

THE NORTH YORKSHIRE COUNTY COUNCIL A59 (KEX GILL DIVERSION)
COMPULSORY PURCHASE ORDER 2021
THE HIGHWAYS ACT 1980 AND
THE ACQUISITION OF LAND ACT 1981

The North Yorkshire County Council (in this Order called "the acquiring authority") hereby make the following Order:-

1. Subject to the provisions of this Order the acquiring authority are, under sections 239, 240, 246, 250 and 260 of the Highways Act 1980, hereby authorised to purchase compulsorily the land and new rights over land described in paragraph 2.
2. The land and new rights authorised to be purchased compulsorily under this order are
 - (i) for the purpose of:-
 - a) the construction of a new highway from just west of the junction of the A59 with North Moor Road in a north-easterly direction before following an existing bridleway between North Moor Road and Hall Lane and in a south-easterly direction returning to the A59 prior to the junction of Church Hill and Hall Lane;
 - b) the improvement of North Moor Road and Hall Lane in pursuance of The North Yorkshire County Council (A59 (Kex Gill Diversion) Classified Road) (Side Roads) Order 2021;
 - c) the provision of new means of access to premises in pursuance of the Side Roads Order;
 - d) the diversion of watercourses and the carrying out of other works in connection with the construction and improvement of highways and the provision of new means of access to premises aforesaid;
 - e) use by the acquiring authority in connection with the construction and improvement of the highways, the diversion of watercourses and the provision of new means of access to premises;
 - f) mitigation of adverse effects which the existence of or use of certain highways proposed to be constructed or improved as mentioned above will have on the surroundings thereof;

the land described in Schedule 1 and which is delineated and shown edged red on the Key Plan and coloured pink and edged red on the map consisting three sheets numbered 1 to 3 respectively, prepared in duplicate, sealed with the common seal of the acquiring authority and marked 'Map referred to in North Yorkshire County Council A59 (Kex Gill Diversion) Compulsory Purchase Order 2021 and the new rights which are specified in Schedule 1 over the land which is described therein is delineated and shown coloured blue and edged red on the said map.

(ii) for the purpose of giving in exchange for the new rights and the land referred to in sub-paragraph (i) above the land described in Schedule 2 and delineated and shown coloured green and edged in red on the said map.

3. Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981 are hereby incorporated with this order subject to the modification that references in the said Parts 2 and 3 to the undertaking shall be construed as references to any building or work constructed or to be constructed on that part of the land authorised to be purchased on the said Map or, as the case maybe, on the land over which new rights are authorised to be acquired.

4. (1)(a) In this paragraph 'the order land' means the land numbered 1 to 45 described in Schedule 1 and 'the exchange land' means the land described in Schedule 2.

(b) For a plot of the exchange land, its corresponding plot of the order land for the purposes of this paragraph is indicated in the last column of Table 2 in Schedule 2.

(2) As from the latest of the dates mentioned in sub-paragraph (3) of this paragraph, the exchange land shall vest in the persons in whom that plot of the order land was vested immediately before it was vested in the acquiring authority, subject to the like rights, trusts and incidents as attached to that plot of the order land, and that plot of the order land shall thereupon be discharged from all rights, trusts and incidents to which it was previously subject.

(3) The dates referred to in sub-paragraph (2) of this paragraph are

(i) the date on which this order becomes operative;

(ii) the date on which the plot of the order land is vested in the acquiring authority;

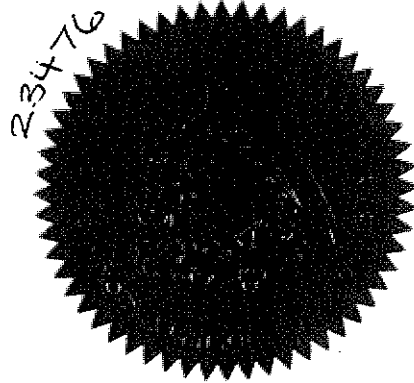
(iii) the date on which the corresponding plot of the exchange land is vested in the acquiring authority.

This Order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely

Number on Map	Special Category
1	Common Land Section 19 Acquisition of Land Act 1981
1A	Common Land Section 19 Acquisition of Land Act 1981
1B	Common Land Section 19 Acquisition of Land Act 1981
1C	Common Land Section 19 Acquisition of Land Act 1981
2	Common Land Section 19 Acquisition of Land Act 1981
2A	Common Land Section 19 Acquisition of Land Act 1981
3	Common Land Section 19 Acquisition of Land Act 1981
3A	Common Land Section 19 Acquisition of Land Act 1981
3B	Common Land Section 19 Acquisition of Land Act 1981
3C	Common Land Section 19 Acquisition of Land Act 1981
4	Common Land Section 19 Acquisition of Land Act 1981
4A	Common Land Section 19 Acquisition of Land Act 1981
5	Common Land Section 19 Acquisition of Land Act 1981
5A	Common Land Section 19 Acquisition of Land Act 1981
5B	Common Land Section 19 Acquisition of Land Act 1981
5C	Common Land Section 19 Acquisition of Land Act 1981
5F	Common Land Section 19 Acquisition of Land Act 1981
5G	Common Land Section 19 Acquisition of Land Act 1981
5H	Common Land Section 19 Acquisition of Land Act 1981
5P	Common Land Section 19 Acquisition of Land Act 1981
5Q	Common Land Section 19 Acquisition of Land Act 1981

- 5R Common Land Section 19 Acquisition of Land Act 1981
- 6C Common Land Section 19 Acquisition of Land Act 1981
- 6D Common Land Section 19 Acquisition of Land Act 1981
- 6E Common Land Section 19 Acquisition of Land Act 1981
- 6F Common Land Section 19 Acquisition of Land Act 1981
- 8 Common Land Section 19 Acquisition of Land Act 1981
- 9 Common Land Section 19 Acquisition of Land Act 1981
- 9A Common Land Section 19 Acquisition of Land Act 1981
- 10 Common Land Section 19 Acquisition of Land Act 1981

THE COMMON SEAL of the
NORTH YORKSHIRE COUNTY COUNCIL
was hereunto affixed in the
presence of:



.....
Authorised Signatory

..... 30 July 2021

Date

