

**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 NOS. 15.130/12 (PART) & 15.130/28 (PART), FOLLY HALL, THORNTHWAITHE WITH  
PADSIDE  
DIVERSION ORDER 2018**

On 02 July 2018 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 footpaths described below and modify The Former West Riding of Yorkshire Area 2 Definitive Map and Statement accordingly.

Footpath No. 15.130/12 from GR SE1786 5883 running generally north for approximately 172 metres to GR SE1783 5896 onto a new line running from GR SE1785 5883 generally north on the western side of a dry stone wall for approximately 153 metres to GR SE1783 5896. Footpath No. 15.130/28 will now meet Footpath 15.130/12 at GR SE1782 5891.

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 Nidderdale Plus community library, Pateley Bridge, North Yorkshire, North Yorkshire, North Yorkshire until 23/08/18. 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 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 12/07/18 make an application to the High Court.

Dated: 12/07/18

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



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DIVERSION ORDER 2018**

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 Former West Riding of Yorkshire Area 2 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 & Mrs T Iveson, Folly Hall, Leeming Lane, Thornthwaite, Harrogate HG3 2QU have 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.

Harrogate Borough Council and Thornthwaite Parish Council have been consulted as required by Section 120(2) of the 1980 Act.

**BY THIS ORDER:**

1. The public rights of way over the land situated at Folly Hall, Leeming Lane, Thornthwaite 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 section of path, described in Part 2 of the Schedule, has been completed, and thereupon The Former West Riding of Yorkshire Area 2 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 a public footpath over the land situated at Folly Hall 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 Former West Riding of Yorkshire Area 2 Definitive Map shall be modified by adding that footpath to it.

2A. The Former West Riding of Yorkshire Area 2 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.

4. For the purposes of this order the relevant date is the date upon which the order comes into effect.

THE COMMON SEAL of NORTH  
YORKSHIRE COUNTY COUNCIL  
was hereunto affixed this 15<sup>th</sup> day  
of May 2018  
in the presence of:-

  
**AUTHORISED  
SIGNATORY**



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING FOOTPATHS

<u>Section of Footpaths as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
<b>Footpath 15.130/12, (part)</b> marked by a bold continuous line and shown as A-B-C-D on the attached plan	Commencing at Grid Reference 41786 45883 (Point A) then runs generally north for approximately 89 metres to Grid Reference 41785 45892 (Point B), then generally west for approximately 33 metres to Grid Reference 41782 45891 (Point C) then generally north north east for approximately 50 metres to Grid Reference 41783 45896 (Point D)	0.9 metres
<b>Footpath 15.130/28, (part)</b> marked by a bold continuous line and shown as C-F on the attached plan	Commencing at Grid Reference 41782 45891 (Point C) and running south west for approximately 3 metres to Grid Reference 41782 45891 (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>Footpath 15.130/12 (part)</b> (to be re-numbered 15.130/29) marked by a bold broken line and shown as E-F-G-H-D on the attached plan	Commences at its junction with path No. 18 in the woodland on the western side of the dry stone wall at Grid Reference 41785 45883 (Point E) then runs in a generally north north westerly direction along the western side of the dry stone wall through the woodland for approximately 95 metres to Grid Reference 41782 45891 (Point F) then runs in a generally northerly direction along the western side of the dry stone wall through the woodland past Folly Hall for approximately 41 metres to a Pedestrian Gate at Grid Reference 41782 45895 (Point G) then runs on the western side of the dry stone wall in a generally north easterly direction for approximately 15 metres to Grid Reference 41783 45896 (Point H) where it passes through a field gate and runs easterly for approximately 2 metres to Grid Reference 41783 45896 (Point D)	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 41782 45895 Point G Grid Reference 41783 45896 Point H	Pedestrian Gate to BS 5709:2018 Field 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
15.130/12	Start not recorded  End GR <b>41786 45883</b>	Footpath commences on path No. 11, Leeming Lane proceeding northwards <b>to its junction with path No. 18 via Folly Hall to the Dacre Parish Boundary.</b>	Arable Land	<del>0.532</del> <b>0.237</b>  Total <b>0.237</b>	0.9	
15.130/28	Start not recorded  End GR <b>41782 45891</b>	Footpath commences on Thornthwaite Road and proceeds generally north east to its junction with path No.42 29 near Folly Hall.	Arable land	<del>0.412</del> <b>0.409</b>  Total <b>0.409</b>	0.9	
15.130/29	Start GR <b>41785 45883</b>  End not recorded	Commences at its junction with path No. 18 in the woodland on the western side of the dry stone wall at Grid Reference <b>41785 45883</b> then runs in a generally north north westerly direction along the western side of the dry stone wall through the woodland for approximately 95 metres to Grid Reference <b>41782 45891</b> then runs in a generally northerly direction along the western side of the dry stone wall through the woodland past Folly Hall for approximately 41 metres to a Pedestrian Gate at Grid Reference <b>41782 45895</b> then runs on the western side of the dry stone wall in a generally north easterly direction for approximately 15 metres to Grid Reference <b>41783 45896</b> where it passes through a field gate and runs easterly for approximately 2 metres to Grid Reference <b>41783 45896</b> then continues to the Dacre Parish Boundary.	Earth <b>GR 41785 45883 to GR 41782 45895</b>  Grass <b>GR 41782 45895 to GR 41783 45896</b>  Arable Land	<del>0.295</del>  <b>0.136</b>  <b>0.017</b>  <b>0.123</b>  Total <b>0.276</b>	2.0   2.0  0.9	<b>Pedestrian Gate to BS 5709:2018 at GR 41782 45895</b>  <b>Field Gate to BS 5709:2018 at GR 41783 45896</b>

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

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**NORTH YORKSHIRE COUNTY COUNCIL**

**FOOTPATH NOS. 15.130/12 (PART) & 15.130/28 (PART), FOLLY HALL, THORNTHWAITE WITH  
PADSIDE  
DIVERSION ORDER 2018**

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.

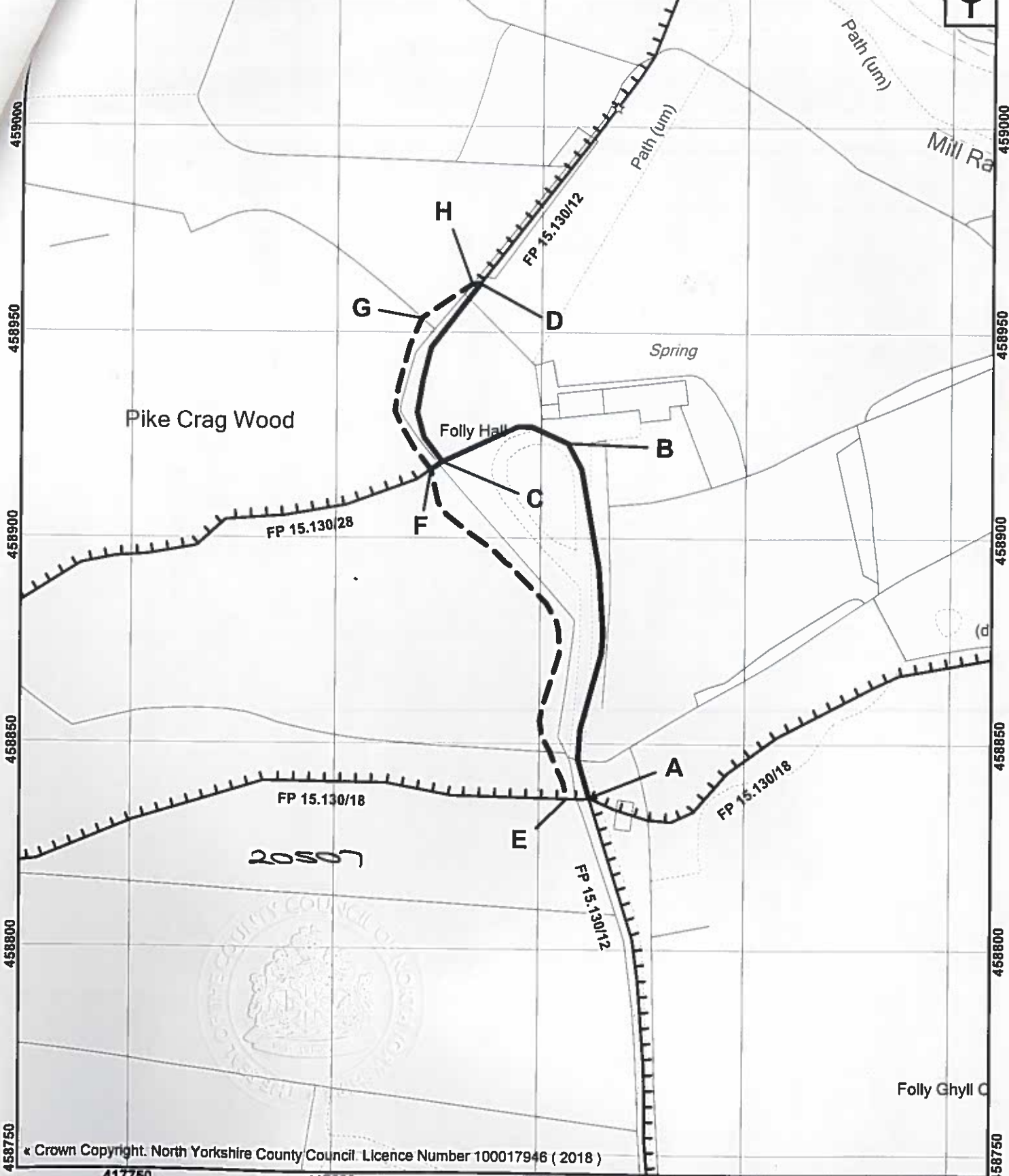
IN WITNESS whereof  
THE COMMON SEAL of NORTH  
YORKSHIRE COUNTY COUNCIL  
was hereunto affixed this 2<sup>nd</sup> day  
of July 2018  
in the presence of:-



**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 

Map drawn on 14 May 2018  
 Drawn by RCT Scale 1:1250

**North Yorkshire County Council**

Highways Act 1980 Section 119  
 Wildlife & Countryside Act 1981  
 Footpath Nos. 15.130/12 (Part)  
 & 15.130/28 (Part), Folly Hall,  
 Thornthwaite With Padside  
 Diversion Order 2018

File Ref No. HAR/2018/01