

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

HIGHWAYS ACT 1980 WILDLIFE AND COUNTRYSIDE ACT 1981

NORTH YORKSHIRE COUNTY COUNCIL

**PUBLIC FOOTPATH NO. 10.4/2 (PART) TUTIN ROAD, LEEMING BAR, AISKEW
EXTINGUISHMENT ORDER 2017**

On 22 August 2017, North Yorkshire County Council confirmed the above Order made under Section 119 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981.

The effect of the Order as confirmed is to extinguish the public footpath described below and modify The District of Hambleton (Outside the North York Moors National Park) Definitive Map and Statement accordingly.

The section of footpath No 10.4/2 running southwest from its junction with Tutin Road at GR SE 2824 9024 to the A1 carriageway at GR SE 2803 9003 will be extinguished.

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 13 October 2017. Copies of the Order and Map may be purchased from Waste & Countryside Services, North Yorkshire County Council, County Hall, Northallerton, North Yorkshire, 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 of confirmation, 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 01 September 2017, make an application to the High Court.

Dated: 01 September 2017

David Bowe
Corporate Director
Business and Environmental Services
County Hall
Northallerton
DL7 8AH



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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

NORTH YORKSHIRE COUNTY COUNCIL

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MODIFICATION ORDER**

HIGHWAYS ACT 1980

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**PUBLIC FOOTPATH NO. 10.4/2 TUTIN ROAD, LEEMING BAR, AISKEW
EXTINGUISHMENT ORDER 2017**

This Order is made by North Yorkshire County Council ("the Authority") under Section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that the Footpath described in paragraph 1 below is not needed for public use.

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 stopping up (as authorised by this order) of a highway hitherto shown or required to be shown in the map and statement.

Hambleton District Council and Aiskew 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 situate at Tutin Road, Leeming Bar, Aiskew shown by a continuous bold line on the map attached to this Order and described in Part 1 of the Schedule to this Order shall be extinguished on 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, and the definitive statement shall be modified as described in part 2 of the Schedule to this order.

SCHEDULE

PART 1

Description of Public Right of Way to be Extinguished

<u>Section of footpath as shown on the attached map</u>	<u>Position</u>	<u>Length</u>	<u>Width</u>
Footpath 10.4/2 Marked by a bold continuous line shown as A - B on the attached map	Commences at Grid Reference 42824 49024, Point A, at the junction with Tutin Road and runs in a generally south westerly direction for approximately 380 metres to Grid Reference 42803 49003, Point B, on the A1(M) carriageway	0.38	Not Recorded

PART 2

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
10.4/2	42846 46044 To 42824 49024	The path starts at the western side of Leases Road and proceeds in a south westerly direction along the north west side of a field boundary for approximately 188 metres to GR 42832 49031, then continues in a south west direction for 39 metres to Grid Reference 42829 49029. It then continues west south west for 13 metres to Grid Reference 42828 49028 then runs south west for 56 metres to Grid Reference 42824 49024 at its junction with the maintained highway Tutin Road 19 metres to GR 42826 49027, then continues to the north west of buildings at Tutin House for approximately 76 metres to point SE 28260028 and then continues in a south east direction for approximately 11 metres, then turns in a south west direction for approximately 37 metres and then continues in a south east direction for approximately 35 metres. The path then follows a south west direction for approximately 181 metres and then turns in a north west direction for approximately 47 metres. The path then continues in a south west direction for approximately 116 metres terminating at the A1(T).	Not Recorded	0.296 0.296 Total	Not Recorded	

THE COMMON SEAL of NORTH
YORKSHIRE COUNTY COUNCIL
was
hereunto affixed this 12th
day of July 2017 «Year»
in the presence of:-

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**AUTHORISED
SIGNATORY**

**PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT
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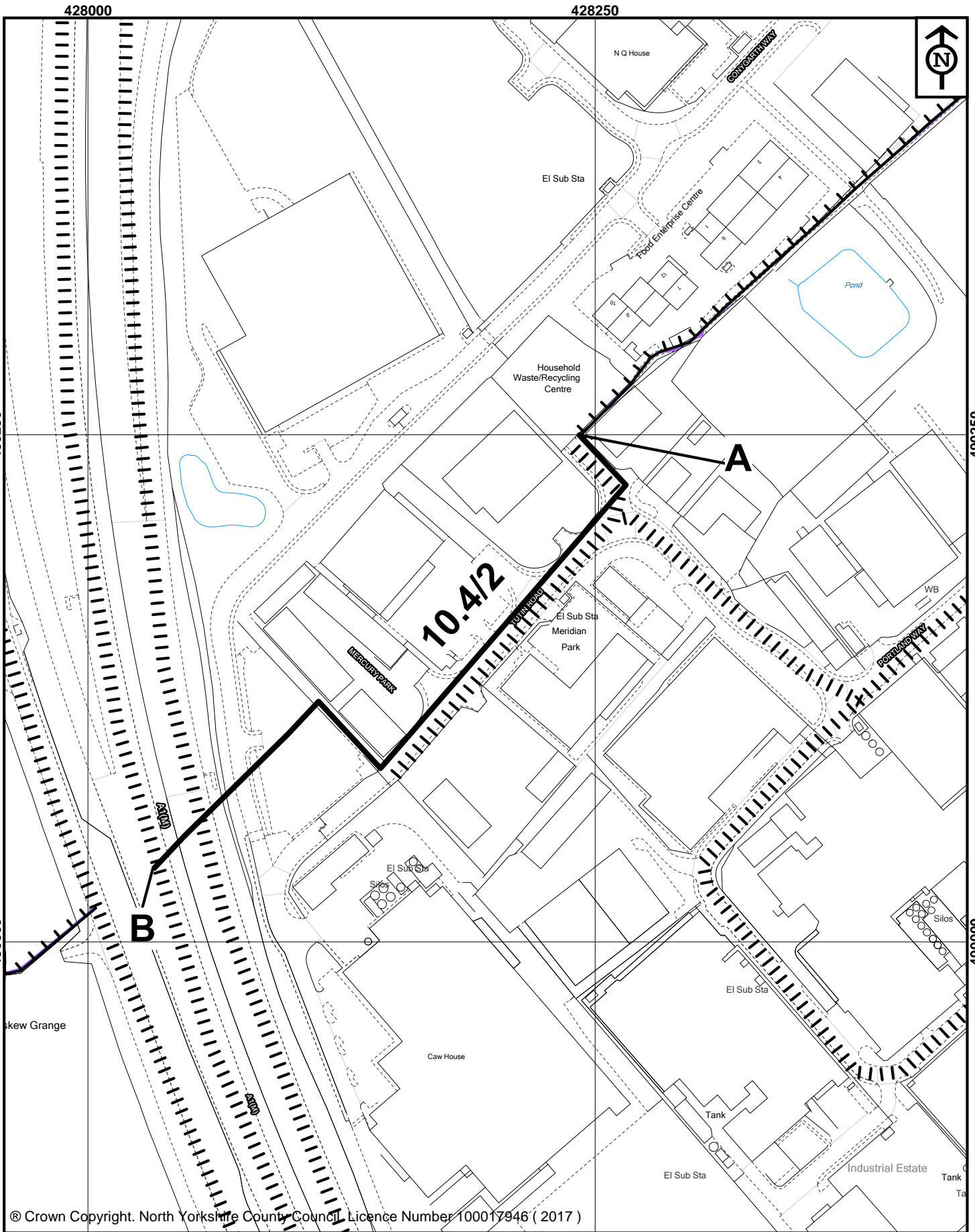
NORTH YORKSHIRE COUNTY COUNCIL in exercise of the powers conferred upon it in that behalf hereby confirm the foregoing Order (without any modification) as an Unopposed Order.

IN WITNESS whereof)
THE COMMON SEAL of NORTH)
YORKSHIRE COUNTY COUNCIL)
was)
hereunto affixed this 22nd)
day of August 2017 «Year»)
in the presence of:-)



R. Dawson




**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 deleted 
 Other footpaths 
 Maintainable Highways 

Map drawn on 20 February 2017
 Drawn by RA Scale 1:2500

North Yorkshire County Council
 Highways Act 1908 Section 118
 Footpath No. 10.4/2 (Part)
 Tutin Road, Leeming Bar
 Aiskew
 Extinguishment Order 2017

File Ref No. HAM/2017/06