PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

PUBLIC FOOTPATH NOS. 10.48/041 AND 10.171/008, SYCAMORES, FACEBY & WHORLTON, DIVERSION ORDER 2024

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This Order is made by The North Yorkshire Council ("the Authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that in the interests of the owners of the land crossed by the Public Footpaths described in Paragraph 1 of this Order it is expedient that the line of the paths should be diverted.

This Order is also made under Section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that The North York Moors National Park within North Yorkshire Definitive Map and Statement require modification in consequence of the occurrence of an event specified in Section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the Map and Statement.

Ms Tribe and Mr Lewis, Sycamores, Faceby, Middlesbrough, TS9 7BX have agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new site of the paths into a fit condition for use by the public.

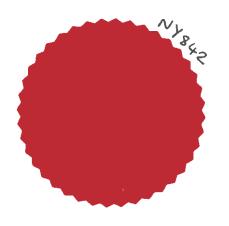
Whorlton and Faceby Parish Councils have been consulted as required by Section 120(2) of the 1980 Act.

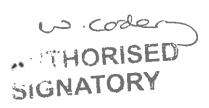
BY THIS ORDER:

- 1. The public rights of way over the land situated at Sycamores, Whorlton and Faceby and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up on the date on which the Authority certifies, in accordance with Section 119(3)(b) of the 1980 Act, that work to the new section of paths, as described in Part 2 of the Schedule, has been completed to the reasonable satisfaction of the Authority and thereupon The North York Moors National Park within North Yorkshire Definitive Map shall be modified by deleting from it those public rights of way. Under no circumstances shall such certification be given before the date of confirmation of this Order.
- 2. There shall from the date of the above mentioned certification be Public Footpaths over the land situated at Sycamores, Whorlton and Faceby described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in this Order and thereupon The North York Moors National Park within North Yorkshire Definitive Map shall be modified by adding those Public Footpaths to it.
- 2A. The North York Moors National Park within North Yorkshire Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.
- 3. The following works shall be carried out by the applicant in relation to the highway described in Part 2 of the Schedule: Create at gap at Point F and install a pedestrian gate at Point H.
- 4. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

THE COMMON SEAL of THE NORTH YORKSHIRE COUNCIL

was hereunto affixed this 6th day of February 2024 in the presence of:-





SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC FOOTPATHS

Section of Footpath as shown on the attached map	<u>Position</u>	<u>Width</u>
Public Footpath No. 10.48/041 marked with a bold continuous line and shown A - B - C on the attached plan	Commences at Grid Reference 44972 50249 (Point A) at the junction with the publicly- maintainable highway Bank Lane, crosses a stile at Grid Reference 44972 50249 (Point B) and then runs in a general West South West direction to a stile at Grid Reference 44970 50248 (Point C). A total distance of approx. 24 metres	Not Recorded
Public Footpath No. 10.171/008 marked with a bold continuous line and shown C - D on the attached plan	Commences at Grid Reference 44970 50248 (Point C) and runs in a general West direction for approximately 8 metres to Grid Reference 44969 50248 (Point D)	Not Recorded

PART 2

DESCRIPTION OF SITE OF NEW PUBLIC FOOTPATHS

Section of Footpath as shown on the attached map	Position	<u>Width</u>
Public Footpath No. 10.48/041 Marked with a bold dashed line and shown E - F - G - H	Commences at Grid Reference 44972 50251 (Point E) at the junction with the publicly-maintainable highway Bank Lane, passes through a gap at Grid Reference 44971 50250 (Point F), then continues on a chipped bark surface in a general West South West direction crossing a culvert at Grid Reference 44970 50250 (Point G) and continuing on a chipped bark surface in a general West South West direction to a pedestrian gate at Grid Reference 44969 50250 (Point H). A total distance of approx.	3 metres
Public Footpath No. 10.171/008 Marked with a bold dashed line and shown H - I	Commences at Grid Reference 44969 50250 (Point H) and runs on a woodland surface a generally West direction for approximately 17 metres to Grid Reference 44968 50250 (Point I).	2 metres

PART 3

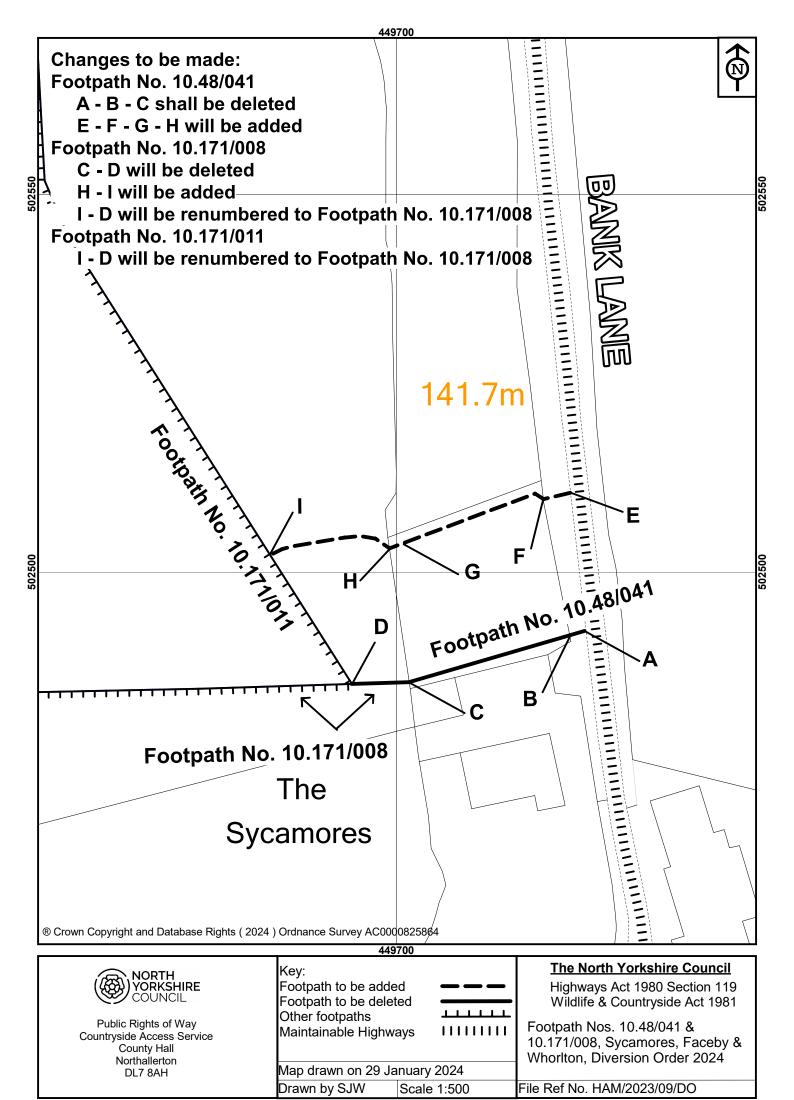
LIMITATIONS AND CONDITIONS

Position on Footpath No. 10.48/041 to which limitations and conditions apply	Limitations and Conditions
Grid Reference 44971 50250 (Point F)	Gap to BS5709:2018
Grid Reference 44970 50250 (Point G)	Culvert to be approximately 3 metres wide
Grid Reference 44969 50250 (Point H)	Pedestrian Gate to BS5709:2018

PART 4 MODIFICATION OF DEFINITIVE STATEMENT VARIATION OF PARTICULARS OF PATH OR WAY

Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (m)	Lawful Obstructions and Conditions
Footpath 10.48/041	Grid Reference 44972 50251 (Start) To Grid Reference	Commences at Grid Reference 44972 50251 at the junction with the publicly-maintainable highway Bank Lane, passes through a gap at Grid Reference 44971 50250, then continues on a chipped bark surface in a general West South	Grass surface between Grid Reference 44972 50251 and Grid Reference 44971 50250	0.004	3	Grid Reference 44971 50250 Gap to BS 5709:2018 Grid Reference 44970 50250
	44969 50250 (Finish)	West direction crossing a culvert at Grid Reference 44970 50250 and continuing on a chipped bark surface in a general West South West direction to a pedestrian gate at Grid Reference 44969 50250.	Chipped Bark surface between Grid Reference 44971 50250 and Grid Reference 44969 50250	0.022	3	Grid Reference 44969 50250 Pedestrian gate to BS 5709:2018
				Total 0.026		
Footpath 10.171/008	Grid Reference 44969 50250 (Start)	Commences at Grid Reference 44969 50250 and runs on a woodland surface a general West direction for approximately 17 metres to Grid Reference 44968 50250.	Woodland surface between Grid Reference 44969 50250 and Grid Reference 44968 50250	0.017	2	
	Not Recorded	Not Recorded	Not Recorded	Not Recorded	Not Recorded	
			Recorded			
Footpath 10.171/011	Not Recorded	Not Recorded	Not Recorded	Not Recorded	Not Recorded	

Grid Reference 44968 50250 (Start)	11 32 AAA			
То		Total Mat		
Not Recorded		Total Not Recorded		



PRESS NOTICE

Notice of making of a Public Path Diversion and Definitive Map and Statement Modification Order Highways Act 1980 & Wildlife and Countryside Act 1981 The North Yorkshire Council Public Footpath Nos. 10.48/041 and 10.171/008, Sycamores, Faceby & Whorlton, Diversion Order 2024. The above Order, made on 06.02.24, under Section 119 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981 will divert the Public Footpath described below. Public Footpath No. 10.48/041 between NZ 4972 0249 and NZ 4970 0248 will be diverted onto a mostly chipped bark surface in a generally West South West direction between NZ 4972 0251 and NZ 4969 0250. Public Footpath No. 10.171/008 between NZ 4970 0248 and NZ 4969 0248 will be diverted onto a woodland surface in a generally West direction between NZ 4969 0250 and NZ 4968 0250. A copy of the Order and the Order map may be seen free of charge during normal office hours at Stokesley Library, North Road, Stokesley, North Yorkshire until 22 March 2024. Copies may be purchased from Countryside Access Service, North Yorkshire Council, County Hall, Northallerton, North Yorkshire, DL7 8AD (tel: 03001312131) at a cost of £2, or can be downloaded free from our website https://www.northvorks.gov.uk/pathnotices. Any representations about or objections to the Order may be sent in writing to Suzanne Williamson at the above address or email CATO@northyorks.gov.uk not later than 22 March 2024. Please state the grounds on which they are made. Please note that objections/representations cannot be treated as confidential and may come into the public domain. Copies of any objections or representations received may be disclosed to interested parties, including the Planning Inspectorate where the case is referred to it for determination. If no such representations or objections are duly made, or if any so made are withdrawn, North Yorkshire Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation, any representations and objections which have not been withdrawn will be sent with the Order. Dated 23 February 2024 Barry Khan, Assistant Chief Executive Legal and Democratic Services County Hall, Northallerton DL7 8AH