

# North Yorkshire County Council

## Executive Members

29 April 2022

### Opposed Restricted Byway No. 25.63/2, Broates Lane, Middleton and Restricted Byway 25.73/4, Broates Lane, Pickering Modification Order 2021

#### Report of the Assistant Director – Travel, Environmental & Countryside Services

#### 1.0 Purpose Of Report

1.1 To advise the Corporate Director of Business and Environmental Services (BES) of the proposed submission to the Secretary of State (SoS) of an opposed Definitive Map Modification Order (DMMO).

A location plan is attached to this report as **Plan 1**. The route referred to, is shown by a bold hatched black line and is marked A-B (25.63/2) and B-C-D-E-F (25.73/4) on the plan attached to this report as **Plan 2**.

1.2 To request the Corporate Director, in consultation with the Executive Member for Access, to authorise that North Yorkshire County Council (NYCC), in its submission of the opposed Order to the SoS **will support confirmation of the Order**.

#### 2.0 Background

- 2.1 The route, known as Broates Lane, runs between Middleton Lane in the Parish of Middleton, to Swainsea Lane in Pickering Parish and is recorded on the definitive map as a public footpath throughout.
- 2.2 The DMMO application to record Broates Lane as a restricted byway was made in 2013, in response to an unsuccessful attempt by the landowner to divert footpath 25.73/4 off his access track at the east end of Broates Lane, onto an alignment along the northern edge of the adjacent field.
- 2.3 The DMMO application was supported by 25 user evidence statements and historical documents including:
- Old maps
  - Finance Act records
  - Highway Records
  - Inclosure documents
  - Tithe map
- 2.4 The evidence was supportive of use by the public at large on horseback and by pedal cycle, and that use had been continuous through the relevant time-period (20 years preceding the date of the DMMO application).
- 2.5 Following the pre-order consultation and examination of the evidence, it was apparent that it was likely that higher rights than just footpath rights exist along the entire route, and given that those rights cannot now include motor vehicular rights, it is considered that the route should be recorded on the Definitive Map and Statement as a restricted byway.

- 2.6 Attached to this report as **Appendix 1** is a copy of the report submitted to the Assistant Director on 21 May 2019 in which the case for making a Definitive Map Modification Order to record a restricted byway was outlined. The Assistant Director approved the making of a DMMO.
- 2.7 The Order was made on 23 February 2021 and advertised 10 March 2021, attracting one objection which remains outstanding. The County Council cannot confirm a DMMO where there are outstanding objections; the Order must be forwarded to the Secretary of State for resolution.

### **3.0 Response to the Sealed Order**

- 3.1 One objection was made to the making of the Order, from the landowner and relates specifically to the section A-B. The landowner has made no objection to the upgrading of the section B-F to restricted byway but is not persuaded by the evidence in relation to the section A-B. Their solicitor's comments were that:

The evidence does not justify the change to the definitive map because:

- i) Path A-B was not within the 1790 Pickering and Newton Inclosure Award relied upon by NYCC in relation to the section C-F.
- ii) The evidence from historic maps is inconclusive and inconsistent. Although some of it would support the existence of some sort of route A-B, some of it does not and some of the maps suggest a gap between a route appearing to correspond to the public carriage road referred to in 1790 Award as Nova Scotia Road and another route to the west side of the Broates farm buildings, generally marked 'Broates Lane' on these maps, so that there is not a consistent picture from the historical maps showing one continuous east-west route as proposed in the DMMO.

#### **Officer comment**

Point B is the boundary between land under the Cropton Inclosure Award of 1766 (covering A – B) and the land under 1790 Pickering Inclosure Award (covering B – F). Whilst the information within the Cropton Inclosure Award, particularly without the benefit of the associated Award Plan, is inconclusive, there is sufficient evidence to reasonably suggest a through-route by time of the Pickering Inclosure Award in 1790.

- iii) None of the user evidence relied upon by the Council claims 20 years use before the first 'Cut-off Date' on which the Council first published a draft definitive map and statement, being the date under section 31(2) of the Highways Act 1980 on which the right of the public to use the way as a restricted byway was first brought into question.

#### **Officer comment**

The definitive map process undertaken in 1965 was not calling into question any higher rights, merely establishing what rights were considered to exist at the time. The initial recording of the route as a footpath does not preclude the possibility that higher rights may exist which may be identified by historical evidence, and would not prevent the establishment of higher rights through usage. The challenge to public use came about when the current landowner proposed to divert the route at the eastern end. The user evidence submitted in support of the application indicates unhindered access by the public, horse riding, and riding pedal cycles.

#### 4.0 The evidence in support of the Order

4.1 The Cropton Inclosure Award of 1766 accounts for the land over the land (A - B) but the map which would have accompanied the award has not been found. Nevertheless, it is possible to identify locations referred to in the text by reference to the other named routes. The Cropton Award refers to a place called Middleton Old Lane Gate which is thought to be the same location as Middleton Lane Gate so described on the 1854 OS map. This appears to be confirmed by reference to a place called Cottage Leas, which is described as being to the south of Middleton Old Lane Gate. The property existed as Cottage Leas until recent times and is currently known as the Tantara Country Hotel and lies 200 metres south of Middleton Lane Gate. Middleton Lane Gate is located at the junction with Broates Lane.

4.2 The Cropton Award describes three roads running from Middleton Old Lane Gate and from the description, the first, now recorded as a footpath, runs west from Middleton Lane Gate then northwards as a bridleway to High Lane, continuing to Saint Toft Brow and Cawthorne Old Inclosure. The road was in part, unusually wide and these sections can be seen on modern mapping. The second road can be identified as Middleton Road, running northwards from Middleton Lane Gate, passing High Nova Farm where it joined the first road. The third road was, from the description, running west to east and would appear to match Broates Lane:

*'....Also one other good and sufficient highway or road Twelve yards wide from **Middleton Old Lane Gate** aforesaid to the said place called **Lydgate** and the said road to be carried along on the **north side** of the old Inclosures of the said Thomas Graham, William Watson, John Mozeen, Thomas Hayes, John Storr, Robert Pennock and Thomas Robinson and on the **south sides** of the allotments of the said vicar of Pickering afore said and the Rector of Pickering aforesaid **for the use of the said several owners** of the said several old inclosures **only and their heirs.**'*

4.3 Running on the north side of the old inclosures and the south side of the vicar's allotments means the road must have been oriented west to east and therefore it would be reasonable to assume that the description refers to Broates Lane. If this is the case, the road would appear to have been set out for private use and not, in 1766, intended as a public road. It has not proved possible to identify the location of Lydgate as the name does not appear on maps of the vicinity. However by the time of the Pickering Inclosure Award 1790, the route is being referred to as 'a certain ancient road'.

4.4 The 1790 Pickering Inclosure Award accounts for one half of the route (B-F) and describes the route as a public carriage road of a width of 40 feet, and its connection to an existing route in Middleton as '...commencing at the end of a certain ancient road...' Based on consistent historic mapping evidence it would be reasonable to assume that the ancient road so described is the same route that currently continues through to Middleton Lane.

4.5 It is possible that by the time of the Pickering Inclosure Award was being prepared, 24 years later, that all of Broates Lane was being used as a public way. At the very least the description indicates that there was physically a through route by 1790. It seems unlikely that the Commissioners would have laid out a 40 feet wide public carriage road that was in effect a cul-de-sac at the parish boundary, and it is reasonable to assume the public would have made use of it subsequently.

## **5.0 Representations made by the local member**

5.1 No formal representations were received from the local councillor in response to the consultations regarding the Order.

## **6.0 Equalities**

6.1 It is the view that the recommendations do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010.

## **7.0 Finance**

7.1 As the Authority is obliged to refer all opposed DMMOs to the SoS there would be an unavoidable cost to the Authority in preparing a submission to the SoS and following through with the statutory process. If the SoS elects to hold a 'live' public inquiry over 2 days the costs to the Authority in this instance, without the need for advocacy support, would be in the region of £1,000.00, including the preparation of a Public Inquiry documents, officer travel and attendance, and hire of a venue. These costs are largely officer time which would be met by the respective staffing budgets. The cost of the hire of the venue would be met from the Countryside Access Service budget.

## **8.0 Legal**

8.1 The opposed Modification Order would be determined by an Inspector appointed by the SoS and as stated above, determination is likely to be by way of either a Public Inquiry or written representations.

8.2 The Inspector, on the basis of the evidence and legal criteria will decide whether or not to confirm the opposed Modification Order. If the Inspector decides to confirm the Order as made, the route would be recorded on the Definitive Map and Statement in accordance with the details within the Modification Order.

## **9.0 Climate Change**

9.1 The proposal is to record a higher status along an existing public footpath. The confirmation of this Order would have no positive or negative impact on climate change.

## **10.0 Current Decision to be made**

10.1 In submitting an opposed Order to the SoS, the County Council needs to express whether, on the basis of available evidence, it;

- supports confirmation of the Order,
- believes the Order should not be confirmed, or
- considers the evidence is either so finely balanced, or is particularly unclear and wishes to take a neutral stance.

10.2 The current decision to be made is which stance the County Council is to take within its submission of this opposed DMMO to the SoS.

## **11.0 Conclusion**

- 11.1 The historic evidence is clear that a public route existed from at least 1790 between the Points B – F, but is less conclusive as to the section A – B, although as the Pickering Inclosure Award makes reference to the route to the West of Point B as an ‘ancient road’ it is reasonable to assume the route was relatively substantial and would have been utilised by the public with horse and carts as a continuation of the public carriage road described in the Pickering Inclosure Award.
- 11.2 Even if the historic evidence were to be disregarded for the section within Middleton, the use of the route by horse riders and cyclists in the 20 year period prior to the challenge caused by the proposed diversion order in 2013 is sufficient to conclude that the route, on the balance of probabilities, has been deemed to be dedicated as a highway of greater status than the existing footpath status. Cycles are considered to be vehicles and the use by cycles would be supportive of the public status being recorded as a restricted byway.
- 11.3 Overall, it appears from the evidence that on the balance of probabilities the route should be recorded as a restricted byway on the Definitive Map. Therefore of the options outlined in 10.1 above, that in this instance, there is no reason why the County Council should not support the confirmation of the order.

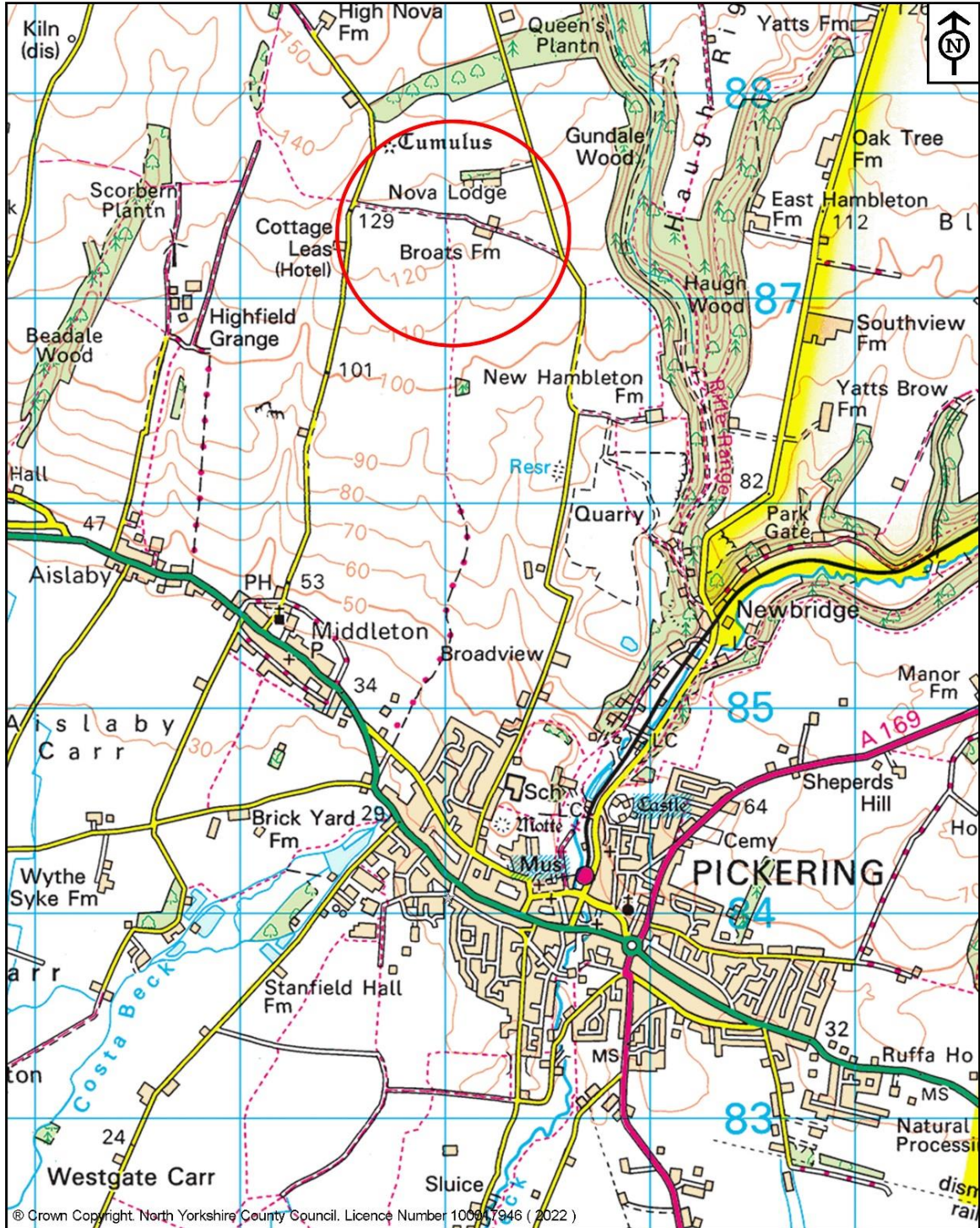
## **12.0 Recommendation**

- 12.1 The application is supported by user evidence and historical documentary evidence which has not been countered by evidence from the objector to date, and which indicates that on the balance of probabilities restricted byway rights exist.
- 12.2 It is recommended that the Authority supports confirmation of the Modification Order in its submission to the Secretary of State.


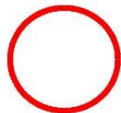
MICHAEL LEAH  
Assistant Director - Travel, Environmental and Countryside Services

Author of Report: Andrew Hunter

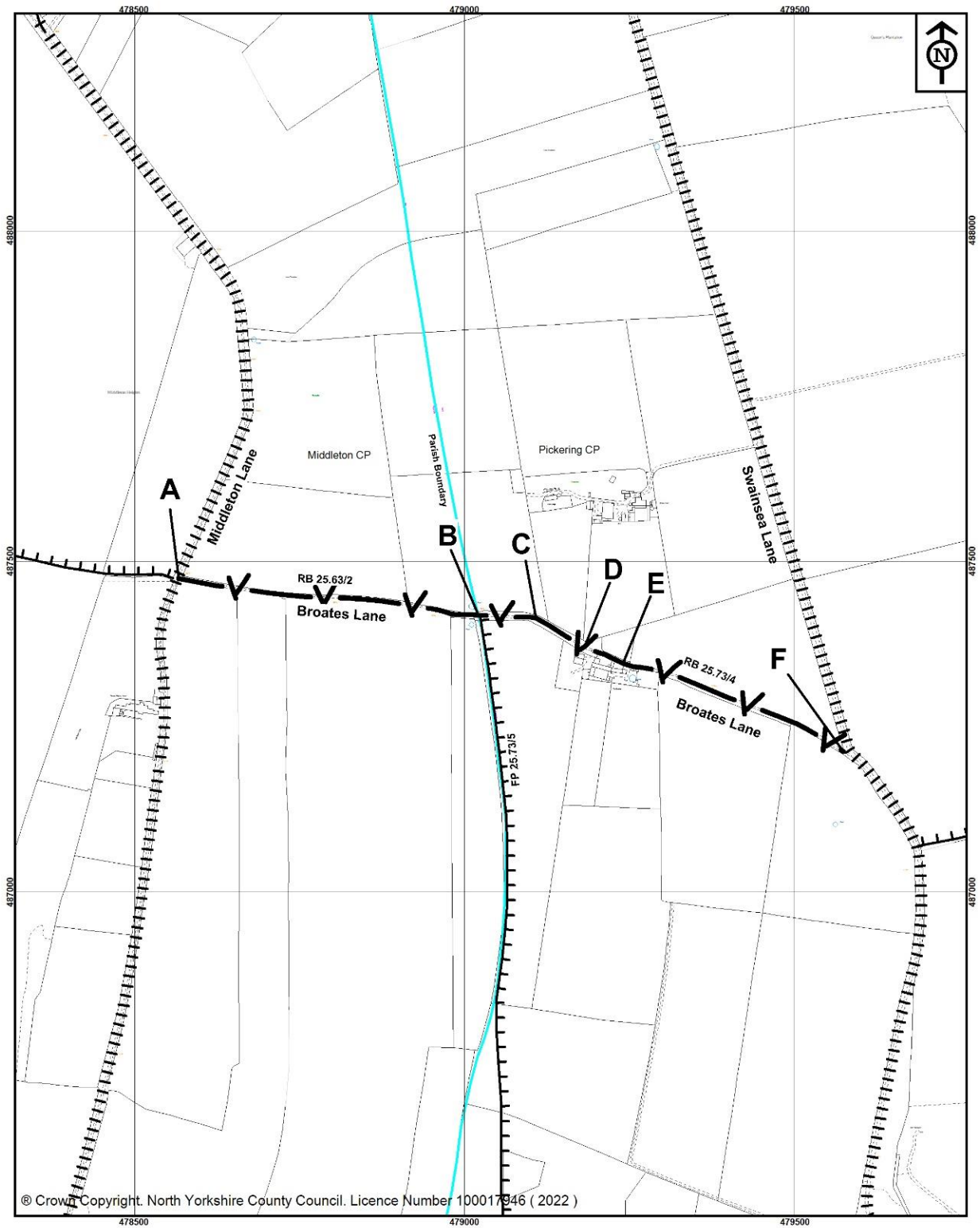
Background Documents: File Ref RYE/2013/09/DMMO






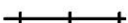

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 <p><b>North Yorkshire</b> County Council</p> <p>Public Rights of Way Waste and Countryside Services County Hall Northallerton DL7 8AH</p>	<p>Key:</p> <p>Broates Lane </p>	<p><b>Broates Lane</b> <b>(Middleton &amp; Pickering</b> <b>Parishes)</b> <b>Location Plan</b></p> <p><b>PLAN 1</b></p>
	<p>Map drawn on 21 February 2022 Drawn by AWH      Scale 1:25000</p>	

NYCC – 29 April 2022 - Executive Members  
Opposed DMMO to add RB, Middleton & Pickering/6



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 <p><b>North Yorkshire County Council</b></p> <p>Public Rights of Way Waste and Countryside Services County Hall Northallerton DL7 8AH</p>	<p>Key:</p> <p>Restricted Byway to be recorded </p> <p>Other footpaths </p> <p>Other bridleways </p> <p>Maintainable Highways </p>	<p><b>PLAN 2</b></p> <p>Restricted Byway No. 25.63/2, Broates Lane, Middleton and Restricted Byway 25.73/4, Broates Lane, Pickering Modification Order 2021</p>
	<p>Map drawn on 21 February 2022</p> <p>Drawn by AWH      Not to original scale</p>	

NYCC – 29 April 2022 - Executive Members  
Opposed DMMO to add RB, Middleton & Pickering/7

NOT PROTECTIVELY MARKED

## North Yorkshire County Council

### Report to the Assistant Director – Transport, Waste and Countryside Services

21st May 2019

#### DEFINITIVE MAP MODIFICATION ORDER APPLICATION TO UPGRADE FOOTPATHS 25.73/4 & 25.63/2 TO A RESTRICTED BYWAY, BROATES FARM, PICKERING & MIDDLETON PARISHES.

#### 1.0 Purpose of the report

- 1.1 To set out the circumstances relating to a proposed Definitive Map Modification Order (DMMO) to upgrade two public footpaths to restricted byways, in light of objections having been received. A location plan is attached to this report as **Plan 1**. The route is shown as a bold dashed line A-B-C on **Plan 2**.
- 1.2 To request the Assistant Director to authorise the making of a Definitive Map Modification Order with regard to the application as described in this report.
- 1.3 To submit the matter to the Secretary of State for determination if objections are received and are not subsequently withdrawn.

#### 2.0 Scheme of Delegation

- 2.1 Within the County Council's scheme of delegation, it is delegated to the Assistant Director – Transport, Waste and Countryside Services to exercise the functions of the Council under Part III of the Wildlife and Countryside Act 1981 in relation to rights of way. This delegation includes:
- power to make and advertise Definitive Map Modification Orders ..... for the recording, ..... of public rights of way, including those where an objection is received from any person or body entitled under the relevant statute to the proposed making of the Order.....

#### 3.0 The Application

Applicant:	Ruth Russel
Date of application:	28 <sup>th</sup> October 2013
Type of Application	Definitive Map Modification Order
Parish:	Middleton
Local Member:	Councillor Greg White
Application supported by:	Evidence of use froms 24 users
List of documentary evidence:	1789 Pickering Inclosure Award Plan 1790 Pickering Inclosure Award 1817 Greenwood map 1825 Carey map 1827 Teasdale map 1834 Fowler Map 1859 1" OS First Edition



	1868 Cruchley map 1884 OS Revised 1903 OS 1" Revised New Series 1924 OS 1" Popular Edition 1920's Storey 1920's Bacon's Half Inch Road Map 1920's Gall & Ingliss, Horne's Tourist Map of Whitby & Neighbourhood 1920's Geographia 2 miles to the inch Road Map 1932 War Office 1" OS 1947 OS 2½" 1973 Johnson & Bacon Road Atlas of GB
Applicant's grounds for making the application	Prompted by the locking of a gate and an application by the landowner to divert the existing footpath onto an alternative route.

#### 4.0 Relevant legal criteria

- 4.1 In deciding whether to make a Modification Order, the County Council must be satisfied that, in accordance with Section 53 of the Wildlife and Countryside Act 1981, the evidence discovered by the County Council, when taken into consideration with all other relevant evidence, is sufficient to show **that a highway shown on the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.**

#### 5.0 Background

- 5.1 The route subject of this application is currently recorded on the Definitive Map as a public footpath. The current owner of Broates Farm applied to divert the footpath in 2013, the reasons given by the applicant included prevention of unauthorised use by 4x4 vehicles and horse riders, concern that dogs not under close control were affecting stock in fields and safety concerns over the extensive farm vehicle movements in the vicinity of the farm and footpath.
- 5.2 At a site meeting attended by the Diversion Officer, it was observed that part of the existing footpath ran along an enclosed track that had the appearance of a lane set out by an Act of Inclosure. The applicant was advised that the diversion application could trigger a DMMO application if users believed that higher rights existed, but the applicant was willing to continue with the process. The proposed diversion is shown as **Plan 3.**
- 5.3 Consultation took place in October 2013, and a number of objections were received from local interest groups, including:
- the diversion would cause an additional 270 metres of road walking;
  - that kissing gates would prevent riders and cyclists from using the new footpath,
  - that higher rights may exist..

The BHS stated that the route was awarded under the Pickering Inclosure Award as a public carriage road of 40 feet. Additionally, they submitted a list of documentary evidence based on old maps.

## 6.0 The DMMO Application:

- 6.1 A DMMO application was received at the end of October 2013 and covers the entire length of both footpaths, which commence on Middleton Lane in the parish of Middleton at Point A on **Plan 2** and runs eastwards for approximately 455 metres to the Pickering parish boundary at Point B, continuing east-south-east for approximately 600 metres through Broates Farm to its junction with Swainsea Lane at Point C.
- 6.2 The application was supported by 25 user evidence forms. A considerable amount of historical evidence was subsequently provided by the BHS Regional Access Officer.
- 6.3 Evidence of use covers the period 1950 to 2013 and indicates footpath, bridleway and vehicular use. Individual usage varies from 8 to 63 years, and 15 persons have used the route for 20 years or more. 6 users claim to have regularly used the route by vehicle.
- 6.4 Ordnance Survey maps have consistently mapped the route as a continuous track running between Middleton Lane in Middleton Parish and West Moor Road in Pickering parish. The 1854 maps show that the section of track in Middleton parish was called Nova Lane and on the Pickering side of the boundary as Nova Scotia Road. By 1893 the entire track is described as Broates Lane. Individually each map amounts to no more than circumstantial evidence but taken together they can amount to convincing evidence of a route in use. The authority for this view is derived from the case of *Fortune & Ors v Wiltshire Council and Anor* [2012]
- 6.5 Nova Scotia Road was set out by the 1790 Pickering and Newton Enclosure Award as a 40ft public carriage road. No evidence of any legal process that has stopped up those rights has been submitted to the Authority, with the exception of the blanket extinguishment of motor vehicle rights by NERC Act 2006. The definitive map process, in initially recording a footpath, can have had no effect on any prior higher rights that were created by enclosure.
- 6.6 The Award describes the route as "One other public carriage road to be called the Nova Scotia Road of the width of 40ft commencing at and leading south eastwards from the end of a certain ancient road in the Parish of Middleton over and across part of the West Moor to the north east corner of certain ancient inclosed lands within the township of Pickering called the Broates Closes and then turning southwards along the east side of the ancient inclosures to a gate leading to Swainsea Field."
- 6.7 As this Award only concerns land in Pickering and Newton, it can be assumed that the Commissioners would not have been concerned with recording detail in Middleton Parish and therefore reference to "...the end of a certain ancient road..." almost certainly refers to a point on the Pickering/Middleton parish boundary. In the absence of evidence to the contrary, it can be assumed that the ancient lane so described is the same route shown as Nova Lane on the 1854 OS map. On this map, Nova Lane commences on Middleton Lane at Middleton Lane Gate and runs eastwards to the Pickering parish boundary. The existing footpath follows the line of Nova Lane. This evidence would appear to indicate that a through-route existed at the time of the 1790 Enclosure.
- 6.8 Cropton Inclosure Award dated 9 October 1766. Unfortunately no accompanying map has been found, which may have helped to identify locations referred to in the text.

However, there are some similarities to place names on early OS maps. The Cropton Award refers to a place called Middleton Old Lane Gate, which is thought to be the same location as Middleton Lane Gate so described on the 1854 OS map. This appears to be confirmed by reference in the Award to a place called Cottage Leas, which is described as being to the south of Middleton Old Lane Gate. The property existed as Cottage Leas until recent times and is currently known as the Tantara Country Hotel. It lies 200 metres south of Middleton Lane Gate.

6.9 An informal consultation to upgrade the footpaths to restricted byway was carried out in 2016.

6.10 The diversion application was subsequently abandoned after it was acknowledged that the DMMO application to establish status would need to be determined before considering a diversion.

## **7.0 The objection**

7.1 The owner of Broates Farm objected to the proposed DMMO. Their solicitor commented that:

- the crux of the case for allowing the application is the 1790 Pickering and Newton Inclosure Award but the carriage road set out by the award only accounts for half of the route and not the entire route which is subject to the DMMO.
- The provisions of Section 31 specify that there must have been use by the public, uninterrupted and as of right, for a period of 20 years in order to raise a presumption that the way has been dedicated as a PRow. As evidence has yet to be tested by interview, the requirements of S.31 have yet to be met.
- The objector believes that the 20 year period should be from the date of the Definitive Map, since that was the time when the public right to use the route as anything more than a footpath was called into question. Therefore the 20 year period should be counted back from 1965.

## **8.0 Authority comments on the objection:**

8.1 Whilst the Pickering Award accounts for one half of the route, it does describe that it connected to an existing route in Middleton, referring to "...the end of a certain ancient road..."— See para 6.7. Based on consistent historic map evidence it would be reasonable to assume that the ancient road so described is the same route that currently continues through to Middleton Lane.

8.2 To satisfy the provisions of Section 31, interviews with persons who have completed Evidence of Use forms will be undertaken as part of the investigation into the DMMO application.

8.3 The definitive map process undertaken in 1965 was not calling into question any higher right, merely establishing what rights were thought to exist at the time. The initial recording of the route as a footpath does not preclude the possibility that higher rights may exist which may be identified by historical evidence, and would not prevent the establishment of higher rights through usage. The challenge to public use came about when the current landowner prevented access.

## 9.0 Financial implications

- 9.1 In the event that an Order were to be made and was then opposed, there may be financial implications for the authority in covering any cost associated with any subsequent public inquiry. Such costs cannot be avoided where the Planning Inspectorate decides that a public inquiry should be held to resolve an application. If an Inquiry were to be held the Authority may appoint external advocacy.
- 9.2 If an Order is made and is ultimately confirmed, the route would be added to the Definitive Map as a restricted byway, recording the public's right to use the lane on foot, horseback, bicycle or horse-drawn carriage. No works would be required to bring that use into being. The future maintenance burden will reflect this type of use. It should be noted that the route is currently used as a farm track and is therefore maintained to a reasonable standard by the owner for his own use.

## 10.0 Legal implications

- 10.1 There is a statutory requirement to investigate applications for Definitive Map Modification Orders, regardless as to whether the outcome would benefit or prejudice owners, occupiers or members of the general public, and as such it is considered that equality and diversity issues are not relevant to the outcome of the process. In any event it is considered that the outcome would have no impact on the protected characteristics identified in the Equalities Act 2010.

## 11.0 Conclusions

- 11.1 Given the evidence of use and certain historical documents, and no contrary evidence that any attempt had been made to bring to the attention of the public that they did not have any rights higher than as a footpath, nor contrary evidence that any existing rights have been extinguished, it seems probable that higher rights than merely pedestrian do exist along the full route. Given those rights cannot now include motor vehicular rights, the most likely existing rights are those of a restricted byway.

## 12.0 Recommendation

- 12.1 It is therefore recommended that: the Assistant Director, Transport, Waste and Countryside Services, authorises the making of a Definitive Map Modification Order for the existing footpaths shown as A-B-C on Plan 2 of this report to be recorded on the Definitive Map as Restricted Byways.

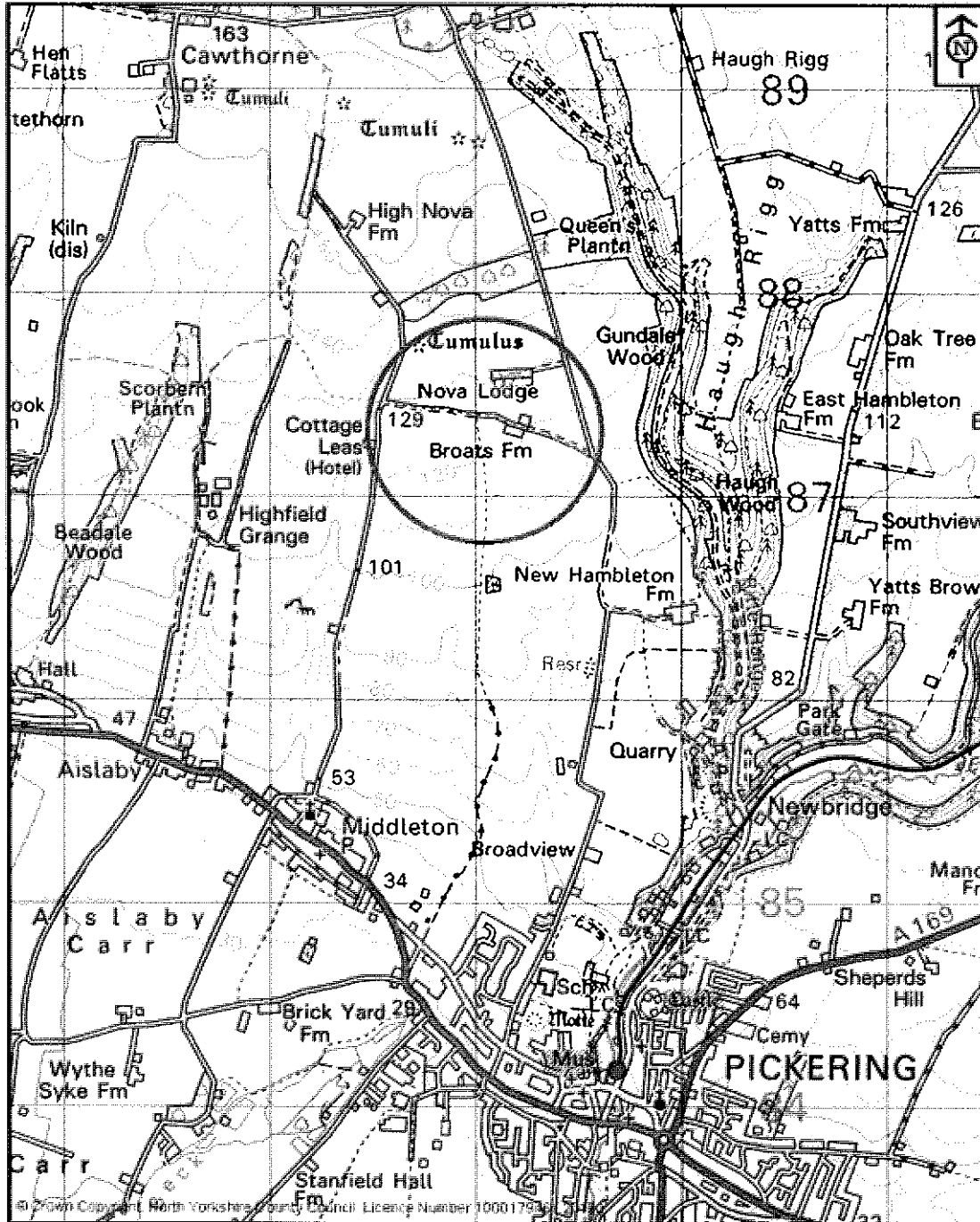
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Assistant Director Transport, Waste and Countryside Services

Author of report: Andrew Hunter

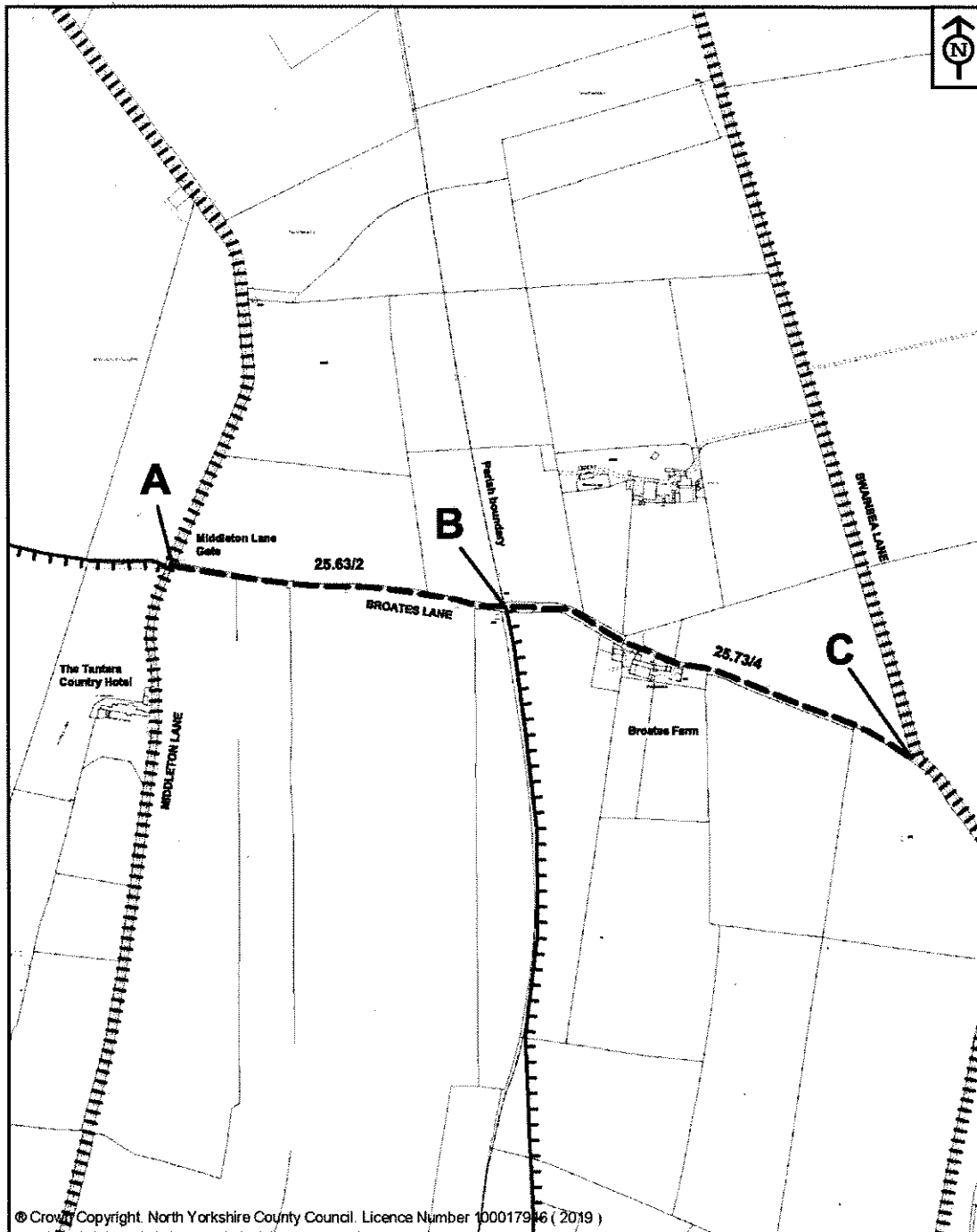
Background papers: File Ref RYE/2013/09/DMMO

Plan 1: Location Plan







 <p><b>North Yorkshire County Council</b></p> <p>Public Rights of Way Waste and Countryside Services County Hall NorthaBerton DL7 8AH</p>	<p><b>LOCATION PLAN</b></p>		<p><b>North Yorkshire County Council</b></p> <p>DMMO APPLICATION TO UPGRADE FOOTPATHS 25 73/4 &amp; 25 63/2 AT BROATES LANE, PICKERING &amp; MIDDLETON PARISHES</p>
	<p>Map drawn on 13 May 2019</p>	<p>Drawn by AWH</p>	<p>Scale 1:25000</p>

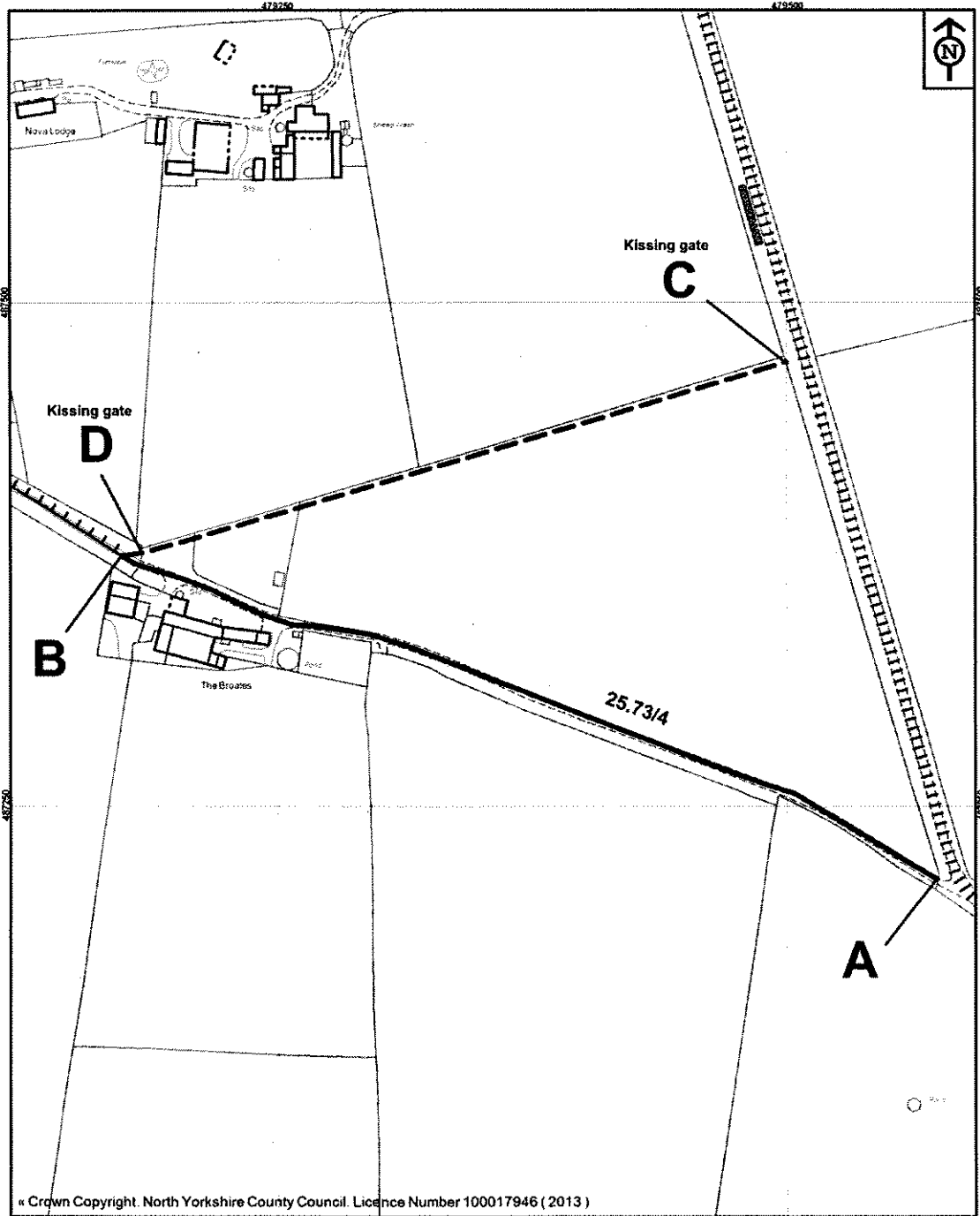
Plan 2: Report Plan




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 <p><b>North Yorkshire County Council</b> Public Rights of Way Waste and Countryside Services County Hall Northallerton DL7 8AH</p>	<p>Key:</p> <ul style="list-style-type: none"> <li>Route to be recorded as Restricted Byway </li> <li>Other footpaths </li> <li>Maintainable Highways </li> </ul>	<p><b>North Yorkshire County Council</b></p> <p><b>PLAN 2</b></p> <p>DMMO Application to Upgrade Footpaths 25.73/4 &amp; 25.63/2 At Broates Lane, Pickering &amp; Middleton Parishes</p>
	<p>Map drawn on 13 May 2019</p> <p>Drawn by AWH</p>	<p>Scale 1:7000</p>

Plan 3: Abandoned Diversion Proposal Plan



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 <p><b>North Yorkshire County Council</b></p> <p>Public Rights of Way Waste and Countryside Services County Hall Northallerton DL7 8AH</p>	<p><b>Key:</b></p> <p>Footpath to be added      - - - - -</p> <p>Footpath to be deleted      = = = = =</p> <p>Other footpaths               </p> <p>Maintained Highways                 </p>	<p><b>North Yorkshire County Council</b></p> <p>Highways Act 1980 Section 119 Wildlife &amp; Countryside Act 1981</p> <p>Proposed Diversion of Footpath No. 25.73/4, Broates Farm, Swainsea Lane, Pickering</p>
	<p>Map drawn on 11 October 2013</p> <p>Drawn by AWH      Scale 1:2500</p>	

**Report to the Assistant Director, Waste and Countryside Services**

21<sup>st</sup> 15 May 2019

**DEFINITIVE MAP MODIFICATION ORDER APPLICATION TO UPGRADE FOOTPATHS  
25.73/4 & 25.63/2 TO A RESTRICTED BYWAY, BROATES FARM, PICKERING &  
MIDDLETON PARISHES.**

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**AUTHORISATION**

I approve / ~~do not approve~~ the recommendation set out in the report.

ANY ADDITIONAL RECOMMENDATION or COMMENT:

.....  
.....



Ian Fielding  
Assistant Director of Waste and Countryside Services

Date: ..... 21. 5. 19 .....