

**THE COUNCIL OF THE CITY OF YORK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE COUNCIL OF THE CITY OF YORK (PART OF THE FORMER NO 2 AREA OF  
THE COUNTY OF THE WEST RIDING OF YORKSHIRE) DEFINITIVE MAP AND  
STATEMENT**

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

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**THE COUNCIL OF THE CITY OF YORK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

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

This Order is made by The Council of the City of York under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the authority that the Council of the City of York (Part of the former No 2 Area of the County of the West Riding of Yorkshire) Definitive Map and Statement require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i). This is due to the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the Map and statement subsists or is reasonably alleged to subsist over land in the area to which the Map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic.

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

1. For the purpose of this Order the relevant date is 8 October 2019.
2. The Council of the City of York (Part of the former No 2 Area of the County of the West Riding of Yorkshire) Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the ~~Map~~ attached to the Order.  
**Maps**
3. This Order shall take effect on the date it is confirmed and may be cited as the Public Footpath Acaster Malbis 9 & Public Footpath Bishopthorpe 3 Modification Order 2019.

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

this 10<sup>th</sup> day of October 2019

in the presence of:



An Authorised Officer



No. In Seal Register: 11855

# Appendix 1

## SCHEDULE PART I

### Modification of Definitive Map Description of path or way to be added

| <u>Section of footpath as shown on the attached Map</u>  | <u>Description</u>  |
|--|---|
| <p><b>Acaster Malbis 9</b><br/>Indicated on the Order Map and marked as <b>A – B – C – D – E</b></p>       | <p>Commencing at grid reference (GR) SE 5969 4623 (POINT A) on public footpath Acaster Malbis 3 the 3 metre wide grass surfaced footpath heads north for approximately 3 metres to GR SE 5969 4623 (POINT B) where it crosses a stile from where the 3 metre wide grass surfaced footpath continues generally north east for approximately 262 metres on the western bank of the River Ouse to a stile at GR SE 5976 4648 (POINT C) from where the 1 metre wide earth surfaced path continues generally north east along the western bank of the River Ouse for approximately 75 metres crossing a concrete slipway then passing beneath the former railway bridge known as Naburn Bridge then crossing a second concrete slipway then reaching a 1 metre wide gap at GR SE 5980 4653 (POINT D) from where the 3 metre wide grass surfaced footpath continues north east for approximately 3 metres to the Bishopthorpe Parish boundary at GR SE 5980 4653 (POINT E) where it meets public footpath Bishopthorpe 3.</p>   |
| <p><b>Bishopthorpe 3</b><br/>Indicated on the Order Map and marked as <b>E – F – G – H – I – J – K</b></p> | <p>Commencing on the Acaster Malbis Parish boundary at its junction with public footpath Acaster Malbis 9 at grid reference (GR) SE 5980 4653 (POINT E) the 3 metre wide grass surfaced footpath heads north east along the western bank of the River Ouse for approximately 319 metres to GR SE 5998 4679 (POINT F) where it passes through a pedestrian gate and the 2 metre wide crushed stone surfaced footpath continues generally north along the western bank of the River Ouse for approximately 68 metres to GR SE 6000 4685 (POINT G) where the path widens to be a 2.5 metre wide crushed stone surfaced footpath continuing north along the western bank of the River Ouse for approximately 544 metres to a 0.8 metre gap beside a vehicle barrier at GR SE 6003 4739 (POINT H) from where the 2.5 metre wide crushed stone surfaced footpath continues generally north west along the western bank of the River Ouse for approximately 257 metres to GR SE 5996 4762 (POINT I) where the surface changes to metalled and the 2.5 metre metalled surface footpath continues north west along the western bank of the River Ouse for approximately 97 metres to SE 5988 4767 (POINT J) where it passes through a 0.9 metre wide gap beside a vehicle barrier following which the metalled surface footpath widens to 4 metres and heads west for approximately 34 metres to SE 5985 4768 (POINT K) where it meets the maintainable highway known as Ferry Lane.</p> |

| <u>Section of footpath as shown on the attached Maps</u>  | <u>Description</u>   |
|---|--|
| <p><b>Bishopthorpe 3 (part)</b><br/>Indicated on the Order Map and the Supplementary Order Map and marked as <b>X – Y – Z</b></p> | <p>Commencing on Ferry Lane at grid reference (GR) SE 5987 4767 (POINT X) the 1.2 metre wide earth and grass surfaced footpath heads north west along the western bank of the River Ouse for approximately 94 metres to GR SE 5980 4774 (POINT Y) from where the 1.2 metre wide earth and grass surfaced footpath heads generally west for approximately 76 metres to GR SE 5973 4772 (POINT Z) where it meets the maintainable highway known as Chantry Lane.</p> |

# Appendix 1

## PART II

### Modification of Definitive Statement Variation of Particulars of path or way

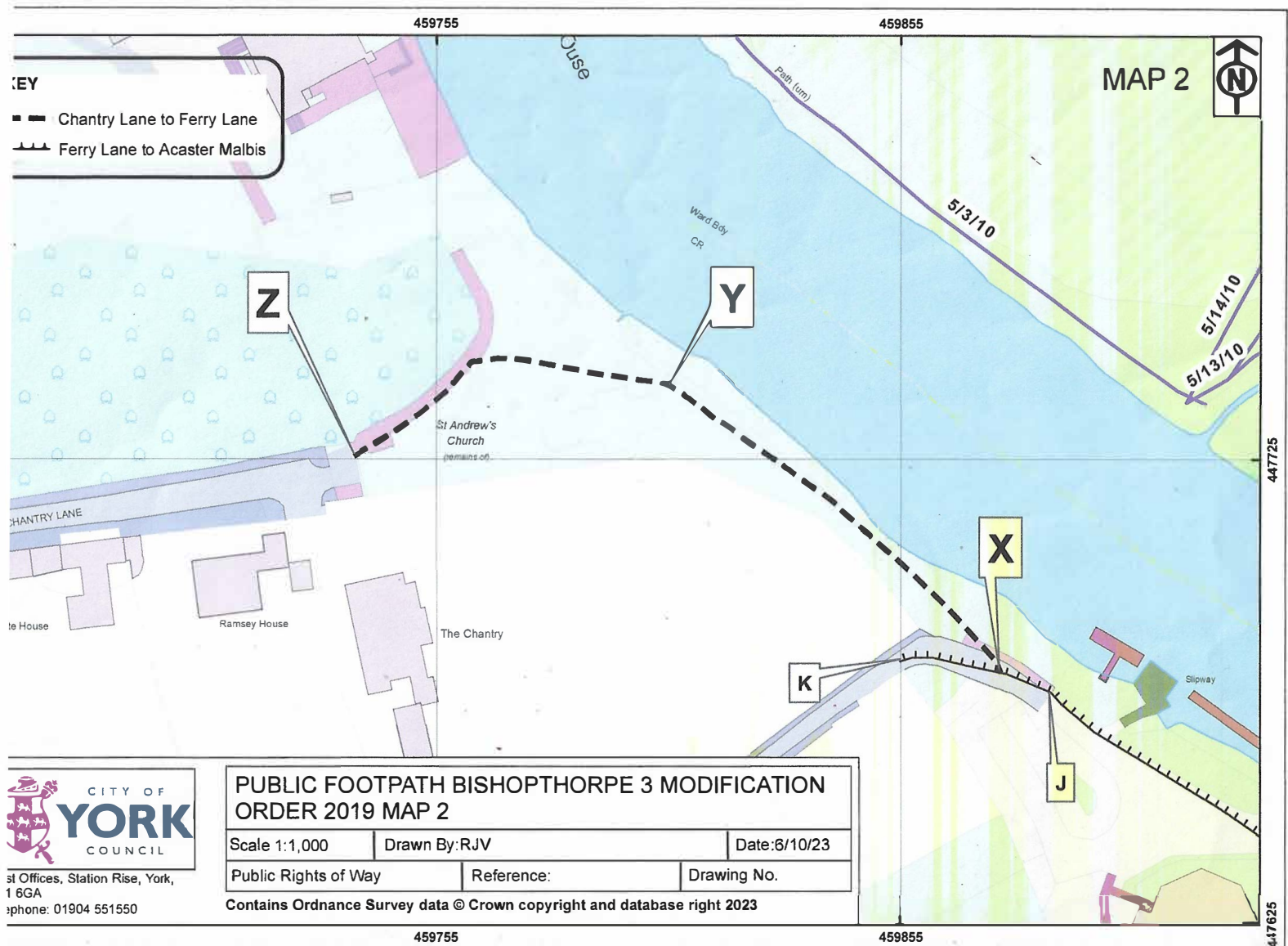
| Path No. | Grid Reference End Points    | Description  | Nature of Surface  | Length (Km)   | Width (M)  | Lawful Obstructions And Conditions  |
|----------|------------------------------|--|--|---|--|---|
| 9        | SE 5969 4623 to SE 5980 4653 | Commencing at grid reference (GR) SE 5969 4623 on public footpath Acaster Malbis 3 the 3 metre wide grass surfaced footpath heads north for approximately 3 metres to GR SE 5969 4623 where it crosses a stile from where the 3 metre wide grass surfaced footpath continues generally north east for approximately 262 metres on the western bank of the River Ouse to a stile at GR SE 5976 4648 from where the 1 metre wide earth surfaced path continues generally north east along the western bank of the River Ouse for approximately 75 metres crossing a concrete slipway then passing beneath the former railway bridge known as Naburn Bridge then crossing a second concrete slipway then reaching a 1 metre wide gap at GR SE 5980 4653 from where the 3 metre wide grass surfaced footpath continues north east for approximately 3 metres to the Bishopthorpe Parish boundary at GR SE 5980 4653 where it meets public footpath Bishopthorpe 3. | Grass (SE 5969 4623 to SE 5976 4648)<br><br>Earth (SE 5976 4648 to SE 5980 4653)<br><br>Grass (SE 5980 4653 to SE 5980 4653) | 0.265km (SE 5969 4623 to SE 5976 4648)<br><br>0.075km (SE 5976 4648 to SE 5980 4653)<br><br>0.003km (SE 5980 4653 to SE 5980 4653)<br><br>Total 0.343km | 3 metres (SE 5969 4623 to SE 5976 4648)<br><br>1 metre (SE 5976 4648 to SE 5980 4653)<br><br>3 metres (SE 5980 4653 to SE 5980 4653) | Stile at SE 5969 4623<br><br>Stile at SE 5976 4648<br><br>Gap at SE 5980 4653 |

Appendix 1

| Path No. | Grid Reference End Points    | Description  | Nature of Surface   | Length (Km)   | Width (M)  | Lawful Obstructions And Conditions  |
|----------|------------------------------|--|---|---|--|---|
| 3        | SE 5980 4653 to SE 5985 4768 | Commencing on the Acaster Malbis Parish boundary at its junction with public footpath Acaster Malbis 9 at grid reference (GR) SE 5980 4653 the 3 metre wide grass surfaced footpath heads north east along the western bank of the River Ouse for approximately 319 metres to GR SE 5998 4679 where it passes through a pedestrian gate and the 2 metre wide crushed stone surfaced footpath continues generally north along the western bank of the River Ouse for approximately 68 metres to GR SE 6000 4685 where the path widens to be a 2.5 metre wide crushed stone surfaced footpath continuing north along the western bank of the River Ouse for approximately 544 metres to a 0.8 metre gap beside a vehicle barrier at GR SE 6003 4739 from where the 2.5 metre wide crushed stone surfaced footpath continues generally north west along the western bank of the River Ouse for approximately 257 metres to GR SE 5996 4762 where the surface changes to metalled and the 2.5 metre metalled surface footpath continues north west along the western bank of the River Ouse for approximately 97 metres to SE 5988 4767 where it passes through a 0.9 metre wide gap beside a vehicle barrier following which the metalled surface footpath widens to 4 metres and heads west for approximately 34 metres to SE 5985 4768 where it meets the maintainable highway known as Ferry Lane. | Grass (SE 5980 4653 to SE 5998 4679)<br><br>Crushed stone (SE 5998 4679 to SE 5996 4762)<br><br>Metalled (SE 5996 4762 to SE 5985 4768) | 0.319km (SE 5980 4653 to SE 5998 4679)<br><br>0.869km(S E 5998 4679 to SE 5996 4762)<br><br>0.131km (SE 5996 4762 to SE 5985 4768)<br><br>Total 1.319km | 3 metres (SE 5980 4653 to SE 5998 4679)<br><br>2 metres (SE 5998 4679 to SE 6000 4685)<br><br>2.5 metres (SE 6000 4685 to SE 5988 4767)<br><br>4 metres (SE 5988 4767 to SE 5985 4768) | Pedestrian gate at SE 5998 4679<br><br>0.8 metre gap at SE 6003 4739<br><br>0.9 metre gap at SE 5988 4767 |

| Path No. | Grid Reference End Points    | Description   | Nature of Surface                            | Length (Km)  | Width (M)                                 | Lawful Obstructions And Conditions |
|----------|------------------------------|---|--|--|---|------------------------------------|
| 3        | SE 5987 4767 to SE 5973 4772 | Commencing on Ferry Lane at grid reference (GR) SE 5987 4767 the 1.2 metre wide earth and grass surfaced footpath heads north west along the western bank of the River Ouse for approximately 94 metres to GR SE 5980 4774 from where the 1.2 metre wide earth and grass surfaced footpath heads generally west for approximately 76 metres to GR SE 5973 4772 where it meets the maintainable highway known as Chantry Lane. | Earth & Grass (SE 5987 4767 to SE 5973 4772) | 0.17km (SE 5987 4767 to SE 5973 4772)<br><br>Total<br>0.17km | 1.2 metres (SE 5987 4767 to SE 5973 4772) | None                               |

**SUPPLEMENTARY MAP AS STATRED IN DECISION**

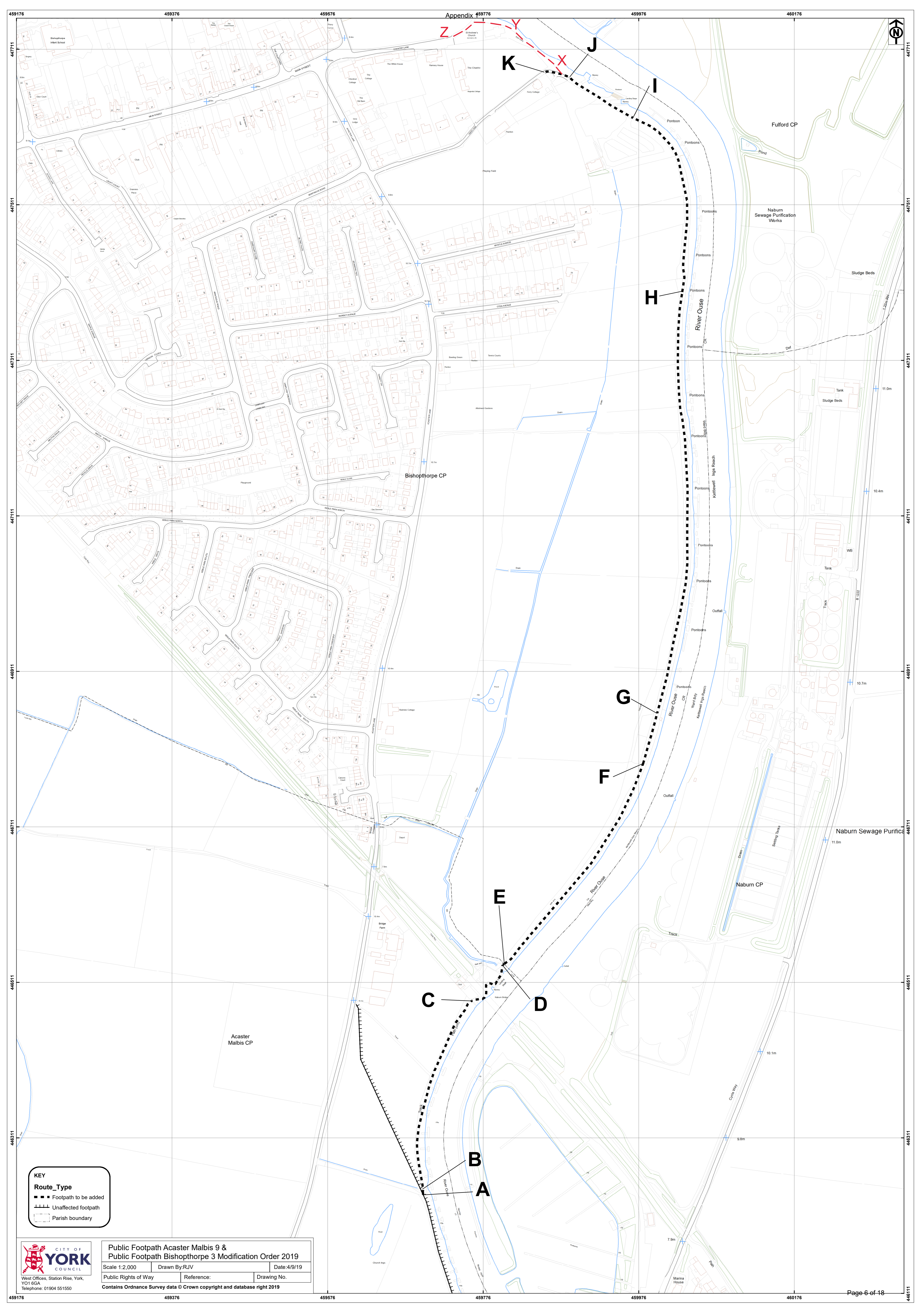


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**PUBLIC FOOTPATH BISHOPTHORPE 3 MODIFICATION ORDER 2019 MAP 2**

|                      |               |               |
|----------------------|---------------|---------------|
| Scale 1:1,000        | Drawn By: RJV | Date: 6/10/23 |
| Public Rights of Way | Reference:    | Drawing No.   |

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**KEY**

**Route\_Type**

- Footpath to be added
- Unaffected footpath
- Parish boundary



**Public Footpath Acaster Malbis 9 & Public Footpath Bishopthorpe 3 Modification Order 2019**

Scale 1:2,000 Drawn By:RJV Date:4/9/19

Public Rights of Way Reference: Drawing No.

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