK</u>	
Occupation: <u>ACCOUNTANT.</u>	
Name or route of Path: <u>CHAPEL LANE - FERRY LANE</u>	
National Grid References, at each end of the path, or other means of identifying the route : <u>Chantry Lane through old churchyard along riverbank to Ferry Lane</u>	
Parish of: <u>BISHOPSTONBE</u>	
Type of Path: * <u>Footpath</u> / Bridleway / Byway Open to <u>All Traffic</u>	
Do you regard the route to be a Public Right of Way ? * <u>Yes</u> / <del>No</del>	
is the path well defined ? * <u>Yes</u> / <del>No</del> If "Yes" How?	
Width of path (If defined) :	
How many years have you known of the existence of this path ? <u>37 yrs.</u>	
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <u>37 yrs. 1964 - 2001</u>	
Have you used the path: i) on foot ? * <u>Yes</u> / <del>No</del> ii) on horseback ? * <u>Yes</u> / <del>No</del> iii) by motor vehicle ? * <u>Yes</u> / <del>No</del> iv) by cycle ? * <u>Yes</u> / <del>No</del>	
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <u>WEEKLY</u>	
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <u>PLEASURE</u>	
Have you ever been prevented from, or challenged when, using the path ? * <u>Yes</u> / <del>No</del> If "Yes" please give details <u>DUNDS PRESENT RIVER BANK RESTORATION WORK</u>	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <u>ONE HAND GATE</u>	



Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : .....

Date : 2/10/2001

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <u>Hewitt</u>		
Christian Name (s): <u>Stadys Adelaide</u>		
Age: (If over 21, you may insert "Over 21") <u>Over 21</u>		
Address: <u>9 Montague Road</u> <u>Bishopthorpe York</u>		
Occupation: <u>Homewife</u>		
Name or route of Path: <u>Chantry Lane / Ferry Lane</u>		
National Grid References, at each end of the path, or other means of identifying the route : <u>Chantry Lane through Old Churchyard along road back to Ferry Lane</u>		
Parish of: <u>Bishopthorpe</u>		
Type of Path: *Footpath / Bridleway / Byway Open to All Traffic		
Do you regard the route to be a Public Right of Way ? * Yes / <del>No</del>		
Is the path well defined ? *Yes / No If "Yes" How?		
Width of path (if defined) :		
How many years have you known of the existence of this path ? <u>37</u>		
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <u>37 1964-2001</u>		
Have you used the path: i) on foot ? * <del>Yes</del> / No ii) on horseback ? * Yes / No iii) by motor vehicle ? * <del>Yes</del> / No iv) by cycle ? * <del>Yes</del> / No		
How often did you / do you use the path ? <u>Weekly</u> (e.g.: weekly; monthly; occasionally)		
For what purpose did you / do you use the path ? <u>Pleasure</u> (e.g.: work, pleasure, recreation, to get to shops)		
Have you ever been prevented from, or challenged when, using the path ? * Yes / <del>No</del> If "Yes" please give details <u>While restoration work is being done</u>		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <u>One hand gate</u>		

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : .....*L.A. Hewitt*.....

Date : .....*2/10/01*.....

Signature of Person  
Taking the Statement : .....

Date : .....

PLEASE NOTE

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- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss-Ms. <b>HIND</b>													
Christian Name (s): <b>MARGARET</b>													
Age: (If over 21, you may insert "Over 21") <b>83</b>													
Address: <b>22 RAMSEY AVE, BISHOPTHORPE YORK YO23 2SQ</b>													
Occupation: <b>RETIRED</b>													
Name or route of Path: <b>CHANTRY LANE TO FARMY LANE</b>													
National Grid References, at each end of the path, or other means of identifying the route : <b>CHANTRY LANE TO FARMY LANE</b>													
Parish of: <b>BISHOPTHORPE</b>													
Type of Path: <b>*Footpath / Bridleway / Byway Open to All Traffic</b>													
Do you regard the route to be a Public Right of Way? <b>* Yes / <del>No</del></b>													
is the path well defined? <b>*Yes / <del>No</del></b> If "Yes" How? <b>WELL TRODDEN - 1 - 1 1/2 METRES WIDE</b>													
Width of path (if defined): <b>1 - 1 1/2 METRES</b>													
How many years have you known of the existence of this path? <b>51 YEARS</b>													
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <b>51 YEARS 1950 - 2001 (PRESENT)</b>													
Have you used the path: <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">i)</td> <td style="width: 30%;">on foot?</td> <td style="width: 40%;">*Yes / <del>No</del></td> </tr> <tr> <td>ii)</td> <td>on horseback?</td> <td>*Yes / No</td> </tr> <tr> <td>iii)</td> <td>by motor vehicle?</td> <td>*Yes / No</td> </tr> <tr> <td>iv)</td> <td>by cycle?</td> <td>*Yes / <del>No</del></td> </tr> </table>		i)	on foot?	*Yes / <del>No</del>	ii)	on horseback?	*Yes / No	iii)	by motor vehicle?	*Yes / No	iv)	by cycle?	*Yes / <del>No</del>
i)	on foot?	*Yes / <del>No</del>											
ii)	on horseback?	*Yes / No											
iii)	by motor vehicle?	*Yes / No											
iv)	by cycle?	*Yes / <del>No</del>											
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) <b>DAILY FOR 35 YEARS WEEKLY FOR 16 "</b>													
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) <b>PLEASURE / RECREATION WITH CHILDREN &amp; GRANDCHILDREN</b>													
Have you ever been prevented from, or challenged when, using the path? If "Yes" please give details <b>* <del>Yes</del> / No</b>													
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <b>SMALL GATE 50 YEARS AGO &amp; THEN REPLACED WITH A KISSING GATE APPROX 20 YEARS AGO.</b>													

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

I HAVE USED THIS PATH WHEN I LIVED IN CODA AVE & ALSO WHEN I LIVED IN FERRY LANE WHEN A NEW HOUSE WAS BUILT. I HAVE WALKED THIS PATH WITH MY OWN CHILDREN AND WITH MY GRANDCHILDREN ON A REGULAR BASIS SINCE 1950. DURING THIS TIME I HAVE ALSO SEEN MANY PEOPLE FISHING & RIDING BIKES ALONG THIS FOOTPATH.

\* Delete as appropriate

Signature: M. Dred

Date: 26-9-01

Signature of Person Taking the Statement: .....

Date: .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



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**Public Rights of Way - User Evidence Form**

Surname: \* Mr. Mrs. Miss. Ms. HIRST

Christian Name (s): ROBERT & PAMELA

Age: (If over 21, you may insert "Over 21") OVER 21.

Address: S. DE GREY PLACE  
BISHOPTHORPE YORK YO23 2SN.

Occupation: BUILDER. - ACCOUNTS CLERK (P. HIRST)

Name or route of Path: DOWN CHANTRY LANE BESIDE RIVER TO FERRY LANE

National Grid References, at each end of the path, or other means of identifying the route :

Parish of: BISHOPTHORPE

Type of Path: \*Footpath / Bridleway / Byway Open to All Traffic

Do you regard the route to be a Public Right of Way ? \* Yes / ~~No~~

Is the path well defined ? \*Yes / ~~No~~  
If "Yes" How? BY ENTRANCE GATE OFF FERRY LANE & WELL TRODDEN ROUTE UP & PASSED RUINES OF ST HARRY'S ANDREW'S

Width of path (If defined) : APPROX 4 FT (IMPERIAL).

How many years have you known of the existence of this path ? 40 YEARS +

Over what period have you used the path ?  
(Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 27 YEARS + 1969 TO DATE

Have you used the path:

i)	on foot ?	*Yes / <del>No</del>
ii)	on horseback ?	*Yes / <del>No</del>
iii)	by motor vehicle ?	*Yes / <del>No</del>
iv)	by cycle ?	*Yes / <del>No</del>

How often did you / do you use the path ?  
(e.g.: weekly; monthly; occasionally) EVERY DAY.

For what purpose did you / do you use the path ?  
(e.g.: work, pleasure, recreation, to get to shops) PLEASURE

Have you ever been prevented from, or challenged when, using the path ? \* ~~Yes~~ / No  
If "Yes" please give details

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. ENTRANCE FROM FERRY LANE THROUGH HAND GATE. ALTERNATIVE ROUTE DOWN CHANTRY LANE PASSED ST HARRY'S RUINES & DOWN RIVER SIDE TO FERRY LANE ANDREW'S



Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN ALWAYS ASSUMED OR RECONSIDERED  
TO YORK WATERWAYS BEING A RIVER BANK.

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes/No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

UNTIL THE REPAIR WORKS TO RIVER BANK OR RUINES OF ST <sup>FINNERS</sup> TARTS I HAVE NEVER HEARD OF ANY DISPUTE OR OTHERWISE AS TO THE LEGAL RIGHTS OF THE PEOPLE OF BISHOPSTHORPE BEING CHALLENGED FOR USING THIS FOOT PATH AND HAVE ALWAYS BEEN UNDER THE IMPRESSION THAT IT WAS OPEN PEDESTRIAN WAY FOR ALL TO USE, OTHERWISE WHY WOULD ~~BE~~ A PEDESTRIAN GATE BE INCORPORATED IN THE FENCE AT THE FERRY LANE END.

\* Delete as appropriate

Signature:  .....

Date: 3RD OCT: 2001.

Signature of Person Taking the Statement: .....

Date: .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

**CITY OF YORK**  
**DEDS**  
**RECEIVED**  
- 8 OCT 2001

**Public Rights of Way - User Evidence Form**

Surname: \* Mr. Mrs. Miss. Ms. HIRST

Christian Name (s): ROBERT & PAMELA

Age: (If over 21, you may insert "Over 21") OVER 21.

Address: S. DE GREY PLACE  
BISHOPTHORPE YORK YO23 2SN.

Occupation: BUILDER. - ACCOUNTS CLERK (P. HIRST)

Name or route of Path: DOWN CHANTRY LANE BESIDE RIVER TO FERRY LANE

National Grid References, at each end of the path, or other means of identifying the route :

Parish of: BISHOPTHORPE

Type of Path: \*Footpath / Bridleway / Byway Open to All Traffic

Do you regard the route to be a Public Right of Way ? \* Yes / ~~No~~

Is the path well defined ? \*Yes / ~~No~~  
If "Yes" How? BY ENTRANCE GATE OFF FERRY LANE & WELL TRODDEN ROUTE UP & PASSED RUINES OF ST HARRY'S ANDREW'S

Width of path (If defined) : APPROX 4 FT (IMPERIAL).

How many years have you known of the existence of this path ? 40 YEARS +

Over what period have you used the path ?  
(Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 27 YEARS + 1969 TO DATE

Have you used the path:

i)	on foot ?	*Yes / <del>No</del>
ii)	on horseback ?	*Yes / <del>No</del>
iii)	by motor vehicle ?	*Yes / <del>No</del>
iv)	by cycle ?	*Yes / <del>No</del>

How often did you / do you use the path ?  
(e.g.: weekly; monthly; occasionally) EVERY DAY.

For what purpose did you / do you use the path ?  
(e.g.: work, pleasure, recreation, to get to shops) PLEASURE

Have you ever been prevented from, or challenged when, using the path ? \* ~~Yes~~ / No  
If "Yes" please give details

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. ENTRANCE FROM FERRY LANE THROUGH HAND GATE. ALTERNATIVE ROUTE DOWN CHANTRY LANE PASSED ST HARRY'S RUINES & DOWN RIVER SIDE TO FERRY LANE ANDREW'S

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN ALWAYS ASSUMED OR RECONSIDERED  
TO YORK WATERWAYS BEING A RIVER BANK.

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes/No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

UNTIL THE REPAIR WORKS TO RIVER BANK OR RUINES OF ST <sup>FINNERS</sup> TARTS I HAVE NEVER HEARD OF ANY DISPUTE OR OTHERWISE AS TO THE LEGAL RIGHTS OF THE PEOPLE OF BISHOPSTHORPE BEING CHALLENGED FOR USING THIS FOOT PATH AND HAVE ALWAYS BEEN UNDER THE IMPRESSION THAT IT WAS OPEN PEDESTRIAN WAY FOR ALL TO USE, OTHERWISE WHY WOULD ~~BE~~ A PEDESTRIAN GATE BE INCORPORATED IN THE FENCE AT THE FERRY LANE END.

\* Delete as appropriate

Signature:  .....

Date: 3RD OCT: 2001.

Signature of Person Taking the Statement: .....

Date: .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



CITY OF YORK  
DEDS  
FORM D  
- 5 OCT 2001  
BISHOPTHORPE

**Public Rights of Way - User Evidence Form D**

REF. AC/3862, 3871, 3850 / PROW (R) 001

Surname: * Mr. Mrs. Miss. Ms. <b>HOLMES</b>		
Christian Name (s): <b>JANET</b>		
Age: (If over 21, you may insert "Over 21") <b>OVER 21</b>		
Address: <b>162 BRAMBLE DENE, WOODTHORPE YORK YO24 2RH (FORMERLY 2 BRIDGE RD. BISHOPTHORPE)</b>		
Occupation: <b>RETIRED</b>		
Name or route of Path: <b>CHANTRY LANE TO FERRY LANE BISHOPTHORPE</b>		
National Grid References, at each end of the path, or other means of identifying the route: <b>RUNS FROM END OF CHANTRY LANE THROUGH OLD CHURCHYARD ALONG THE RIVERBANK TO FERRY LANE WHERE IT JOINS RIVERSIDE PATH TO ACASTER MAUSIS</b>		
Parish of: <b>BISHOPTHORPE</b>		
Type of Path: *Footpath / <del>Bridleway</del> / <del>Byway Open to All Traffic</del>		
Do you regard the route to be a Public Right of Way? * Yes / <del>No</del>		
Is the path well defined? *Yes / <del>No</del> If "Yes" How?		
Width of path (If defined): <b>4ft. approx</b>		
How many years have you known of the existence of this path? <b>AT LEAST 50 years.</b>		
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <b>50 years 1950 - 2000</b>		
Have you used the path:	i) on foot?	*Yes / <del>No</del>
	ii) on horseback?	* <del>Yes</del> / No
	iii) by motor vehicle?	* <del>Yes</del> / No
	iv) by cycle?	* <del>Yes</del> / No
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) <b>MONTHLY.</b>		
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) <b>PLEASURE</b>		
Have you ever been prevented from, or challenged when, using the path? If "Yes" please give details * <del>Yes</del> / No		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <b>WATER GATE AT FERRY LANE END - HAND GATE</b>		

Name and Addresses of Owners (and Tenants, if tenanted) if known:

I DON'T KNOW BUT ALWAYS ASSUMED IT WAS EITHER BISHOPSTHORPE PARISH COUNCIL OR THE CHURCH.

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

\* Delete as appropriate

Signature : Janet Hobes

Date : 08-10-01

Signature of Person  
Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: <del>Mr. Mrs. Miss. Ms.</del> JONES	
Christian Name (s): ALISON	
Age: (If over 21, you may insert "Over 21") 53.	
Address: 15. APPLETON ROAD BISHOPTHORPE YORK.	
Occupation: FAMILY CENTRE WORKER. COMMUNITY SERVICES. C.Y.C.	
Name or route of Path: WE JUST CALLED IT "ALONG THE RIVER"	
National Grid References, at each end of the path, or other means of identifying the route : Chantry Lane through Old Church Yard along river bank to Ferry Lane	
Parish of: BISHOPTHORPE	
Type of Path: <input checked="" type="radio"/> Footpath <input type="radio"/> Bridleway / <input type="radio"/> Byway Open to All Traffic	
Do you regard the route to be a Public Right of Way? <input checked="" type="radio"/> Yes <input type="radio"/> No	
Is the path well defined? <input checked="" type="radio"/> Yes <input type="radio"/> No If "Yes" How? WELL TRODDEN - NO GRASS GROWING ON TRACK + TRODDEN DIVERSIONS AROUND ANY PARTICULARLY MUDDY AREAS.	
Width of path (if defined): APPROX 3'	
How many years have you known of the existence of this path? 28 YEARS. (AS LONG AS I HAVE LIVED IN BISHOPTHORPE)	
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 28 YEARS.	
Have you used the path: i) on foot? <input checked="" type="radio"/> Yes <input type="radio"/> No ii) on horseback? <input type="radio"/> Yes <input checked="" type="radio"/> No iii) by motor vehicle? <input type="radio"/> Yes <input checked="" type="radio"/> No iv) by cycle? <input type="radio"/> Yes <input checked="" type="radio"/> No	
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) WHEN MY SON WAS YOUNG AT LEAST WEEKLY (SOMETIMES DAILY). SINCE THEN MONTHLY.	
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) PLEASURE. ENTERTAINING YOUNG SON. NATURE WALKS. FUN.	
Have you ever been prevented from, or challenged when, using the path? <input checked="" type="radio"/> Yes <input type="radio"/> No If "Yes" please give details	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.  NOT THAT I AM AWARE OF - ONLY OBSTRUCTIONS WERE PUDDLES OR FALLEN BRANCHES.	



Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \*Yes  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : Alison Jones

Date : 27 October 2001

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

CITY OF YORK  
DEEDS  
RECORDED  
17 SEP 2001

Public Rights of Way - User Evidence Form

Surname: ~~Mr.~~ Mrs. Miss. Ms. LANCASTER  
 Christian Name (s): CHRISTINE ANNE  
 Age: (If over 21, you may insert "Over 21") OVER 21

Address: 11 DE GREY PLACE  
 BISHOP THORPE YORK YO23 2SN

Occupation: SECRETARY

Name or route of Path: CHANTRY LANE TO FERRY LANE BISHOP THORPE

National Grid References, at each end of the path, or other means of identifying the route :

Parish of: BISHOP THORPE

Type of Path:  Footpath /  Bridleway /  Byway Open to All Traffic

Do you regard the route to be a Public Right of Way? \* Yes / ~~No~~

Is the path well defined? \* Yes ~~No~~ IT IS A LOCAL RIGHT OF WAY  
 If "Yes" How? THROUGH THE OLD CHURCH YARD

Width of path (if defined) : 3 - 4M.

How many years have you known of the existence of this path? 14 YRS.

Over what period have you used the path?  
 (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 1987 TO DATE

Have you used the path:

i)	on foot?	* Yes / <del>No</del>
ii)	on horseback?	<del>Yes</del> / No
iii)	by motor vehicle?	* <del>Yes</del> / No
iv)	by cycle?	* <del>Yes</del> / No

How often did you / do you use the path?  
 (e.g.: weekly; monthly; occasionally) DAILY

For what purpose did you / do you use the path?  
 (e.g.: work, pleasure, recreation, to get to shops) PLEASURE

Have you ever been prevented from, or challenged when, using the path? \* Yes / ~~No~~  
 If "Yes" please give details PREVENTED BY CLOSURE OVER 1 YR AGO.

Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. HAND GATE FROM FERRY LANE FOR ACCESS, OBSTRUCTIONS OF FENCING PROHIBITING ACCESS DUE TO REFURBISHMENT OF RIVER BANK.

Name and Addresses of Owners (and Tenants, if tenanted) if known:

BISHOPSTHORPE PARISH COUNCIL ?

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \*~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant : THIS PATH WAS CLOSED FOR A PERIOD OF 12 WEEKS WELL OVER A YEAR AGO AND HAS STILL NOT BEEN OPENED FOR PUBLIC ACCESS.

\* Delete as appropriate

Signature : C. A. Lancaster

Date : 13/9/11

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: <del>Mr.</del> Mrs. Miss. Ms.	LINFOOT.
Christian Name (s):	KATHLEEN.
Age: (If over 21, you may insert "Over 21")	OVER 21
Address:	29 KEBLE PARK CRESCENT BISHOPTHORPE, YORK YO23 2SY
Occupation:	RETIRED
Name or route of Path:	
National Grid References, at each end of the path, or other means of identifying the route :	
Parish of:	Chantry Lane through old churchyard along riverbank to Ferry Lane BISHOPTHORPE
Type of Path:	*Footpath / <del>Bridleway / Byway Open to All Traffic</del>
Do you regard the route to be a Public Right of Way ?	* Yes / <del>No</del>
Is the path well defined ? *Yes <del>No</del> If "Yes" How?	
Width of path (If defined) :	
How many years have you known of the existence of this path ?	28 YEARS
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	28 YEARS: 1973-2001
Have you used the path:	
i) on foot ?	*Yes / <del>No</del>
ii) on horseback ?	<del>*Yes</del> / No
iii) by motor vehicle ?	<del>*Yes</del> / No
iv) by cycle ?	<del>*Yes</del> / No
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally)	APPROX MONTHLY
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops).	YEAR-ROUND APPRECIATION OF NATURE + INTRODUCTION OF CHILDREN + GRANDCHILDREN TO IT
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details	<del>Yes</del> / No
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.	HAND GATE AT THE FERRY LANE END

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? ~~\*Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : .....  .....

Date : .....

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms.	LINFOOT.	
Christian Name (s) :	WILLIAM ANTONY.	
Age: (If over 21, you may insert "Over 21")	OVER 21	
Address:	29 KEBLE PARK CRESCENT, BISHOPTHORPE, YORK YO23 2SY	
Occupation:	RETIRED	
Name or route of Path:		
National Grid References, at each end of the path, or other means of identifying the route :	Chantry Lane - through old churchyard along westbank to Ferry Lane	
Parish of:	BISHOPTHORPE	
Type of Path:	<del>*Footpath / Bridleway / Byway Open to All Traffic</del>	
Do you regard the route to be a Public Right of Way ?	* Yes / <del>No</del>	
Is the path well defined ? *Yes / <del>No</del> If "Yes" How?		
Width of path (If defined) :		
How many years have you known of the existence of this path ?	28 YEARS	
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	28 YEARS 1973 - 2001	
Have you used the path:	i) on foot ?	*Yes / <del>No</del>
	ii) on horseback ?	<del>Yes</del> / No
	iii) by motor vehicle ?	<del>Yes</del> / No
	iv) by cycle ?	<del>Yes</del> / No
How often did you / do you use the path ? (e.g. weekly; monthly; occasionally)	APPROX MONTHLY	
For what purpose did you / do you use the path ? (e.g. work, pleasure, recreation, <del>to get to shops</del> )	YEAR-ROUND APPRECIATION OF NATURE + INTRODUCTION OF CHILDREN + GRAND CHILDREN TO IT	
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details	Yes / No	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.	HAND GATE AT THE FERRY LANE END	



Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : NA / in foot

Date : .....

Signature of Person

Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

# NORTH YORKSHIRE COUNTY COUNCIL

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

1	Surname: Mr, Mrs, <del>Miss</del> , Ms O'BRIEN <span style="float: right;">X</span> Christian Names: FRANCIS DESMOND Age, or if over 21, state over 21: OVER 21
2	Address: 43, RAMSEY AVENUE BISHOPTHORPE YORK YO2.1SQ
3	Occupation: RETIRED
4	Name or route of path: RIVERSIDE PATH
5	National Grid References (ends of path), or other means of identification: OLD CHURCHYARD TO SWING BRIDGE
6	Parish: BISHOP THORPE
7	District: SELBY
*8	Type of path: Footpath/Bridleway/Byway open to all traffic
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del>
*10	Is the path well defined: Yes/ <del>NO</del>
11	Width of path: 2 1/2 FT
12	How long have you known the path: 28 YEARS
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): APPROX WEEKLY
14	How often over the period have you used the path: AS ABOVE
15	For what purpose did you use the path: PLEASURE WALKING
16	Have you ever been prevented from or challenged when using the path: No

17	<p>Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.</p> <p style="text-align: center;"><i>2 STILES</i></p>
18	<p>Name of owner(s) or tenant(s), if known:</p>
* 19	<p>Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del>/No</p> <p>If "Yes" give dates and particulars of instructions the owner gave about the path, if any:</p>
<p>Any further information:</p>	

Date ... *14-2-94* .....

Signature ... *F. J. Brennan* .....

Signature of person taking Statement ... *A. S. Rogers* .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <u>RADLEY.</u>		
Christian Name (s): <u>PETER &amp; KATE</u>		
Age: (If over 21, you may insert "Over 21") <u>OVER 21</u>		
Address: <u>62 BEECH AVE</u> <u>BISHOPTHORPE</u> <u>YO23 2RJ.</u>		
Occupation: <u>MACHINE OPERATOR</u> <u>shop assistant / seamstress</u>		
Name or route of Path:		
National Grid References, at each end of the path, or other means of identifying the route : <u>Chantry Lane through Old Churchyard along navebank to Ferry Lane</u>		
Parish of: <u>BISHOPTHORPE</u>		
Type of Path: <u>FOOTPATH</u> *Footpath / Bridleway / Byway Open to All Traffic		
Do you regard the route to be a Public Right of Way ?      * Yes / <del>No</del>		
Is the path well defined ? *Yes / <del>No</del> If "Yes" How? <u>BY A WELL TRODDEN PATH, KISS GATE</u> <u>AT FERRY LANE</u>		
Width of path (if defined) : <u>1 - 2 MTS.</u>		
How many years have you known of the existence of this path ? <u>25</u>		
Over what period have you used the path ? <u>15 years 1986 SINCE</u> (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <u>MOVING TO VILLAGE UP TO</u>		
Have you used the path: i) on foot ?      *Yes / <del>No</del> <u>PRESENT CLOSER.</u> ii) on horseback ?      * <del>Yes</del> / No iii) by motor vehicle ?      * <del>Yes</del> / No iv) by cycle ?      * <del>Yes</del> / No		
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <u>WEEKLY</u>		
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <u>PLEASURE</u>		
Have you ever been prevented from, or challenged when, using the path ?      * Yes / No If "Yes" please give details		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.  <u>KISS GATE AT FERRY LANE END.</u>		

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN.

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes/ No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : K. Radley .....

Date : 9-10-01 .....

Signature of Person  
Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <b>RADLEY.</b>		
Christian Name (s): <b>PETER &amp; KATE</b>		
Age: (If over 21, you may insert "Over 21") <b>OVER 21</b>		
Address: <b>62 BEECH AVE BISHOPTHORPE YO23 2RJ.</b>		
Occupation: <b>MACHINE OPERATOR</b> <b>shop assistant / seamstress</b>		
Name or route of Path:		
National Grid References, at each end of the path, or other means of identifying the route : <b>Chantry Lane through Old Churchyard along navebank to Ferry Lane</b>		
Parish of: <b>BISHOPTHORPE</b>		
Type of Path: <b>FOOTPATH</b> *Footpath / Bridleway / Byway Open to All Traffic		
Do you regard the route to be a Public Right of Way ?      * Yes / <del>No</del>		
Is the path well defined ? *Yes / <del>No</del> If "Yes" How? <b>BY A WELL TRODDEN PATH, KISS GATE AT FERRY LANE</b>		
Width of path (if defined) : <b>1 - 2 MTS.</b>		
How many years have you known of the existence of this path ? <b>25</b>		
Over what period have you used the path ? <b>15 years 1986 SINCE</b> (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <b>MOVING TO VILLAGE UP TO</b>		
Have you used the path:    i)      on foot ?      *Yes / <del>No</del> <b>PRESENT CLOSER.</b> ii)      on horseback ?      *Yes / No iii)     by motor vehicle ?      *Yes / No iv)      by cycle ?      *Yes / No		
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <b>WEEKLY</b>		
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <b>PLEASURE</b>		
Have you ever been prevented from, or challenged when, using the path ?      * Yes / No If "Yes" please give details		
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.  <b>KISS GATE AT FERRY LANE END.</b>		



Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN.

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes/ No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : K. Radley .....

Date : 9-10-01 .....

Signature of Person  
Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. <input checked="" type="radio"/> Mrs. <input type="radio"/> Miss. <input type="radio"/> Ms. <input type="radio"/> RILEY.	
Christian Name (s): JACQUELINE	
Age: (If over 21, you may insert "Over 21") Over 21	
Address: 24, Acaster lane, Bishopthorpe, York	
Occupation: PHARMACIST	
Name or route of Path: River Bank	
National Grid References, at each end of the path, or other means of identifying the route : Chartry Lane through old churchyard and along riverbank to Ferry Lane	
Parish of: Bishopthorpe	
Type of Path: <input checked="" type="radio"/> Footpath / <input type="radio"/> Bridleway / <input type="radio"/> Byway Open to All Traffic	
Do you regard the route to be a Public Right of Way? <input checked="" type="radio"/> Yes / <input type="radio"/> No	
Is the path well defined? <input checked="" type="radio"/> Yes / <input type="radio"/> No River on one boundary, vegetation on other	
Width of path (if defined): 4ft approx	
How many years have you known of the existence of this path? 35	
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 35	
Have you used the path: i) on foot? <input checked="" type="radio"/> Yes / <input type="radio"/> No ii) on horseback? <input type="radio"/> Yes / <input type="radio"/> No iii) by motor vehicle? <input type="radio"/> Yes / <input type="radio"/> No iv) by cycle? <input type="radio"/> Yes / <input type="radio"/> No	
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) Occasionally	
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) Pleasure	
Have you ever been prevented from, or challenged when, using the path? If "Yes" please give details <input checked="" type="radio"/> Yes / <input type="radio"/> No	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Church + Parish Council

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : .....  .....

Date : ... 22-10-01 .....

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. <u>Mrs</u> Miss. Ms. <u>ROBINSON</u>	
Christian Name (s): <u>JUDITH</u>	
Age: (If over 21, you may insert "Over 21") <u>OVER 21</u>	
Address: <u>59A LAMPUGH CRES</u> <u>BISHOPTHORPE, YORK YO23 2SR</u>	
Occupation: <u>PHARMACY DISPENSER</u>	
Name or route of Path: <u>From: Chantry Lane to Ferry Lane along towpath.</u>	
National Grid References, at each end of the path, or other means of identifying the route : <u>Chantry Lane through old Churchyard along weebank to Ferry Lane</u>	
Parish of: <u>Bishopthorpe</u>	
Type of Path: <u>*Footpath / Bridleway / Byway Open to All Traffic</u>	
Do you regard the route to be a Public Right of Way ? <u>*Yes / <del>No</del></u>	
Is the path well defined ? *Yes / No If "Yes" How? <u>WAS SIGNPOSTED</u>	
Width of path (If defined) : <u>3yds.</u>	
How many years have you known of the existence of this path ? <u>36 years.</u>	
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <u>From 1965 to temporary closure.</u>	
Have you used the path: i) <u>on foot ?</u> <u>*Yes / <del>No</del></u> ii) <u>on horseback ?</u> <u>*Yes / No</u> iii) <u>by motor vehicle ?</u> <u>*Yes / No</u> iv) <u>by cycle ?</u> <u>*Yes / No</u>	
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally) <u>WEEKLY</u>	
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops) <u>PLEASURE.</u>	
Have you ever been prevented from, or challenged when, using the path ? <u>*Yes / <u>No</u></u> If "Yes" please give details	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <u>STILE AT FERRY LANE END</u>	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

THE PATH HAS FOR THE LAST THIRTY PLUS YEARS TO MY KNOWLEDGE BEEN USED BY NUMEROUS VILLAGERS AT LEAST AS PART OF THE TOWPATH, RIVERSIDE WALK MUCH ENJOYED.

\* Delete as appropriate

Signature: 

Date: 12-10-01

Signature of Person Taking the Statement: .....

Date: .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



# NORTH YORKSHIRE COUNTY COUNCIL

⑤

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

1	Surname: Mr, <del>Mrs</del> , <del>Miss</del> , Ms SMITH <span style="float: right;">Freda X</span> Christian Names: RICHARD Age, or if over 21, state over 21: over 21
2	Address: 36 WELLS PARK SOUTH BRISTOL RD YORK YO2 1SU
3	Occupation: <del>SOLICITOR</del> OFFICER, YORK UNIT
4	Name or route of path: LIVERSIDE PATH
5	National Grid References (ends of path), or other means of identification: OLD CHURCHYARD TO SWINGY BRIDGE
6	Parish: BISHOPSTORPE
7	District: YORK
*8	Type of path: Footpath/Bridleway/Byway open to all traffic
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del>
*10	Is the path well defined: Yes/ <del>NO</del>
11	Width of path: 2' 6" 8"
12	How long have you known the path: 20 YEARS
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): 20 YEARS, FOOT
14	How often over the period have you used the path: AS ABOVE
15	For what purpose did you use the path: WALKING
16	Have you ever been prevented from or challenged when using the path: NO

17	Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.  <p style="text-align: center;"><i>2 STILES.</i></p>
18	Name of owner(s) or tenant(s), if known:
* 19	Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del> /No  If "Yes" give dates and particulars of instructions the owner gave about the path, if any:
Any further information:	

Date ... *2d. 2. 94* .....

Signature *[Signature]* .....

Signature of person taking Statement *[Signature]* .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.

# NORTH YORKSHIRE COUNTY COUNCIL

(9)

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

1	Surname: <del>Mr, Mrs, Miss, Ms</del> STEVENS. <span style="float: right;">X</span> Christian Names:     RHODA Beakice Age, or if over 21, state over 21: ✓
2	Address:     Ferryfield 4. Ferry Lane. Bishopthorpe York YO21 5B.
3	Occupation:     Housewife.
4	Name or route of path: RIVERSIDE PATH.
5	National Grid References (ends of path), or other means of identification: OLD CHURCH JARD TO SWING BRIDGE
6	Parish:     BISHOPTHORPE
7	District:     SELBY
*8	Type of path: Footpath/ <del>Bridleway</del> /Byway open to all traffic
*9	Do you regard the path as public (SEE NOTE 2): YES/NO
*10	Is the path well defined: Yes/NO
11	Width of path:     2ft to 8ft.
12	How long have you known the path:     35 years
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): FREQUENTLY.
14	How often over the period have you used the path:     AS ABOVE
15	For what purpose did you use the path: WALKING FOR PLEASURE.
16	Have you ever been prevented from or challenged when using the path: NO

17	<p>Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.</p> <p>2 STILES</p>
18	<p>Name of owner(s) or tenant(s), if known:</p>
* 19	<p>Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No</p> <p>If "Yes" give dates and particulars of instructions the owner gave about the path, if any:</p>
<p>Any further information:</p>	

Date ..... 15. 2. 94 .....

Signature ..... R B Stevan  .....

Signature of person taking Statement .....  .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.

# NORTH YORKSHIRE COUNTY COUNCIL

6

## PUBLIC RIGHTS OF WAY EVIDENCE FORM


1	Surname: Mr, Mrs, <del>Miss, Ms</del> <i>Styan</i> Christian Names: <i>RODNEY JAMES</i> Age, or if over 21, state over 21: <i>OVER 21</i>
2	Address: <i>29 RAMSEY AVENUE</i> <i>BISHOPTHORPE</i> <i>YORK</i>
3	Occupation: <i>REG SALES MANAGER</i>
4	Name or route of path: <i>LIVERSIDE PATH</i>
5	National Grid References (ends of path), or other means of identification: <i>OLD CHURCH YARD TO SWINBY BRIDGE</i>
6	Parish: <i>BISHOPTHORPE</i>
7	District: <i>SELBY</i>
*8	Type of path: <del>Footpath/Bridleway/Byway open to all traffic</del>
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del>
*10	Is the path well defined: Yes/ <del>NO</del>
11	Width of path: <i>2/68'</i>
12	How long have you known the path: <i>40 YEARS</i>
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): <i>40 YEARS</i>
14	How often over the period have you used the path: <i>ONCE PER WEEK</i>
15	For what purpose did you use the path: <i>WALKING OR ANGLING</i>
16	Have you ever been prevented from or challenged when using the path: <i>NO</i>



17	<p>Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.</p> <p style="text-align: center;">2 STILES</p>
18	<p>Name of owner(s) or tenant(s), if known:</p> <p style="text-align: center;">BISHOPTHORPE PARISH COUNCIL?</p>
* 19	<p>Have you ever been employed by, or a tenant of, the owner of the land affected by the path: <del>Yes</del>/No</p> <p>If "Yes" give dates and particulars of instructions the owner gave about the path, if any:</p>
<p>Any further information:</p>	

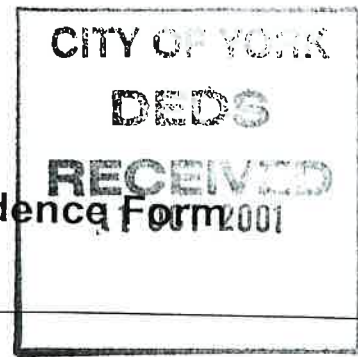
Date ..... 11.2.94 .....

Signature .....  .....

Signature of person taking Statement .....  .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.



Public Rights of Way - User Evidence Form

Surname: * Mr. <del>Mrs. Miss. Ms.</del>	THORNTON								
Christian Name (s) :	DAVID								
Age: (If over 21, you may insert "Over 21")	57								
Address:	10 MACLAGAN ROAD, BISHOPTHORPE								
Occupation:	HEADTEACHER								
Name or route of Path:	CHANTRY LANE TO FERRY LANE								
National Grid References, at each end of the path, or other means of identifying the route :									
Parish of:	BISHOPTHORPE								
Type of Path:	*Footpath / Bridleway / Byway <del>Open to All Traffic</del>								
Do you regard the route to be a Public Right of Way ?	* Yes / <del>No</del>								
Is the path well defined ? *Yes / <del>No</del> If "Yes" How?	THE FOOTPATH WAS LAID OUT WITH LIMESTONE CHUNKS BY THE PARISH COUNCIL. AT FERRY LANE END THERE IS A "KISSING GATE"								
Width of path (if defined) :	NEAR FERRY LANE WIDER THAN ONE METRE. WHERE IT WENT THROUGH BUSHES IT WAS ABOUT 80cms WIDE								
How many years have you known of the existence of this path ?	35 YEARS								
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	35 YEARS								
Have you used the path:	<table border="0"> <tr> <td>i) on foot ?</td> <td>*Yes / <del>No</del></td> </tr> <tr> <td>ii) on horseback ?</td> <td>*Yes / No</td> </tr> <tr> <td>iii) by motor vehicle ?</td> <td>*Yes / No</td> </tr> <tr> <td>iv) by cycle ?</td> <td>*Yes / No</td> </tr> </table>	i) on foot ?	*Yes / <del>No</del>	ii) on horseback ?	*Yes / No	iii) by motor vehicle ?	*Yes / No	iv) by cycle ?	*Yes / No
i) on foot ?	*Yes / <del>No</del>								
ii) on horseback ?	*Yes / No								
iii) by motor vehicle ?	*Yes / No								
iv) by cycle ?	*Yes / No								
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally)	WEEKLY								
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops)	PLEASURE								
Have you ever been prevented from, or challenged when, using the path ? *Yes / <del>No</del> If "Yes" please give details	BARRIERS ERECTED OVER PAST YEAR WHILE RIVER BANK WORKS WERE ONGOING.								
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land.	HAND GATE AT FERRY LANE END.								

Name and Addresses of Owners (and Tenants, if tenanted) if known:

PARISH COUNCIL ?

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

You probably have no record of this right of way because Bishopthorpe formerly came under Selby District Council and prior to 1974 West Riding County Council.

\* Delete as appropriate

Signature : David Thornton

Date : 7.10.01

Signature of Person Taking the Statement : .....

Date : .....

PLEASE NOTE

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. <input checked="" type="radio"/> Mrs. <input type="radio"/> Miss. <input type="radio"/> Ms. <input type="radio"/> THORNTON ✓													
Christian Name (s): JANET													
Age: (If over 21, you may insert "Over 21") 42													
Address: 10 MACLAGAN RD. BISHOP THORPE YORK													
Occupation: CLASSROOM ASSISTANT													
Name or route of Path: CITANTRY LANE TO FERRY LANE													
National Grid References, at each end of the path, or other means of identifying the route :													
Parish of: BISHOP THORPE													
Type of Path: <input checked="" type="radio"/> Footpath / <input type="radio"/> Bridleway / <input type="radio"/> Byway Open to All Traffic													
Do you regard the route to be a Public Right of Way? <input checked="" type="radio"/> Yes / <input type="radio"/> No													
Is the path well defined? <input checked="" type="radio"/> Yes / <input type="radio"/> No If "Yes" How? The footpath was laid out with limestone chunks by the parish council about 20 years ago. There is a 'kissing' gate at the Ferry Lane end.													
Width of path (if defined): Ferry Lane end wider than a metre narrower where it goes through bushes - 80cm.													
How many years have you known of the existence of this path? 23 years.													
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 1978 until the route was closed for work to old church in 2000+ erosion work.													
Have you used the path: <table border="0"> <tr> <td>i)</td> <td>on foot?</td> <td><input checked="" type="radio"/> Yes / <input type="radio"/> No</td> </tr> <tr> <td>ii)</td> <td>on horseback?</td> <td><input type="radio"/> Yes / <input checked="" type="radio"/> No</td> </tr> <tr> <td>iii)</td> <td>by motor vehicle?</td> <td><input type="radio"/> Yes / <input checked="" type="radio"/> No</td> </tr> <tr> <td>iv)</td> <td>by cycle?</td> <td><input type="radio"/> Yes / <input checked="" type="radio"/> No</td> </tr> </table>		i)	on foot?	<input checked="" type="radio"/> Yes / <input type="radio"/> No	ii)	on horseback?	<input type="radio"/> Yes / <input checked="" type="radio"/> No	iii)	by motor vehicle?	<input type="radio"/> Yes / <input checked="" type="radio"/> No	iv)	by cycle?	<input type="radio"/> Yes / <input checked="" type="radio"/> No
i)	on foot?	<input checked="" type="radio"/> Yes / <input type="radio"/> No											
ii)	on horseback?	<input type="radio"/> Yes / <input checked="" type="radio"/> No											
iii)	by motor vehicle?	<input type="radio"/> Yes / <input checked="" type="radio"/> No											
iv)	by cycle?	<input type="radio"/> Yes / <input checked="" type="radio"/> No											
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) Weekly.													
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) Pleasure													
Have you ever been prevented from, or challenged when, using the path? If "Yes" please give details By the erection of barriers at either end during erosion work to riverbank. <input checked="" type="radio"/> Yes / <input type="radio"/> No													
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. Handgate at Ferry Lane end.													

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Parish Council ?

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : Janet Thomas

Date : 7.10.01.

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: * Mr. <del>Mrs.</del> <del>Miss</del> <del>Ms.</del> <b>VERITY</b>	
Christian Name (s): <b>JOHN</b>	
Age: (If over 21, you may insert "Over 21") <b>OVER 21</b>	
Address: <b>41 LAMPHOUGH CRESCENT BISHOPTHOPE YORK</b>	
Occupation: <b>SELF EMPLOYED HEALTH &amp; SAFETY CONSULTANT</b>	
Name or route of Path: <b>CHANTRY LANE TO FERRY LANE INCLUDING ST ANDREWS CHURCH SITE</b>	
National Grid References, at each end of the path, or other means of identifying the route: <b>From bottom of Chantry Lane Bishopthorpe - to opposite Ferry Cottage Ferry Lane</b>	
Parish of: <b>BISHOPTHOPE</b>   <b>Bishopthorpe</b>	
Type of Path: <b>*Footpath / Bridleway / Byway Open to All Traffic</b>	
Do you regard the route to be a Public Right of Way? <b>* Yes / <del>No</del></b>	
Is the path well defined? *Yes / <del>No</del> If "Yes" How? <b>GATE AT FERRY LANE END OF PATH WHICH CAN BE USED OPEN ACCESS AT CHANTRY LANE (NOW SCALD WITH FENCING)</b>	
Width of path (if defined): <b>1 metre.</b>	
How many years have you known of the existence of this path? <b>10</b>	
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <b>10</b>	
Have you used the path: i) on foot? *Yes / <del>No</del> ii) on horseback? *Yes / No iii) by motor vehicle? *Yes / No iv) by cycle? *Yes / No	
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) <b>DAILY</b>	
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) <b>PLEASURE - TRAINING ACCESS TO RIVERSIDE</b>	
Have you ever been prevented from, or challenged when, using the path? If "Yes" please give details <b>* Yes / <del>No</del> BY THE EXISTENCE OF STEEL FENCING</b>	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <b>HAND GATE AT FERRY LANE END OF PATH</b>	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

ST ANDREWS TRUST.

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* ~~Yes~~ / No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path:

Any Further Information which you consider to be relevant:

This path was closed for reconstruction of the old church building and the riverside for the last two years. St Andrews Trust promised Parish Council that the path and access would be reinstated in June 2001 at the latest.

\* Delete as appropriate

Signature : .....

Date : 18/09/01

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) ALL sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

# NORTH YORKSHIRE COUNTY COUNCIL

(10)

## PUBLIC RIGHTS OF WAY EVIDENCE FORM

1	Surname: Mr, <del>Mrs</del> , Miss, Ms <u>WALKER</u> <span style="float: right;">x</span> Christian Names: <u>BRYNN JOHN JAMES</u> Age, or if over 21, state over 21: <u>OVER 21</u>
2	Address: <u>30 MONTAGUE RD</u> <u>BISHOP THORPE</u> <u>YORK</u> <u>YO2 1SS</u>
3	Occupation: <u>ENGINEERING MANAGER</u>
4	Name or route of path:
5	National Grid References (ends of path), or other means of identification:
6	Parish: <u>BISHOP THORPE</u>
7	District: <u>SELBY</u>
*8	Type of path: Footpath/Bridleway/Byway open to all traffic <u>FOOT PATH.</u>
*9	Do you regard the path as public (SEE NOTE 2): YES/ <del>NO</del>
*10	Is the path well defined: Yes/ <del>No</del>
11	Width of path: <u>2ft to 8ft.</u>
12	How long have you known the path: <u>50 YEARS</u>
13	Over what period have you used the path on foot, horseback or by motor vehicle, (state which): <u>ON FOOT</u>
14	How often over the period have you used the path: <u>AS ABOVE</u>
15	For what purpose did you use the path: <u>RECREATIONAL EXERCISE.</u>
16	Have you ever been prevented from or challenged when using the path: <u>NO.</u>

17	<p>Details of any Stiles, Handgates, Field gates, Bridges, Notices, Direction signs, Warning signs, Obstructions etc.</p> <p style="text-align: center;"><i>2 STILES</i></p>
18	<p>Name of owner(s) or tenant(s), if known:</p>
* 19	<p>Have you ever been employed by, or a tenant of, the owner of the land affected by the path: Yes/No</p> <p>If "Yes" give dates and particulars of instructions the owner gave about the path, if any:</p>
<p>Any further information:</p>	

Date *18<sup>th</sup> Feb 1994* .....

Signature *B.J. Walker* .....

Signature of person taking Statement *A.L. Rogers* .....

PLEASE NOTE

1. All numbered sections must be completed; failure to do so may invalidate the evidence.
2. A public right of way must have been used without let or hindrance for approximately 20 years or more.
3. You may be asked to give evidence at a Public Inquiry should a dispute arise over the claimed path.
4. \* Delete as necessary.

## Public Rights of Way - User Evidence Form

Surname: * <input checked="" type="radio"/> Mr. <input type="radio"/> Mrs. <input type="radio"/> Miss. <input type="radio"/> Ms. WEST									
Christian Name (s): DAVID									
Age: (If over 21, you may insert "Over 21") 21									
Address: 35 Keble Park North, Bishopthorpe, York YO23 2SX									
Occupation: Unemployed (Finished Degree)									
Name or route of Path: Path between Charkey Lane and Ferry Lane, River Path									
National Grid References, at each end of the path, or other means of identifying the route :									
Parish of: Bishopthorpe									
Type of Path: <input checked="" type="radio"/> Footpath <input type="radio"/> Bridleway / <input type="radio"/> Byway Open to All Traffic									
Do you regard the route to be a Public Right of Way? <input checked="" type="radio"/> Yes <input type="radio"/> No									
Is the path well defined? <input checked="" type="radio"/> Yes <input type="radio"/> No If "Yes" How? Distinct track going from old church through to Ferry Lane with a 'KISS-Gate' Entrance/Exit.									
Width of path (If defined) : Approx 1metre									
How many years have you known of the existence of this path? 21 years									
Over what period have you used the path? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 21 years 1980 - 2001									
Have you used the path: <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">i) on foot? ✓</td> <td style="width: 30%;"><input checked="" type="radio"/> Yes <input type="radio"/> No</td> </tr> <tr> <td>ii) on horseback?</td> <td>* <input type="radio"/> Yes <input checked="" type="radio"/> No</td> </tr> <tr> <td>iii) by motor vehicle?</td> <td>* <input type="radio"/> Yes <input checked="" type="radio"/> No</td> </tr> <tr> <td>iv) by cycle? ✓</td> <td><input checked="" type="radio"/> Yes <input type="radio"/> No</td> </tr> </table>		i) on foot? ✓	<input checked="" type="radio"/> Yes <input type="radio"/> No	ii) on horseback?	* <input type="radio"/> Yes <input checked="" type="radio"/> No	iii) by motor vehicle?	* <input type="radio"/> Yes <input checked="" type="radio"/> No	iv) by cycle? ✓	<input checked="" type="radio"/> Yes <input type="radio"/> No
i) on foot? ✓	<input checked="" type="radio"/> Yes <input type="radio"/> No								
ii) on horseback?	* <input type="radio"/> Yes <input checked="" type="radio"/> No								
iii) by motor vehicle?	* <input type="radio"/> Yes <input checked="" type="radio"/> No								
iv) by cycle? ✓	<input checked="" type="radio"/> Yes <input type="radio"/> No								
How often did you / do you use the path? (e.g.: weekly; monthly; occasionally) Once a Month.									
For what purpose did you / do you use the path? (e.g.: work, pleasure, recreation, to get to shops) Pleasure									
Have you ever been prevented from, or challenged when, using the path? <input checked="" type="radio"/> Yes <input type="radio"/> No If "Yes" please give details It is currently barricaded.									
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. Hand gate located at Ferry Lane end of path, joining main river path. Old Bishopthorpe Church at the end of Charkey Lane, next to Archbishops Palace									



Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

The path was open until work was undertaken on the river bank and the old church. This has now been completed (or so it appears) however the path has NOT been re-opened for general use. This has always as far as I can remember been a village right of way, completing the River side walk.

\* Delete as appropriate

Signature : ..... *D. W. C. J.* .....

Date : 29/9/01 .....

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr <input checked="" type="radio"/> Mrs <input type="radio"/> Miss. Ms. WEST	
Christian Name (s): HAZEL MARGARET	
Age: (If over 21, you may insert "Over 21") OVER 21	
Address: 35 KEBLE PARK NORTH BISHOPTHORPE YORK YO23 2SX	
Occupation: SECRETARY	
Name or route of Path: RIVERSIDE PATH BETWEEN CHANTRY LANE + FERRY LANE, BISHOPTHORPE	
National Grid References, at each end of the path, or other means of identifying the route :	
Parish of: BISHOPTHORPE	
Type of Path: <input checked="" type="radio"/> Footpath / <input type="radio"/> Bridleway / <input type="radio"/> Byway Open to All Traffic	
Do you regard the route to be a Public Right of Way ? <input checked="" type="radio"/> Yes / <input type="radio"/> No	
Is the path well defined ? <input checked="" type="radio"/> Yes / <input type="radio"/> No If "Yes" How? WELL DEFINED PATH AT OLD CHURCH OF ST ANDREWS THROUGH TO KISS GATE AT FERRY LANE	
Width of path (if defined) : 1 METRE (APPROX)	
How many years have you known of the existence of this path ? 22	
Over what period have you used the path ? 22 (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 1979 - <del>PRESENT</del> 2001	
Have you used the path: i) on foot ? <input checked="" type="radio"/> Yes / <input type="radio"/> No ii) on horseback ? * Yes / No iii) by motor vehicle ? * Yes / No iv) by cycle ? * Yes / No	
How often did you / do you use the path ? MONTHLY (e.g.: weekly; monthly; occasionally)	
For what purpose did you / do you use the path ? PLEASURE, RECREATION (e.g.: work, pleasure, recreation, to get to shops)	
Have you ever been prevented from, or challenged when, using the path ? <input checked="" type="radio"/> Yes / <input type="radio"/> No If "Yes" please give details CURRENTLY BARRICADED	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. Hand gate at Ferry Lane end of path, adjoining main Riverside path.	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path? \* Yes  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

The path was accessible until the work was undertaken on the river bank and the old church. The work appears to have been completed but the path remains closed for general use.

I have always understood this path to be a village right of way, completing the riverside walk between Cherry Lane and Naborn rail bridge.

\* Delete as appropriate

Signature : ..... *Howest* .....

Date : ..... 29.9.01 .....

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <u>WEST</u>	
Christian Name (s): <u>MICHAEL</u>	
Age: (If over 21, you may insert "Over 21") <u>0'21</u>	
Address: <u>35 Keble Park North, Bishopthorpe York YO232ST</u>	
Occupation: <u>Shopkeeper</u>	
Name or route of Path: <u>Ferry to Chantry Lane Bishopthorpe</u>	
National Grid References, at each end of the path, or other means of identifying the route :	
Parish of: <u>Bishopthorpe</u>	
Type of Path:	*Footpath / <u>Bridleway</u> / Byway Open to All Traffic
Do you regard the route to be a Public Right of Way ?	* <input checked="" type="radio"/> Yes / No
Is the path well defined ?	* <input checked="" type="radio"/> Yes / No
If "Yes" How?	<u>clearly worn depressed path through grass</u>
Width of path (if defined) :	<u>Between 2ft &amp; 8ft (2/3m - 2 1/2m)</u>
How many years have you known of the existence of this path ?	<u>All the time in Bishopthorpe (22 years)</u>
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990)	<u>1979 to 1998?</u>
Have you used the path:	
i) on foot ?	* <input checked="" type="radio"/> Yes / No
ii) on horseback ?	* Yes / <input checked="" type="radio"/> No
iii) by motor vehicle ?	* Yes / <input checked="" type="radio"/> No
iv) by cycle ?	* <input checked="" type="radio"/> Yes / No <u>Conce before Kirs gate</u>
How often did you / do you use the path ? (e.g.: weekly; monthly; occasionally)	<u>weekly except winter months</u>
For what purpose did you / do you use the path ? (e.g.: work, pleasure, recreation, to get to shops)	<u>pleasure</u>
Have you ever been prevented from, or challenged when, using the path ? If "Yes" please give details	* <input checked="" type="radio"/> Yes / No <u>The access at both ends has been fenced</u>
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <u>Large Wooden Kirs gate at one end - other end free access.</u>	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

Not Known.

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

/

Any Further Information which you consider to be relevant :

None.

\* Delete as appropriate

Signature :  .....

Date : 25/09/01 .....

Signature of Person Taking the Statement : .....

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.



## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. MR & MRS WHALEY	
Christian Name (s): ① THOMAS D ② PENELOPE M	
Age: (If over 21, you may insert "Over 21") OVER 21.	
Address: 24 KEBLE PARK SOUTH, BISHOPTHORPE YORK YO23 2SU.	
Occupation ① RETIRED ② FULL TIME MEDICAL SECRETARY. YORK NHS TRUST.	
Name or route of Path: RIVER WALK.	
National Grid References, at each end of the path, or other means of identifying the route : Chantry Lane through Old Church Yard along river bank to Ferry Lane	
Parish of: BISHOPTHORPE	
Type of Path: *Footpath / Bridleway / Byway Open to All Traffic	
Do you regard the route to be a Public Right of Way ? * Yes / No	
Is the path well defined ? *Yes / No If "Yes" How? WELL-WALKED EARTHEN TRACK	
Width of path (if defined) : 3' +	
How many years have you known of the existence of this path ? 30 YEARS	
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) 30 YEARS	
Have you used the path: i) on foot ? *Yes / No ii) on horseback ? *Yes / No iii) by motor vehicle ? *Yes / No iv) by cycle ? *Yes / No	
How often did you / do you use the path ? AT LEAST WEEKLY WHEN FAMILY (e.g.: weekly; monthly; occasionally) YOUNG	
For what purpose did you / do you use the path ? RECREATION : "ADVENTURE" WITH (e.g.: work, pleasure, recreation, to get to shops) YOUNG FAMILY	
Have you ever been prevented from, or challenged when, using the path ? * Yes / No If "Yes" please give details	
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. NO OBSTACLES KNOWN.	

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes /  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : Penelope M Whalley

Date : 6/11/01

Signature of Person Taking the Statement : [Signature]

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

## Public Rights of Way - User Evidence Form

Surname: * Mr. Mrs. Miss. Ms. <b>MR &amp; MRS WHALEY</b>									
Christian Name (s): <b>① THOMAS D ② PENELOPE M</b>									
Age: (If over 21, you may insert "Over 21") <b>OVER 21.</b>									
Address: <b>24 KEBLE PARK SOUTH, BISHOPTHORPE YORK YO23 2SU.</b>									
Occupation: <b>① RETIRED ② FULL TIME MEDICAL SECRETARY. YORK NHS TRUST.</b>									
Name or route of Path: <b>RIVER WALK.</b>									
National Grid References, at each end of the path, or other means of identifying the route : <b>Chantry Lane through Old Church Yard along river bank to Ferry Lane</b>									
Parish of: <b>BISHOPTHORPE</b>									
Type of Path: <b>*Footpath</b> / Bridleway / Byway Open to All Traffic									
Do you regard the route to be a Public Right of Way ? <b>* Yes / No</b>									
Is the path well defined ? <b>*Yes</b> / No If "Yes" How? <b>WELL-WALKED EARTHEN TRACK</b>									
Width of path (if defined) : <b>3' +</b>									
How many years have you known of the existence of this path ? <b>30 YEARS</b>									
Over what period have you used the path ? (Please specify how many years and dates e.g.: 20 years - 1970 - 1990) <b>30 YEARS</b>									
Have you used the path: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">i) on foot ?</td> <td style="text-align: right;"><b>*Yes</b> / No</td> </tr> <tr> <td>ii) on horseback ?</td> <td style="text-align: right;">*Yes / <b>No</b></td> </tr> <tr> <td>iii) by motor vehicle ?</td> <td style="text-align: right;">*Yes / <b>No</b></td> </tr> <tr> <td>iv) by cycle ?</td> <td style="text-align: right;">*Yes / <b>No</b></td> </tr> </table>		i) on foot ?	<b>*Yes</b> / No	ii) on horseback ?	*Yes / <b>No</b>	iii) by motor vehicle ?	*Yes / <b>No</b>	iv) by cycle ?	*Yes / <b>No</b>
i) on foot ?	<b>*Yes</b> / No								
ii) on horseback ?	*Yes / <b>No</b>								
iii) by motor vehicle ?	*Yes / <b>No</b>								
iv) by cycle ?	*Yes / <b>No</b>								
How often did you / do you use the path ? <b>AT LEAST WEEKLY WHEN FAMILY YOUNG</b> (e.g.: weekly; monthly; occasionally)									
For what purpose did you / do you use the path ? <b>RECREATION : "ADVENTURE" WITH YOUNG FAMILY</b> (e.g.: work, pleasure, recreation, to get to shops)									
Have you ever been prevented from, or challenged when, using the path ? <b>* Yes / No</b> If "Yes" please give details									
Please give details of any Stiles, Hand Gates, Field Gates, Bridges, Notices, Direction Signs, Waymarking Signs, Obstructions, etc encountered on the path; or signs about the path or land. <b>NO OBSTACLES KNOWN.</b>									

Name and Addresses of Owners (and Tenants, if tenanted) if known:

NOT KNOWN

Have you ever been employed by, or a tenant of, the owner of the land affected by the claimed path ? \* Yes /  No

If "Yes" give dates of employment or tenancy and particulars of any instructions you may have received regarding the claimed path :

Any Further Information which you consider to be relevant :

\* Delete as appropriate

Signature : Penelope M Whalley

Date : 6/11/01

Signature of Person Taking the Statement : [Signature]

Date : .....

**PLEASE NOTE**

- 1) **ALL** sections of this form must be completed. Failure to do so will reduce the value of your evidence.
- 2) Please complete the form in clear printing or block capitals using black ink.
- 3) Under highway legislation a path must have been used, in the belief that it is a public right of way, for a minimum of twenty years before public rights are established.
- 4) You may be interviewed by an Officer of the Authority, and/or asked to give evidence at a Public Inquiry if a dispute should arise over the claimed path.

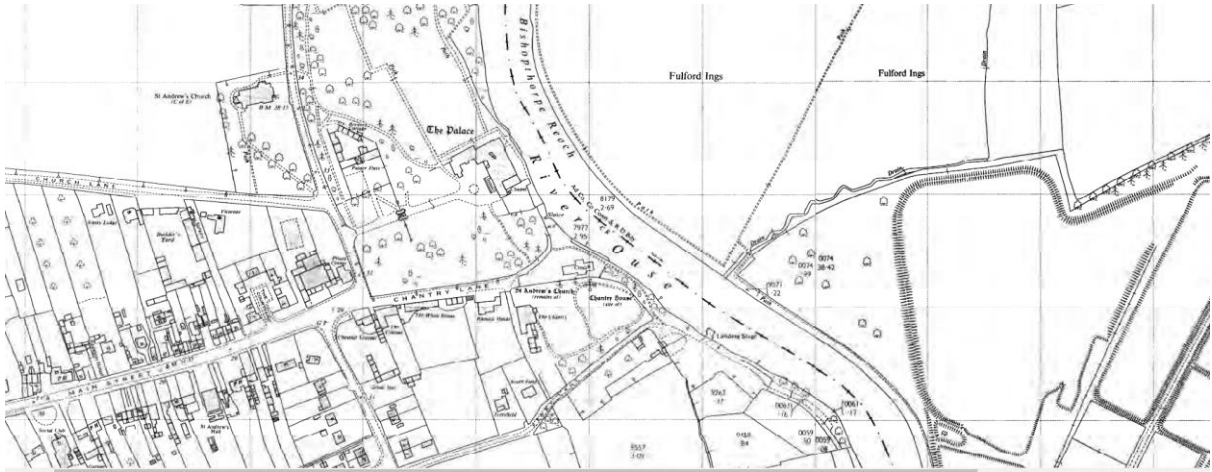
# **STATEMENT OF CASE OF BISHOPTHORPE PARISH COUNCIL**

## **PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3 MODIFICATION ORDER 2019**

### **APPENDIX C – 1967 OS MAP EXTRACT**

**30 November 2022**





**STATEMENT OF CASE OF BISHOPTHORPE PARISH COUNCIL**

**PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH  
BISHOPTHORPE 3 MODIFICATION ORDER 2019**

**APPENDIX D – TRANSFER (1) TO THE TRUST DATED 24  
FEBRUARY 1999**

**30 November 2022**

**These are the notes referred to on the following official copy**

Title Number NYK216048

The electronic official copy of the document follows this message.

This copy may not be the same size as the original.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

**Transfer of whole  
of registered title(s)**

(if you need more room than is provided for in a panel, use continuation sheet CS and staple to this form)

**1. Stamp Duty**

9  
DCC (4)

Place "X" in the box that applies and complete the box in the appropriate certificate.

I/We hereby certify that this instrument falls within category  L in the Schedule to the Stamp Duty (Exempt Instruments) Regulations 1987

It is certified that the transaction effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds the sum of

£

**2. Title Number(s) of the Property** (leave blank if not yet registered)

**3. Property**

The site of the former church of Bishopthorpe St Andrew at Bishopthorpe in the County of York and shown for identification only edged red on the attached plan

If this transfer is made under section 37 of the Land Registration Act 1925 following a not-yet-registered dealing with part only of the land in a title, or is made under rule 72 of the Land Registration Rules 1925, include a reference to the last preceding document of title containing a description of the property.

**4. Date** 24th February 1999

**5. Transferor** (give full names and Company's Registered Number if any)  
CHURCH COMMISSIONERS FOR ENGLAND

**6. Transferee for entry on the register** (Give full names and Company's Registered Number if any; for Scottish Co. Reg. Nos. use an SC prefix. For foreign companies give territory in which incorporated.)

ST. ANDREW'S TRUST BISHOPTHORPE (company registration number 3494257 and charity registration number 1068768)

Unless otherwise arranged with Land Registry headquarters, a certified copy of the transferee's constitution (in English or Welsh) will be required if it is a body corporate but is not a company registered in England and Wales or Scotland under the Companies Acts.

**7. Transferee's intended address(es) for service in the U.K.** (including postcode) for entry on the register  
c/o MESSRS GRAYS DUNCOMBE PLACE YORK YO1 7DY

**8. The Transferor transfers the property to the Transferee.**

**9. Consideration** (Place "X" in the box that applies. State clearly the currency unit if other than sterling. If none of the boxes applies, insert an appropriate memorandum in the additional provisions panel.)

The Transferor has received from the Transferee for the property the sum of (in words and figures)

(insert other receipt as appropriate)

The Transfer is not for money or anything which has a monetary value



10. The Transferor transfers with (place "X" in the box which applies and add any modifications)

full title guarantee       limited title guarantee

The Transferor covenants with the Transferee that the Transferor has not done anything whereby or by reason whereof it is hindered from making this transfer

11. Declaration of trust *Where there is more than one transferee, place "X" in the appropriate box.*

- The transferees are to hold the property on trust for themselves as joint tenants.
- The transferees are to hold the property on trust for themselves as tenants in common in equal shares.
- The transferees are to hold the property (*complete as necessary*)

12. Additional Provision(s) *Insert here any required or permitted statement, certificate or application and any agreed covenants, declarations, etc.*

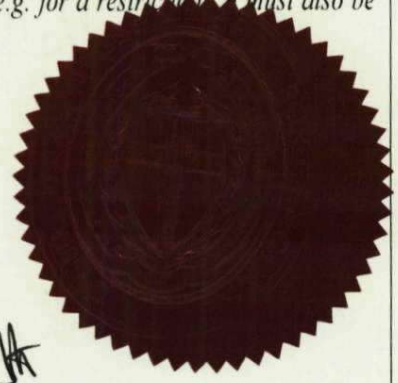
- (a) This transfer is made by the Transferor in exercise of the powers and provisions of the Pastoral Measure 1983.
- (b) The property is transferred subject to all rights of way water light and other easements (if any) affecting the same.
- (c) The property is held by the Church Commissioners for England in trust for a non-exempt charity, but this transfer is one falling within paragraph (a) of section 36(9) of the Charities Act 1993.
- (d) The property will as a result of this transfer be held by a charity which is not an exempt charity and the restrictions on disposition imposed by Section 36 of the Charities Act 1993 will apply to the property (subject to Section 36(9) of that Act).
- (e) The Transferee covenants with the Transferor:-
- (aa) Not to use or permit the property or any part thereof to be used for any purpose other than as a monument and a centre of quiet and relaxation and for purposes ancillary thereto and without prejudice to the generality of the foregoing not to use or permit the property or any part thereof to be used for any illegal or immoral purposes
  - (bb) Not to demolish or permit to be demolished the former church building or any building on the property or any part thereof;
  - (cc) Not to disturb or permit the disturbance of any human remains interred in the property;
  - (dd) Not to remove or disturb or permit the removal or disturbance of any tombstone monument or memorial on the property without the consent of the Transferor;
  - (ee) To allow access at all reasonable times to all persons wishing to visit or tend particular graves in the former churchyard who shall have made prior



written application to the Transferee; and  
(ff) To ensure that the building is preserved and maintained and kept in no worse a state of repair than at the date of this transfer. Jc.

13. *The Transferors and all other necessary parties should execute this transfer as a deed using the space below. Forms of execution are given in Schedule 3 to the Land Registration Rules 1925. If the transfer contains transferees' covenants or declarations or contains an application by them (e.g. for a restriction) it must also be executed by the Transferees.*

THE COMMON SEAL of the Church Commissioners  
Was hereunto affixed in the presence of:



*[Handwritten signature]*

Authenticating Officer

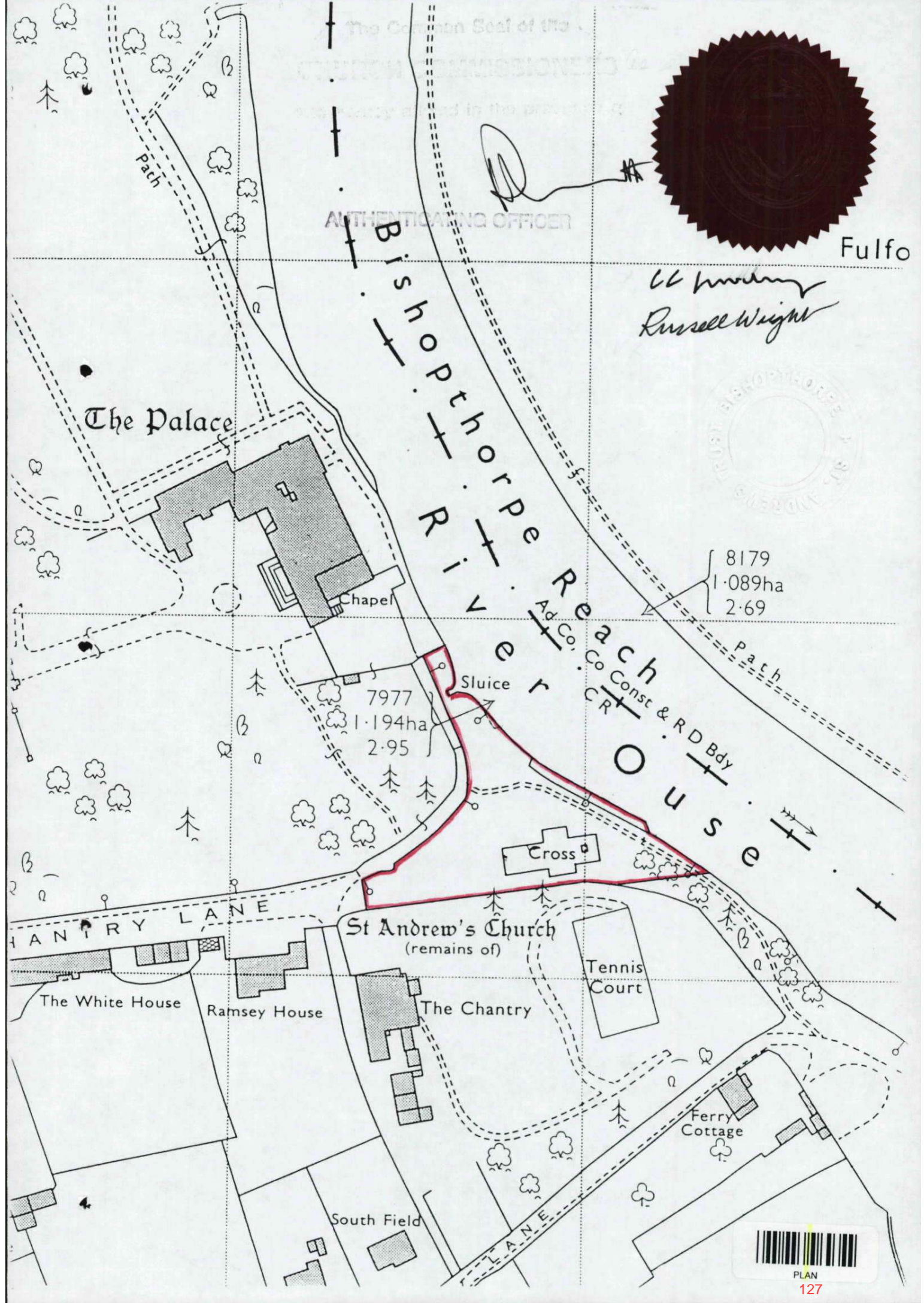
*Please seal plan*

THE COMMON SEAL of ST ANDREW'S TRUST  
BISHOPTHORPE was hereunto affixed in the  
Presence of:

*CC [signature]*  
*Russell Wright*







PLAN  
127

# **STATEMENT OF CASE OF BISHOPTHORPE PARISH COUNCIL**

## **PUBLIC FOOTPATH ACASTER MALBIS 9 & PUBLIC FOOTPATH BISHOPTHORPE 3 MODIFICATION ORDER 2019**

### **APPENDIX E – TRANSFER (2) TO THE TRUST DATED 24 FEBRUARY 1999**

**30 November 2022**

**These are the notes referred to on the following official copy**

Title Number NYK216048

The electronic official copy of the document follows this message.

This copy may not be the same size as the original.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

**Transfer of whole  
of registered title(s)**

HM Land Registry

**TR1**

*(if you need more room than is provided for in a panel, use continuation sheet CS and staple to this form)*

**1. Stamp Duty**

Place "X" in the box that applies and complete the box in the appropriate certificate.

I/We hereby certify that this instrument falls within category  L in the Schedule to the Stamp Duty (Exempt Instruments) Regulations 1987

It is certified that the transaction effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds the sum of

£

**2. Title Number(s) of the Property** *(leave blank if not yet registered)*

**3. Property**

Land adjoining the site of the former church of Bishopthorpe St Andrew at Bishopthorpe in the County of York and shown for identification only coloured red on the attached plan

*If this transfer is made under section 37 of the Land Registration Act 1925 following a not-yet-registered dealing with part only of the land in a title, or is made under rule 72 of the Land Registration Rules 1925, include a reference to the last preceding document of title containing a description of the property.*

**4. Date** 24<sup>th</sup> February 1999

**5. Transferor** *(give full names and Company's Registered Number if any)*  
CHURCH COMMISSIONERS FOR ENGLAND

**6. Transferee for entry on the register** *(Give full names and Company's Registered Number if any; for Scottish Co. Reg. Nos. use an SC prefix. For foreign companies give territory in which incorporated.)*

ST. ANDREW'S TRUST BISHOPTHORPE (company registration number 3494257 and charity registration number 1068768)

*Unless otherwise arranged with Land Registry headquarters, a certified copy of the transferee's constitution (in English or Welsh) will be required if it is a body corporate but is not a company registered in England and Wales or Scotland under the Companies Acts.*

**7. Transferee's intended address(es) for service in the U.K.** *(including postcode)* for entry on the register  
c/o MESSRS GRAYS DUNCOMBE PLACE YORK YO1 7DY

**8. The Transferor transfers the property to the Transferee.**

**9. Consideration** *(Place "X" in the box that applies. State clearly the currency unit if other than sterling. If none of the boxes applies, insert an appropriate memorandum in the additional provisions panel.)*

The Transferor has received from the Transferee for the property the sum of *(in words and figures)*

*(insert other receipt as appropriate)*

The Transfer is not for money or anything which has a monetary value





10. The Transferor transfers with (place "X" in the box which applies and add any modifications)

full title guarantee       limited title guarantee

The Transferor covenants with the Transferee that the Transferor has not done anything whereby or by reason whereof it is hindered from making this transfer

11. Declaration of trust *Where there is more than one transferee, place "X" in the appropriate box.*

- The transferees are to hold the property on trust for themselves as joint tenants.
- The transferees are to hold the property on trust for themselves as tenants in common in equal shares.
- The transferees are to hold the property (*complete as necessary*)

12. Additional Provision(s) *Insert here any required or permitted statement, certificate or application and any agreed covenants, declarations, etc.*

- (a) The property is held by the Church Commissioners for England, an exempt charity
- (b) The property will as a result of this transfer be held by a charity which is not an exempt charity and the restrictions on disposition imposed by Section 36 of the Charities Act 1993 will apply to the property (subject to Section 36(9) of that Act)
- (c) There is excepted and reserved to the Transferor out of this transfer a right at all times and for all purposes for the Transferor and its tenants and licensees and other the occupiers of the Transferor's adjoining and neighbouring property known as The Palace Bishopthorpe to pass over and along the property on foot or with vehicles not exceeding eight feet in width.
- (d) The Transferee for itself and its successors in title covenants with the Transferor as follows:
- (i) within six months of the date of this transfer to erect adequate fencing between the points shown marked 'A' and 'B' on the attached plan, having first obtained the Transferor's prior written approval of the plans and specifications for such fencing and the Transferor's prior written agreement to the pegging out of the line of the fence;
- (ii) to maintain to the satisfaction of the Transferor the fencing referred to in the previous paragraph (as and when such fencing has been erected) and (from the date of this transfer) the boundary fence between the points shown marked 'B' and 'C' on the attached plan, provided that the Transferee shall not be required to put the said boundary fence between the said points 'B' and 'C' into any better condition than it is at the date of this transfer as evidenced by a schedule signed by or on behalf of the Transferor and the Transferee;
- (iii) to pay to the Transferor on demand one half of the cost of maintaining or repairing the boundary wall between the points marked 'A' and 'X' on the attached plan, provided that the Transferee shall not be required to contribute towards the cost of putting the boundary wall between the said points 'A' and 'X' into any better condition than the condition of the boundary wall as at the date of this transfer as evidenced by a schedule signed by or on behalf of the Transferor and the Transferee;
- (iv) within six months of the date of this transfer to erect notices along the boundaries between the points marked 'A' 'B' and 'X' on the attached plan to indicate that the

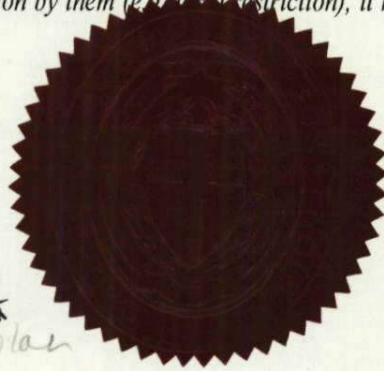
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adjoining land (remaining in the Transferor's ownership) is private property and that access to it is prohibited.

- (e) The Transferee for itself and its successors in title further covenants with the Transferor so as to benefit and protect the Transferor's adjoining and neighbouring property known as The Palace Bishopthorpe, as follows:
- (i) not to use or permit to be used the property or any part thereof to be used for any purpose other than as a monument and a centre of quiet and relaxation and for purposes ancillary thereto and without prejudice to the generality of the foregoing not to use or permit the property or any part thereof to be used for any illegal or immoral purposes or for any purpose which may be or become a nuisance annoyance or disturbance to the occupiers of the said adjoining and neighbouring property; and
  - (ii) not to bring or allow any heavy-duty vehicles or machinery to be brought on the the property without seven days' prior written notice being given to the occupiers of the adjoining property known as The Palace Bishopthorpe and of properties in the grounds thereof (except in case of emergency, when no prior notice need be given).
- (f) It is hereby agreed and declared by the parties that the boundary wall between the points shown marked 'A' and 'X' on the plan shall remain in the ownership of the Transferor. JB

13. *The Transferors and all other necessary parties should execute this transfer as a deed using the space below. Forms of execution are given in Schedule 3 to the Land Registration Rules 1925. If the transfer contains transferees' covenants or declarations or contains an application by them (e.g. for a restriction), it must also be executed by the Transferees.*

THE COMMON SEAL of the Church Commissioners  
Was hereunto affixed in the presence of:



*Please see read plan*

Authenticating Officer

THE COMMON SEAL of ST ANDREW'S TRUST  
BISHOPTHORPE was hereunto affixed in the  
Presence of:

*CC [Signature]  
Russell Wright*

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Full

*CC Mr & Mrs  
Russell Wright*



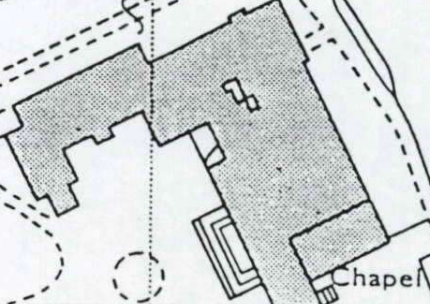
8179  
1.089ha  
2.69

BISHOP THORPE RIVER

Ad. Co. Const & R.D. Bdy  
CR

OUSE

The Palace



Chapel

Sluice

7977  
1.194ha  
2.95



Cross

St Andrew's Church  
(remains of)

Tennis Court

ANTRY LANE

The White House

Ramsey House

The Chantry

Ferry Cottage

South Field

LANE



PLAN