THE NORTH YORKSHIRE COUNCIL

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257 WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53A (2)

PUBLIC FOOTPATH NO. 25.54/5 LAND OFF SWINEHERD LANE KIRKBYMOORSIDE DIVERSION ORDER 2026

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

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DIVERSION ORDER 2026

This Order is made by The North Yorkshire Council ('the authority') under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990, namely:

ZE25/00767/MREM: Reserved matters approval for details of appearance and landscaping in relation to the development of 43 residential dwellings, open space, landscaping, and associated infrastructure (outline approval 19/00772/MOUT).

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 Eastern Part of the County of the Former North Riding of 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 hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The Public Footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted, and The Eastern Part of the County of the Former North Riding of Yorkshire Definitive Map and Statement shall be modified, as provided below.
2. There shall be created to the reasonable satisfaction of The North Yorkshire Council an alternative highway for use as a replacement for the said Public Footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the Public Footpath shall have effect on the date on which The North Yorkshire Council certify that the terms of Article 2 above have been complied with, and upon the occurrence of that diversion The Eastern Part of the County of the Former North Riding of Yorkshire Definitive Map shall be modified by deleting from it the path referred to in paragraph 1 of this Order and the path referred to in paragraph 2 of this Order shall be added to it, and the Definitive Statement shall be modified as described in Part 3 of the Schedule.

4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule: the footpath will be 2m width, with a tarmac surface and tactile paving for crossing points as per HAUC specification.

5. W&W Estates (Ruswarp) Ltd is hereby required to make the payments for the cost of carrying out the said works.

6. Where immediately before the date on which the Public Footpath is diverted there is apparatus under, in, on, over along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

NY4402



THE COMMON SEAL of
THE NORTH YORKSHIRE COUNCIL

was hereunto affixed this 20 day
of OCTOBER 2026
in the presence of:-

AUTHORISED
SIGNATORY

SCHEDULE

PART 1

Description of site of existing path

Section of Public Footpath as shown on the attached map	Position & description of Public Footpath	Width
Shown on the map by a bold black line as A-B	Commencing at the junction with public highway Swineherd Lane at Grid Reference 47013 48647 (Point A), the footpath proceeds through a gate in a generally south easterly direction for approximately 140 metres to Grid Reference 47024 48638 (Point B).	Not Recorded

PART 2

Description of site of alternative highway

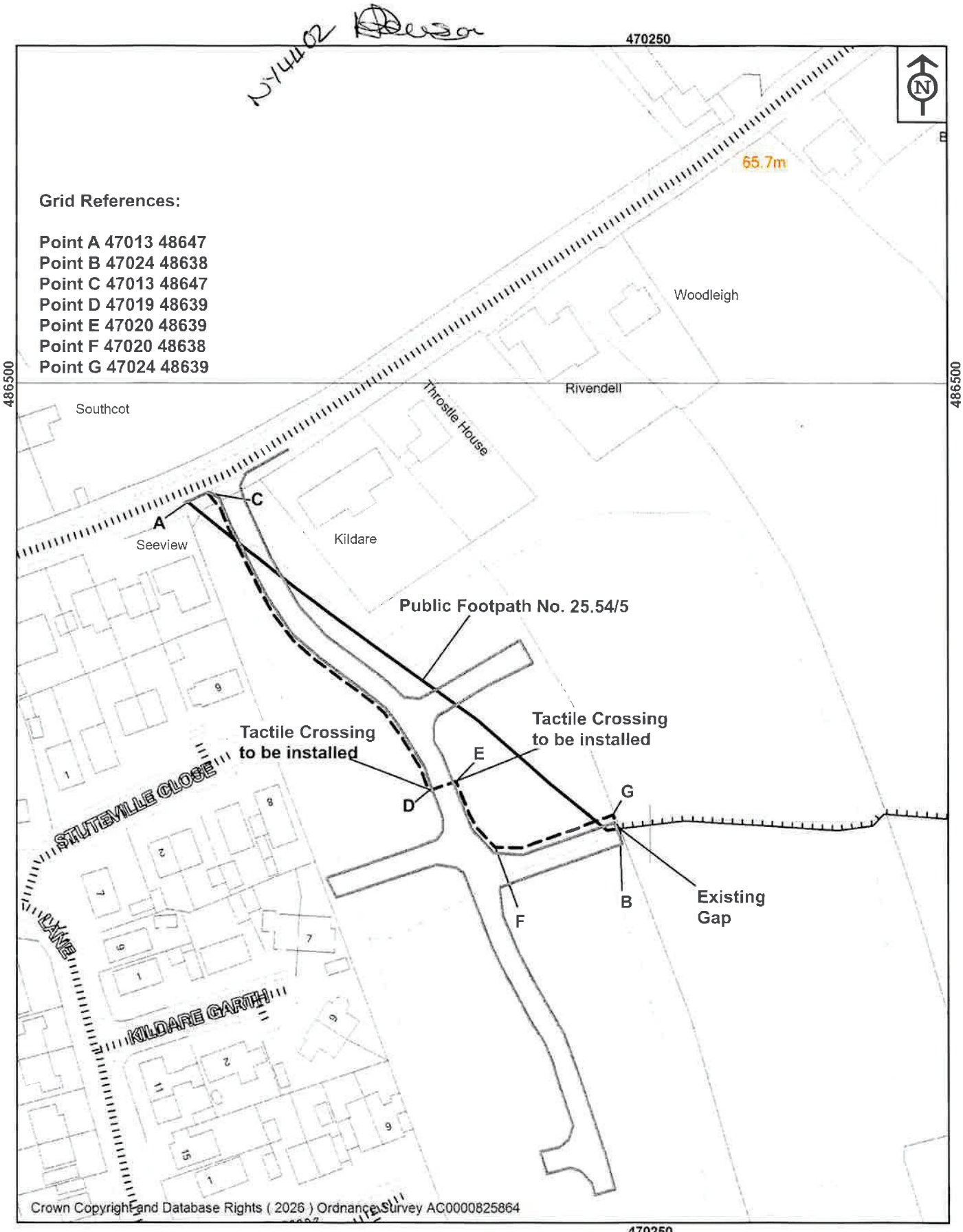
Section of Public Footpath as shown on the attached map	Position & description of Public Footpath	Width
Shown on the map by bold black dashes as C-D-E-F-G-B	Commencing at the junction with public highway Swineherd Lane at Grid Reference 47013 48647 (Point C), the footpath proceeds in a generally south easterly direction for approximately 96 metres to Grid Reference 47019 48639 (Point D), and then runs generally east for 8 metres to Grid Reference 47020 48639 (Point E), and then runs generally south easterly for 20 metres to Grid Reference 47020 48638 (Point F), and then runs generally east for approximately 32 metres to Grid Reference 47024 48639 (Point G), and then runs generally southeasterly for approximately 4 metres to a gap at Grid Reference 47024 48638 (Point B). The surface of the footpath will be tarmac, with tactile paving at crossing points D and E.	2m

PART 3

Modification of Definitive Statement
Variation of Particulars of path

Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (M)	Lawful Obstructions & Conditions
Public Footpath No. 25.54/5	**47013 48647 (Start)**	**Commencing at the junction with public highway Swineherd Lane at Grid Reference 47013 48647, the footpath proceeds in a generally south easterly direction for approximately 96 metres to Grid Reference 47019 48639, and then runs generally east for 8 metres to Grid Reference 47020 48639, and then runs generally south easterly for 20 metres to Grid Reference 47020 48638, and then runs generally east for approximately 32 metres to Grid Reference 47024 48639, and then runs generally southeasterly for approximately 4 metres to a gap at Grid Reference 47024 48638.**	**Tarmac**	**0.160**	**2**	
	Not Recorded (Finish)	Not Recorded	Not Recorded	Not Recorded **Total Not Recorded**	Not Recorded	

[text in bold to be added to Statement] [crossed-out text to be deleted from Statement]



NORTH YORKSHIRE COUNCIL

Definitive Map Team
County Hall
Northallerton
DL7 8AH

Key:
Footpath to be added
Footpath to be deleted
Other footpaths
Maintainable Highways
Approx new road link

Map drawn on 19 October 2026

Drawn by SKD | Scale 1:1250

The North Yorkshire Council

Town and Country Planning Act 1990
Section 257
Wildlife and Countryside Act 1981
Section 53A(2)
Public Footpath No. 25.54/5
Land off Swineherd Lane Kirkbymoorside
Diversion Order 2026

File Ref No. RYE/2026/08/DO T&CPA