PUBLIC NOTICE

NOTICE OF CONFIRMATION OF A PUBLIC PATH ORDER

HIGHWAYS ACT 1980

YORKSHIRE DALES NATIONAL PARK AUTHORITY

FOOTPATH NO. 33, MARRICK DIVERSION ORDER 2023

On 30 May, 2023, the Yorkshire Dales National Park Authority confirmed the above Order made under Section 119 of the Highways Act 1980.

The effect of the Order as confirmed is to divert public Footpath No. 33 in the Parish of Marrick at two points approx. 95 metres apart along the access track leading to Marrick Park.

The first section begins on the track approx. 240 metres west from the entrance drive to Old Vicarage Farm at GR SE 0845 9810 continuing along the track in a general easterly direction for approx. 17 metres to GR SE 0847 9811 onto a line leaving the track from the same point to by-pass it on the northern side via a field gate before re-joining the track on the eastern side.

It will also divert that section of public Footpath No. 33, Marrick which begins on the track approx. 128 metres west from the entrance drive to Old Vicarage Farm at GR SE 0856 9813 along the track in a general easterly direction for approx. 20 metres to GR SE 0858 9814 onto a line leaving the track from the same point at the western end to by-pass the track on the northern side via a field gate before re-joining the track on the eastern side, as shown on the Order map.

A copy of the confirmed Order and the Order map can be viewed on our website at the following link www.yorkshiredales.org.uk/path-orders until 21 July, 2023. If you do not have access to the internet please telephone 01756 751643 to arrange for copies of the Order and map to be mailed out to you free of charge, or email access@yorkshiredales.org.uk

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 Footpath 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 6 weeks from 9 June, 2023, make an application to the High Court.

Dated: 9 June, 2023

CLARE BEVAN
SOLICITOR
Yorkshire Dales National Park Authority
Bainbridge

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

YORKSHIRE DALES NATIONAL PARK AUTHORITY

FOOTPATH NO. 33, MARRICK

DIVERSION ORDER 2023

The Order is made by the Yorkshire Dales National Park Authority ("the Authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority as respects the footpath referred to in Paragraph 1 of this Order, that in the interests of the owner of the land crossed by the footpath, it is expedient that the line of the footpath should be diverted.

The owner Mrs Julia Carr of Marrick Park, Marrick, Richmond, North Yorkshire DL11 7LH has agreed not to claim compensation which may become payable in consequence of the coming into operation of this Order, to defray any compensation which may become payable under Section 28 and 121(2) of the 1980 Act to any other person with an interest in the land.

North Yorkshire County Council, Richmondshire District Council, Marrick Parish Council 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 situate at Marrick Park, Marrick, Richmond, North Yorkshire in the Parish of Marrick 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 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 the path as described in Part 2 of the Schedule has been completed to the reasonable satisfaction of the Authority and under no circumstances shall such a certification be given before the date of confirmation of this Order.

2. There shall from the date of the above mentioned certification be a public footpath over the land situated at Marrick Park, Marrick, Richmond, North Yorkshire in the Parish of Marrick described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in 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.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Section of Footpath as shown on the attached map	Position	Width
Marked by a bold black continuous line and shown as A – C	From Point A on the track at Grid Reference SE 0845 9810 continuing along the track in an east, north east direction to Point C at Grid Reference SE 0847 9811. Approximate length: 17 metres	Not specified
Marked by a bold black continuous line and shown as D – F	From Point D on the track at Grid Reference SE 0856 9813 continuing along the track in an east, north east direction to Point F at Grid Reference SE 0858 9814. Approximate length: 20 metres	Not specified

PART 2

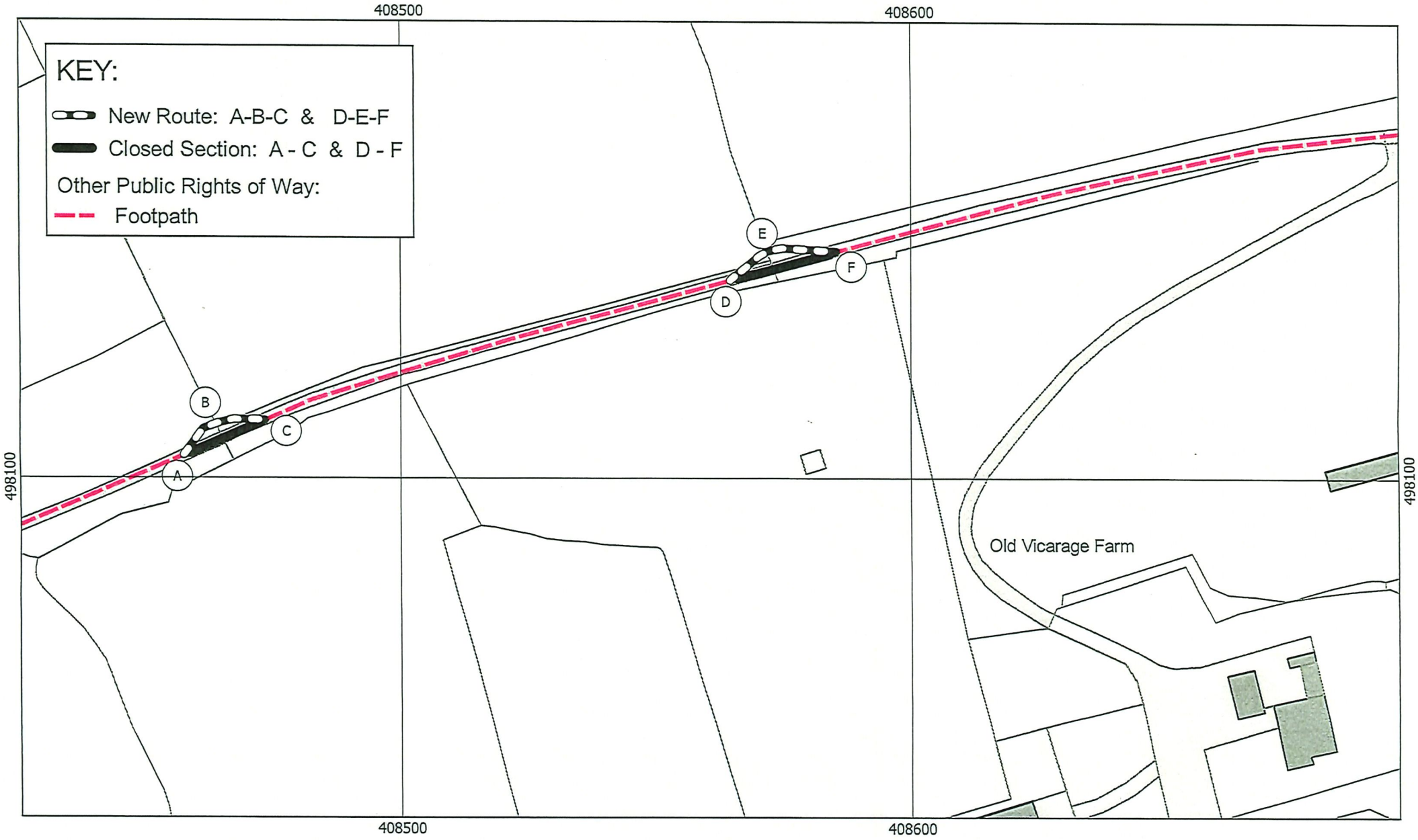
DESCRIPTION OF SITE OF NEW PATH OR WAY

Section of Footpath as shown on the attached map	Position	Width
Marked by a bold black broken line and shown as A – B - C	From Point A at Grid Reference SE 0845 9810 leaving the track on the northern side, in an east north easterly direction to a field gate adjacent to the track at Point B, Grid Reference SE 0846 9811 and re-joining the track at Point C, Grid Reference SE 0847 9811. Approximate length: 18 metres	3 metres

YORKSHIRE DALES NATIONAL PARK AUTHORITY
HIGHWAYS ACT 1980, SECTION 119
DIVERSION OF FOOTPATH NO. 33 IN THE PARISH OF MARRICK

Scale 1:1,000

YORKSHIRE DALES
National Park Authority



© Crown copyright and database rights 2023 Ordnance Survey 100023740

Continued ..... PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Section of Footpath as shown on the attached map	Position	Width
Marked by a bold black broken line and shown as D – E - F	From Point D at Grid Reference SE 0856 9813 leaving the track on the northern side, in an east north easterly direction to a field gate adjacent to the track at Point E, Grid Reference SE 0857 9814 and re-joining the track at Point F, Grid Reference SE 0858 9814. Approximate length: 21 metres	3 metres

PART 3

LIMITATIONS AND CONDITIONS

Position of Footpath to which Limitations and Conditions apply	Limitations and Conditions conforming to the British Standard 5709:2018
Grid Reference SE 0846 9811 (Point B)	Field Gate not less than 7' wide (2.1 m)
Grid Reference SE 0857 9814 (Point E)	Field Gate not less than 7' wide (2.1 m)

THE COMMON SEAL of)
YORKSHIRE DALES NATIONAL PARK)
AUTHORITY was hereunto affixed this)
18th day of April 2023)
in the presence of:-)

584

YORKSHIRE DALES NATIONAL PARK AUTHORITY 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 **YORKSHIRE DALES NATIONAL PARK AUTHORITY** was hereunto affixed this 30th day of May 2023 in the presence of:-

592

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

YORKSHIRE DALES NATIONAL PARK AUTHORITY

FOOTPATH NO. 33

MARRICK

DIVERSION ORDER 2023

Clare Bevan
Solicitor
Yorkshire Dales National Park Authority
Yoredale
Bainbridge
Leyburn
North Yorkshire
DL8 3EL