

**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 30.33/129 AND 30.33/166, LODGE HILL
FARM, EGTON, DIVERSION ORDER 2024**

Barry Khan
Assistant Chief Executive
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County Hall
Northallerton
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THE NORTH YORKSHIRE COUNCIL

**PUBLIC FOOTPATHS 30.33/129 AND 30.33/166, LODGE HILL FARM, EGTON,
DIVERSION ORDER 2024**

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 owner(s) of the land crossed by the Public Footpath 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.

Mr Dillon, Lodge Hill Farm, Egton Grange, Whitby, YO22 5AZ has 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.

Egton Parish Council have been consulted as required by Section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situated at Lodge Hill Farm, Egton 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 path, as described in Part 2 of the Schedule, has been completed to the reasonable satisfaction of the Authority. 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 the Public Footpath over the land situated at Lodge Hill Farm, Egton described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in this Order.
- 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: undertake drainage work, ground levelling and vegetation clearance at Point H, undertake vegetation clearance at Point I, install self-closing Pedestrian Gates at Point F, Point J, Point K and Point L, and undertake vegetation clearance to the south of Point A.
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 30th day
of April 2024
in the presence of:-



M. Bethune

**AUTHORISED
SIGNATORY**

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC FOOTPATHS

<u>Section of Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath No 30.33/129 Marked with a bold continuous line and shown A - B - C - D on the attached plan	Commences at Grid Reference 47882 50357 (Point A) and runs in a North direction for approximately 29 metres to Grid Reference 47882 50360 (Point B), then continues in a North direction for approximately 4 metres to Grid Reference 47882 50360 (Point C) and then runs in an overall North-East direction for approximately 315 metres to Grid Reference 47897 50380 (Point D).	Not Recorded
Public Footpath No 30.33/166 Marked with a bold continuous line and shown C - E on the attached plan	Commences at Grid Reference 47882 50360 (Point C) and runs in a West-South-West direction for approximately 7 metres to Grid Reference 47881 50360 (Point E).	Not Recorded

PART 2

DESCRIPTION OF SITE OF NEW PUBLIC FOOTPATHS

<u>Section of Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
<p>Public Footpath 30.33/129 Marked with a bold dashed line and shown A - G - H - I - J - K - L - D on the attached plan</p>	<p>Commences at Grid Reference 47882 50357 (Point A) and crosses a grass field in an East-North-East direction for approximately 18 metres to Grid Reference 47884 50357 (Point G), then continues to cross the grass field and runs on the southern side of a dry stone wall in a generally North-East direction for approximately 61 metres to Grid Reference 47889 50361 (Point H), then continues on the southern side of the dry stone wall in a North-East direction for approximately 53 metres to Grid Reference 47894 50363 (Point I), continuing on the southern side of the dry stone wall in a North-East direction for approximately 4 metres to a Pedestrian Gate at Grid Reference 47894 50363 (Point J), then runs in a North-North-West direction for approximately 9 metres to a Pedestrian Gate at Grid Reference 47893 50364 (Point K), then follows the grass field edge in a North-West, then North-North-East, then North-East direction for approximately 206 metres to a Pedestrian Gate at Grid Reference 47897 50379 (Point L) and then runs in a North direction for approximately 10 metres to a track at Grid Reference 47897 50380 (Point D).</p>	<p>2 metres</p>
<p>Public Footpath 30.33/166 Marked with a bold dashed continuous line and shown A - F - E on the attached plan</p>	<p>Commences at Grid Reference 47882 50357 (Point A) and crosses a grass field in a North-North-West direction for approximately 29 metres to a Pedestrian Gate at Grid Reference 47881 50360 (Point F) continuing North-North-West for approximately 2.5 metres to a track at Grid Reference 47881 50360, Point E.</p>	<p>2 metres</p>

PART 3

LIMITATIONS AND CONDITIONS

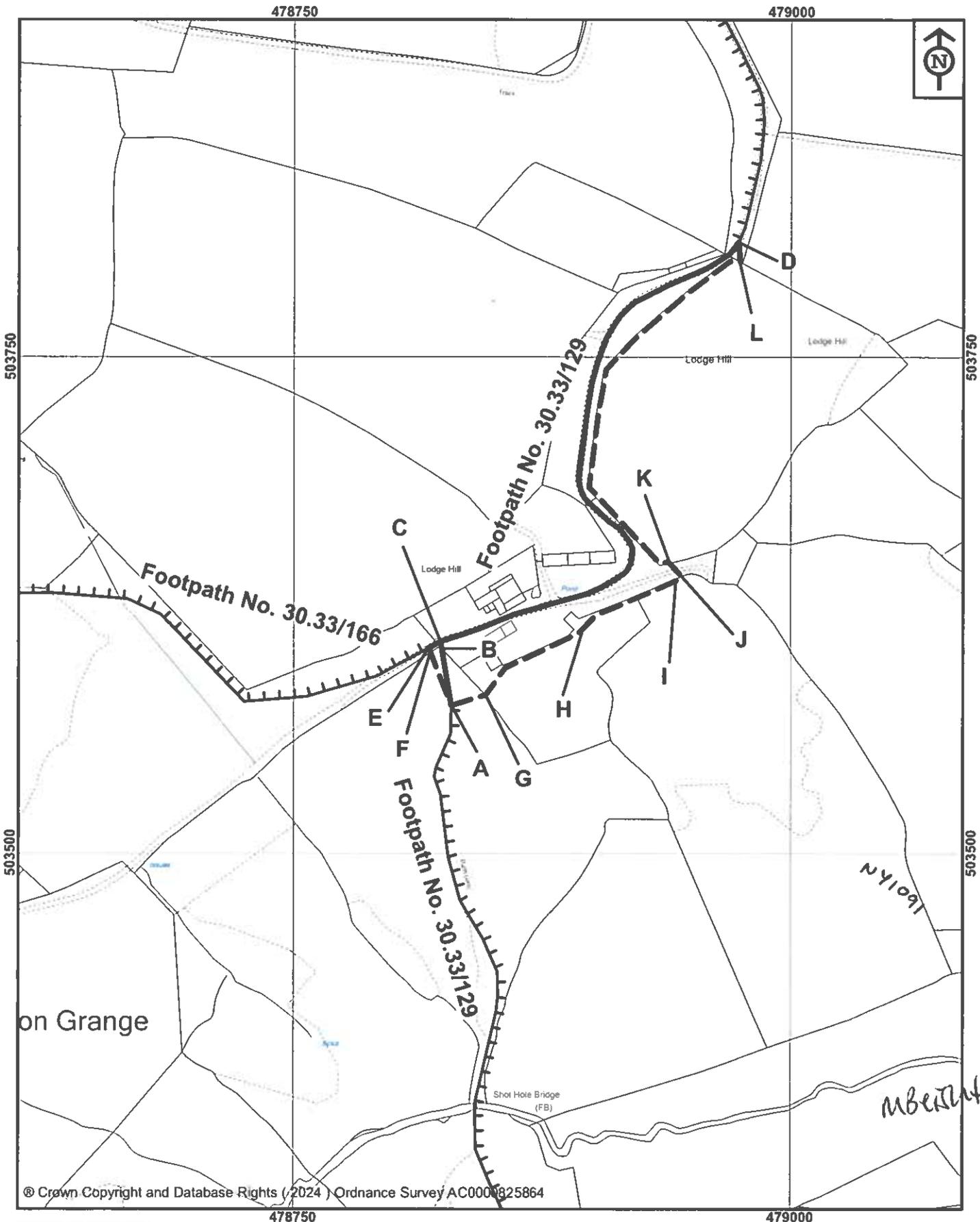
<u>Position on Footpath No. 30.33/129 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 47894 50363 (Point J)	Pedestrian gate to BS 5709:2018
Grid Reference 47893 50364 (Point K)	Pedestrian gate to BS 5709:2018
Grid Reference 47897 50379 (Point L)	Pedestrian gate to BS 5709:2018
<u>Position on Footpath No. 30.33/166 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 47881 50360 (Point F)	Pedestrian gate to BS 5709:2018

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 30.33/129	Not Recorded.	Not Recorded	Not Recorded	Not Recorded	Not Recorded	Not Recorded
		<p>Commences at Grid Reference 47882 50357 and crosses a grass field in an East North East direction for approximately 18 metres to Grid Reference 47884 50357, then continues to cross the grass field and then runs on the southern side of a dry stone wall in a North East direction for approximately 61 metres to Grid Reference 47889 50361, then continues on the southern side of the dry stone wall in a North East direction for approximately 53 metres to Grid Reference 47894 50363, continuing on the southern side of the dry stone wall in a North East direction for approximately 4 metres to a Pedestrian Gate at Grid Reference 47894 50363, then runs in a North North West direction for approximately 9 metres to a Pedestrian Gate at Grid Reference 47893 50364, then follows the grass field edge in a North West, then North North East, then North East direction for approximately 206 metres to a Pedestrian Gate at Grid Reference 47897 50379 and then runs in a North direction for</p>	<p>Grass between Grid Reference 47882 50357 and Grid Reference 47897 50380</p>	<p>0.361</p>	<p>2 metres</p>	<p>Grid Reference 47894 50363 Pedestrian gate to BS 5709:2018</p> <p>Grid Reference 47893 50364 Pedestrian gate to BS 5709:2018</p> <p>Grid Reference 47897 50379 Pedestrian gate to BS 5709:2018</p>

		<p>approximately 10 metres to a track at Grid Reference 47897 50380.</p> <p>Not Recorded</p>	Not Recorded	<p>Not Recorded</p> <p>Total Not Recorded</p>	Not Recorded	Not Recorded
Footpath 30.33/166	<p>Grid Reference 47882 50357 (Start)</p> <p>To</p> <p>Not Recorded (Finish)</p>	<p>Commences at Grid Reference 47882 50357 and crosses a grass field in a North North West direction for approximately 29 metres to a Pedestrian Gate at Grid Reference 47881 50360 continuing North-North-West for approximately 2.5 metres to a track at Grid Reference 47881 50360.</p> <p>Not Recorded</p>	<p>Grass between Grid Reference 47882 50357 and Grid Reference 47881 50360</p> <p>Not Recorded</p>	<p>0.0315</p> <p>Not Recorded</p> <p>Total Not Recorded</p>	2 metres	<p>Grid Reference 47875 50360 Pedestrian gate to BS 5709:2018</p> <p>Not Recorded</p>



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NORTH YORKSHIRE COUNCIL
Public Rights of Way
Countryside Access Service
County Hall
Northallerton
DL7 8AH

Key:

- Footpath to be added
- Footpath to be deleted
- Other footpaths

Map drawn on 29 April 2024

Drawn by SJW

Scale 1:2500

The North Yorkshire Council

Highways Act 1980 Section 119
Wildlife & Countryside Act 1981
Public Footpaths
30.33/129 and 30.33/166
Lodge Hill Farm, Egton
Diversion Order 2024

File Ref No. SCAR/2022/03/DO

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 Footpaths 30.33/129 and 30.33/166, Lodge Hill Farm, Egton, Diversion Order 2024. The above Order, made on 30.04.24, under Section 119 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981 will divert the Public Footpaths described below. Public Footpath No. 30.33/129 between NZ 7882 0357 and NZ 7897 0380 will be diverted onto a grass surface in a generally North East, then North West, then North North East direction between NZ 7882 0357 and NZ 7897 0380. Public Footpath No. 30.33/166 between NZ 7882 0360 and NZ 7881 0360 will be diverted onto a grass surface in a generally North North West direction between NZ 7882 0357 and NZ 7881 0360. This Order will replace the previous Order made at this location on 26.01.24. A copy of the Order and the Order map may be seen free of charge during normal office hours at Whitby Library, Windsor Terrace, Whitby, North Yorkshire until 6 June 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.northyorks.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 6 June 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 9 May 2024 Barry Khan, Assistant Chief Executive Legal and Democratic Services County Hall, Northallerton DL7 8AH