

FOOTPATH FROM MAIN STREET TO TRANBY LANE

The Parish Council at its recent meeting reaffirmed its view that a right of way does exist between the Institute on Main Street through to Tranby Lane.

The facts on which the Parish Council based its decision are set out below. The Secretary of State has instructed the East Riding of Yorkshire Council to publish an order and ask for representations and objections after an appeal by the Ramblers Association when the previous application was turned down.

The question the Parish council was asked was whether it believed a right of way existed and had been established over a long period of time when the general public had access to the recreation ground. Rights of way are legal matters and they do not take into account whether a footpath is a good or a bad idea but whether they are legally established.

History of the footpath from Main Street to Tranby Lane

- 1924 – Land purchased for recreation ground by Sir James Reckitt
There was open access to the land
 - 1928 – Memorial Hall built for the use of the village
 - 1963 – Land and Hall sold to the education Committee to form a new school
 - 1974 – Footpath is shown across the land by the Ordnance Survey
 - 1992 – Headmaster proposes to close the footpath.
Claim by 25 residents to the Ramblers Association for the path to be put onto the definitive map. Claim is supported by the Parish Council
The claim is accepted by Humberside County Council. It is not acted upon.
 - 1996 – Humberside CC is abolished
Claim is transferred to the East Riding of Yorkshire Council. It is not acted upon.
 - 1998 – Planning permission granted for an extension to the school to be built
The new buildings would be over the claimed footpath.
Concurrently a diversion order is to be made to divert the path. This was not carried out.
 - 2004 – Footpath closed by Headmaster to improve school security.
 - 2005 – The Corporate Management Team of ERYC recommend that a
Definitive Map Modification Order (DMMO) is made.
 - 2007 – ERYC refuses the DMMO as there is insufficient evidence of a single path over 20 year's
uninterrupted use.
The Ramblers Association appeals on behalf of the applicants. The appeal is supported by
the Parish Council
 - 2009 – The Inspector's report to the Secretary of State rejects the appeal on
20 years continuous use of a single route of the footpath.
The Inspector instructs ERYC to issue the DMMO because the council did not consider the
earlier use of the land as a recreational area for the village under common law.
 - 2010 – ERYC issues the DMMO
The Parish Council maintains its view that it is reasonable to assert that a right of way does
exist between Main Street and Tranby Lane.
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