

Notice of Confirmation of a Public Path Diversion and Definitive Map and Statement Modification Order, Highways Act 1980 Wildlife and Countryside Act 1981, North Yorkshire County Council, Footpath 10.157/1(part) High House, Thornton on the Hill, Diversion Order 2019

On 25/02/19, North Yorkshire County Council confirmed the above Order made under Section 119 of the Highways Act 1980 & Section 53A(2) of the Wildlife and Countryside Act 1981. The effect of the confirmed Order is to divert the public footpath described below and modify The District of Hambleton (Outside the North York Moors National Park) Definitive Map and Statement accordingly. Footpath 10.157/1 starting on the road side at GR SE 5327 7407 & proceeding in a westerly then north westerly direction to GR SE 5304 7415 will be diverted onto a new line starting at GR SE 5331 7425 & proceeding immediately through a pedestrian gate then proceeding in a west south westerly direction over a culvert at GR SE 5306 7415 then proceeding west to GR SE 5304 7415. A copy of the confirmed Order & order map may be seen free of charge during normal office hours at Thirsk Community Library, Meadowfields, Chapel Street, Thirsk, YO7 1TH until 19/04/19. Copies of the Order & map may be purchased from Waste & Countryside Services, County Hall, Northallerton, DL7 8AD (tel: 01609 532512) at a cost of £2.00, 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 6 weeks from 08/03/19 make an application to the High Court.

Dated: 08/03/19

Barry Khan, Assistant Chief Executive, Legal and Democratic Services

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

NORTH YORKSHIRE COUNTY COUNCIL

**FOOTPATH 10.157/1 (PART) HIGH HOUSE, THORNTON ON THE HILL
DIVERSION ORDER 2019**

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

AUTHORISED
SIGNATORY

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

NORTH YORKSHIRE COUNTY COUNCIL

**FOOTPATH 10.157/1 (PART) HIGH HOUSE, THORNTON ON THE HILL
DIVERSION ORDER 2019**

This Order is made by North Yorkshire County 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 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 Richard Spink, High House Farm, Thornton Hill, Easingwold, York, YO61 3QA 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.

Hambleton District Council and Thornton on the Hill 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 House, Thornton on the Hill described in Part 1 of the Schedule to this Order and shown by a bold continuous line on the map contained in this Order shall be stopped up from 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, 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. 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 High House, Thornton on the Hill 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 Hambleton (Outside the North York Moors National Park) Definitive Map shall be modified by adding that path 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 NORTH
YORKSHIRE COUNTY COUNCIL
was hereunto affixed this ^{9th} day
of January 2019
in the presence of:-



**AUTHORISED
SIGNATORY**



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING FOOTPATH

<u>Section of footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Marked by a bold continuous line and shown as A-B-C on the attached plan	Commencing at the road side at Grid Reference 45327 47407 (Point A) and proceeding in a westerly direction for approximately 102 metres to Grid Reference 45317 47405 (Point B) then proceeding in a north westerly direction for approximately 161 metres to Grid Reference 45304 47415 (Point C)	Not Recorded

PART 2

DESCRIPTION OF SITE OF NEW FOOTPATH

<u>Section of footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Marked by a bold broken line and shown as E-D-C on the attached plan.	Commencing at the boundary of the highway at Grid Reference 45331 47425 (Point E) and immediately proceeding through a pedestrian gate then proceeding in a west south westerly direction for approximately 265 metres to Grid Reference 45306 47415 (Point D) then over a culvert and proceeding in a westerly direction for approximately 25 metres to Grid Reference 45304 47415 (Point C)	2 metres

PART 3

Limitations and Conditions

<u>Position on the footpath to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 45331 47425- Point E	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 & Conditions
10.157/1	Start GR 45331 47425	Commencing at the boundary of the highway at Grid Reference 45331 47425 and immediately proceeding through a pedestrian gate then proceeding in a west south westerly direction for approximately 265 metres to Grid Reference 45306 47415 then over a culvert and proceeding in a westerly direction for approximately 25 metres to Grid Reference 45304 47415	Grass	0.290 Not Recorded	2	Pedestrian gate to BS 5709:2018 at GR 45331 47425
	End not Recorded	Not Recorded	Not Recorded	Total Not Recorded	Not Recorded	

[text in bold to be added to Statement] [crossed-out text to be deleted from Statement]

**PUBLIC PATH DIVERSION AND
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NORTH YORKSHIRE COUNTY COUNCIL

**FOOTPATH 10.157/1 (PART) HIGH HOUSE, THORNTON ON THE HILL
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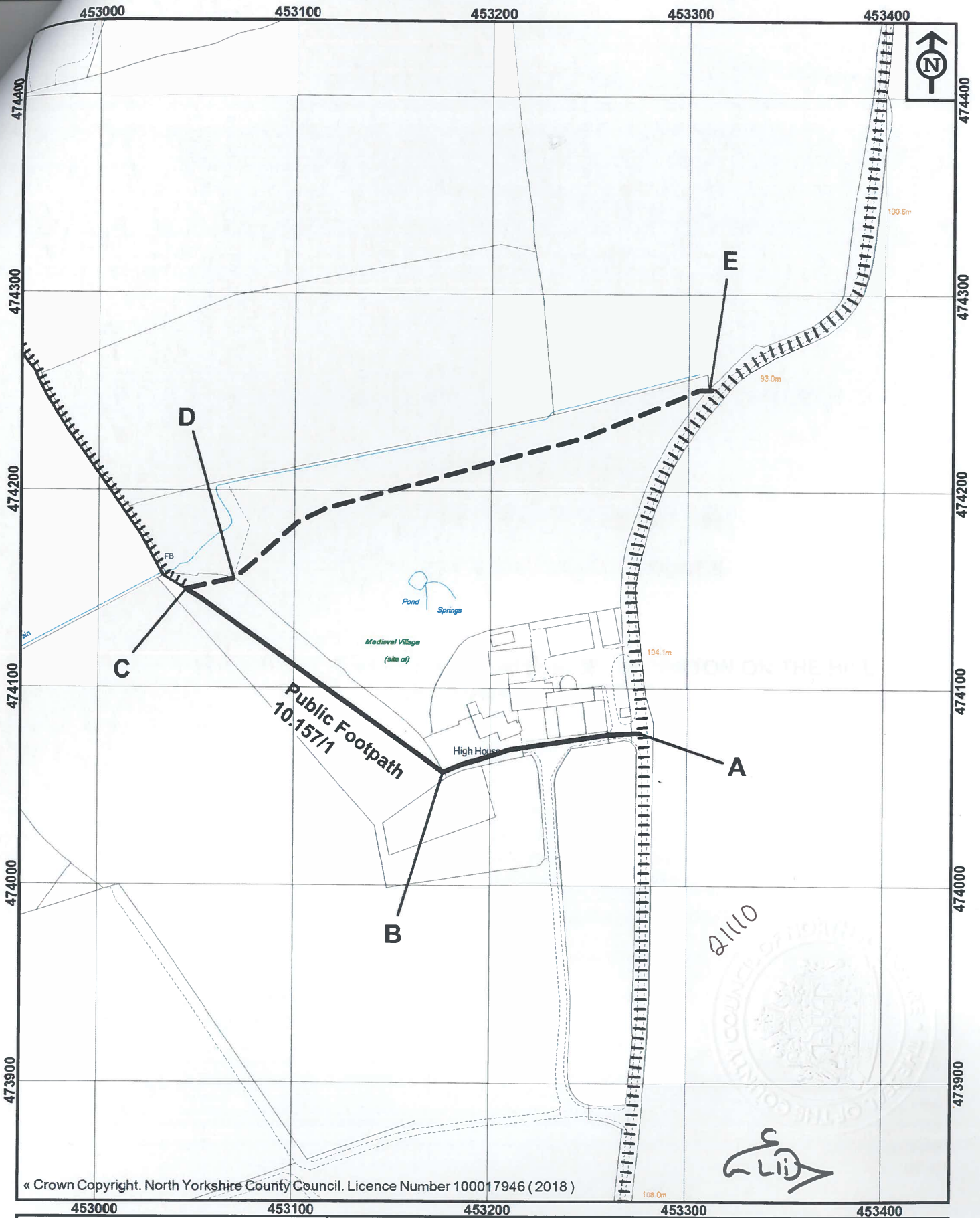
NORTH YORKSHIRE COUNTY COUNCIL in exercise of the powers conferred upon it in that behalf hereby confirm the foregoing Order (without any modification) as an Unopposed Order.

IN WITNESS whereof
THE COMMON SEAL of NORTH
YORKSHIRE COUNTY COUNCIL
was hereunto affixed this 25th day
of February 2019
in the presence of:-



**AUTHORISED
SIGNATORY**



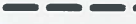


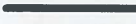
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North Yorkshire County Council


Public Rights of Way
Waste and Countryside Services
County Hall
Northallerton
DL7 8AH

Key:

Footpath to be added 

Footpath to be deleted 

Other footpaths 

Maintainable Highways 

Map drawn on 08 January 2019
Drawn by RCT

North Yorkshire County Council

Highways Act 1980 Section 119
Wildlife & Countryside Act 1981

Footpath 10.157/1(part)
High House, Thornton on the Hill
Diversion Order 2019

File Ref No. HAM/2018/11/DO