

## **ROBIN CARR ASSOCIATES**

Public Rights of Way Management & Consultancy Services

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### **Wildlife & Countryside Act 1981 Application for Definitive Map Modification Order Alleged Public Footpath – Taylor Lane to Footpath No 43 Parish of Barwick in Elmet**

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#### **1.0 Introduction**

- 1.1 This report seeks to assist Leeds City Council (the Authority) in the determination of an application for a Definitive Map Modification Order to add the route shown by a broken black line and marked A – B on Plan 1 (Tab 1) to the Definitive Map and Statement of Public Rights of Way as a public footpath.

#### **2.0 Background**

- 2.1 Leeds City Council is the Surveying Authority for the purposes of Section 53 of the Wildlife and Countryside Act 1981. The Surveying Authority has a duty pursuant to Section 53 of the 1981 Act to maintain the Definitive Map and Statement for its area, and to modify it, by way of making Definitive Map Modification Orders upon the discovery of evidence, which show, when considered with all other available evidence, that they require amendment or updating. Members of the public have a right to apply for a Definitive Map Modification Order, to seek amendment to the legal record using the procedures set out within Schedule 14 of the Wildlife and Countryside Act 1981.
- 2.2 The background to this case is unclear, but from the information available on file it would appear to have originated as a result of a neighbourly dispute, over another private access issue, between the applicant and the land owner.
- 2.3 Notwithstanding the above, the application was received by the Council in October 2001, and whilst the application form does not list the evidence submitted, it appears to have been supported by three user evidence forms, some Ordnance Survey maps. A set of deeds were also submitted at a later date. As part of the investigation further evidence was requested, and this resulted in the submission of a further four user evidence forms were submitted, although one of the witnesses had previously completed a form.
- 2.4 A copy of the application, and the supporting evidence, is included in the bundle of evidence, under Tabs 2 and 3 - 5 respectively, are attached to this report as background papers.
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### **3.0 Tests to be Applied**

- 3.1 Before a public right of way can be established there must be an act of dedication by the landowner (which may be presumed/implied by his or her actions) and acceptance by the public (i.e. public user which is without force, secrecy or permission (i.e. user “as of right”)).
- 3.2 When considering an application for a Definitive Map Modification Order to add a public right of way to the Definitive Map the burden of proof initially rests with the applicants to prove their case. If a prima facie case in favour of the application is established, the onus then falls upon anyone opposing the application to provide evidence in rebuttal. The standard of proof is the civil test of ‘on the balance of probability’.
- 3.3 If the Authority/Secretary of State is satisfied that, having taken into account all of the available relevant evidence, the alleged rights subsist or are reasonably alleged to subsist the Authority has a duty/may be directed to make a Definitive Map Modification Order. Such an Order can however, only be confirmed if, on the balance of probability, the alleged rights can be shown to subsist. The test for making an Order therefore differs from the test for confirmation.

### **4.0 Evidential Tests**

#### Highways Act 1980, Section 31

- 4.1 Section 31 of the Highways Act 1980 states:

*“(1) Where a way over land, other than a way of such 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 twenty years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.”*

*“The period of twenty years referred to in subsection (1) above is to be calculated retrospectively from the date when the right of the public to use the way is brought into question whether by notice, such as is mentioned in subsection (3) below or otherwise.”*

*“Where the owner of the land, which any such way as aforesaid passes has erected in such manner as to be visible by persons using the way a notice inconsistent with the dedication of the way as a highway; and has maintained the notice after the first January 1934, or any later date on which it was erected, the notice, in the absence of proof of a contrary intention, is sufficient*

*evidence to negative the intention to dedicate the way as a highway”*

- 4.2 Section 31(1) has two ‘limbs’ the first provides that proof of twenty years continuous user “as of right” endorses a claim that a highway exists; the second (sometimes referred to as ‘the proviso’) provides that proof of a lack of intention to dedicate the way as a highway defeats the claim.
- 4.3 Section 31 is further supplemented by Section 32 of the Highways Act 1980, which states:

*“A court or other tribunal, before determining whether a way has or has not been dedicated as a highway, or the date on which such dedication, if any, took place, shall take into consideration any map, plan or history of the locality or other relevant document, which is tendered in evidence, and shall give weight thereto as the court or tribunal considers justified by the circumstances, including the antiquity of the tendered document, the status of the person by whom and the purpose for which it was made or complied, and the custody in which it has been kept and from which it is produced.”*

#### Common Law

- 4.4 Under the Common Law, a landowner must be shown to have intended to dedicate the right of way over his land. The question of dedication is purely one of fact and public user is no more than evidence, which has to be considered in the light of all available evidence. Public use will not, therefore, raise the inference of dedication where the evidence, in its totality, shows that the public right of way status was not intended.
- 4.5 At Common Law, there is no specified period of user, which must have passed before an inference of dedication may be drawn. It is necessary to show, in order that there may be a right of way established, that the route has been used openly, “as of right”, and for so long a time that it must of come to the knowledge of the owners of the fee that the public were so using it as of right.
- 4.6 If the landowner has done exactly what would be expected from any owner who intended to dedicate a new highway, the time may be comparatively short. However, as a matter of proof at Common Law, the greater the length of user that can be demonstrated, the stronger the inference of dedication will (usually) be.

## **5.0 Summary of Evidence**

### Documentary Evidence

- 5.1 Archive research has been undertaken in order to ascertain whether there is a case to suggest the historic existence of public rights over the application route. The documents inspected are listed in Annex 1 of this report and, where they contain relevant evidence, they are discussed below. Copies of relevant documents are also included in the bundle of evidence (under Tab 3 – 5) attached to this report as background papers. Evidence in rebuttal is attached under Tab 6

### Ordnance Survey Maps (Tab 3)

- 5.2 A range of Ordnance Survey Maps dating from 1849 to 1938 have been consulted. The (1893 (25 inch) and 1894 (6 inch) County Series editions of the Ordnance Survey show the existence of a physical feature shown by parallel broken black lines running along the alignment of the application route. The feature is not annotated with any form of status. Earlier and later editions of these maps do not show a route.

### Land Registry Deeds (Tab 4)

- 5.3 The applicant has submitted a set of deeds (dated 1892) relating to the land crossed by the alleged path. The map attached to the deed shows the existence of a path or track in much the same way as the Ordnance Survey maps. The text is silent on the matter of the status of the track.

### User Evidence (Tab 5)

- 5.3 In total seven user evidence forms have been submitted by six witnesses; and giving evidence of alleged use from 1960 to 2009. Two of the witnesses claim to have used the route with the permission of the land owner, and it appears to be common ground that the route was obstructed by electric fencing since 1998/9; thus reducing the period of qualifying use to being 1976 to 1999, a period of 23 years.

### Evidence in Rebuttal (Tab 6)

- 5.4 The landowner claims that Springfield House was built in the 1960's and is situated on the application route, thus making the alleged use impossible. She also claims that the route is blocked by a mature hedge and ditch where it exits the field and that an electric fence has been in place across the route since 1998. It is further suggested that a post and rail fence was placed across the application route circa 1991.

## **6.0 Consideration of Evidence - Consultant's Comments**

- 6.1 Definitive Map Modification Orders do not create public rights, they simply seek to record those public rights that already exist, albeit they are not recorded on the Definitive Map. The sole consideration when determining an application for a Definitive Map Modification Order is therefore whether public rights do, or do not exist. Matters such as suitability, desirability, need, anti-social behaviour and even public safety, whilst all genuine concerns, are not matters that can lawfully be taken into account as part of the decision making process.
- 6.2 In cases such as this, where there is a known and documented neighbourly dispute extra caution should be exercised when assessing the evidence, and particularly that relating to alleged use, and actions carried out in rebuttal.

### Documentary Evidence

#### Ordnance Survey Maps (Tab 3)

- 6.2 Ordnance Survey maps carry a disclaimer to the effect that the showing of any path, track or way on the map is not in indication, or evidence, of the existence of public highway rights. Notwithstanding this, they do provide excellent evidence of the existence of the physical features shown upon them at the time they were surveyed.
- 6.3 The 1893 (25 inch) and 1894 (6 inch) maps show a path or track of some sort on the alignment of the application route, but is silent on the matter of status. The annotation used also differs from that used to show routes annotated as footpaths, such as the path that leads off from the other side of Taylor Lane. The only conclusion that can be drawn from these documents is that a path or track of unknown status existed along the alignment of the application route at the end of the nineteenth century.

#### Land Registry Deeds (Tab 4)

- 6.4 Property deeds rarely include details of public rights because they are not a saleable entity, and therefore such documents are rarely of value when seeking to establish public highway rights. The deeds in question were produced at about the same time as the surveys were undertaken in connection with the Ordnance Survey maps therefore it is not surprising that they contain similar information, indeed it is quite possible that it is a tracing taken from the Ordnance Survey. Had there been anything contained within the text of the deed, this document would have been of greater value. As it stands it does not support the application for registration of a public right of way.

Interim Conclusion – Documentary Evidence

- 6.5 Whilst the 1893/4 Ordnance Survey maps, and the contemporaneous deed show the existence of a path or track, this is insufficient evidence to support the making of a Definitive Map Modification Order to register the application route as a public right of way on the Definitive Map.

User Evidence (Tab 5) – Section 31 of the Highways Act 1980

Calling into Question and the 20 Year Period

- 6.6 Before Section 31 of the Highways Act 1980 can come into effect there must be some event which calls into question the very existence of the alleged public right of way; and such an event must be such magnitude that users of the way are made aware that their use is being challenged, thus allowing them the opportunity to respond. The required 20 year period of use is then calculated back from this date of challenge. If no such event occurs, a properly made application for a Definitive Map Modification Order may be used in the alternative.
- 6.7 It would appear to be common ground between the parties that a fence (electric or barbed wire) was placed across the application route round about 1998/9. The erection of such a fence would meet the required test described above, thus setting the relevant 20 year period at 1978/9 to 1998/9.
- 6.8 Whilst it has not been referred to by the applicants or witnesses in support of the application, the landowner claims that a post and rail fence was erected across the route circa 1991. If this is the case, consideration should also be given to the period 1971 to 1991.

Use, “As of Right” and “Without Interruption” “By the Public”

- 6.9 Two of the user witnesses state that they used the application route with the consent of the landowner, one for the purpose of rabbiting and shooting. Such use would not constitute use “as of right” (i.e. without force, without secrecy or without permission), namely because the “without permission element of the test has not been satisfied.
- 6.10 This leaves four remaining witnesses who, between them, claim use over the period 1976 to periods beyond 1998/9 when fencing was erected across the path. There would not, therefore appear to be a full period of twenty years user during the 1971 and 1991 period discussed above. This leaves only the 1978/9 to 1998/9 period under consideration.
- 6.11 Whilst the four remaining witnesses may be defined as being members of the public, thus in turn defining their use of the application route as public user, the quantity and frequency of the use may not be

considered to be sufficient to meet the public user test set out within the legislation.

### Interim Conclusion

- 6.12 Having considered all of the available evidence it is the consultant's opinion that the applicant's have failed to discharge their initial burden of proof, and that there is insufficient evidence to demonstrate that the claimed public rights are reasonably alleged to subsist.

### Evidence in Rebuttal (Tab 6)

- 6.13 In the event of it being decided that the evidence in support of the application is sufficient to bring about a reasonable allegation that the claimed rights subsist, and that there is a prima facie case in favour of the establishment of public rights, this may still be overturned if it can be demonstrated that the owners of the land (or somebody acting, with their authority, on their behalf) carried out sufficiently overt acts, directed at actual users of the alleged path, which demonstrate their lack of intention to dedicate.
- 6.14 The evidence suggests that there have been two occasions when qualifying actions have taken place. The latest of these was in 1998/9 when electric fencing was placed across the route. Whilst this would qualify as evidence of a lack of intention to dedicate, it is also the act which called into question the existence of the rights and forms the end point of the twenty year period. This would not therefore be sufficient to overturn any case in favour of the establishment of public rights.
- 6.15 the earlier instance would be the erection of a post and rail fence across the route circa 1991, which is approximately mid way through the twenty year period. If the erection of this fence could be further substantiated, it may be considered sufficient to overturn any prima facie case in support of the application.
- 6.16 In conclusion, with regard to a case being made under Section 31 of the Highways Act 1980, it is the consultant's view that the initial case in favour of the application has not been properly made, due to a lack of user evidence. There is also some evidence of overt acts which may be considered sufficient to overturn any case made in favour of the application.

### User Evidence (Tab 5) – Common Law

- 6.17 In order for a case to be made under Common Law it would be necessary for the evidence to show an intention to dedicate public rights on the part of the landowner. Dedication may be inferred if the land owner carried out acts which are consistent with the dedication of a public right of way, such as installing stiles or gates on a route. Such an

inference can also be drawn from user evidence; however such use would have had to be as of right, and be sufficient in volume and frequency to suggest that the owner of the land must have been aware of the use, and also that he/she took no steps to demonstrate a lack of intention to dedicate.

- 6.17 No evidence of express dedication or of positive acts from which dedication may be implied has been discovered. Having concluded that the volume of usage was insufficient to satisfy the tests of Section 31 of the 1980 Act, it would only be reasonable to reach the same conclusion in respect of any claim made under Common Law.

- 6.17 In conclusion, it is the consultant's opinion that a case in favour of the establishment of public rights has not been made under Common Law.

## **7.0 Consultations**

- 7.1 Consultations have been undertaken in line with the Parliamentary Rights of Way Review Committee's Code of Practice on consultation, but using a response time of six weeks rather than the suggested 3 months (which is considered excessive). Any evidence arising as a result of the consultation exercise has been included within the body of the report.

## **8.0 Budgetary Implications**

- 8.1 If the Authority determines to promote a Definitive Map Modification Order the cost of advertising the Order will be incurred.
- 8.2 If objections are lodged in respect of such an Order, and are not subsequently withdrawn, the Order must be submitted to the Secretary of State who may determine the matter at a local public inquiry. The Authority will have to pay the costs of facilitating such an inquiry, and the presentation of its case.

## **9.0 Legal Authority**

- 9.1 Section 53 of the Wildlife and Countryside Act 1981 places a the Surveying Authority under a statutory duty to promote Definitive Map Modification Orders upon the discovery of evidence which suggests the legal record requires amendment.
- 9.2 Section 31 Of the Highways Act 1980, and the Common Law (both set out above) provide for the establishment of public rights arising form public user accompanied by the actions or inactions of the landowner.



## **10.0 Decision Required**

10.1 If the Authority is satisfied, having considered all of the available and relevant evidence, that the relevant legislative tests have been met, they should resolve that:

- a) a Definitive Map Modification Order be made to add the route shown by a broken black line and marked A – B on Plan 1 to the Definitive Map as a Public Footpath;
- b) if no objections are received in response to the making of the Order, the Order be confirmed.
- c) If objections are received, and not subsequently withdrawn, the Order be passed to the Secretary of State for determination.

10.2 If however, the Authority is not satisfied, having considered all of the available and relevant evidence, that the relevant legislative tests have been met, they should resolve that:

- a) the application be refused; and
- b) the applicants be advised of their right of appeal.

## **11.0 Recommendation**

11.1 Whilst it is the consultant's view that the case in favour of the establishment of public rights over the application route has not been made, and therefore a Definitive Map Modification Order should not be promoted, it is for the Authority to make it's own decision, based upon the facts and evidence before it.

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Background Papers:

List of Documents Consulted  
Application  
Ordnance Survey Maps  
Deeds  
User Evidence Forms  
Evidence in Rebuttal

## Archive Research Record

| Document Type                      | Document Title   | Location | Reference  |
|------------------------------------|--|----------|--|
| Enclosure Award                    | Barwick in Elmet enclosure award and other papers 1804.<br>NB. Includes (modern) correspondence re Barwick in Elmet Enclosure Act 1796   | WYL      | LC/TC  |
| Enclosure Award                    | Award for dividing and enclosing the several Fields, Ings, Commons and Waste Grounds within the parish of Barwick in Elmet 1809:<br>NB. Award firstly describes boundary of parish, then lists public roads and private carriage and public bridle roads and foot roads etc. | WRA      | WRRD Roll 2  |
| Enclosure Awarded List of Highways | List of Enclosure Roads and Ways   | WRA      | WRRD Roll 2  |
| Enclosure Act                      | An Act for dividing and enclosing the several Fields, Ings, Commons and Waste Grounds within the parish of Barwick in Elmet Geo III 1796   | WRA      | QD5/9/1-9 Vol 4 p176<br>Pages 176, 177, 184, 185, 189, 190, 195, 196, 197.   |
| Enclosure Map                      | No map referred to in B. English's "Yorkshire Enclosures" catalogue  |          |  |
| Tithes                             | Warrant for sundry allotments in lieu of all tithes i.e. exchange of land for tithes under Act for dividing & inclosing open fields, ings, commons and waste grounds in Barwick in Elmet 1806  | WYL      | RDP7/81  |
| Tithe Map                          | No Map for Barwick in Elmet listed at WRA or Kain & Oliver's Tithe index. However, WYL index includes 'Barwick in Elmet RD/RT 20 GE Plan' (see below)  |          | WYL<br><a href="http://www.tracksintime.wyjs.org.uk/tracks-in-time-project.htm">http://www.tracksintime.wyjs.org.uk/tracks-in-time-project.htm</a> |
| Tithe Apportionment                | No Map for Barwick in Elmet listed at WRA or Kain & Oliver's Tithe index. However, WYL index includes 'Barwick in Elmet RD/RT 20 GE Plan' (see below)  |          |  |
| Tithe Award Exchange for Glebe     | Exchange of lands in Barwick in Elmet (parcel 309 Winmoor for 923 dwelling house, barn etc; & 930 Croft 18 May 1861  | WYL      | RD/RT20  |

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| Tithe Award Glebe Exchange Plan | "Barwick in Elmet WR York. Glebe Exchange" 1861 (shows northern end of Taylor Lane at junction with Leeds Road [only])   | WYL | RD/RT20    |
| Sale Particulars                | Sale particulars with three plans for glebe at Barwick and Barnbow "Glebe Lands Act 1888: Lands at Barwick in Elmet and Barnbow [etc] Freehold Properties. Instructed by Rector of Barwick in Elmet (with approval of Board of Agriculture) ... Sept. 4 1900", Lot 2 adjacent to Barnbow Lane (Occupation Road). | WYL | RDP7/97    |
| Sale Particulars                | Sale particulars and plan: freehold & Copyhold Estates situate at Barwick in Elmet [etc] ... 13 Nov. 1861  | WYL | RDP7/105   |
| Sale Particulars                | Sale particulars and three plans of estate at Barwick in Elmet and Scholes: "freehold Estate situate at Barwick in Elmet 42a. 2r. 28p. arable and grass land [etc] 16 July 1877  | WYL | RDP7/106   |
| Finance Act Valuation Book      | Valuation Book: Barwick on Elmet   | WRA | C243/531   |
| Finance Act Map                 | Ordnance Map sheet CCIV:13 (National Archive)  | TNA | IR134/7/78 |
| Finance Act Field Book          | Hereditament: 515 (from the York Assessment, 'Austhorpe' sub-section   | TNA | IR58/94812 |
| Parish Records                  | Barwick in Elmet Parish books X 1 1734-1749 (1814) Includes Accounts of Surveyor of Highways (no reference to Taylor Lane)   | WYL | RDP7/46/1  |
| Parish Records                  | Barwick in Elmet Parish books X 2 1734-1749 (1814) Includes Accounts of Surveyor of Highways (no reference to Taylor Lane)   | WYL | RDP7/46/2  |
| Parish Records                  | Barwick in Elmet Parish books X 3 1734-1749 (1814) Includes Accounts of Surveyor of Highways (no reference to Taylor Lane)   | WYL | RDP7/46/3  |
| Parish Records                  | Barwick in Elmet Parish books X 4 1734-1749 (1814) Includes Accounts of Surveyor of Highways (reference to Taylor Lane) p.6 & p.120  | WYL | RDP7/46/4  |
| Parish Records                  | Barwick in Elmet Poor Rate<br>Valuations 1803-1862 Parcel 1157 p.53  | WYL | RDP7/47/2  |

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|----------------|--|-----|-----------|
| Parish Records | Barwick in Elmet Poor Rate<br>Valuations 1803-1862 Parcel 1148 p.56  | WYL | RDP7/47/2 |
| Parish Records | Barwick in Elmet Poor Rate<br>Valuations 1803-1861 Parcel 1281 p.61  | WYL | RDP7/47/2 |
| Parish Records | Barwick in Elmet Poor Rate<br>Valuations 1803-1862 Parcel 1149 p.62  | WYL | RDP7/47/2 |
| Parish Records | Barwick in Elmet Poor Rate<br>Valuations 1803-1862 Parcel 1147 p.69  | WYL | RDP7/47/2 |
| Parish Records | Barwick in Elmet Poor Rate<br>Valuations 1803-1862 Parcel 1282   | WYL | RDP7/47/2 |
| Parish Records | Barwick in Elmet (Poor Rate) Valuation Book Plan 1870  | WYL | 115/E1/92 |
| Parish Records | Barwick in Elmet (Poor Rate) Valuations 1803. Parcel 921 Brig Close,<br>owner/occupier Braim Thos.   | WYL | RDP7/47/1 |
| Parish Records | Barwick in Elmet Vestry minute books 1824-1834 (including appointment<br>of Surveyor of Highways and some repair to individual highways)<br>NB. Barnbow Lanes let for grazing from 1832; | WYL | RDP7/49/1 |
| Parish Records | Barwick in Elmet Vestry minute books 1834-1845 (including appointment<br>of Surveyor of Highways and some repair to individual highways)   | WYL | RDP7/49/2 |
| Parish Records | Barwick in Elmet Vestry minute books 1845-1856 (including appointment<br>of Surveyor of Highways and some repair to individual highways)   | WYL | RDP7/49/3 |
| Parish Records | Barwick in Elmet Vestry minute books 1856-1885 (including appointment<br>of Surveyor of Highways and some repair to individual highways)<br>NB. Bog Lane let for grazing from 1869       | WYL | RDP7/49/4 |

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| Farm Valuations                                | Cookridge and Barwick in Elmet, farm valuations 19th century (photocopies x 4)<br>NB. Fox & Grapes Inn Farm – only,                                   | WYL | LX103  |
| Land Tax                                       | Barwick in Elmet 1838-63; 1865-76; 1913; 1915-22; 1923-45.  | WRA | WYW 1390/2/3/9                                   |
| Manorial Records                               | Manorial Records: Barwick in Elmet and Scholes 1402-1778<br>NB. See above "Barwick in Elmet (Poor Rate) Valuation Book Plan 1870"                     | WYL | WYL115   |
| Session Rolls (Pontefract) March 1668: Barnbow | Informations of Robert Tempest re Barnbow concerning the refusal of the Barwick constable to serve a warrant on John Taylor NB. Partially transcribed | WRA | QS1/7/2/2/18<br>"Barnbow doc 1668 transcription" |
| Ordnance Survey Map                            | 1849 Sheet 204. 6 ins to mile. Surveyed 1845-47 (photocopy)   | WRA | 204  |
| Ordnance Survey Map                            | 1893 Sheet 204/13. 25 ins to mile. Surveyed 1890  | WRA | 204.13   |
| Ordnance Survey Map                            | 1894 Sheet 204 SW. 6 ins to mile. Surveyed 1890-91  | WRA | 204 SW   |
| Ordnance Survey Map                            | 1908 Sheet 204/13. 25 ins to mile.  | WRA | 204.13   |
| Ordnance Survey Map                            | 1909 Sheet 204 SW. 6 ins to mile. Surveyed 1846-47. Revised 1906  | WRA | 204 SW   |
| Ordnance Survey Map                            | 1938 Sheet 204/13. 25 ins to mile. Resurveyed 1890. Revised 1938.   | WRA | 204.13   |
| Draft Map                                      | WRCC Draft Map of Public Rights of Way, p.279, Sheet 204 SW, Tadcaster RD, WR Area 2  | WRA | A212/21  |
| Draft Statement                                | WRCC Draft Statement of Public Rights of Way, Tadcaster RD, WR Area 2   | WRA | A212/19  |
| Modifications to Draft Maps                    | WRCC Modifications to Draft Maps of Public Rights of Way, p.167, Sheet 204 SW, Tadcaster RD WR Area 2   | WRA | A212/23  |
| Modifications to Draft Statement               | WRCC Modifications to Draft Statement of Public Rights of Way, Tadcaster RD WR Area 2   | WRA | A212/22  |

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| Provisional Map       | WRCC Provisional Map of Public Rights of Way, p..75, Sheet SE33NE, Tadcaster RD WR Area 2        | WRA  | A212/26   |
| Provisional Statement | WRCC Provisional Statement of Public Rights of Way, Tadcaster RD WR Area 2                       | WRA  | A212/24   |
| Definitive Map        | WRCC Provisional Map of Public Rights of Way, p..75, Sheet SE33NE, Tadcaster RD WR Area 2        | WRA  | A212/29   |
| Definitive Statement  | WRCC Provisional Statement of Public Rights of Way, Tadcaster RD WR Area 2                       | WRA  | A212/27   |
| Commercial Map        | Cary: Plan of the West Riding of Yorkshire 1787  | BBT  | york wr1  |
| Commercial Map        | C & J Greenwood: An Atlas of the Counties of England 1834: A Map of the West Riding of Yorkshire | ERYA | DDX1005/1 |
| Commercial Map        | Bartholomew's New Reduced Survey Tourists & Cyclists – Sheet 6 Harrogate                         | BLP  |           |
| Commercial Map        | Bartholomew's New Reduced Survey Tourists & Cyclists – Sheet 6 Harrogate KEY                     | BLP  |           |

## Key to Locations

BBT Byways and Bridleways Trust  
 WRA West Riding Archives  
 WYL West Yorkshire Library  
 BLP Bev Parker (Personal collection of maps)  
 ERYA East Riding of Yorkshire Archives  
 TNA The National Archives, Kew

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### **Wildlife & Countryside Act 1981 Application for Definitive Map Modification Order Alleged Public Footpath – Taylor Lane to Footpath No 43 Parish of Barwick in Elmet**

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#### **Index to Background Papers**

|              |                             |
|--------------|-----------------------------|
| <b>Tab 1</b> | <b>Location Plans</b>       |
| <b>Tab 2</b> | <b>Application</b>          |
| <b>Tab 3</b> | <b>Ordnance Survey Maps</b> |
| <b>Tab 4</b> | <b>Land Registry Deeds</b>  |
| <b>Tab 5</b> | <b>User Evidence</b>        |
| <b>Tab 6</b> | <b>Evidence in Rebuttal</b> |