

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

**HIGHWAYS ACT 1980**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE NORTH YORKSHIRE COUNCIL**

**PUBLIC FOOTPATH 05.31/15 SUNNYSIDE  
LOTHERSDALE DIVERSION ORDER 2024**

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

**PUBLIC PATH DIVERSION AND  
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**PUBLIC FOOTPATH 05.31/15 SUNNYSIDE LOTHERSDALE  
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 owners of the land crossed by the 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 Craven (outside The Yorkshire Dales 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 R & Mrs J Gibson of Sunnyside Farm White Hill Lane Lothersdale Keighley BD20 8HU 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(s) into a fit condition for use by the public.

Lothersdale Parish Council has 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 Sunnyside Farm, White Hill Lane Lothersdale, Lothersdale 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 and thereupon The District Of Craven (outside The Yorkshire Dales National Park) Definitive Map shall be modified by deleting from it that public right 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 the Footpath over the land situated at Sunnyside Farm, White Hill Lane Lothersdale, 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 District Of Craven (outside The Yorkshire Dales National Park) Definitive Map shall be modified by adding the Footpath to it.
- 2A. The District Of Craven (outside The Yorkshire Dales 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.
4. The Owner(s) shall carry out the works required to bring the new section of path, as described in Part 2 of the Schedule, into effect.

THE COMMON SEAL of THE  
NORTH YORKSHIRE COUNCIL

was hereunto affixed this 16 day  
of January 2024  
in the presence of:-

MB Liffman

NY775



## SCHEDULE

### PART 1

#### DESCRIPTION OF SITE OF EXISTING FOOTPATH

<u>Section of Public Footpath 05.31/15 as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 05.31/15 as shown on the attached map by a bold black solid line <b>A-B-C-D-E</b>	Commencing at a driveway at Grid Reference 39496 44659 (Point A on the map), 16 metres north of its junction with Footpath 05.31/16, and proceeding generally northeastwards for 26 metres via a cattle grid at Grid Reference 39496 44662 (Point B) and continuing for 116 metres approximately to a barn or workshop at Grid Reference 39503 44671 (Point C) then continuing generally northwestwards for 99 metres approximately across rising grass to cross a stile at Grid Reference 39496 44678 (Point D) and continuing for 207 metres across grass to Grid Reference 39483 44693 (Point E) two metres south of a stile; a total of 448 metres approximately on tarmac and grass	0.9 metres

PART 2

DESCRIPTION OF SITE OF NEW FOOTPATH

<u>Section of Public Footpath 05.31/15 as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 05.31/15 as shown on the attached map by a bold black broken line <b>A--F--G--H--J--K--E</b>	<p>Commencing at a driveway at Grid Reference 39496 44659 (Point A on the map), 16 metres north of its junction with Footpath 05.31/16, and proceeding generally northwards for 25 metres through a field-gate at Grid Reference 39495 44661 (Point F) and continuing for 11 metres over a culvert at Grid Reference 39494 44663 (Point G) then continuing north-northwestwards for 150 metres approximately to a kissing gate at Grid Reference 39490 44677 (Point H) and continuing for two metres over a culvert at Grid Reference 39489 44677 (Point J) and proceeding northwestwards for 49 metres towards the north of two gateways into adjacent fields to Grid Reference 39486 44680 (Point K) and thence north-northwestwards for 144 metres approximately to Grid Reference 39483 44693 (Point E) 2 metres south of a stile where it rejoins the original route: The western edge of the Footpath to be no less than one metre east of the base of a wall, between Points G and H; and between Points K and E.</p> <p>Total distance 381 metres on grass.</p>	2 metres

PART 3

LIMITATIONS AND CONDITIONS

<b><u>Position on Public Footpath 05.31/15 to which limitations and conditions apply</u></b>	<b><u>Limitations and Conditions</u></b>
Grid Reference 39495 44661 (Point F on the map)	Pedestrian Gate to BS5709:2018, with width between 2.4 metres and 3.7 metres
Grid Reference 39494 44663 (Point G)	Culvert with minimum width 2 metres
Grid Reference 39490 44677 (Point H)	Self-closing Kissing Gate to BS5709:2018
Grid Reference 39489 44677 (Point J)	Culvert with minimum width 2 metres

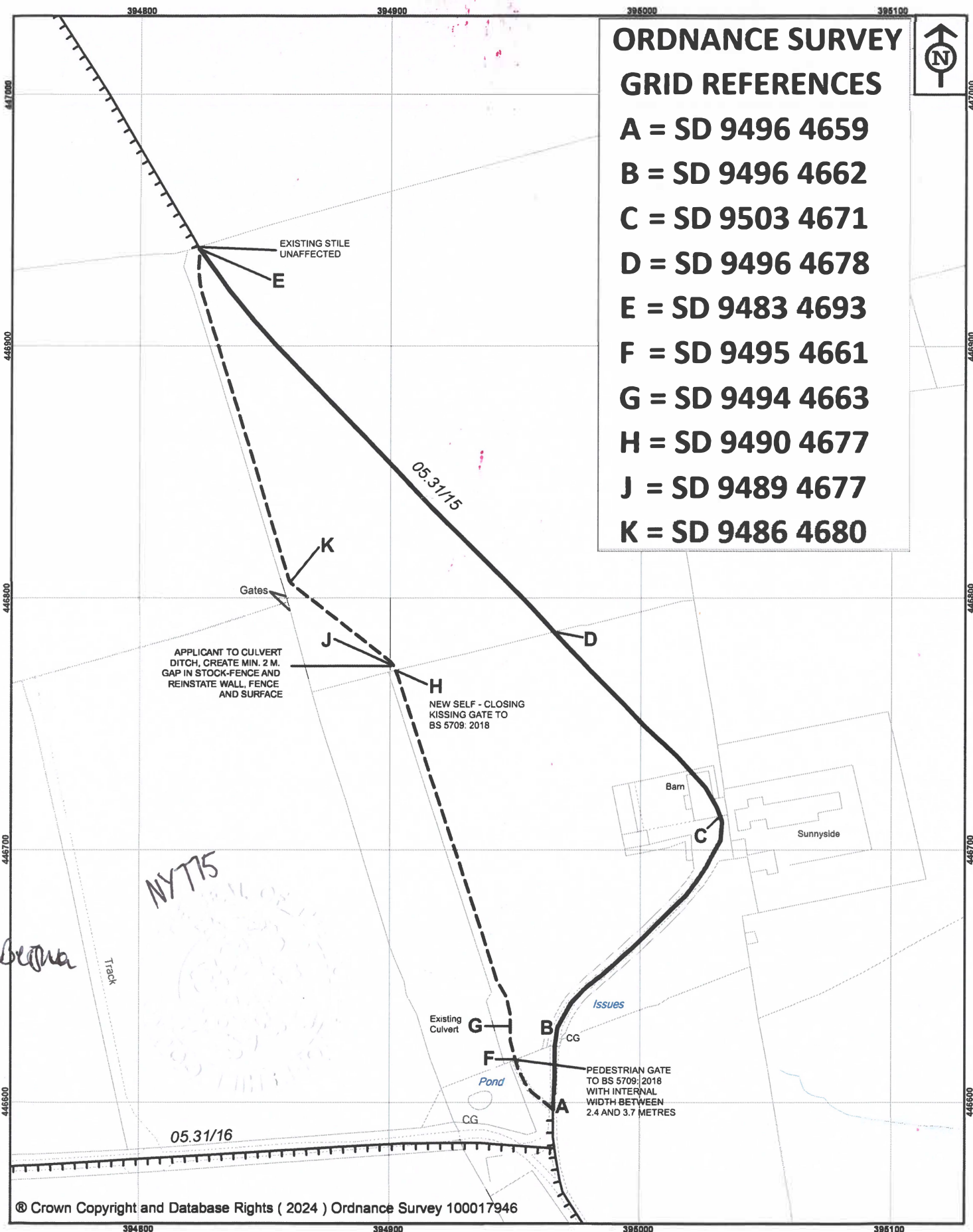
PART 4

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 05.31/15	39516, 44643 (Start)  To  39454, 44729 (Finish)	Commences at its junction with White Hill Lane and proceeds northward via <del>Sunny Side</del> <b>a driveway to Grid Reference 39496 44659, 16 metres north of its junction with Footpath 05.31/16, then proceeds generally northwards for 25 metres through a field-gate at Grid Reference 39495 44661 continuing for 11 metres over a culvert at Grid Reference 39494 44663 then continuing north-northwestwards for 150 metres approximately to a kissing gate at Grid Reference 39490 44677 and continuing for two metres over a culvert at Grid Reference 39489 44677 and proceeding northwestwards for 49 metres towards the north of two gateways into adjacent fields to Grid Reference 39486 44680 and thence north-northwestwards for 144 metres approximately to Grid Reference 39483 44693 two metres south of a stile and proceeds to Elslack Parish Boundary on Pinhaw Moor</b>	Grass	<del>1.145</del>  <b>0.025</b> <b>0.011</b>  <b>0.150</b> <b>0.002</b>  <b>0.049</b>  <b>0.144</b>  <b>Total</b> <b>1.078</b>	<del>0.9</del> <b>0.9</b>  <b>2.0</b> <b>2.0</b>  <b>2.0</b> <b>2.0</b>  <b>2.0</b> <b>2.0</b>  <b>0.9</b>	<del>Field gate at Grid Reference (GR) 39512 44644 Field gate at GR 39496 44662 Wall Stile at GR 39496 44678</del> <b>Field Gate (described as Pedestrian Gate to BS5709:2018) at GR 39495 44661. Culvert at GR 39494 44663. Kissing Gate to BS5709:2018 at GR 39490 44677. Culvert at GR 39489 44677.</b>  Wall Stile at GR 39482 44694

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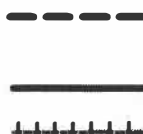




**NORTH  
YORKSHIRE  
COUNCIL**

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

**KEY:**  
Footpath A-F-H-K-E  
to be added  
Footpath A-B-C-D-E  
to be deleted  
Other Footpaths



Map drawn on 1 January 2024

Drawn by RR DMO | Scale 1:2000

**The North Yorkshire Council**

Highways Act 1980 Section 119  
Wildlife & Countryside Act 1981

FOOTPATH 05.31/15  
SUNNYSIDE LOTERSDALE  
DIVERSION ORDER 2024

File Ref No. CRA/2023/07/DO

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

**HIGHWAYS ACT 1980**

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**THE NORTH YORKSHIRE COUNCIL**

**PUBLIC FOOTPATH 05.31/15 SUNNYSIDE WHITE HILL LANE LOTHERSDALE  
DIVERSION ORDER 2024**

THE NORTH YORKSHIRE COUNCIL in exercise of the powers conferred upon it in that behalf hereby confirm the foregoing Order (without any modification) as an Unopposed Order.

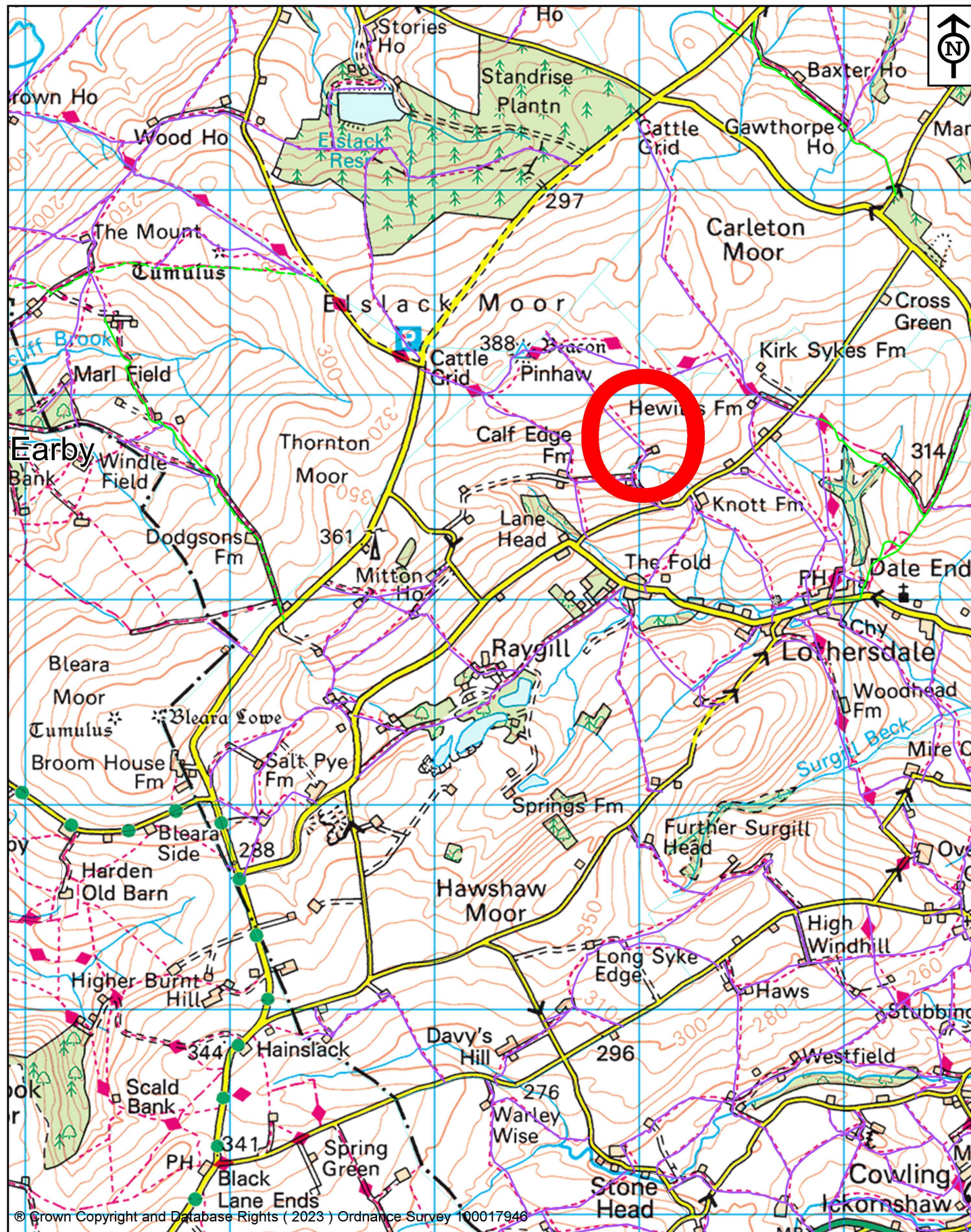
IN WITNESS whereof  
THE COMMON SEAL of THE  
NORTH YORKSHIRE COUNCIL

was hereunto affixed this 27 day  
of February 2024  
in the presence of:-



W. Corder  
**AUTHORISED  
SIGNATORY**





<p><b>NORTH YORKSHIRE COUNCIL</b></p> <p>Public Rights of Way Countryside Access Service County Hall Northallerton DL7 8AH</p>	<p><b>KEY:</b></p> <p><b>FOOTPATH</b> <span style="color: pink;">—</span></p> <p><b>BRIDLEWAY</b> <span style="color: green;">—</span></p> <p>Map drawn on 22 November 2023 Drawn by RR-DMO Scale 1:25000</p>	<p><b>The North Yorkshire Council</b></p> <p><b>Footpath 05.31/15</b> <b>Sunnyside Lothersdale</b> <b>Diversion Order 2024</b></p> <p><b>LOCATION PLAN</b></p> <p>File Ref No. CRA/2023/07/DO</p>
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## **SITE NOTICE**

### **NOTICE OF CONFIRMATION 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 05.31/15 SUNNYSIDE WHITE HILL LANE LOTHERSDALE DIVERSION ORDER 2024**

The above Order made under Section 119 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981 was Confirmed on 27 February 2024.

The effect of the Order as Confirmed is to divert the Footpath as follows:

Public Footpath 05.31/15 will be diverted from its route running from SD 9496 4659 to SD 9503 4671 to SD 9483 4693, (A—C—E on the attached Plan); onto a new route from SD 9496 4659 to SD 9490 4677 to SD 9486 4680 to SD 9483 4693, (A—H—K—E).

A copy of the Order as Confirmed and the Order Map have been placed and may be seen free of charge during normal office hours at Skipton Library, High St, Skipton BD23 1JX (Tel. 01609 534548), North Yorkshire until 19 April 2024. Copies of the Order and Map may be purchased from Countryside Access Service, North Yorkshire Council, County Hall, Northallerton, North Yorkshire, DL7 8AD (Tel: 0300 131 2131) at a cost of £2, or can be downloaded free from our website <https://www.northyorks.gov.uk/pathnotices>

The Order comes into force 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, described in Part 2 of the Schedule, has been completed, but if a person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980 as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the Order, he or she may, under Paragraph 2 of Schedule 2 to the Act as applied by Paragraph 5 of Schedule 6 to the Act, within six weeks from 7 March 2024, make an application to the High Court.

**Dated:** 7 March 2024

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

