

SITE NOTICE

**NOTICE OF MAKING 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 30.33/007, CHURCH DALE FARM, EGTON DIVERSION ORDER
2025**

The above Order, made on 04/02/2025, under Section 119 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981, will divert the Public Footpath described below.

Public Footpath 30.33/007 between NZ 7864 0625 and NZ 7891 0651, via NZ 7883 0638 and NZ 7885 0636 will be diverted onto a new route between NZ 7864 0625 and NZ 7891 0651 via NZ 7866 0634, NZ 7874 0638, NZ 7883 0649, NZ 7888 0649 and NZ 7889 0652.

A copy of the Order and the Order map have been placed and may be seen free of charge during normal office hours at Whitby Library, North Yorkshire until 13 March 2025. 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>.

Any representations about or objections to the Order may be sent in writing to Steve Metcalfe, Definitive Map Team, North Yorkshire Council, County Hall, Northallerton, North Yorkshire DL7 8AD or email steve.metcalfe@northyorks.gov.uk not later than 13 March 2025. Please state the grounds on which they are made.

Please note that objections/representations cannot be treated as confidential and may come into the public domain. Copies of any objections or representations received may be disclosed to interested parties, including the Planning Inspectorate where the case is referred to it for determination.

If no such representations or objections are duly made, or if any so made are withdrawn, The North Yorkshire Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation, any representations and objections which have not been withdrawn will be sent with the Order.

Dated 13 February 2025

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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THE NORTH YORKSHIRE COUNCIL

PUBLIC FOOTPATH 30.33/007, CHURCH DALE FARM, EGTON DIVERSION ORDER 2025

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 of the land crossed by the Public Footpath described in Paragraph 1 of this Order it is expedient that the line of the Public Footpath 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 North York Moors National Park Within North Yorkshire 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.

The Most Honourable Constantine Edmund Walter Marquis of Normanby, The Estate Office, Mulgrave Castle, Lythe, Whitby, YO21 3RJ 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 Path into a fit condition for use by the public.

Egton Parish Council, the North York Moors National Park Authority and Natural England 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 Church Dale Farm, Egton 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 North York Moors National Park Within North Yorkshire 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 Footpath over the land situated at Church Dale Farm, Egton 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 North York Moors National Park Within North Yorkshire Definitive Map shall be modified by adding the Public Footpath 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: Pedestrian gates to BS5709:2018 to be installed at Points A, E & I on the attached plan. The whole route to be cleared of vegetation. The route to be levelled and plant stumps and roots to be removed between Points G-H-I 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 North York Moors National Park Within North Yorkshire Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.

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HIGHWAYS ACT 1980

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THE NORTH YORKSHIRE COUNCIL

PUBLIC FOOTPATH 30.33/007, CHURCH DALE FARM, EGTON DIVERSION ORDER 2025

THE COMMON SEAL of THE NORTH
YORKSHIRE COUNCIL

was hereunto affixed this *4th* day
of *February 2025*
in the presence of:-



CMC

**AUTHORISED
SIGNATORY**

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC FOOTPATH

<u>Section of Public Footpath to be extinguished as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 30.33/007 as marked with a bold continuous line (A-B-C-D) on the attached plan.	From the farm access track at Grid Reference 47864 50625 (Point A) proceeds in a generally north east direction along the track and through the farmyard for approximately 239 metres to Grid Reference 47883 50638 (Point B) and then proceeds in a south east direction for approximately 24 metres to Grid Reference 47885 50636 (Point C) and then proceeds in a generally north north east direction for approximately 174 metres to Grid Reference 47891 50651 (Point D).	Not Recorded

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 30.33/007 as marked with a bold dashed line (A-E-F-G-H-I-D) on the attached plan.	From the farm access track at Grid Reference 47864 50625 (Point A) proceeds through a pedestrian gate in a north north east direction for approximately 91 metres to a pedestrian gate at Grid Reference 47866 50634 (Point E) and then proceeds in a generally north east direction for approximately 92 metres to Grid Reference 47874 50638 (Point F) and then follows the fence line in a north east direction for approximately 140 metres to Grid Reference 47883 50649 (Point G) and then proceeds in an east direction for approximately 47 metres to Grid Reference 47888 50649 (Point H) and then proceeds in a generally north east direction for approximately 36 metres, following the fence line round to a pedestrian gate at Grid Reference 47889 50652 (Point I) and then proceeds in an east, then south east direction for approximately 16 metres to Grid Reference 47891 50651 (Point D).	2 metres

PART 3

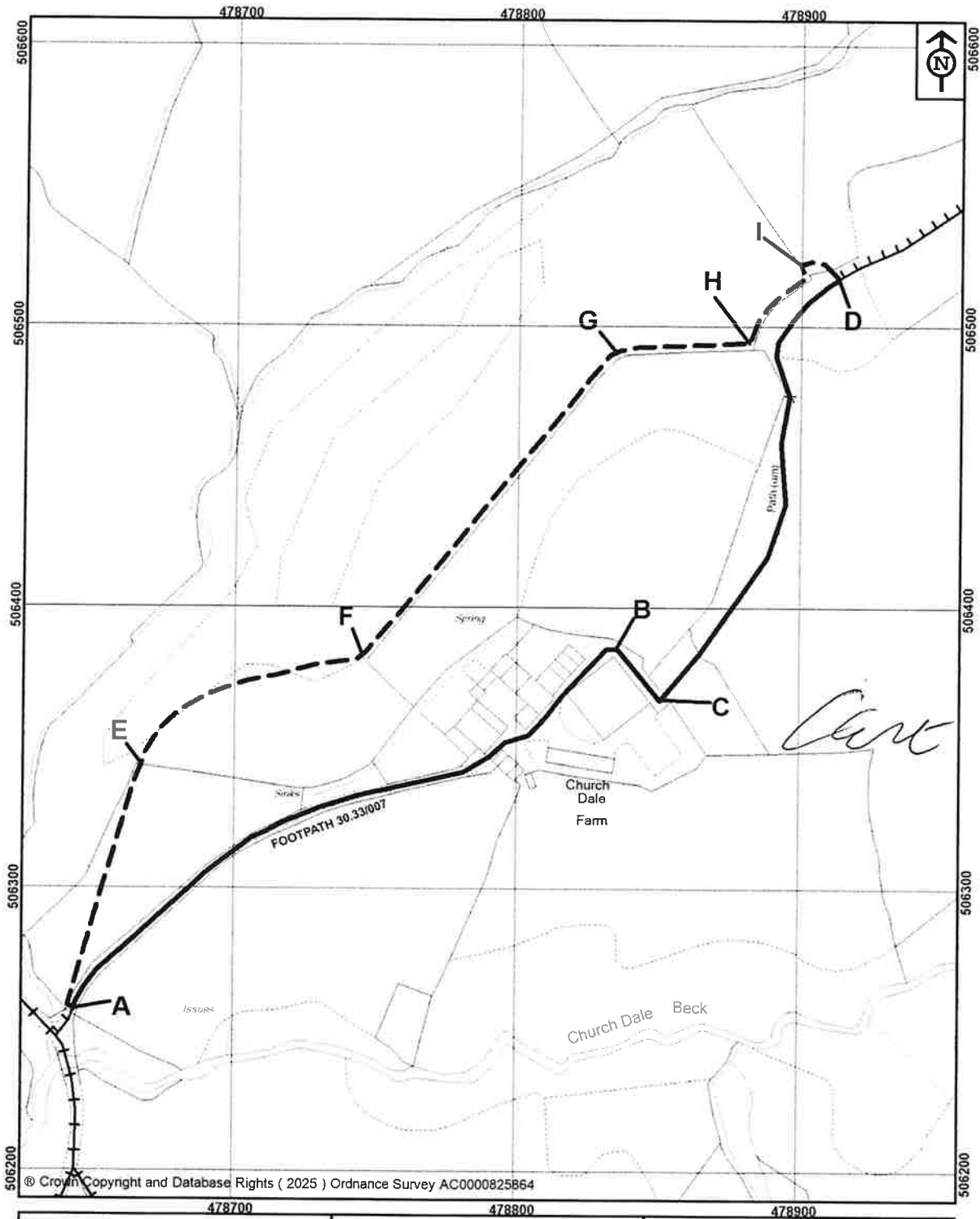
LIMITATIONS AND CONDITIONS

<u>Position on Public Footpath 30.33/007 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 47864 50625 (Point A)	Pedestrian Gate to BS5709:2018
Grid Reference 47866 50634 (Point E)	Pedestrian Gate to BS5709:2018
Grid Reference 47889 50652 (Point I)	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
Public Footpath 30.33/007	Not Recorded (Start) To Not Recorded (Finish)	Not Recorded From the farm access track at Grid Reference 47864 50625 proceeds through a pedestrian gate in a north north east direction for approximately 91 metres to a pedestrian gate at Grid Reference 47866 50634 and then proceeds in a generally north east direction for approximately 92 metres to Grid Reference 47874 50638 and then follows the fence line in a north east direction for approximately 140 metres to Grid Reference 47883 50649 and then proceeds in an east direction for approximately 47 metres to Grid Reference 47888 50649 and then proceeds in a generally north east direction for approximately 36 metres, following the fence line round to a pedestrian gate at Grid Reference 47889 50652 and then proceeds in an east, then south east direction for approximately 16 metres to Grid Reference 47891 50651.	Not Recorded Grass Not Recorded	Not Recorded 0.422 Not Recorded Total Not Recorded	Not Recorded 2 metres Not Recorded	Pedestrian Gate to BS5709:2018 at GR 47864 50625 Pedestrian Gate to BS5709:2018 at GR 47866 50634 Pedestrian Gate to BS5709:2018 at GR 47889 50652
		Not Recorded				



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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 ————
 Other Bridleways ————

The North Yorkshire Council
 Highways Act 1980 Section 119
 Wildlife & Countryside Act 1981
 Public Footpath 30.33/007, Church Dale Farm, Egton Diversion Order 2025

Map drawn on 31 January 2025
 Drawn by SCM Scale 1:1750 File Ref No. SCAR/2022/14/DO