

SITE NOTICE

NOTICE OF CONFIRMATION OF A PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

HIGHWAYS ACT 1980 WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

PUBLIC FOOTPATH 10.8/6, HILL HOUSE FARM, APPLETON WISKE, DIVERSION ORDER 2025

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 03.06.25.

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

Public Footpath No. 10.8/6 between NZ 3861 0471 and NZ 3791 0655 will be diverted onto a new route in a north west direction between NZ 3861 0472 and NZ 3791 0655.

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 Northallerton Library, North Yorkshire until 15.08.25. Copies of the Order and Map may be purchased from Countryside Access Services, 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 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 04.07.25, make an application to the High Court.

Dated 04.07.25

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



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DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

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**PUBLIC FOOTPATH 10.8/6, HILL HOUSE FARM, APPLETON WISKE, DIVERSION ORDER
2025**

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 Public Footpath 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 Andrew Trewwhitt, Hill House Farm, Appleton Wiske, Northallerton, DL6 2AP 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 into a fit condition for use by the public.

Appleton Wiske 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 Hill House Farm, Appleton Wiske 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 a Public Footpath over the land situated at Hill House Farm, Appleton Wiske described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in 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: install a pedestrian gate at point C, a pedestrian gate at point D, drainage works at Point D to minimise flooding, and install a culvert and a pedestrian gap at Point L.
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.
5. 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.

THE COMMON SEAL OF THE NORTH
YORKSHIRE COUNCIL

was hereunto affixed this 11th day
of April 2025
in the presence of:-

W. Codery



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC FOOTPATH

<u>Section of Footpath to be extinguished as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 10.8/6 as marked with a bold continuous line and shown A-B on the attached plan	Commences at Grid Reference 43861 50471 (Point A) and runs in a generally north west direction for approximately 2122m to Grid Reference 43791 50655 (Point B).	2 metres

PART 2

DESCRIPTION OF SITE OF NEW PUBLIC FOOTPATH

<u>Section of Footpath to be created as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 10.8/6 as marked with bold dashed line (C-D-E-F-G-H-I-J-K-L-B)	Footpath commences at the junction with the public highway Hornby Road at Grid Reference 43861 50472 (Point C), footpath passes through a pedestrian gate and proceeds in a generally north west direction for approximately 33 metres to a pedestrian gate at Grid Reference 43860 50475 (Point D), then continues in an east north east direction for approximately 190 metres to Grid Reference 43876 50484 (Point E), then continues in a generally north west direction for approximately 474 metres to Grid Reference 43859 50528 (Point F), then continues in an east north east direction for approximately 122 metres to Grid Reference 43870 50532 (Point G), then continues in a generally north west direction for approximately 368 metres to Grid Reference 43862 50568 (Point H), then continues in a west direction for approximately 166 metres to Grid Reference 43846 50567 (Point I), then continues in a generally north west direction for approximately 487 metres to a pedestrian gap at Grid Reference 43831 50613 (Point J), then continues in a generally north west direction for approximately 540 metres to Grid Reference 43817 50665 (Point K), then continues in generally south west direction for approximately 292 metres to a culvert and pedestrian gap at Grid Reference 43791 50655 (Point L), then continues in a generally south west direction for approximately 6 metres to Grid Reference 43791 50655 (Point B). The surface of the new route will be grass.	2 metres

PART 3

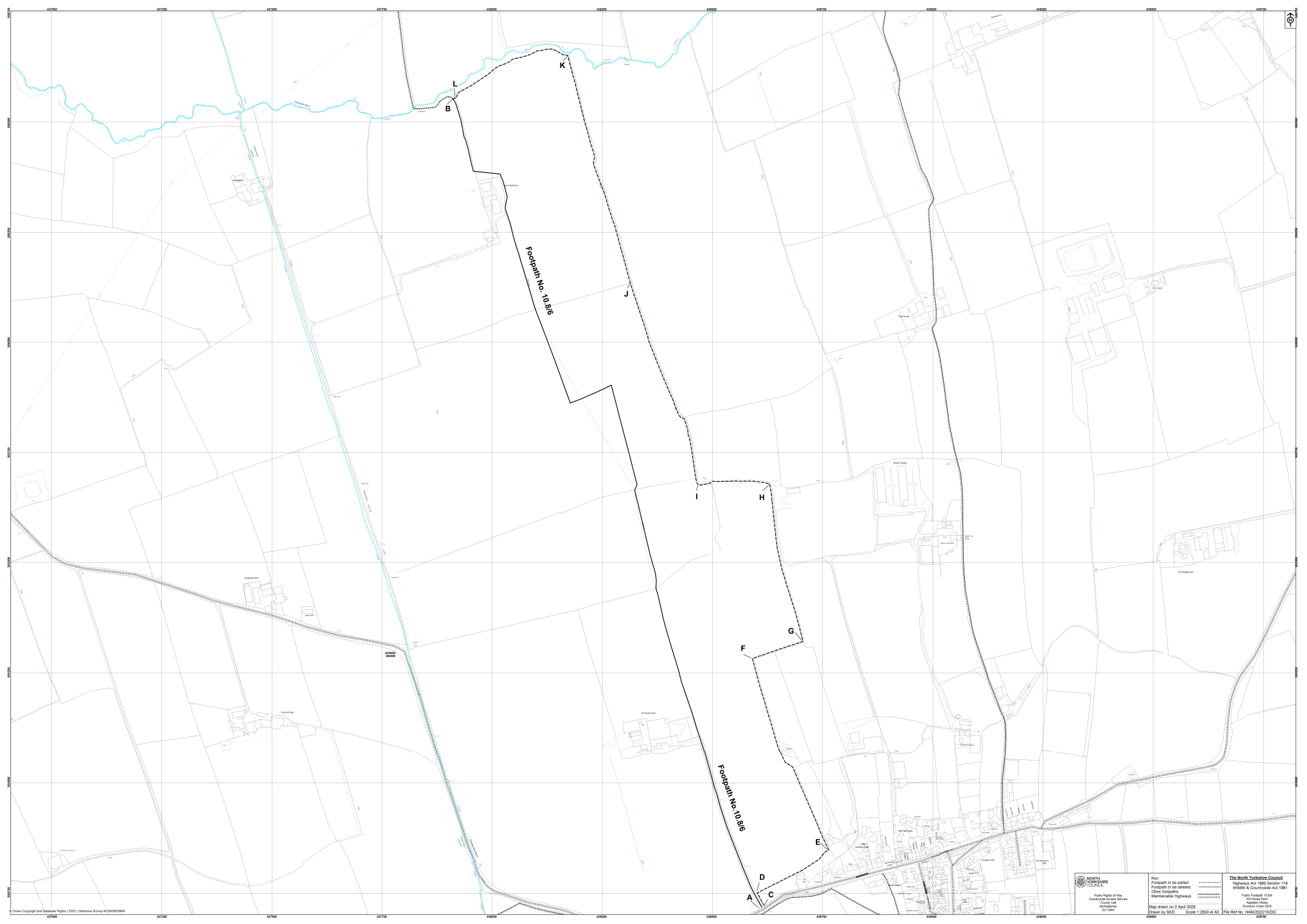
LIMITATIONS AND CONDITIONS


<u>Position on Public Footpath No. 10.8/6 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 43861 50472 (Point C)	Pedestrian Gate to BS5709:2018
Grid Reference 43860 50475 (Point D)	Pedestrian Gate to BS5709:2018
Grid Reference 43831 50613 (Point J)	Pedestrian Gap to BS5709:2018
Grid Reference 43791 50655 (Point L)	Pedestrian Gap to BS5709:2018
Grid Reference 43791 50655 (Point L)	Culvert

PART 4

MODIFICATION OF DEFINITIVE STATEMENT
VARIATION OF PARTICULARS OF PATH OR WAY

[illegible]





NORTH YORKSHIRE
COUNCIL

Public Rights of Way
Countryside Access Service
North Yorkshire
CLY/BAH

Key:
Footpath to be added
Footpath to be deleted
Other footpaths
Maintainable Highways

The North Yorkshire Council
Highways Act 1980 Section 119
Wildlife & Countryside Act 1981

Water Footpath 10.96
Water Footpath 10.97
Water Footpath 10.98
Water Footpath 10.99
Water Footpath 11.00

Map drawn on 2 April 2025
Drawn by: DCD
Scale: 1:2500 at A0
File Ref No: HAM/2025/15DD

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2025**

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 3rd day
of June 2025
in the presence of:-





**AUTHORISED
SIGNATORY**