

## HIGHWAYS ACT 1980

### NORTH YORKSHIRE COUNTY COUNCIL

#### THE NORTH YORKSHIRE COUNTY COUNCIL (A59 (KEX GILL DIVERSION) CLASSIFIED ROAD) (SIDE ROADS) ORDER 2021

The North Yorkshire County Council ("the Council") make this Order in exercise of powers under sections 14 and 125 of the Highways Act 1980 and all other powers enabling it in that behalf:-

- 1 (1) The Council is authorised in relation to the classified road to:
  - (a) improve the lengths of highway named in the Schedules to this Order and shown on the corresponding Site Plans by cross hatching;
  - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plans by zebra hatching;
  - (c) construct a new highway along each route whose centre line is shown on the Site Plans by an unbroken black line surrounded by stipple;
  - (d) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plans by a solid black band; and
  - (e) provide new means of access to premises at each location shown on the Site Plans by thin diagonal hatching.
- (2) Where a new highway is to be constructed wholly or partly along the same route as a new access or part of one, that new highway shall be created subject to the private rights over that new access.
- (3) Each new highway is given a reference letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word "footpath", "bridleway", "cycle track" and "restricted byway" appears beneath its reference letter in that Schedule, in which case it will be a footpath, bridleway or cycle track or restricted byway (as the case may be). Each new access is given a number on a Site Plan, which is also placed in the respective Schedule.
- (4) Where a new highway is to be constructed or a new access is to be provided in connection with the stopping up of a length of highway or private means of access described in a Schedule, its reference letter or number (as the case may be) is placed in that Schedule opposite the description of that length.

(5) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the classified road in relation to those works.

2. Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator, as the case may be, shall have the same rights as respects that apparatus as they had immediately before the stopping up took place.

3. In this Order:

(a) distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;

(b) a reference to a Schedule or Site Plan number is a reference to the Schedule, or to the Site Plan, so numbered;

(c) "the classified road" means the highway which the Council propose to construct west of the junction of the A59 and North Moor Road in a north-easterly direction before following an existing bridleway between North Moor Road and Hall Lane and then in a south-easterly direction returning to the existing A59 prior to Blubberhouses Bridge and which is a highway/proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980;

"the Council" means North Yorkshire County Council;

"improvement" in relation to a highway includes raising, lowering or otherwise altering that highway, and "improved" shall be construed accordingly;

"new access" means a means of access to premises authorised by this Order to be provided;

"new highway" means a highway authorised by this Order to be constructed and "new highways" shall be construed accordingly;

"Schedule" means a Schedule to this Order, and "Schedules" shall be construed accordingly;

"the Site Plan"

means one of the plans numbered 1 to 3 contained in the Plan Folio marked "The North Yorkshire County Council (A59 (Kex Gill Diversion) Classified Road) (Side Roads) Order 2021" sealed with the Common Seal of the Council and deposited at the offices of the Council at County Hall, Northallerton and Harrogate and Skipton Libraries and a duplicate has been deposited in the Offices of the Secretary of State for Transport and may also be viewed online:

<https://www.northyorks.gov.uk/a59-kex-gill-re-alignment>

## SCHEDULE 1

In the Parishes of Blubberhouses and Fewston in the District of Harrogate in the County of North Yorkshire

Site Plan 1 of 3

Drawing No: OD33/01

### Highways to be improved

North Moor Road

### Highways to be stopped up

### Reference letters of new highways

A59 Kex Gill Road from a point 153 metres south-west of the mid-point of its junction with North Moor Road for a distance of 1327.5 metres in an easterly direction

A  
(Restricted Byway)  
A1  
(Footpath)

Public Footpath 15.14/4/1 from its junction with North Moor Road for a distance of 195 metres in a south-westerly direction

B  
(Footpath)  
C  
(Bridleway)

Public Bridleway 15.14/5/1 from its junction with North Moor Road for a distance of 306 metres in an easterly direction

D  
(Bridleway)

**Private means of access to be  
stopped up**

**Reference numbers of new  
accesses**

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1

Access to derelict building 63 metres  
east of the junction of North Moor  
Road and Public Bridleway 15.14/5/1

2 and 3

## SCHEDULE 2

In the Parishes of Blubberhouses and Fewston in the District of Harrogate in the County of North Yorkshire

Site Plan 2 of 3

Drawing No: OD33/02

### Highways to be improved

None

### Highways to be stopped up

### Reference letters of new highways

A59 Kex Gill Road from a point 1167 metres east of the mid-point of its junction with North Moor Road for a distance of 1587 metres in an easterly direction

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Public Bridleway 15.14/5/1 from a point 306 metres east of the mid-point of its junction with North Moor Road for a distance of 1263 metres in an easterly direction

E  
(Bridleway)  
F  
(Restricted Byway)  
G  
(Restricted Byway)

Unclassified Unsurfaced Road U8056/9/30 from its junction with A59 Kex Gill Road for a distance of 595 metres in a northerly direction

F  
(Restricted Byway)  
G  
(Restricted Byway)  
H  
(Restricted Byway)  
J  
(Restricted Byway)

K  
(Bridleway)

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**Private means of access to be stopped up**      **Reference accesses**      **numbers**      **of**      **new**

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4

### SCHEDULE 3

In the Parishes of Blubberhouses and Fewston in the District of Harrogate in the County of North Yorkshire

Site Plan 3 of 3

Drawing No: OD33/03

#### Highways to be improved

Church Hill

#### Highways to be stopped up

#### Reference letters of new highways

A59 Kex Gill Road from a point 2245 metres east of its junction with North Moor Road for a distance of 594 metres in an easterly direction

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Church Hill from its junction with A59 Kex Gill Road for a distance of 123 metres in a southerly direction

P

Hall Lane from its junction with A59 Kex Gill for a distance of 68 metres in a north-westerly direction

M and N

Hall Lane from a point 68.85 metres from the entrance to Blubberhouses Hall for 61 metres in a westerly direction

M and N

M and N

Public Footpath 15.14/7/1 from its junction with A59 Kex Gill Road for a distance of 243 metres in a north-westerly direction

L  
(Bridleway)  
R  
(Bridleway)

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Private means of access to be stopped      Reference number of new accesses

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5

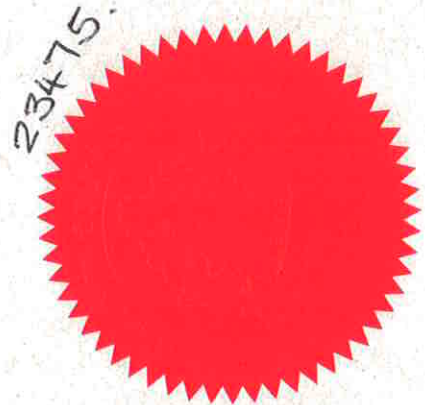
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6

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7

THE COMMON SEAL of the  
NORTH YORKSHIRE COUNTY COUNCIL  
was hereunto affixed in the  
presence of :



.....  
Authorised Officer

30 July 2021  
.....  
Date



PLAN FOLIO

THE NORTH YORKSHIRE COUNTY COUNCIL  
(A59 (KEX GILL DIVERSION) CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2021

CLASSIFIED ROAD



ROUTE OF NEW HIGHWAY



HIGHWAY TO BE IMPROVED



HIGHWAY TO BE STOPPED UP



PRIVATE MEANS OF ACCESS  
TO BE STOPPED UP



ROUTE OF NEW MEANS OF ACCESS



CONTENTS:  
KEY PLAN, SITE PLAN

These site plans show the routes of new highways, the site of improvement, stopping up and new accesses, but no widths or construction details.

KEY PLAN SCALE: 1:10,000  
SITE PLAN: 1:2500

THE COMMON SEAL OF  
NORTH YORKSHIRE COUNTY  
COUNCIL  
was hereunto affixed in  
the presence of :-

.....  
Authorised Officer

Dated 30 July 2021



