

SITE NOTICE

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

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

THE NORTH YORKSHIRE COUNCIL

**PUBLIC BRIDLEWAY 20.43/12, MOOR HOUSE FARM, MARSKE DIVERSION
ORDER 2024.**

The above Order made under Section 119 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981, was confirmed on 09/07/2024.

The effect of the Order as confirmed is to divert the Public Bridleway as follows:

Public Bridleway 20.43/12 between NZ 0843 0130 and NZ 0900 0085 will be diverted onto a new route between NZ 0843 0130, NZ 0850 0131, NZ 0864 0127, NZ 0876 0113, NZ 0880 0104 to Public Bridleway 20.43/11 at NZ 0886 0083.

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 Richmond Library, North Yorkshire until 06/09/2024. Copies of the Order and Map may be purchased from Countryside Access Services, North Yorkshire Council, County Hall, Northallerton, North Yorkshire, DL7 8AD (tel: 03001312131) 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 26/07/2024, make an application to the High Court.

Dated 26/07/2024

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

THE NORTH YORKSHIRE COUNCIL

**PUBLIC BRIDLEWAY 20.43/12, MOOR HOUSE FARM, MARSKE
DIVERSION ORDER 2024.**

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

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

PUBLIC BRIDLEWAY 20.43/12, MOOR HOUSE FARM, MARSKE 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 owner(s) of the land crossed by the Public Bridleway described in Paragraph 1 of this Order it is expedient that the line of the Way 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.

Jonathan Brunton, Moor House Farm, Marske, Richmond, DL11 7NF 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 Way(s) into a fit condition for use by the public.

Marske Parish Council(s) 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 Moor House Farm, Marske and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up 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, as described in Part 2 of the Schedule, has been completed to the reasonable satisfaction of the Authority and thereupon The District Of Richmondshire (outside The Yorkshire Dales National Park) Definitive Map shall be modified by deleting from it that public right 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 the Public Bridleway over the land situated at Moor House Farm, Marske 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 District Of Richmondshire (outside The Yorkshire Dales National Park) Definitive Map shall be modified by adding the Public Bridleway to it.
3. The following works shall be carried out by the applicant in relation to the highway described in Part 2 of the Schedule: Fit high level latches to the existing field gates at Points D, E and G and provide new field gates with high level latches at Points F and H on the attached plan.
4. 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.
5. 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.

THE COMMON SEAL of THE NORTH
YORKSHIRE COUNCIL

was hereunto affixed this 10th day
of MAY 2024
in the presence of:-

NY1123.



Catrina Call

**AUTHORISED
SIGNATORY**

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC BRIDLEWAY

<u>Section of Public Bridleway to be extinguished as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Bridleway 20.43/12 as marked with a bold continuous line (A-B-C) on the attached plan.	Starts at Grid Reference 40843 50130 (Point A) and proceeds in a generally south east, then east direction for approximately 378 metres to Grid Reference 40876 50118 (Point B) and then proceeds through Moor House Farmyard in a south east, then south south east direction for approximately 425 metres to its junction with Public Footpath 20.43/13 at Grid Reference 40900 50085 (Point C).	Not Recorded

PART 2

DESCRIPTION OF SITE OF NEW PUBLIC BRIDLEWAY

<u>Section of Public Bridleway to be created as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Bridleway 20.43/12 as marked with a bold dashed line (A-D-E-F-G-H) on the attached plan.	Starts at Grid Reference 40843 50130 (Point A) and proceeds in a generally east north east direction for approximately 74 metres to a field gate at Grid Reference 40850 50131 (Point D) then proceeds in an east south east direction for approximately 147 metres to a field gate at Grid Reference 40864 50127 (Point E) and then proceeds across the field in a south east direction for approximately 181 metres to a field gate at Grid Reference 40876 50113 (Point F) and continues in a south south east direction for approximately 97 metres to a field gate at Grid Reference 40880 50104 (Point G) and continues in a south south east direction following the field boundary for approximately 220 metres to a field gate at Grid Reference 40886 50083 (Point H). The surface of the route is grass/pasture.	4 metres

PART 3

LIMITATIONS AND CONDITIONS

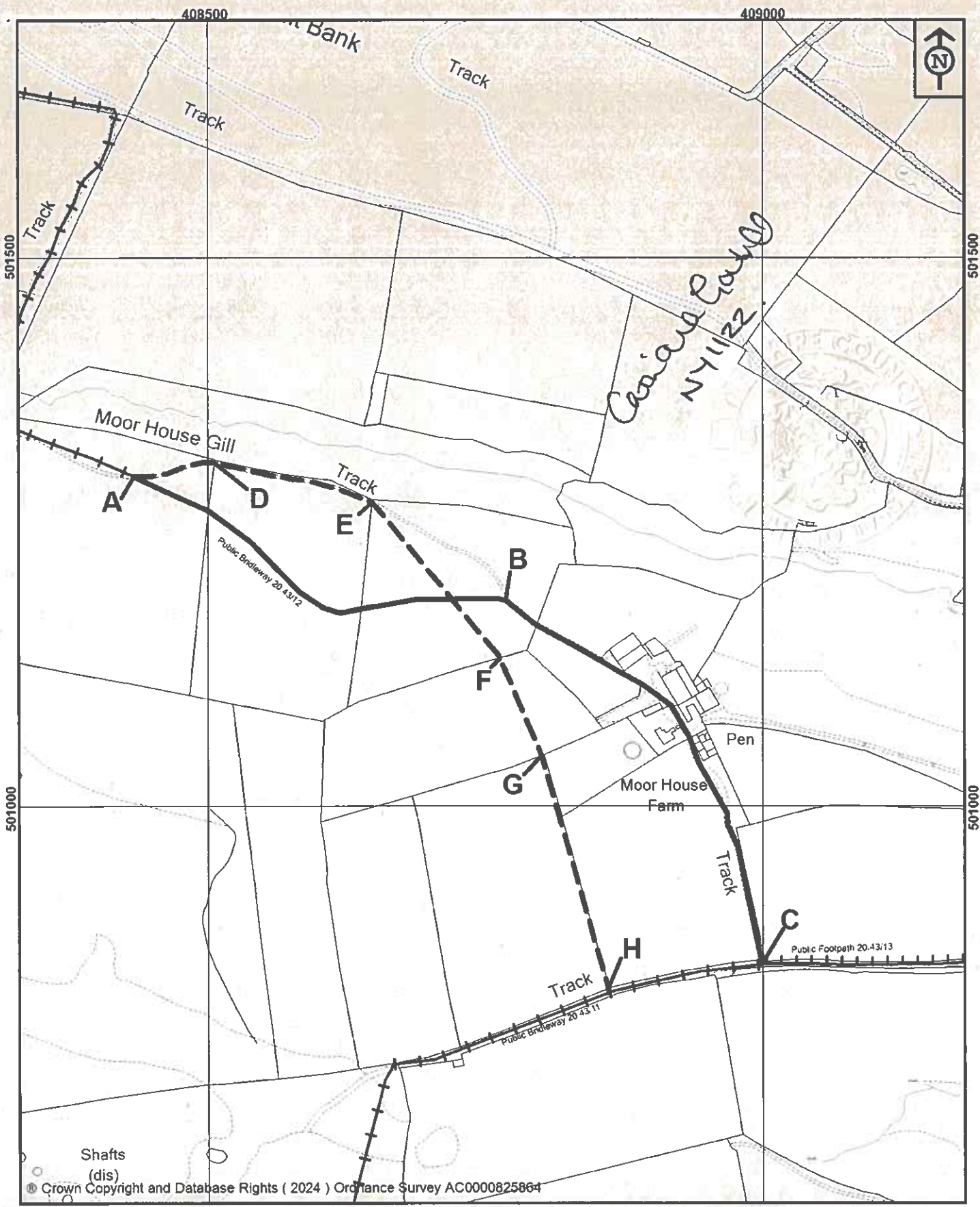
<u>Position on Public Bridleway 20.43/12 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 40850 50131 (Point D)	Field Gate with High Level Latch
Grid Reference 40864 50127 (Point E)	Field Gate with High Level Latch
Grid Reference 40876 50113 (Point F)	Field Gate with High Level Latch
Grid Reference 40880 50104 (Point G)	Field Gate with High Level Latch
Grid Reference 40886 50083 (Point H)	Field Gate with High Level Latch

PART 4

MODIFICATION OF DEFINITIVE STATEMENT
VARIATION OF PARTICULARS OF PATH OR WAY



Path No.	Grid Reference End Points	Description	Nature of Surface	Length (K̄m)	Width (m)	Lawful Obstructions and Conditions
Bridleway 20.43/12	40714 50170 (Start)	Not Recorded	Not Recorded	Not Recorded	Not Recorded	Not Recorded
	To 40900 50085 (Finish)	From Grid Reference 40843 50130 and proceeds in a generally east north east direction for approximately 74 metres to a field gate at Grid Reference 40850 50131 then proceeds in a east south east direction for approximately 147 metres to a field gate at Grid Reference 40864 50127 and then proceeds across the field in a south east direction for approximately 181 metres to a field gate at Grid Reference 40876 50113 and continues in a south south east direction for approximately 97 metres to a field gate at Grid Reference 40880 50104 and continues in a south south east direction following the field boundary for approximately 220 metres to a field gate at Grid Reference 40886 50083.	Grass Pasture	0.719Km Total Length: 0.719Km	4 metres	Field Gate at GR 40850 50131 Field Gate at GR 40864 50127 Field Gate at GR 40876 50113 Field Gate at GR 40880 50104 Field Gate at GR 40886 50083
		Not Recorded	Not Recorded	Not Recorded	Not Recorded	Not Recorded



*Countryside Act 1981
NY 11/22*



NORTH YORKSHIRE COUNCIL

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

Key:

Bridleway to be added	
Bridleway to be deleted	
Other footpaths	
Other bridleways	

Map drawn on 16 April 2024
Drawn by SCM Scale 1:4500

The North Yorkshire Council
Highways Act 1980 Section 119
Wildlife & Countryside Act 1981
Public Bridleway 20.43/12, Moor House Farm, Marske, Diversion Order 2024

File Ref No. RICH/2024/02/DO

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

PUBLIC BRIDLEWAY 20.43/12, MOOR HOUSE FARM, MARSKE 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 9th day
of July 2024
in the presence of:-

M. Bejtka .

NY1334



**AUTHORISED
SIGNATORY**

