

# NOTICE OF ORDER

## WILDLIFE AND COUNTRYSIDE ACT 1981

City of York Council  
PUBLIC FOOTPATHS YORK (WESTFIELD) 243 AND YORK (WESTFIELD) 245  
MODIFICATION ORDER 2021

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

The **start date** for the above Order is 29 May 2024

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Foxwood Community Centre, Cranfield Place, YORK, YO24 3HY** on **19 November 2024** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by public footpath 243 from Osprey Close to Foxwood Lane (SE 5674 4961 to SE 5661 4999) and public footpath 245 from the stile on public footpath 243 to Foxwood Lane near the Otterwood Lane junction (SE 5672 4984 to SE 5675 5000)

Any queries relating to this Order should be referred to Zoe McPhail by email: [zoe.mcphail@planninginspectorate.gov.uk](mailto:zoe.mcphail@planninginspectorate.gov.uk) quoting reference number **ROW/3324444** on all correspondence. Alternatively, queries may be sent in writing to The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5481.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at City of York Council, West Offices, Station Rise, York, YO1 6GA. Please Contact Russell Varley on [Russell.Varley@york.gov.uk](mailto:Russell.Varley@york.gov.uk) or 01904 553691.

### **Timetable for sending in statements of case and proofs of evidence**

**Within 8 weeks of the start date by [by 24 July 2024]**

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

## **Within 14 weeks of the start date [by 4 September 2024]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

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

## **4 weeks before the date of the inquiry [by 22 October 2024]**

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (including copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (including copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (including copies of any supporting documents – although none should not be submitted with a proof of evidence).

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<sup>1</sup> If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

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

Notice of order for inquiry

**THE COUNCIL OF THE CITY OF YORK**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**FORMER COUNTY BOROUGH OF YORK DEFINITIVE MAP AND STATEMENT**

**PUBLIC FOOTPATHS YORK (WESTFIELD) 243 and YORK (WESTFIELD) 245  
MODIFICATION ORDER 2021**

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

**THE COUNCIL OF THE CITY OF YORK****WILDLIFE AND COUNTRYSIDE ACT 1981****FORMER COUNTY BOROUGH OF YORK DEFINITIVE MAP AND STATEMENT****PUBLIC FOOTPATHS YORK (WESTFIELD) 243 and YORK (WESTFIELD) 245  
MODIFICATION ORDER 2021**

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 Former County Borough of York 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.

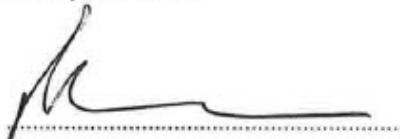
The authority has consulted with every local authority whose area includes the land to which the Order relates. The Council of the City of York hereby order that:

1. For the purpose of this Order the relevant date is 02 August 2021.
2. The Former County Borough of York 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.
3. This Order shall take effect on the date it is confirmed and may be cited as the Public Footpaths York (Westfield) 243 and York (Westfield) 245 Modification Order 2021.

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

this 19<sup>th</sup> day of August 2021

in the presence of:



An Authorised Officer



No. In Seal Register: 12898

**SCHEDULE  
PART I**

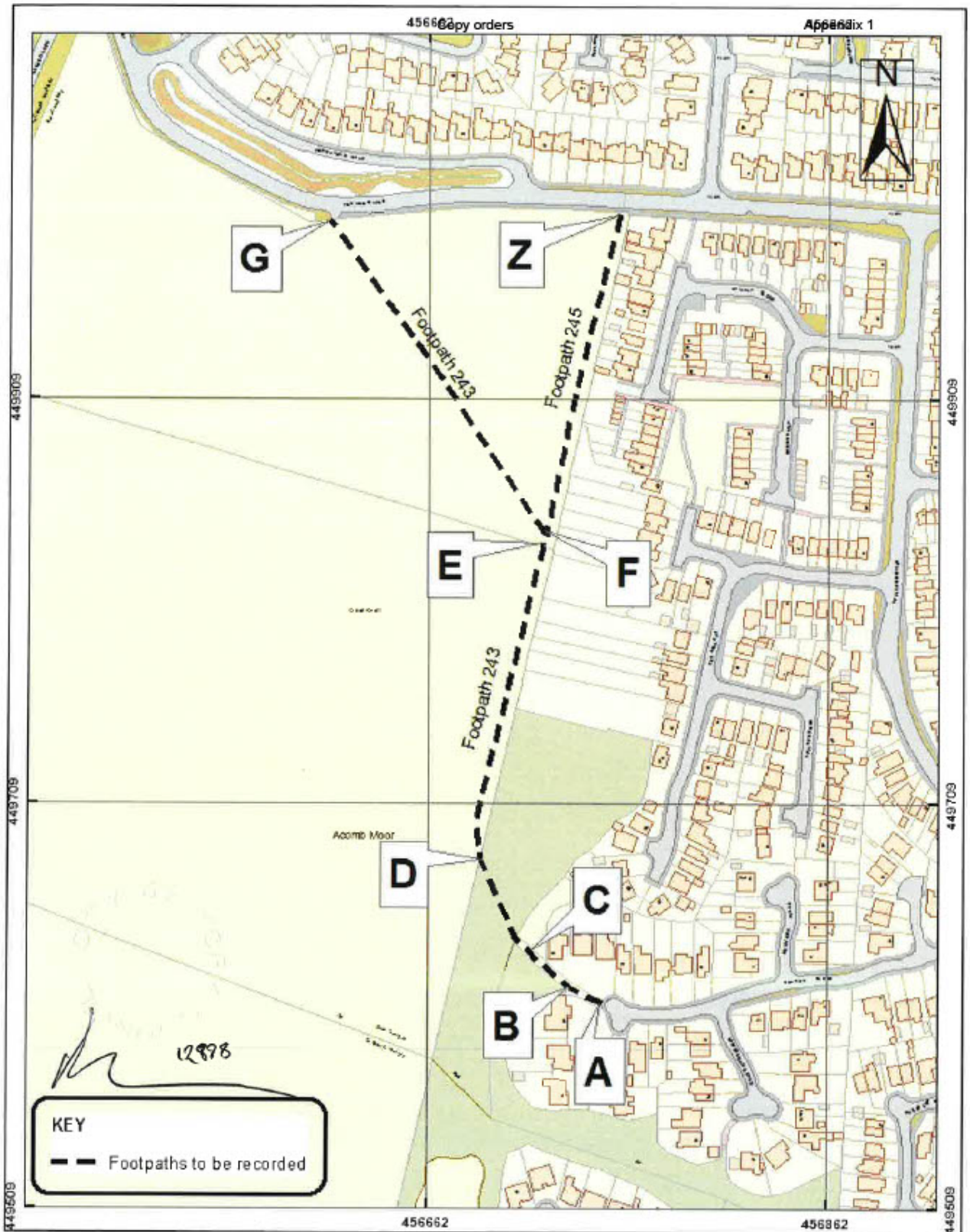
**Modification of Definitive Map  
Description of paths or ways to be added**

<u>Section of public footpath as shown on the attached Map</u>	<u>Description</u>
<p>York (Westfield) 243 Indicated on the Order Map and marked as A – G</p>	<p>Starting at grid reference (GR) SE 5674 4961 (POINT A) at its junction with the maintainable highway known as Osprey Close the 3 metre wide block paving public footpath heads north west for approximately 18 metres to GR SE 5673 4961 (POINT B) where the 3 metre wide gravel surfaced public footpath passes through a kissing gate and then continues north west for approximately 24 metres to GR SE 5671 4963 (POINT C) where the 2 metre wide grass surfaced public footpath continues north west for approximately 54 metres to GR SE 5668 4968 (POINT D) from where the 1 metre wide earth surfaced public footpath heads north for approximately 159 metres to GR SE 5671 4983 (POINT E) where the 1 metre wide earth surfaced public footpath crosses a stile and then continues north for approximately 5 metres to GR SE 5672 4984 (POINT F) its junction with York (Westfield) 245 from where the 1 metre wide earth surfaced public footpath heads north west for approximately 190 metres to GR SE 5661 4999 (POINT G) where it crosses a stile and meets the maintainable highway known as Foxwood Lane.</p>
<p>York (Westfield) 245 Indicated on the Order Map and marked as F – Z</p>	<p>Commencing at GR SE 5672 4984 (POINT F) its junction with York (Westfield) 243 the 1 metre wide earth surfaced footpath heads north for approximately 168 metres to GR SE 5675 5000 (POINT Z) where it crosses a stile and meets the maintainable highway known as Foxwood Lane.</p>



Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (M)	Lawful Obstructions And Conditions
55/245	SE 5672 4984 to SE 5675 5000	Commencing at GR SE 5672 4984 its junction with York (Westfield) 243 the 1 metre wide earth surfaced footpath heads north for approximately 168 metres to GR SE 5675 5000 where it crosses a stile and meets the maintainable highway known as Foxwood Lane.	Earth (SE 5672 4984 to SE 5675 5000)	0.168km (SE 5672 4984 to SE 5675 5000)  Total: 0.168km	1m (SE 5672 4984 to SE 5675 5000)	Stile (SE 5675 5000)





West Offices, Station Rise, York,  
YO1 8GA  
Telephone: 01904 551550

**PUBLIC FOOTPATHS YORK (WESTFIELD) 243 and YORK (WESTFIELD) 245 MODIFICATION ORDER 2021**

Scale 1:2,500	Drawn By:RJV	Date 22/7/21
Public Rights of Way	Reference:	Drawing No.

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