

**PUBLIC PATH DIVERSION AND  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

**HIGHWAYS ACT 1980**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE NORTH YORKSHIRE COUNCIL**

**PUBLIC FOOTPATH NO. 10.16/9, NEWBURN, BORROWBY,  
DIVERSION ORDER 2024**

Barry Khan  
Assistant Chief Executive  
Legal and Democratic Services  
County Hall  
Northallerton  
DL7 8AH

**PUBLIC PATH DIVERSION AND  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

**HIGHWAYS ACT 1980**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE NORTH YORKSHIRE COUNCIL**

**PUBLIC FOOTPATH NO. 10.16/9, NEWBURN, BORROWBY, 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 of the land crossed by the Public Footpath described in Paragraph 1 of this Order it is expedient that the line of the Path 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 District of Hambleton (outside The North York Moors National Park) 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 and Mrs Brown, Newburn, Borrowby, Thirsk, YO7 4QP 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 Path into a fit condition for use by the public.

Borrowby 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 Newburn, Borrowby 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 from the date of confirmation of this Order and thereupon The District of Hambleton (outside The North York Moors National Park) Definitive Map shall be modified by deleting from it that public right of way.
2. There shall from the date of confirmation of this Order be the Public Footpath over the land situated at Newburn, Borrowby shown by a bold broken line on the map contained in this Order and described in Part 2 of the Schedule to this Order and thereupon The District of Hambleton (outside The North York Moors National Park) Definitive Map shall be modified by adding the Public Footpath to it.
- 2A. The District of Hambleton (outside The North York Moors National Park) Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.
3. 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 6<sup>th</sup> day  
of February 2024  
in the presence of:-

W. Coder  
AUTHORISED  
SIGNATORY



## SCHEDULE

### PART 1

#### DESCRIPTION OF SITE OF EXISTING PUBLIC FOOTPATH

<u>Section of Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath No. 10.16/9 marked with a bold continuous line and shown A - C on the attached plan	Commences at Grid Reference 44277 48904 (Point A) and runs in a general West North West direction for approximately 58 metres to Grid Reference 44272 48905 (Point C)	Not Recorded

### PART 2

#### DESCRIPTION OF SITE OF NEW PUBLIC FOOTPATH

<u>Section of Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath No. 10.16/9 Marked with a bold dashed line and shown A - B - C	Commences at Grid Reference 44277 48904 (Point A) and runs on a tarmac surface in a general South South West direction for approximately 2 metres to a pedestrian gate at Grid Reference 44277 48903 (Point B), then continues on a grass surface in a general West North West direction for approximately 58 metres to Grid Reference 44272 48905 (Point C).	2 metres

### PART 3

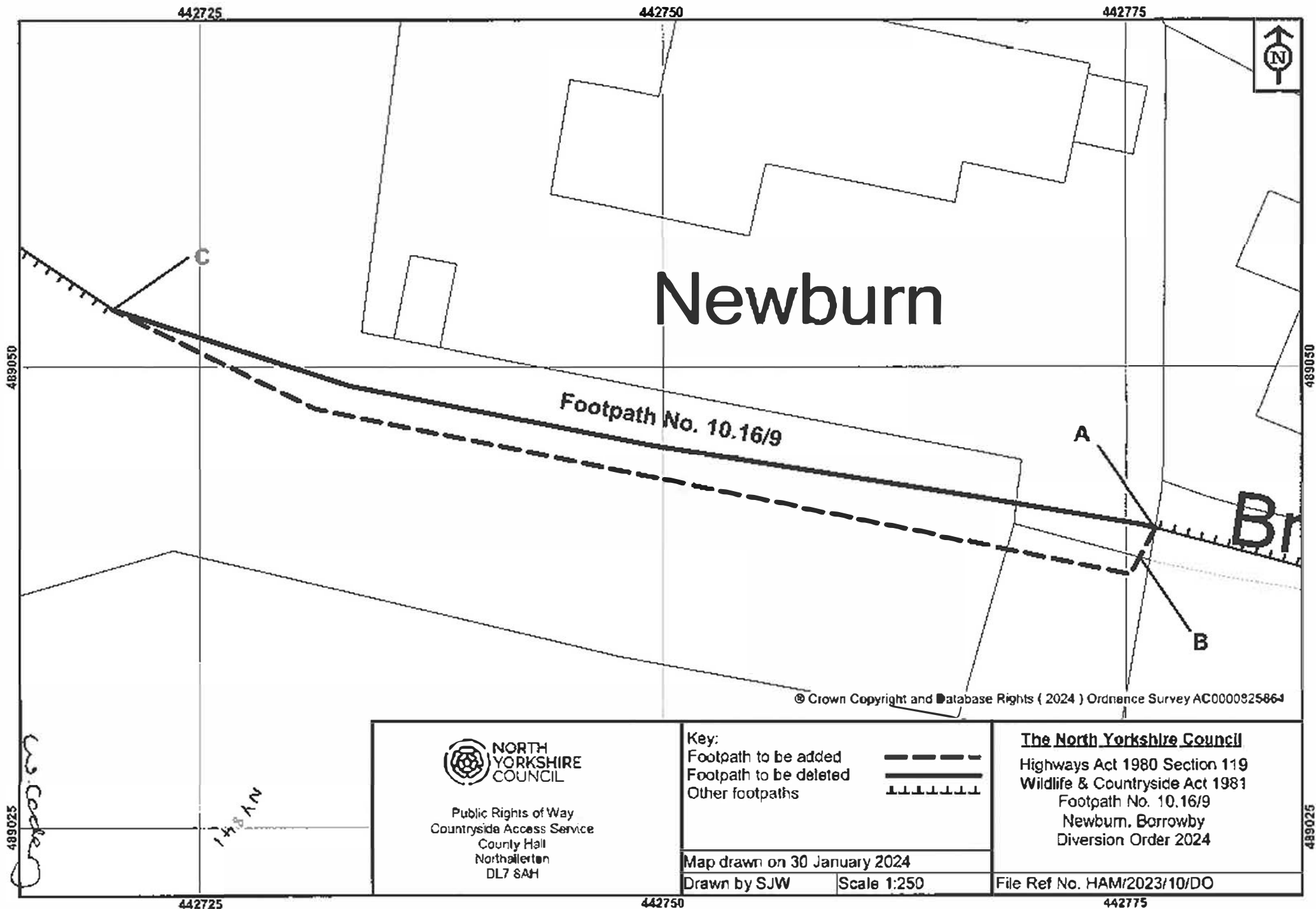
#### LIMITATIONS AND CONDITIONS

<u>Position on Footpath No. 10.16/9 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 44277 48903 (Point B)	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 10.16/9	Not Recorded	Not Recorded	Not Recorded	Not Recorded	Not Recorded	Not Recorded
		<b>Commences at Grid Reference 44277 48904 and runs on a tarmac surface in a general South South West direction for approximately 2 metres to a pedestrian gate at Grid Reference 44277 48903, then continues on a grass surface in a general West North West direction for approximately 58 metres to Grid Reference 44272 48905</b>	<b>Tarmac surface between Grid Reference 44277 48904 and Grid Reference 44277 48903</b>	<b>0.002</b>	<b>2</b>	<b>Grid Reference 44277 48903 Pedestrian gate to BS 5709:2018</b>
			<b>Grass surface between Grid Reference 44277 48903 and Grid Reference 44272 48905</b>	<b>0.058</b>		
		Not Recorded	Not Recorded	Not Recorded	Not Recorded	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 No. 10.16/9, Newburn, Borrowby, 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. 10.16/9 between SE 4277 8904 and SE 4272 8905 will be diverted onto a mostly grass surface in a generally West North West direction between SE 4277 8904 and SE 4272 8905. A copy of the Order and the Order map may be seen free of charge during normal office hours at Northallerton Library, 1 Thirsk Road, Northallerton, 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.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](mailto: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