

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 FOOTPATH 15.6/13, BACK LANE, ASKWITH 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 Tuesday 13 August 2024.

The effect of the Order as Confirmed is to divert the Public Footpath as follows:

Public Footpath 15.6/13 between SE 1702 4792 and SE 1705 4794, will be diverted onto a new route outside the property curtilage, between SE 1702 4792 to SE 1702 4794 to SE 1705 4794 with a width of 2 metres on a grass surface: (Points E-A onto Points E--C--B on the Plan contained in the Order).

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 Harrogate Library, Victoria Avenue, Harrogate HG1 1EG, North Yorkshire until Friday 3 October 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: 0300 131 2131) 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 Thursday 22 August 2024, make an application to the High Court.

Dated: Thursday 22 August 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

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THE NORTH YORKSHIRE COUNCIL

**PUBLIC FOOTPATH 15.6/13, BACK LANE, ASKWITH DIVERSION
ORDER 2024**

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

PUBLIC FOOTPATH 15.6/13, BACK LANE, ASKWITH 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 Footpath described in Paragraph 1 of this Order it is expedient that the line of the Path(s) 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 1 (outside Dales) 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 Karl Lenton and Ms. Helen Shepherd of Quaker Cottage, Back Lane, Askwith LS21 2JA 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(s) into a fit condition for use by the public.

Askwith Parish Council has 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 Back Lane - Quaker Cottage, Askwith and shown by a bold continuous black line on the map contained in this Order and described in Part 1 of the Schedule to 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, as described in Part 2 of the Schedule, has been completed to the reasonable satisfaction of the Authority, and thereupon, The Former West Riding Of Yorkshire Area 1 (outside Dales) Definitive Map shall be modified by deleting from it that public right of way.
2. There shall from the date of the above-mentioned certification of this Order be the Public Footpath over the land situated at Back Lane - Quaker Cottage, Askwith shown by a bold broken black line on the map contained in this Order and described in Part 2 of the Schedule to this Order and thereupon The Former West Riding of Yorkshire Area 1 (outside Dales) Definitive Map shall be modified by adding the Public Footpath to it.
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. The Former West Riding of Yorkshire Area 1 (outside Dales) Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.
5. The Owner shall carry out the work described in Article 1 above, required to bring Parts 2 and 3 of the Schedule below into effect. Any new boundaries installed adjacent to any path diverted by this Order are to be a minimum of 0.5 metre from the near edge of the path(s).

THE COMMON SEAL of
THE NORTH YORKSHIRE COUNCIL

was hereunto affixed this 2nd day

of JULY 2024

in the presence of:-



NY/13/15



**AUTHORISED
SIGNATORY**

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC FOOTPATH

| <u>Section of Footpath to be extinguished as shown on the attached Map</u> | <u>Position</u> | <u>Width</u> |
|--|--|--------------|
| Public Footpath 15.6/13 as marked by a bold continuous black line E—A on the attached Plan | Commences at Grid Reference 41702 44792 (Point E) and proceeds generally north-eastwards and then eastwards in a narrow lane, passing through a bridle-gate after 36 metres, to join Bridleway 15.6/12 at Grid Reference 41705 44794 (Point A), a distance of 41 metres approximately on a grass surface | 0.9 metres |

PART 2

DESCRIPTION OF SITE OF NEW PUBLIC FOOTPATH

| <u>Section of Public Footpath to be created as shown on the attached map</u> | <u>Position</u> | <u>Width</u> |
|--|--|--------------|
| Public Footpath 15.6/13 as marked by a bold dashed black line E-D-C-B on the attached Plan | Commences at Grid Reference 41702 44792 (Point E) proceeding northwest for 5 metres to Grid Reference 41701 44793 (Point D) to pass through a Gap (to BS5709:2018) in a hedge, then in a generally northerly direction for 18 metres to Grid Reference 41702 44794 (Point C), then continuing east for 29 metres to pass through a self-closing pedestrian gate (to BS5709:2018), to join Bridleway 15.6/12 at Grid Reference 41705 44794 (Point B); a distance of 52 metres approximately on a grass surface. | 2.0 metres |

PART 3

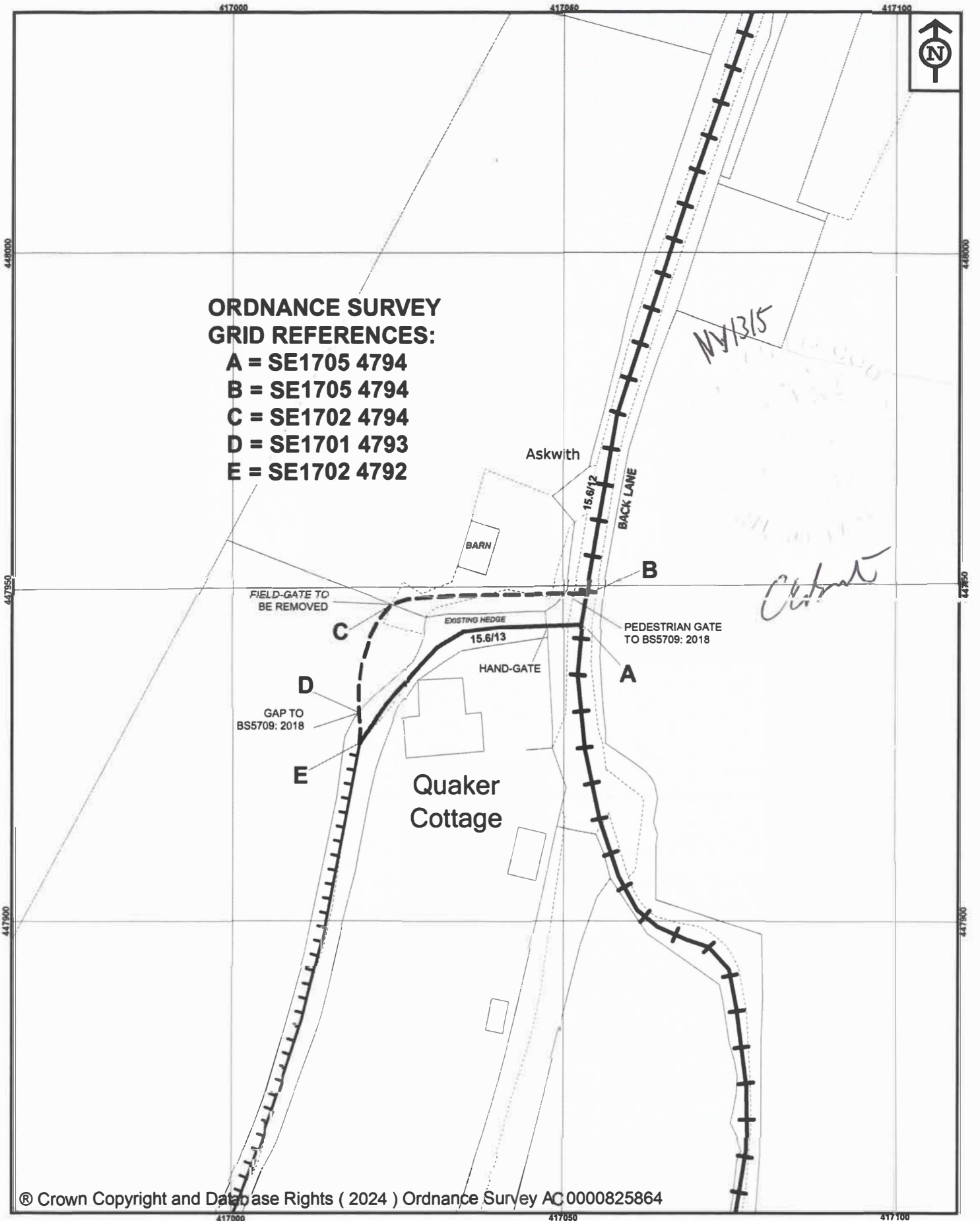
LIMITATIONS AND CONDITIONS

| <u>Position on Public Footpath 15.6/13 to which limitations and conditions apply</u> | <u>Limitations and Conditions</u> |
|--|--|
| Grid Reference 41701 44793 (Point D) | Gap to BS5709: 2018 |
| Grid Reference 41705 44794 (Point B) | Self-closing 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 and Conditions |
|---------------------|---|---|-------------------|--|---------------------------|---|
| Footpath 15.6/13 | 41658, 44746 (Start) To 41705, 44795 (Finish) | Starts at its junction with path no. 35 and proceeds north-easterly to Grid Reference 41702 44792, proceeding northwest for 5 metres to Grid Reference 41701 44793 to pass through a Gap in a hedge, then in a generally northerly direction for 18 metres to Grid Reference 41702 44794, then continuing east for 29 metres to pass through a self-closing Pedestrian Gate at Grid Reference 41705 44794, its junction with Back Lane Bridleway 15.6/12. path no. 12 | Grass | 0.715 0.674 0.052 TOTAL 0.726 | 0.9 0.9 2.0 | Stepping Stones Stile at Grid Reference 4165, 4475 Stile, Stile, Stile, Stile Field Gate at Grid Ref. 4169, 4478 Bridle Gate at Grid Ref. 41705, 44794 Gap to BS 5709: 2018 at Grid Ref. 41701, 44793 Pedestrian Gate to BS 5709: 2018 at Grid Ref. 41705, 44794 |

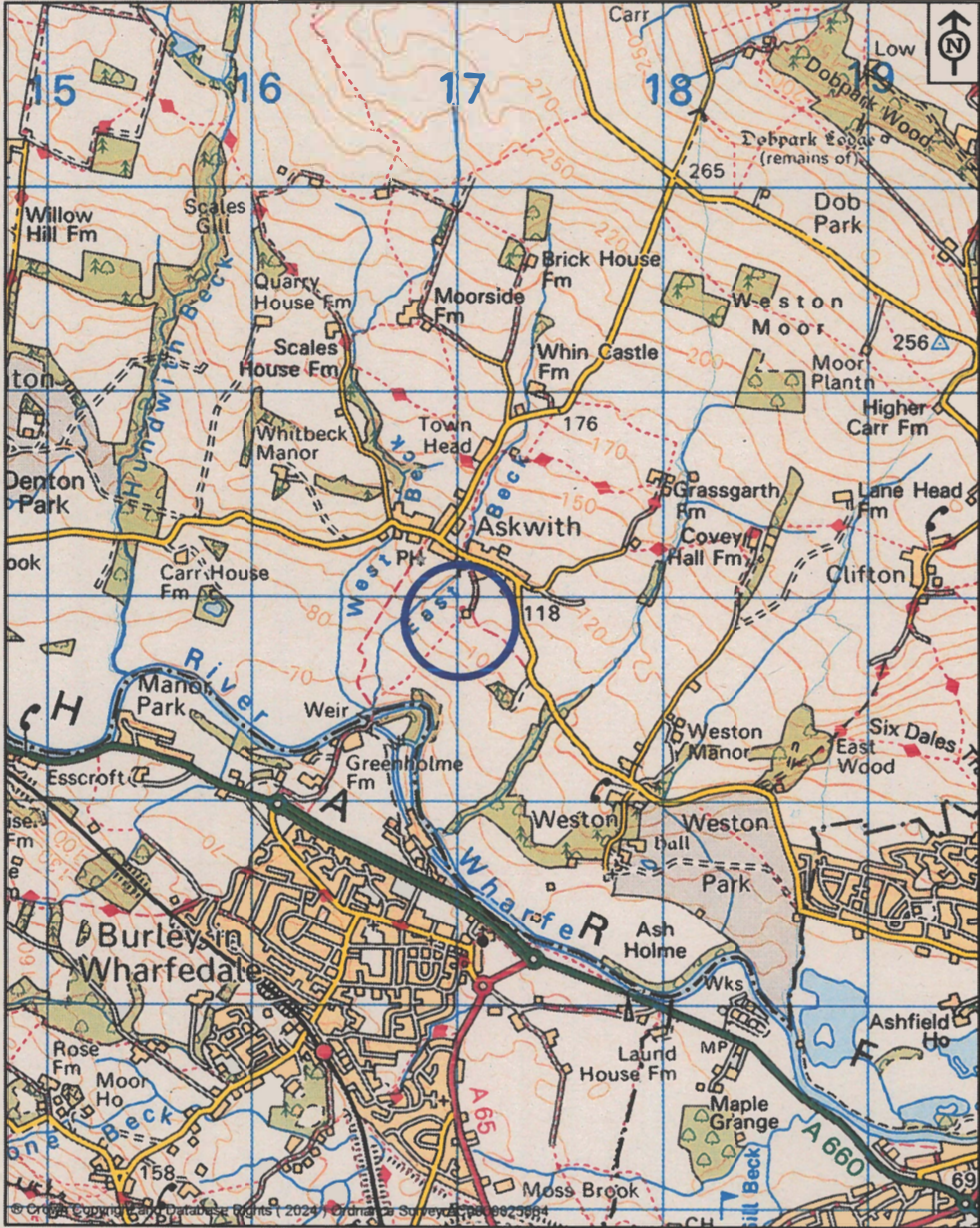


**ORDNANCE SURVEY
GRID REFERENCES:**

- A = SE1705 4794**
- B = SE1705 4794**
- C = SE1702 4794**
- D = SE1701 4793**
- E = SE1702 4792**

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| | | |
|---|---|---|
|  <p>NORTH YORKSHIRE COUNCIL</p> <p>Public Rights of Way Countryside Access Service County Hall Northallerton DL7 8AH</p> | <p>KEY:</p> <p>FOOTPATH B-C-D-E to be added - - - - -</p> <p>FOOTPATH A-E to be deleted —————</p> <p>Other footpaths</p> <p>Other bridleways - + - + -</p> | <p>The North Yorkshire Council</p> <p>Highways Act 1980 Section 119 Wildlife & Countryside Act 1981</p> <p>PUBLIC FOOTPATH 15.6/13 BACK LANE ASKWITH DIVERSION ORDER 2024</p> |
| | <p>Map drawn on 26 June 2024</p> | <p>File Ref No. HAR/2024/06/DO</p> |
| <p>Drawn by RR-DMT</p> | <p>Scale 1:750</p> | |



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

KEY:
 PUBLIC FOOTPATH ————
 BRIDLEWAY ————
 UNSURFACED ————
 UNCLASSIFIED ROAD
 Map drawn on 9 May 2024
 Drawn by RR-DMO | Scale 1:25000

The North Yorkshire Council
 Plan prepared for Public Footpath
 15.6/13 Back Lane Askwith
 Diversion Order 2024
LOCATION MAP
 File Ref No. HAR/2024/06/DO

NY/1315

 C. H. H.

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

HIGHWAYS ACT 1980

WILDLIFE AND COUNTRYSIDE ACT 1981

THE NORTH YORKSHIRE COUNCIL

PUBLIC FOOTPATH 15.6/13, BACK LANE, ASKWITH 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 13 day

of August 2024

in the presence of:-

W. Cooney

**AUTHORISED
SIGNATORY**

