

**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 NO'S 05.11/19, 05.11/17 & 05.11/22  
HIGH HARDACRE FARM, CLAPHAM CUM NEWBY DIVERSION ORDER 2017**

On 23 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 divert the public footpath described below and modify The District of Craven (Outside the Yorkshire Dales National Park) Definitive Map and Statement accordingly.

**Footpath No 05.11/19** Will be diverted between Grid Reference SD 7160 6852 and SD 7140 6856 onto a new route with the same end points via existing field gates at Grid Reference SD 7151 6849, SD 7147 6849 and SD 7146 6850.

**Footpath No 05.11/17** Will be diverted onto a new route at Grid Reference SD 7160 6853 to run south to Grid Reference SD 7160 6852.

**Footpath No 05.11/22** Will be diverted onto a new route starting at Grid Reference SD 7146 6849 running generally south to an existing field gate at Grid Reference SD 7144 6834 then south-south east to an existing field gate at Grid Reference SD 7150 6809.

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 Street, Skipton, BD23 1JX until 12 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](http://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 31 August 2017, make an application to the High Court.

Dated: 31 August 2017

Barry Khan  
Corporate Director  
Business and Environmental Services  
County Hall  
Northallerton  
DL7 8AH



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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 footpaths described in Paragraph 1 of this Order it is expedient that the line of the paths 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 Parker of High Hardacre Farm, Bentham 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 paths into a fit condition for use by the public.

Craven District Council and Clapham cum Newby 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 Hardacre Farm, Bentham 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 of confirmation of this Order, and thereupon The Definitive Map for the District of Craven (Outside the Yorkshire Dales National Park) shall be modified by deleting from it those public rights of way.
2. There shall be from the date of confirmation of this Order be public footpaths over the land situated at High Hardacre, Bentham 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 Definitive Map for the District of Craven (Outside the Yorkshire Dales National Park) shall be modified by adding those paths 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.

THE COMMON SEAL of NORTH  
YORKSHIRE COUNTY COUNCIL  
was  
hereunto affixed this  
day of *13<sup>th</sup> June 2017* «Year»  
in the presence of:-

*W. Cadogan*  
**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>
<b>FP 05.11/19</b> Marked by a bold continuous line and shown as A – D - J - B on the attached plan	Starts at Grid Reference 37160 46852, Point A and runs generally west for approximately 209 metres to Grid Reference 37140 46856, Point B.	0.9 metres
<b>FP 05.11/17</b> Marked by a bold continuous line and shown as C - D on the attached plan	Starts at Grid Reference 37160 46853, Point C and runs generally west for approximately 18 metres to Grid Reference 37159 46853, Point D.	0.9 metres
<b>FP 05.11/22</b> Marked by a bold continuous line and shown as J - F on the attached plan	Starts at Grid Reference 37147 46853, Point J and runs generally south-south-west for approximately 538 metres to Grid Reference 37158 46803, Point F.	0.9 metres

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>
<b>FP 05.11/19</b> Marked by a bold broken line and shown as A - I - L - E - K - B on the attached plan	Starts at Grid Reference 37160 46852, Point A and runs west-south-west for approximately 102 metres to a field gate at Grid Reference 37151 46849, Point I then generally west for approximately 40 metres to a field gate at Grid Reference 37147 46849, Point L then north west for approximately 18 metres to a field gate at Grid Reference 37146 46850, Point K then generally north-west for approximately 105 metres to Grid Reference 37140 46856, Point B.	2 metres
<b>FP 05.11/17</b> Marked by a bold broken line and shown as C - A on the attached plan	Starts at Grid Reference 37160 46853, Point C and runs south for approximately 8 metres to Grid Reference 37160 46852, Point A.	2 metres
<b>FP 05.11/22</b> Marked by a bold broken line and shown as E – H - G on the attached plan.	Starts Grid Reference 37146 46849, Point E then runs south for approximately 150 metres to a field gate at Grid Reference 37144 46834, Point H then south-south east for approximately 262 metres to a field gate at Grid Reference 37150 46809, Point G	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 37146 46850 - Point K Grid Reference 37151 46849 - Point I Grid Reference 37144 46834 - Point H Grid Reference 37150 46809 - Point G Grid Reference 37147 46848 – Point L	Field Gate to BS 5709:2006 Field Gate to BS 5709:2006 Field Gate to BS 5709:2006 Field Gate to BS 5709:2006 Field Gate to BS 5709:2006

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
<b>FP 05.11/19</b>	37293 46819  37044 46875	Commences at the County Road at Nutta Bridge and proceeds in a westerly direction via Upper Hardacre to Grid Reference 37160 46852 and runs west-south-west for approximately 102 metres to a field gate at Grid Reference 37151 46849, then continuing generally west for approximately 40 metres to a field gate at Grid Reference 37147 46849 then north west for approximately 18 metres to a field gate at Grid Reference 37146 46850, then generally north west for approximately 105 metres to Grid Reference 37140 46856, then via and Old Butt to the Bentham Parish Boundary at Butt Hill	Pasture  Gravel Track	2.456  0.235 km Total 2.781	0.9  2	Grid Reference 37151 46849 - Field Gate to BS 5709:2006  Grid Reference 37147 46849 - Field Gate to BS 5709:2006  Grid Reference 37146 46850 - Field Gate to BS 5709:2006  Existing Furniture 3 x Field Gates 2 x Kissing Gates 3 x Stiles
<b>FP 05.11/17</b>	Start 37179 46975 End 37160 46852	Commences at its junction with the Ingleton-Lancaster County Road at Newby Moor and proceeds southward to its junction with Path No. 19 at Upper Hardacre. Grid Reference 37160 46853, and runs south for approximately 8 metres to Grid Reference 37160 46852 and its junction with FP No. 19	Moorland  Gravel Track	0.775 km  0.008 Total 0.783	0.9  2	1 x Stile
<b>FP 05.11/22</b>	Start 37146 46849 End 37150 46809	Commences at its junction with Path No. 19 at Upper Hardacre and proceeds southward at Grid Reference 37146 46849, then runs generally south for approximately 150 metres to a field gate at Grid Reference 37144 46834, then south-south east for approximately 262 metres to a field gate at Grid Reference 37150 46809, at its junction with Path No. 21 at Lower Hardacre	Gravel Track	0.535 km  0.412 Total 0.412	2 metres	Grid Reference 37150 46809 - Field Gate to BS 5709:2006  Grid Reference 37144 46834 - Field Gate to BS 5709:2006

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HIGH HARDACRE FARM, CLAPHAM CUM NEWBY DIVERSION ORDER 2017**

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 23<sup>rd</sup> )  
day of August 2017 «Year» )  
in the presence of:- )



*Chrynt*  
**AUTHORISED  
SIGNATORY**

371500

371750

Hardacre Bungalow

Upper Hardacre



468500

468500

05.11/17

05.11/19

05.11/22

468250

468250

371500

371750

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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



Map drawn on 12 June 2017

Drawn by RA

Scale 1:2500

**North Yorkshire County Council**

Highways Act 1980 Section 119  
Wildlife & Countryside Act 1981  
Footpath No's 05.11/19, 05.11/17  
& 05.11/22 High Hardacre Farm,  
Clapham Cum Newby  
Diversion Order 2017

File Ref No. CRA/2012/07/DO