

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

**PUBLIC FOOTPATHS 30.38/042 & 30.38/043, HIGH BROCK RIGG,
GLAISDALE DIVERSION ORDER 2023**

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

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ORDER 2023**

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 Footpaths described in Paragraph 1 of this Order it is expedient that the line of the Path(s) 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.

Derek & Christine Bond, High Brock Rigg, Glaisdale, YO21 2QU 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 Path(s) into a fit condition for use by the public.

Glaisdale 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 High Brock Rigg, Glaisdale 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 North York Moors National Park Within North Yorkshire 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 Public Footpaths over the land situated at High Brock Rigg, Glaisdale 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 the 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: Provision of a field gate at Point C and a pedestrian gap to BS5709:2018 at Point E on the attached plan.
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.

N4307



THE COMMON SEAL of THE NORTH
YORKSHIRE COUNCIL

was hereunto affixed this 18th day
of July 2023
in the presence of:-

A handwritten signature in black ink, appearing to be "D. S. S.", written over the "AUTHORISED SIGNATORY" text.

**AUTHORISED
SIGNATORY**

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC FOOTPATHS

<u>Section of Public Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 30.38/042 as marked with a bold continuous line (A-B) on the attached plan.	Starts at Grid Reference 47719 50642 (Point A) and proceeds in a generally south south east direction for approximately 79 metres before entering the garden of High Brock Rigg at a stone step stile and continuing in a south south east direction for approximately 37 metres to its junction with Public Footpath 30.38/043 at Grid Reference 47724 50631 (Point B).	Not Recorded
<u>Section of Public Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 30.38/043 as marked with a bold continuous line (D-B-F) on the attached plan.	Starts at Grid Reference 47729 50631 (Point D) and proceeds in a generally west direction for approximately 54 metres to Grid Reference 47724 50631 (Point B) and then proceeds in a generally south west direction for approximately 50 metres to Grid Reference 47720 50628 (Point F).	Not Recorded

PART 2

DESCRIPTION OF SITE OF NEW PUBLIC FOOTPATHS

<u>Section of Public Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 30.38/042 as marked with a bold dashed line (A-C-D) on the attached plan.	Starts at Point A and proceeds in a south east direction for approximately 83 metres before curving round into a south direction and proceeding for approximately 57 metres to a field gate at Point C and then continues in a south direction for approximately 23 metres to its junction with Public Footpath 30.38/043 at Point D. The total length is 163 metres on a grass surface.	2 metres
<u>Section of Public Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 30.38/043 as marked with a bold dashed line (D-E-F) on the attached plan.	Starts at Point D and proceeds south off the access track into the field and then turns immediately west and then curves round to the south west, following the line of the field boundary for approximately 89 metres to a gap in the boundary wall at Point E and then continues in a west south west direction for approximately 11 metres to Point F. The total length is 100 metres on a grass surface.	2 metres

PART 3

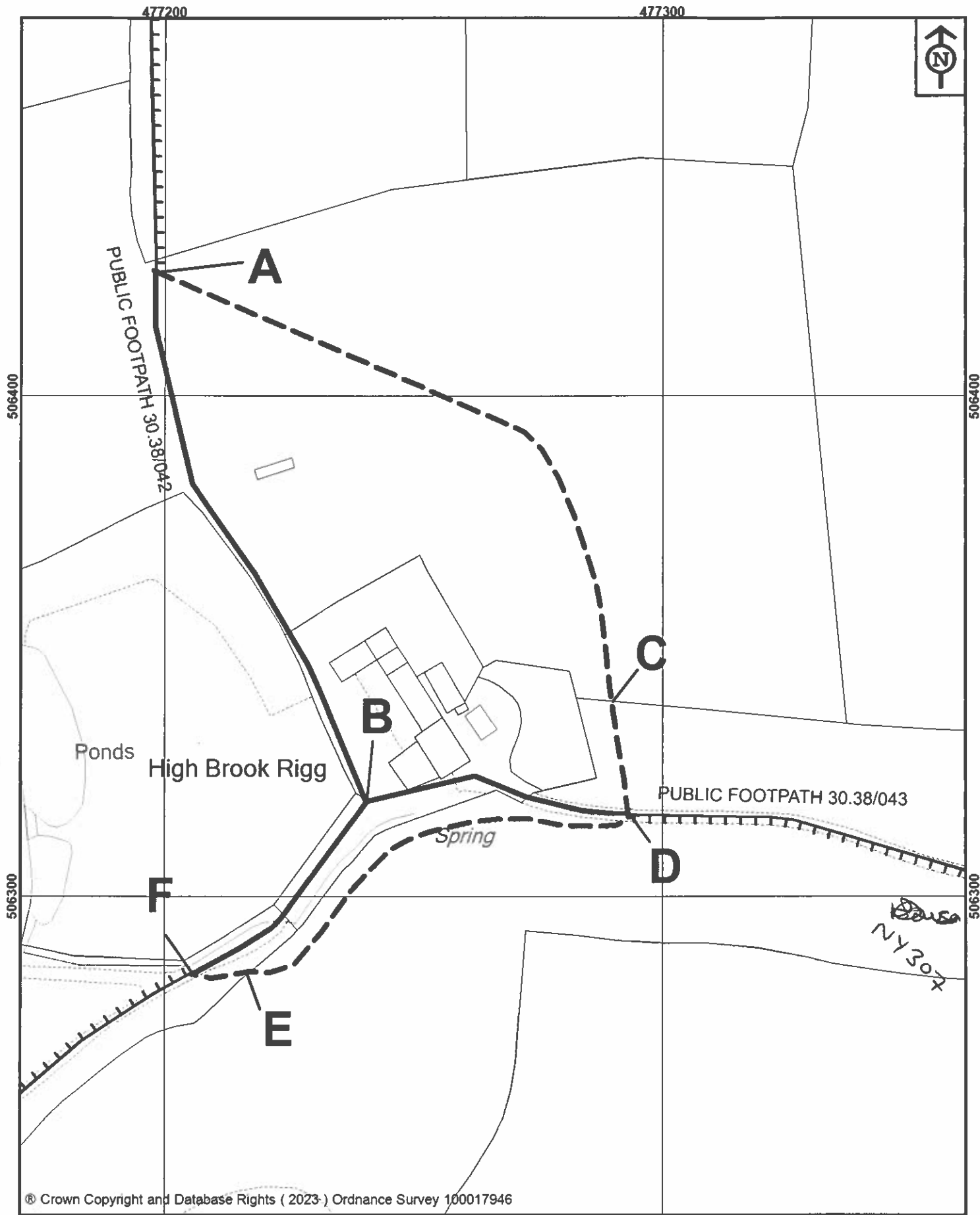
LIMITATIONS AND CONDITIONS

<u>Position on Public Footpath 30.38/042 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 47729 50633 (Point C)	Field Gate
<u>Position on Public Footpath 30.38/043 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 47721 50628 (Point E)	Pedestrian Gap 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
Public Footpath 30.38/042	NZ 7762 0657 (Start)	Not Recorded	Not Recorded	Not Recorded	Not Recorded	
	To NZ 7729 0631 (Finish)	From a position south of a field gate, starts at Grid Reference 47719 50642 and proceeds in a south east direction before curving round into a south direction and proceeding to a field gate at Grid Reference 47724 50633 and then continues in a south direction to its junction with Public Footpath 30.38/043 at Grid Reference 47729 50631.	Grass	0.163Km	2 metres	Field Gate at GR 47724 50633
Public Footpath 30.38/043	NZ 7756 0630 (Start)	Not Recorded	Not Recorded	Not Recorded	Not Recorded	
	To NZ 7663 0604 (Finish)	Starts at Grid Reference 47729 50631 and proceeds south off the access track into the field and then turns immediately west and then curves round to the south west, following the line of the field boundary to a gap in the boundary wall at Grid Reference 47721 50628 and then continues in a west south west direction to Grid Reference 47720 50628.	Grass	0.100Km	2 metres	Pedestrian Gap to BS5709:2018 at GR 47721 50628
		Not Recorded	Not Recorded	Not Recorded	Not Recorded	



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

Key:

Footpaths to be added
Footpaths to be deleted
Other footpaths



Map drawn on 11 July 2023

Drawn by SCM

Scale 1:1000

The North Yorkshire Council

Highways Act 1980 Section 119
Wildlife & Countryside Act 1981

Public Footpaths 30.38/042
and 30.38/043, High Brook Rigg,
Glaisdale Diversion Order 2023

File Ref No. SCAR/2023/02/DO

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ORDER 2023**

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 15th day 8.M
of SEPTEMBER 2023
in the presence of:-



W. Coady
**AUTHORISED
SIGNATORY**