

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

THE NORTH YORKSHIRE COUNCIL

**PUBLIC BRIDLEWAYS 15.44/3, 15.44/5 AND PUBLIC FOOTPATH
15.44/7, THWAITE HOUSE, FOUNTAINS EARTH DIVERSION ORDER
2024**

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

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

THE NORTH YORKSHIRE COUNCIL

PUBLIC BRIDLEWAYS 15.44/3, 15.44/5 AND PUBLIC FOOTPATH 15.44/7, THWAITE HOUSE, FOUNTAINS EARTH 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 Bridleways and Footpath described in Paragraph 1 of this Order it is expedient that the line of the Public Bridleways and Footpath should be diverted.

Mr & Mrs S. Halsall, Thwaite House Farm, Lofthouse, Harrogate, HG3 5SN 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 and Ways into a fit condition for use by the public.

Fountains Earth Parish Council has 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 Thwaite House, Fountains Earth and shown by bold continuous lines 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 sections of path, as described in Part 2 of the Schedule, has been completed to the reasonable satisfaction of the Authority. 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 Bridleways And Footpath over the land situated at Thwaite House, Fountains Earth described in Part 2 of the Schedule to this Order and shown by bold broken lines on the map contained in this Order.
3. The following works shall be carried out by the applicant in relation to the highway described in Part 2 of the Schedule: Provide field gates with high level latches to comply with BS5709:2018 at Points E, F, H and I and a bridle gap to BS5709:2018 at Point G on the Order 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.

THE COMMON SEAL of THE NORTH YORKSHIRE COUNCIL

was hereunto affixed this ^{9th} day
of APRIL 2024
in the presence of:-



W. Coderoy
**AUTHORISED
SIGNATORY**

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PUBLIC BRIDLEWAYS AND FOOTPATH

<u>Section of Public Bridleway as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Bridleway 15.44/3 as marked with a bold continuous line (A-B-C-D) on the attached plan.	Starts at Grid Reference 41023 47650 (Point A) and proceeds along the farm access track in a west and then generally south direction before turning east and continuing into the garden of Thwaite House to Grid Reference 41019 47624 (Point B) and then proceeds in a south direction to Grid Reference 41020 47622 (Point C) and then proceeds in a south west to Grid Reference 41017 47620 (Point D). Total distance of the route is 385 metres.	5 ft 6ins
<u>Section of Public Bridleway as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Bridleway 15.44/5 as marked with a bold continuous line (K-B) on the attached plan.	Starts at Grid Reference 41037 47635 (Point K) and proceeds in a generally west south west direction before turning to a generally south south east direction for approximately 264 metres into the garden of Thwaite House at Grid Reference 41019 47624 (Point B).	5 ft 6ins
<u>Section of Public Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 15.44/7 as marked with a bold continuous line (C-J) on the attached plan.	Starts at Grid Reference 41020 47622 (Point C) in the garden of Thwaite House and proceeds in a generally south east direction for approximately 165 metres to Grid Reference 41032 47611 (Point J).	3 ft 0ins

PART 2

DESCRIPTION OF SITE OF NEW PUBLIC BRIDLEWAYS AND FOOTPATH

<u>Section of Public Bridleway as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Bridleway 15.44/3 as marked with a bold dashed line (A-E-F-G-H-I-D) on the attached plan.	Starts on the Thwaite House access track at Grid Reference 41023 47650 (Point A) and proceeds in a south south west and then south east direction for approximately 28 metres across pasture to a field gate at Grid Reference 41023 47648 (Point E) then proceeds in a generally south direction for approximately 182 metres across pasture to a field gate at Grid Reference 41024 47630 (Point F) and continues in a south south east direction for approximately 90 metres across pasture to a gap at Grid Reference 41026 47621 (Point G) then proceeds in a south west direction for approximately 76 metres across pasture to a field gate at Grid Reference 41019 47619 (Point H) and then proceeds in a north west direction for approximately 10 metres across pasture to a field gate at Grid Reference 41018 47620 (Point I) and continues in a north west direction for 5 metres across pasture to Grid Reference 41017 47620 (Point D).	4 metres
<u>Section of Public Bridleway as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Bridleway 15.44/5 as marked with a bold dashed line (K-F) on the attached plan.	Starts at Grid Reference 41037 47635 (Point K) and proceeds in a south west direction across pasture for approximately 140 metres to its junction with Public Bridleway 15.44/3 at Grid Reference 41024 47630 (Point F).	4 metres
<u>Section of Public Footpath as shown on the attached map</u>	<u>Position</u>	<u>Width</u>
Public Footpath 15.44/7 as marked with a bold dashed line (G-J) on the attached plan.	Starts at its junction with Public Bridleway 15.44/3 at Grid Reference 41026 47621 (Point G) and proceeds in a south east direction for approximately 116 metres across pasture to Grid Reference 41032 47611 (Point J).	2 metres

410250

476500

476500

476250

476250



Bridleway 15.44/3 (A-B-C-D) will move onto a new line (A-E-F-G-H-I-D).
 Bridleway 15.44/5 (K-B) will move onto a new line (K-F).
 Footpath 15.44/7 (J-C) will move onto a new line (J-G).

Stott Wood

Beggar Moat Scar

ter Hole
Hole)

Public Bridleway 15.44/3

Public Bridleway 15.44/5

Thwaite House

Drain


NY1028

Thwaite Wood

Wooden

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410250





NORTH YORKSHIRE COUNCIL


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

Key:

Route to be added 

Route to be deleted 

Other footpaths 

Other bridleways 

Map drawn on 26 March 2024

Drawn by SCM | Scale 1:2000

The North Yorkshire Council

Highways Act 1980 Section 119
 Wildlife & Countryside Act 1981

Public Bridleways 15.44/3, 15.44/5
 and Public Footpath 15.44/7,
 Thwaite House, Fountains Earth
 Diversion Order 2024

File Ref No. HAR/2024/01/DO

PART 3

Limitations and Conditions

<u>Position on Public Bridleway 15.44/3 to which limitations and conditions apply</u>	<u>Limitations and Conditions</u>
Grid Reference 41023 47648 (Point E)	Field Gate with High Level Latch to BS5709:2018
Grid Reference 41024 47630 (Point F)	Field Gate with High Level Latch to BS5709:2018
Grid Reference 41026 47621 (Point G)	Bridle Gap to BS5709:2018
Grid Reference 41019 47619 (Point H)	Field Gate with High Level Latch to BS5709:2018
Grid Reference 41018 47620 (Point I)	Field Gate with High Level Latch to BS5709:2018