

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

HIGHWAYS ACT 1980 WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

**PUBLIC FOOTPATHS No.20.35/3 & 20.35/12 HIPSWELL HALL FARM AND HIPSWELL MILL
DIVERSION ORDER 2024**

On 15 May 2024, North Yorkshire 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 District of Richmondshire (outside the Yorkshire Dales National Park) Definitive Map and Statement accordingly.

Footpath No.20.35/3 running north from GR SE 1883 9835 to GR SE 1883 9855 will be diverted onto a new line running north-west from the junction with FP No.20.35/12 at GR SE 1894 9844 along the field edge to GR SE 1890 9856 then west to GR SE 1883 9855.

Footpath No.20.35/12 running north-east through Hipswell Mill from GR SE 1883 9835 to GR SE 1895 9843 will be diverted onto a new line between the same end points but running along the edge of the field immediately north of the property.

Footpath No.20.35/12 running north-east across an arable field from GR SE 1898 9844 to GR SE 1915 9870 will be diverted onto a new line between the same end points but following the field edge east then north.

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 Catterick Community Library, North Yorkshire until 26 July 2024. Copies of the Order and map may be purchased from Countryside Access Service, North Yorkshire Council, County Hall, Northallerton, North Yorkshire, DL7 8AD (tel: 01609 532512) at a cost of £2 or can be downloaded free from our website <https://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 14 June 2024, make an application to the High Court.

Dated: 14 June 2024

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



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DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

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DIVERSION ORDER 2024**

This Order is made by The North Yorkshire 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 owners and occupier 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 Richmondshire (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.

David Peacock of Hipswell Hall Farm and Stephen & Alice Adams of Hazel House, Hipswell 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 paths into a fit condition for use by the public.

Hipswell Parish Council have been consulted as required by Section 120(2) of the 1980 Act.

BY THIS ORDER:

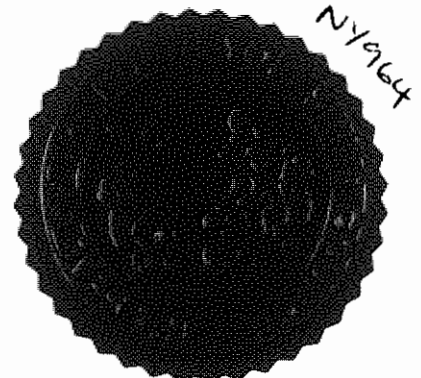
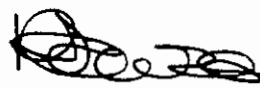
1. The public rights of way over the land situated at Hipswell Hall Farm and Hipswell Mill described in Part 1 of the Schedule to this Order and shown by bold continuous lines on the map contained in this Order shall be stopped up from the date on which the Authority certifies, in accordance with Section 119(3)(b) of the 1980 Act, that work to the new section of paths, described in Part 2 of the Schedule, has been completed, and thereupon the District of Richmondshire (outside the Yorkshire Dales 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 Hipswell Hall Farm and Hipswell Mill 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 Richmondshire (outside the Yorkshire Dales National Park) Definitive Map shall be modified by adding those paths to it.

2A. The District of Richmondshire (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 THE NORTH
YORKSHIRE COUNCIL
was hereunto affixed this 19th day
of MARCH 2024
in the presence of:-



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>
Footpath No.20.35/3 (part) Marked by a bold continuous line and shown as A-B on the attached plan	Commences at Grid Ref 41883 49835 (Point A) and runs north for approx. 200m to Grid Ref 41883 49855 (Point B)	1.5m
Footpath 20.35/12 (part) Marked by a bold continuous line and shown as A-C on the attached plan	Commences at Grid Ref 41883 49835 (Point A) and runs generally north-east for approx. 160m to Grid Ref 41895 49843 (Point C)	1.5m – 1.8m
Footpath 20.35/12 (part) Marked by a bold continuous line and shown as D-E on the attached plan	Commences at Grid Ref 41898 49844 (Point D) and runs north-east for approx. 312m to Grid Ref 41915 49870 (Point E)	Not recorded

PART 2
DESCRIPTION OF SITE OF NEW FOOPATHS

<u>Section of Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Footpath No.20.35/3 (part) Marked by a bold continuous line and shown as G-H-I-B on the attached plan	Commences at the junction with Footpath No.20.35/12 at Grid Ref 41894 49844 (Point G) and runs generally north-north-west along the field edge for approx. 112m to a gap at Grid Ref 41890 49854 (Point H). It then runs north for approx. 18m, crossing a farm track and passing to the east of a barn to Grid Ref 41890 49856 (Point I), where it turns and runs west along the north side of the barn for approx. 70m to Grid Ref 41883 49855 (Point B)	3m
Footpath 20.35/12 (part) Marked by a bold continuous line and shown as A-F-G-C on the attached plan	Commences at the junction with the publicly maintainable highway at Grid Ref 41883 49835 (Point A), passes through a pedestrian gate and runs north-north-east for approx. 20m to a bridge at Grid Ref 41884 49836 (Point F), then continues generally north-east along the edge of a field for approx. 130m to a piped culvert and pedestrian gate at Grid Ref 41894 49844 (Point G), then turns and runs south-east for approx. 8m to Grid Ref 41895 49843 (Point C)	3m
Footpath 20.35/12 (part) Marked by a bold continuous line and shown as D-J-E on the attached plan	Commences at Grid Ref 41898 49844 (Point D) and runs east-north-east along the field edge for approx. 190m to Grid Ref 41917 49849 (Point J) then turns and runs generally north along the field edge for approx. 217m to Grid Ref 41915 49870 (Point E)	3m

PART 3

Limitations and Conditions

<u>Position on the Footpath to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Ref 41883 49835 (Point A)	Pedestrian gate to BS5709:2018
Grid Ref 41894 49844 (Point G)	Pedestrian gate to BS5709:2018

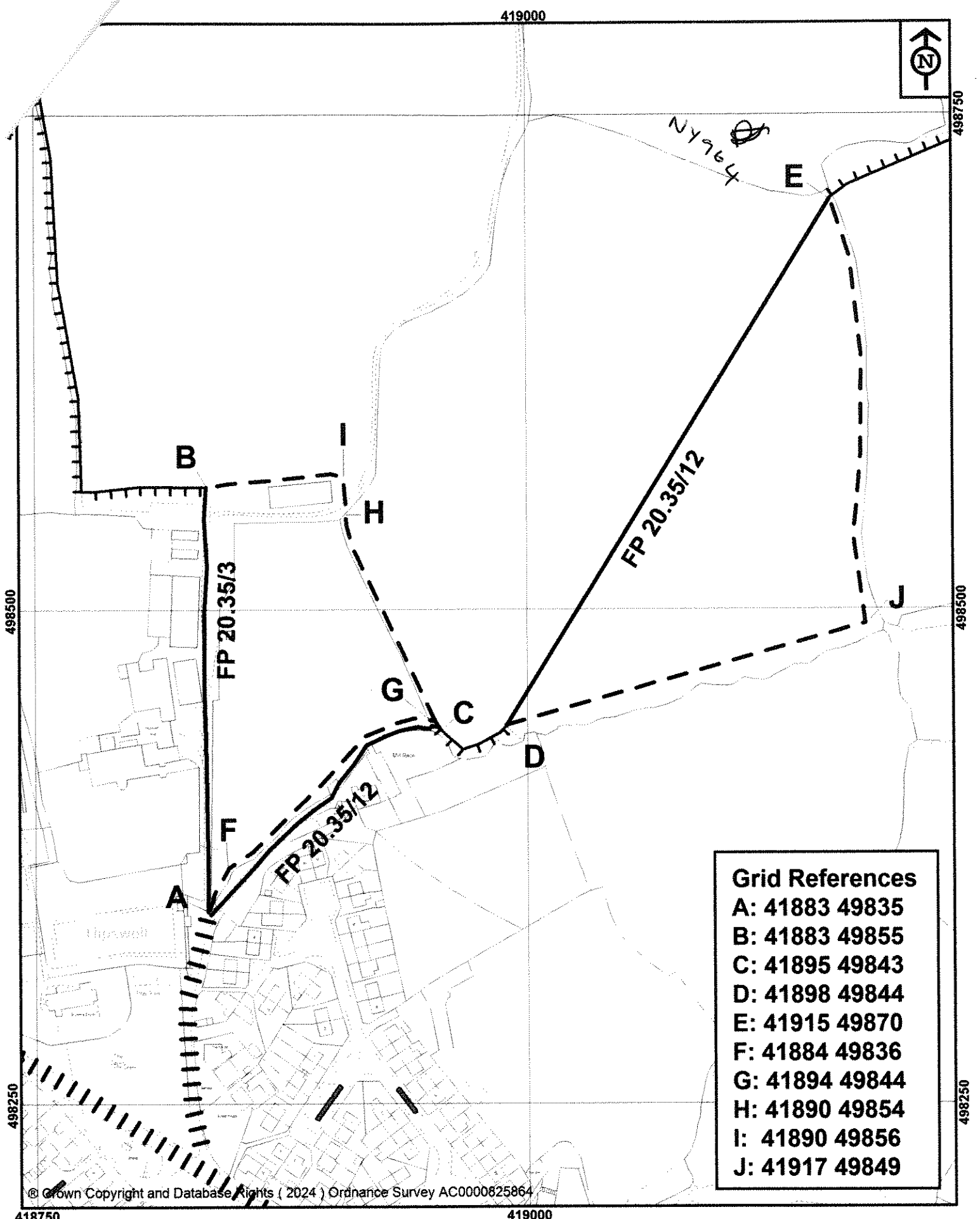
PART 4

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
20.35/3	SE1884 9835 Start: 41894 49844 End: Not recorded	The path commences at Point A (Grid Reference SE18849835) at the termination of the County Road RD154U and runs due north for approximately 190m. to Point B (Grid Reference SE18849855) where it connects with footpath No. 4 Hipswell. Commences at the junction with Footpath No.20.35/12 at Grid Ref 41894 49844 and runs generally north-north-west along the field edge for approx. 112m to a gap at Grid Ref 41890 49854. It then runs north for approx. 18m, crossing a farm track and passing to the east of a barn to Grid Ref 41890 49856, where it turns and runs west along the north side of the barn for approx. 70m to Grid Ref 41883 49855. Not recorded	Grass Not Recorded	0.190 0.2 Not recorded Total: Not recorded	1.5 3 Not recorded	Field gate at SE 1884 9855
20.35/12	SE 1884 9835 Start: 41883 49835 End: Not recorded	The path commences at grid reference SE18849835 where a field gate allows access to a lane to Hipswell Mill from County road number RD154U. It runs in a generally north easterly direction for approximately 85 metres to grid reference SE18909840. The footpath then proceeds in a generally north easterly direction for approximately 30 metres where it enters an archway leading through the mill buildings. The footpath then proceeds in a generally east north easterly direction for approximately 32 metres then turns to a generally north north easterly direction for approximately 5 metres and crosses a footbridge to G.R. SE18959844. The footpath then turns to a generally south easterly direction (staying to the south western side of the existing fence line) for approx. 20 metres		0.085 0.03 0.032 0.044	1.5 1.5 1.8 1.5	Field gate SE 1884 9835 Gate SE1890 9840 Stile SE 1898 9843 Footbridge SE 1895 9843

		<p>Commences at the junction with the publicly maintainable highway at Grid Ref 41883 49835, passes through a pedestrian gate and runs north-north-east for approx. 20m to a bridge at Grid Ref 41884 49836, then continues generally north-east along the edge of a field for approx. 130m to a piped culvert and pedestrian gate at Grid Ref 41894 49844, then turns and runs south-east for approx. 8m to Grid Ref 41895 49843 then continues south-east to Grid Ref SE1896 9842 then turns to a generally east north easterly direction for approximately 20 metres and to a generally easterly direction for approximately 4 metres to Grid Ref SE1898 9844, and then runs east-north-east along the field edge for approx. 190m to Grid Ref 41917 49849 then turns and runs generally north along the field edge for approx. 217m to Grid Ref 41915 49870</p> <p>Not recorded</p>	Grass	0.158	3	GR 41883 49835 Pedestrian gate to BS5709:2018
			Not recorded	0.024	1.5	GR 41894 49844 Pedestrian gate to BS5709:2018
			Grass	0.407	3	
			Not recorded	Not recorded	Not recorded	
				Total: Not recorded		

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



Grid References	
A:	41883 49835
B:	41883 49855
C:	41895 49843
D:	41898 49844
E:	41915 49870
F:	41884 49836
G:	41894 49844
H:	41890 49854
I:	41890 49856
J:	41917 49849

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NORTH YORKSHIRE COUNCIL

Public Rights of Way
 Countryside Access Service
 County Hall
 Northallerton
 DL7 8AH

Key:

- Footpath to be added
- Footpath to be deleted
- Other footpaths
- Connecting maintainable highways

Map drawn on 21 February 2024
 Drawn by BB Scale 1:2500

The North Yorkshire Council

Highways Act 1980 Section 119
 Wildlife & Countryside Act 1981

Public Footpaths No.20.35/3 & 20.35/12
 Hipswell Hall Farm and Hipswell Mill
 Diversion Order 2024

File Ref No. BICW/2023/08/DO

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DIVERSION ORDER 2024**

THE NORTH YORKSHIRE 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 THE NORTH
YORKSHIRE COUNCIL
was hereunto affixed this 15th day
of MAY 2024
in the presence of:-



W. Coady
**AUTHORISED
SIGNATORY**