**HARROGATE BOROUGH COUNCIL**

**PUBLIC PATH DIVERSION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**

**FOOTPATH 15.53/23/1 ADJACENT CRUET FARM HOLLINS LANE HAMPSTHWAITE DIVERSION ORDER 2019**

This order is made by Harrogate Borough Council 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 3 of the Town and Country Planning Act 1990 namely: the erection of 4 dwellinghouses.

**BY THIS ORDER:**

1. The 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 as provided below.
2. There shall be created to the reasonable satisfaction of Harrogate Borough Councilan alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Harrogate Borough Councilcertify that the terms of Article 2 above have been complied with.

4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule: a surface of 2 metres in width to be grassed along the entire length.

1. Lennox Property are hereby required to pay for the cost of carrying out the said works.
2. Where immediately before the date on which the 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.

THE COMMON SEAL of )

The Council of the Borough of Harrogate *)*

was hereunto affixed this )

[INSERT] 2019 )

in the presence of:- )

#### **SCHEDULE**

**PART 1**

**Description of site of existing path or way to be stopped up**

|  |  |  |  |
| --- | --- | --- | --- |
| **Footpath No.**  **15.53/23.1** | **Length**  **(Kms)** | **Width**  **(metres)** | **Position & description of Footpath** |
| Shown on the map by a bold black line as Points A-B-C-D-E-F | 0.045 | 2.0 (approx) | The Footpath commences at Point A at GR SE 2618 5812 and continues in a south easterly direction on an unmade surface for approximately 10 metres to Point B at GR SE 2619 5812 before heading in a south south easterly direction for approximately 10 metres towards Point C at GR SE 2619 5812 before heading in a south easterly direction for approximately 10 metres metres towards Point D at GR SE 2620 5812 before heading in a south easterly direction for approximately 10 metres towards Point E at GR SE 2621 5811 and then continuing in a south easterly direction for approximately 5 metres towards Point F at GR SE 2621 5810. |

**PART 2**

**Description of site of alternative highway to be created**

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| --- | --- | --- | --- |
| **Footpath No.**  **15.53/23.1** | **Length**  **(Kms)** | **Width**  **(Metres)** | **Position & description of Footpath** |
| Shown on the map by bold black dashes as Points G-H-I-J-K-F | <0.01 | 2.0 (approx) | The new Footpath will commence from Point G at GR SE 2618 5813 where it will head in a south westerly direction for approximately 10 metres towards Point H at GR SE 2617 5812 before heading in a south easterly direction for approximately 10 metres towards Point I at GR SE2618 5811 then in a south easterly direction for approximately 20 metres towards Point J at GR SE 2619 5810 before heading in a south easterly direction towards Point K at GR SE 2619 5810, then proceeding in a north easterly direction to rejoin the existing footpath at Point F at GR SE 2621 5810  The entirety of the diverted route is to be grassed. |