

**THE NORTH YORKSHIRE COUNTY COUNCIL (A59 KEX GILL DIVERSION) COMPULSORY  
PURCHASE ORDER 2021**

**HIGHWAYS ACT 1980 AND THE ACQUISITION OF LAND ACT 1981**

**COMPULSORY PURCHASE OF LAND AND NEW RIGHTS IN LAND 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 SOUTH-EASTERLY DIRECTION RETURNING TO THE EXISTING A59 PRIOR TO  
BLUBBERHOUSES BRIDGE**

1. The North Yorkshire County Council has made the North Yorkshire County Council (A59 Kex Gill Diversion) Compulsory Purchase Order 2021 under sections 239, 240, 246, and 250 of the Highways Act 1980. It is about to submit this Order to the Secretary of State for Transport for confirmation and, if confirmed, this Order will authorise the North Yorkshire County Council to purchase compulsorily the land and the new rights described below for the purposes of:
  - (i) the construction of a new highway 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
  - (ii) the improvement of North Moor Road and Hall Lane in pursuance of The North Yorkshire County Council (A59 (Kex Gill Diversion Classified Road) (Side Roads) Order 2021
  - (iii) the construction of other highways and the improvement of existing highways in the vicinity of the route of the above mentioned highway in pursuance of the North Yorkshire County Council (A59 (Kex Gill Diversion) Classified Road) (Side Roads) Order 2021;
  - (iv) the use of land in connection with the construction or improvement of a highway or with the carrying out of works authorised under the North Yorkshire County Council (A59 (Kex Gill Diversion) Classified Road) (Side Roads) Order 2021;
  - (v) the provision of new means of access to premises in pursuance of the North Yorkshire County Council (A59 (Kex Gill Diversion) Classified Road) (Side Roads) Order 2021;
  - (vi) the diversion of watercourses and the carrying out of other works on watercourses in connection with the construction and improvement of highways and the provision of new means of access to premises;
  - (vii) mitigating the adverse effects which the existence or use of the highways proposed to be constructed or improved will have on the surroundings thereof,
  - (viii) providing exchange land for common land being acquired

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

2. A copy of the Order and of the maps referred to therein have been deposited at County Hall, Northallerton, DL7 8QZ and at Harrogate Library, Victoria Avenue Harrogate, HG1 1EG and at Skipton Library, High Street, Skipton, BD23 1JX and may be seen free of charge there during normal opening hours subject to any current COVID restrictions.

The Orders and maps can also be viewed on the County Council's website at the following link

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

3. If no relevant objection as defined in section 13(6) of the Acquisition of Land Act 1981 is made, or if all such objections made are withdrawn, or if the confirming authority is satisfied that every objection made relates exclusively to matters of compensation which can be dealt with by the Upper Tribunal or amounts in substance to an objection to the North Yorkshire County Council (A59 (Kex Gill Diversion) Classified Road) (Side Roads) Order 2021, the confirming authority may confirm the order with or without modifications.
4. In any other case where a relevant objection has been made which is not withdrawn or disregarded, the confirming authority is required, before confirming the order either
  - (i) to cause a public local inquiry to be held; or
  - (ii) to afford to the objector an opportunity of appearing before and being heard by a person appointed by the confirming authority for the purpose; or
  - (iii) with the consent of the objector to follow a written representations procedure.
5. The confirming authority may then, after considering the objection and the report of the person who held the inquiry or hearing or considered the written representations, confirm the order with or without modifications.
6. Any objection to the Order must be made in writing to the Secretary of State for Transport at the offices of the National Transport Casework Team,

Department for Transport  
Tyneside House  
Skinnerburn Road  
Newcastle upon Tyne  
NE4 7AR

before **20 SEPTEMBER 2021** and should state the title of the Order, the grounds of objection and the objector's address and interests in the land.

## **DESCRIPTION OF THE LAND AND THE NEW RIGHTS**

### **Description of the Land and the New Rights to be acquired**

Total area of the land subject to the CPO is 365000 square metres or 35.6 hectares or 90.193 acres, located 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 south-easterly direction returning to the existing A59 prior to Blubberhouses Bridge. The area required for new rights is 0.20 hectares and relates to land required for construction, access and maintenance and 9.73 hectares of exchange land has to be provided as Common Land is being acquired.

### **Land to be Acquired:**

35.6 hectares (90.193 acres) of land, in the Parishes of Blubberhouses and Fewston in the District of Harrogate in the County of North Yorkshire comprising land to the east of North Moor Road and land to the north of the existing A59, west of North Moor Road, extending generally in a north easterly direction. This includes moorland and agricultural land at Blubberhouses Moor lying between North Moor Road and Hall Lane. It also includes agricultural land and woodland as part of Hall Farm extending in a generally south easterly direction and lying between public bridleway 15.14/5/1 and the existing A59. To the east the land includes part of Hall Beck and further agricultural land to the north and south of the existing A59 up to Church Hill in the south and Hall Lane to the north. In addition woodland east of Hall Lane and west of the River Washburn and part of Skipton Road are to be acquired. The detailed description of the land as well as the rights and interests thereover (insofar as they are known to the acquiring authority following diligent inquiry) are described in the Schedule to the Order.

### **Rights to be Acquired**

IN THE PARISH OF BLUBBERHOUSES AND IN THE PARISH OF FEWSTON

- Rights to construct, access and maintain highway structures including retaining walls, underpasses and culverts.
- Rights to construct, access and maintain drainage outfalls
- Rights to construct, and access accommodation tracks

- Rights to construct new private means of access
- Rights to carry out earthworks for mitigating flood risk/visual impact
- Rights to divert statutory undertakers' apparatus

**12 August 2021**

Barry Khan  
Assistant Chief Executive (Legal and Democratic Services)  
North Yorkshire County Council  
County Hall, Northallerton DL7 8AD