

**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

FOOTPATHS NO'S : 10.20/4, 10.20/5, 10.116/5, 10.116/6 & 10.116/8.

BURNESTON AND PICKHILL WITH ROXBY DIVERSION 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 divert the footpaths described below and modify The District of Hambleton (Outside the North York Moors National Park) Definitive Map and Statement accordingly. **Footpath 10.20/4.** Commencing at GR SE 3216 8480 and running south east for approximately 870 metres GR SE 3266 8432 will be diverted onto a new line at GR SE 3249 8486, and run generally south east for approximately 345 metres to a pedestrian gate at GR SE 3263 8459, then continuing generally south west for approximately 603 metres via a pedestrian gate to GR SE 3238 8411. **Footpath 10.20/5. Commencing at GR SE 3229 8387** and running generally north east for approximately 232 metres to GR SE 3244 8399, will be diverted onto a new line commencing at GR SE 3219 8407 and run generally east for approximately 240 metres to the parish boundary at GR SE 3242 8410. **Footpath 10.116/5.** From GR SE 3237 8370 running north east for approximately 315 metres to GR SE 3262 8389 will be diverted onto a new line commencing at GR SE 3247 8393 and running east north east then south south-east for approximately 203 metres to GR SE 3262 8389; and from GR SE 3427 8359 running north west for approximately 1281 metres to GR SE 3319 8411 will be diverted onto a new line commencing at GR SE 3319 8411 and generally east north east for approximately 302 metres to GR SE 3347 8422, then generally south east for approximately 509 metres to a field gate at GR SE 3383 8395, then continuing south east for approximately 328 metres to GR SE 3412 8381, then south-south east for approximately 267 metres to GR SE 3427 8359. **Footpath 10.116/8.** Commencing at GR SE 3239 8373 and running north east for approximately 220 metres to GR SE 3247 8393 will be diverted onto a new line commencing at GR SE 3242 8410 and run south east for approximately 113 metres then south west for approximately 79 metres to GR SE 3247 8400. **Footpath No. 10.116/6.** Will be deleted between GR SE 3266 8432 and GR SE 3292 8397.

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 Thirsk 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 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 01 September 2017, make an application to the High Court.

Dated: 01 September 2017

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



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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

NORTH YORKSHIRE COUNTY COUNCIL

FOOTPATHS NO'S : 10.20/4, 10.20/5, 10.116/5, 10.116/6 & 10.116/8,

BURNESTON AND PICKHILL WITH ROXBY

DIVERSION ORDER 2017

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

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

NORTH YORKSHIRE COUNTY COUNCIL

FOOTPATHS NO'S : 10.20/4, 10.20/5, 10.116/5, 10.116/6 & 10.116/8,

BURNESTON AND PICKHILL WITH ROXBY DIVERSION ORDER 2017

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 lines 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 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.

Highways England 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, Pickhill with Roxby and Burneston Parish Councils 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 Healam Bridge, Low Ness Farm and High Ness Farm, Pickhill described in Part 1 of the Schedule to this Order and shown by bold continuous lines 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 sections 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 those public rights 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 public footpaths over the land situated at Healam bridge, Low Ness Farm and High Ness Farm, Pickhill described in Part 2 of the Schedule to this Order and shown by bold broken lines 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 those paths 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

day of *July* *2017*

in the presence of:-

«Year»

Jawa
**AUTHORISED
SIGNATORY**

Healam Bridge Sealed order HAM-2017-07 (002)/2



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING FOOTPATHS

<u>Section of Footpath as shown on the attached Map</u>	<u>Position</u>	<u>Width</u>
<u>Footpath No 10.20/4</u> Marked by a bold continuous line and shown as A-B on the attached plan	Commences at Grid Reference 43216 48480, Point A and runs generally south east for approximately 870 metres to the Parish boundary at Grid Reference 43266 48432, Point B.	Not Recorded
<u>Footpath No 10.20/5</u> Marked by a bold continuous line and shown as C - D on the attached plan	Commences at Grid Reference 43229 48387, Point C and runs generally north east for approximately 232 metres to the Parish Boundary at Grid Reference 43244 48399, Point D.	Not Recorded
<u>Footpath No 10.116/8</u> Marked by a bold continuous line and shown D – E on the attached plan.	Commences at the Parish Boundary at Grid Reference 43244 48399, Point D and runs north east for approximately 28 metres to Grid Reference 43247 48400, Point E.	Not Recorded
<u>Footpath No 10.116/8</u> Marked by a bold continuous line and shown as F-G on the attached plan	Commences at Grid Reference 43239 48373, Point F and runs north east for approximately 220 metres to Grid Reference 43247 48393, Point G.	Not Recorded
<u>Footpath No 10.116/5</u> Marked by a bold continuous line and shown as H- F - I on the attached plan	Commences at Grid Reference 43237 48370, Point H and runs north east via Point F for approximately 315 metres to Grid Reference 43262 48389, Point I.	Not Recorded
<u>Footpath No 10.116/5</u> Marked by a bold continuous line and shown as J-K-L on the attached plan	Commences at Grid Reference 43427 48359, Point J and runs generally north west via Point K for approximately 1281 metres to Grid Reference 43319 48411, Point L.	Not Recorded
<u>Footpath No. 10.116/6</u> Marked by a bold continuous line and shown as B – M on the attached plan	Commences at Grid Reference 43266 48432, Point B and runs generally south-south east for approximately 461 metres to Grid Reference 43292 48397, Point M.	Not Recorded

PART 2

DESCRIPTION OF SITE OF NEW FOOTPATHS

<u>Section of Footpaths as shown on the attached Map</u>	<u>Position</u>	<u>Width</u>
<p><u>Footpath No 10.20/4</u> Marked by a bold broken line and shown N - P - X - R on the attached plan</p>	<p>Commences at Grid Reference 43249 48486, Point N and runs generally south east for approximately 345 metres to a pedestrian gate at Grid Reference 43263 48459, Point P then continues generally south west for approximately 603 metres via a pedestrian gate at Grid Reference 43238 48411, Point X to the junction with FP 10.20/5 at Grid Reference 43238 48411, Point R.</p>	<p>2.0 metres</p>
<p><u>Footpath No 10.20/5</u> Marked by a bold broken line and shown as Q – R - W on the attached plan</p>	<p>Commences at Grid Reference 43219 48407, Point Q and runs generally east for approximately 240 metres to the parish boundary at Grid Reference 43242 48410, Point W.</p>	<p>2.0 metres</p>
<p><u>Footpath No 10.116/5</u> Marked by a bold broken line and shown as G - I on the attached plan</p>	<p>Commences at Grid Reference 43247 48393, Point G and runs east north east then south south east for approximately 203 metres to Grid Reference 43262 48389, Point I</p>	<p>2.0 metres</p>
<p><u>Footpath No 10.116/5</u> Marked by a bold broken line and shown as L - V - U - T – J on the attached plan</p>	<p>Commences at Grid Reference 43319 48411, Point L then runs generally east north east for approximately 302 metres to Grid Reference 43347 48422, Point V, then generally south east for approximately 509 metres to a field gate at Grid Reference 43383 48395, Point U then continuing south east for approximately 328 metres to Grid Reference 43412 48381, Point T then south south east for approximately 267 metres to Grid Reference 43427 48359, Point J.</p>	<p>2.0 metres</p>
<p><u>Footpath no.10.116/8</u> Marked by a bold broken line and shown as W - S - E on the attached plan</p>	<p>Commences at the parish boundary at Grid Reference 43242 48410, Point W and runs south east for approximately 113 metres to Grid Reference 43252 48406, Point S, the south west for approximately 79 metres to Grid Reference 43247 48400, Point E.</p>	<p>2.0 metres</p>

PART 3

Limitations and Conditions

<u>Position on the Footpaths to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
<u>Footpath No 10.20/4</u> Grid Reference 43249 48486, Point N Grid Reference 43263 48459, Point P Grid Reference 43238 48411, Point X.	Pedestrian Gate to BS 5709:2006 Pedestrian Gate to BS 5709:2006 Pedestrian Gate to BS 5709:2006
<u>Footpath No. 10.116/5</u> Grid Reference 43383 48395, Point U	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
10.20/4	43249 48486 43238 48411	Commences at Grid Reference 43249 48486, and runs generally south east for approximately 345 metres to a pedestrian gate at Grid Reference 43263 48459, then continues generally south west for approximately 603 metres via a pedestrian gate at Grid Reference 43238 48411, to the junction with FP 10.20/5 at Grid Reference 43238 48411.	Grass	0.948 km Total 0.948	2 metres	Grid Reference 43249 48486 Pedestrian Gate to BS 5709:2006 Grid Reference 43263 48459 Pedestrian Gate to BS 5709:2006 Grid Reference 43238 48411 Pedestrian Gate to BS 5709:2006
10.20/5	43219 48407 43242 48410	Commences at Grid Reference 43219 48407 and runs generally east for approximately 240 metres to the parish boundary at Grid Reference 43242 48410. From the Parish Boundary and junction with Footpath no. 10.116/8 at grid reference 43244 48399, the path runs generally south-westerly to grid reference 43228 48387.	Track	0.24 km Total 0.24	2 metres	
10.116/5	48247 48393	Commences at Grid Reference 43247 48393 and runs east north east then south east for approximately 203 metres to Grid Reference 43262 48389. Not Recorded From Grid Reference 43319 48411 runs generally east north east for approximately 302 metres to Grid Reference 43347 48422, then generally south east for approximately 509 metres to a field gate at Grid Reference 43383 48395, then	Grass N/R Grass	0.203 N/R 1.406	2 metres N/R 2 metres	Grid Reference 43383 48395 Field Gate to BS 5709:2006

		continuing south east for approximately 328 metres to Grid Reference 43412 48381, then south south east for approximately 267 metres to Grid Reference 43427 48359.				
10.116/8	43242 48410	Not Recorded Commences at the parish boundary at Grid Reference 43242 48410 and runs south east for approximately 113 metres to Grid Reference 43252 48406, then south west for approximately 79 metres to Grid Reference 43247 48400.	N/R Track	N/R 0.192	N/R 2 metres	
		Not Recorded From the junction with Footpath no. 10.116/5 at grid reference 43230 48373, the path runs generally north easterly along the access track, then south westerly to the Parish Boundary at grid reference 43244 48399.	N/R	N/R	N/R	
10.116/6	43266 48432 43292 48396	Path Extinguished				

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

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FOOTPATHS NO'S : 10.20/4, 10.20/5, 10.116/5, 10.116/6 & 10.116/8,

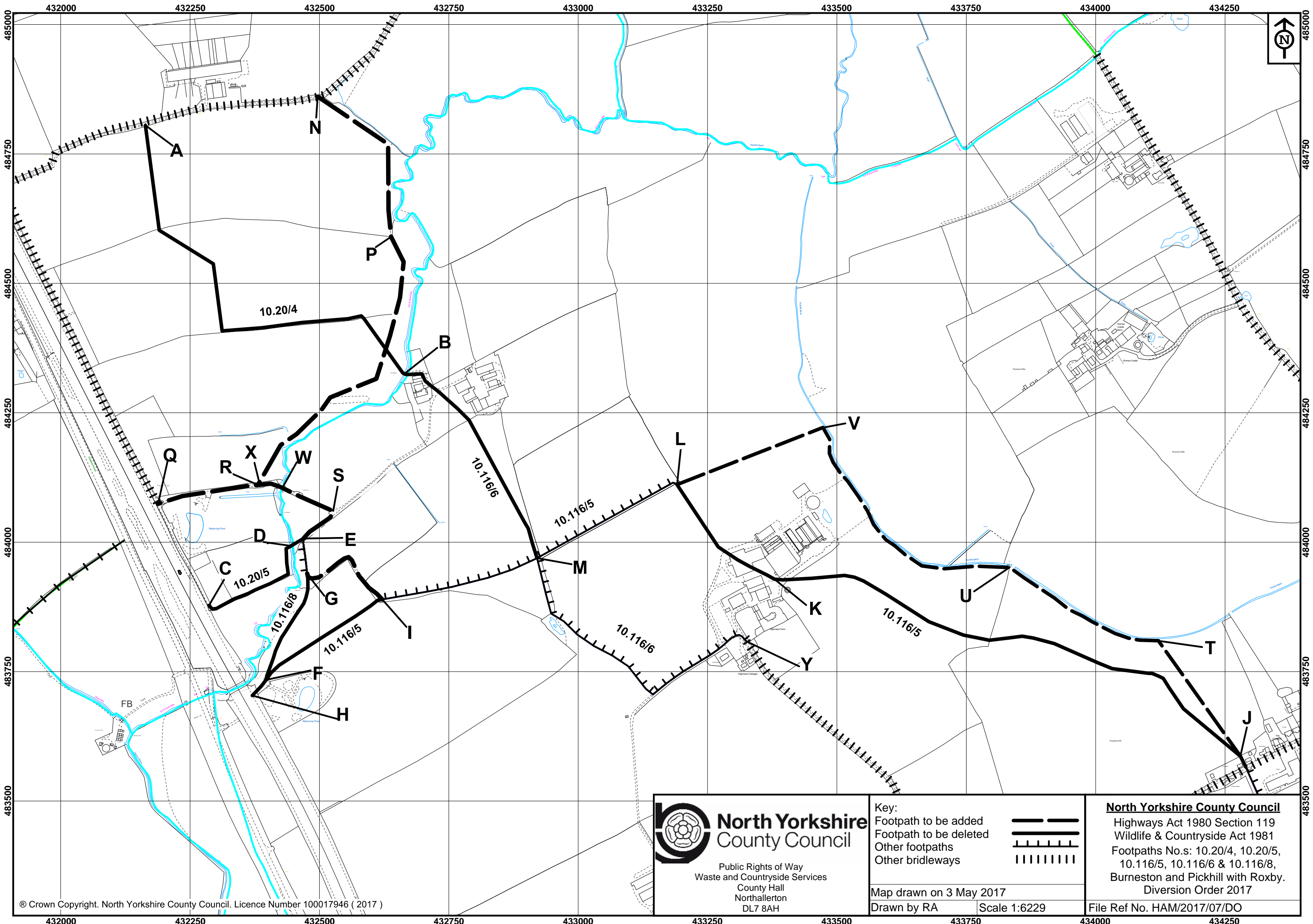
BURNESTON AND PICKHILL WITH ROXBY DIVERSION ORDER 2017


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)
day of *22nd August 2017* «Year»)
in the presence of:-)



Dawson
**AUTHORISED
SIGNATORY**




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 
 Other bridleways 
 Map drawn on 3 May 2017
 Drawn by RA Scale 1:6229

North Yorkshire County Council
 Highways Act 1980 Section 119
 Wildlife & Countryside Act 1981
 Footpaths No.s: 10.20/4, 10.20/5,
 10.116/5, 10.116/6 & 10.116/8,
 Burneston and Pickhill with Roxby.
 Diversion Order 2017
 File Ref No. HAM/2017/07/DO