PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980
CORNWALL COUNCIL

THE CORNWALL COUNCIL
(FOOTPATH No. 41, ST AGNES (PART))
(COOSEWARtha FARM)
PUBLIC PATH DIVERSION ORDER 2015

This Order is made by Cornwall 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 path should be diverted.

Mr R Wheeler, Principal Land Agent at Cornwall Council, has agreed to meet any
expenses which are incurred in bringing the new site of the Public Footpath into a fit
condition for use by the public. As the land affected by this Order is owned in its
entirety by Cornwall Council it was deemed that an agreement with regards to the
defrayment of compensation was not necessary.

BY THIS ORDER

1. The public right of way over the land situated at "Coosewartha Farm" in the Parish of St
   Agnes 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 Cornwall
   Council certify that work has been carried out to bring the site of the new highway mentioned
   in Part 2 of The Schedule to this Order into a fit condition for use by the public.

2. Notwithstanding this Order statutory undertakers shall have the same rights over the land
   referred to in paragraph 1 above, in respect of their apparatus under, in, upon, over, along, or
   across the said land as they had immediately before the confirmation of this Order.

3. There shall at the end of 28 days from the date of confirmation of this Order be a Public
   Footpath over the land situated west of "Coosewartha Farm" in the Parish of St Agnes
   described in Part 2 of The Schedule to this Order and shown by a bold dashed line on the
   map contained in this Order.

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 to this Order.

5. This Order may be cited as, "The Cornwall Council (Public Footpath No. 41, St Agnes
   (Part)) (Coosewartha Farm) Public Path Diversion Order 2015".

GIVEN under the Common Seal of the Council this 8th day of July 2015

THE COMMON SEAL OF THE
CORNWALL COUNCIL
Was hereunto affixed in the
presence of: -

Authorised signatory

I Certify that this is a proper copy of the Order as it was:

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED

Signed: P. McCreadny
Date: 19 July 2017
SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A length of Public Footpath number 41 in the Parish of St Agnes commencing at a point where it has a junction with that part of Footpath number 41 to be retained approximately 264 metres north-west of the property "Coosewartha Farm House" at Ordnance Survey Grid Reference (OSGR) SW 7196/4699 shown as Point "A" on the attached map thence running in a generally south-easterly direction for a distance of 183 metres to a point approximately 124 metres west of the property "Coosewartha Farm House" at OSGR SW 7204/4682 shown as Point "B" on the attached map thence running in a generally south-south-easterly direction for a distance of approximately 286 metres to a point where it has a junction with that part of Footpath number 41 to be retained approximately 256 metres south of the property "Coosewartha Farm House" at OSGR SW 7216/4656 shown as Point "C" on the attached map.

A total length of 469 metres.

The Definitive Statement records no information in respect of the width of Public Footpath 41 St Agnes. For the avoidance of doubt the intention of the Order is to stop up the abovementioned length of path in its entirety.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A length of Public Footpath in the Parish of St Agnes commencing at a point where it has a junction with that part of Footpath number 41 St Agnes to be retained approximately 264 metres north-west of the property "Coosewartha Farm House" at Ordnance Survey Grid Reference (OSGR) SW 7196/4699 shown as Point "A" on the attached map thence running in a generally south-south-easterly direction for a distance of 152 metres to a point approximately 175 metres west of the property "Coosewartha Farm House" at OSGR SW 7199/4684 shown as Point "D" on the attached map thence running in a generally south-south-easterly direction for a distance of 7 metres to a point approximately 174 metres west of the property "Coosewartha Farm House" at OSGR SW 7199/4683 shown as Point "E" on the attached map thence running in a generally south-south-westerly then south-easterly direction for a distance of 70 metres to a point approximately 191 metres west-south-west of the property "Coosewartha Farm House" at OSGR SW 7198/4677 shown as Point "F" on the attached map thence running in a generally south-south-easterly direction for a distance of 147 metres to a point approximately 184 metres south-west of the property "Coosewartha Farm House" at OSGR SW 7207/4666 shown as Point "G" on the attached map thence running in a generally south-easterly direction for a distance of 124 metres to a point where it has a junction with that part of Footpath number 41 to be retained approximately 256 metres south of the property "Coosewartha Farm House" at OSGR SW 7216/4656 shown as Point "C" on the attached map.

A total length of 500 metres.

The Public Footpath described above shall have a width of 2 metres throughout.
### Schedule Part 3 (i)

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### Schedule Part 3 (iii)

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End of Part 3
THE CORNWALL COUNCIL
(FOOTPATH No. 41, ST AGNES (PART))
(COOSEWARThA Farm)
PUBLIC PATH DIVERSION ORDER 2015

Footpath Number 41
St Agnes
to be retained

Road C0295
Indicative Centre Line

Part of Footpath
Number 41
St Agnes to be
Extinguished

Footpath to be Created

Highways Act 1980 S119
Order Plan Re File HAD 227
Parish: St Agnes
Path Number: FP/318/41
Produced by Countryside Access: June 2015

KEY
SCALE: 1:2,500

Footpath to be Retained:
Footpath to be Created:
Footpath to be Extinguished:

The fact that this map does not show a Public Right of Way does not mean that such rights may not be the subject of a current claim or claimant and proved sometime in the future.

This plan has been produced specifically to supply an individual with value added Local Authority information. It remains the property of C.C. and must not be copied.

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This map has been produced by transposing the Rights of Way from the Definitive Map. The precise line of a right of way can only be determined by reference to the Definitive Map.

Cornwall Council cannot accept responsibility for any error or inaccuracy which may arise from the transposition of the Rights of Way Definitive Map.

C.C. Licence No. 100040747, 2015

OS SHEET SW7246
Highways Act 1980 S119:
This Diversion Order Comes into Force when Cornwall Council Certify that work has been carried out to bring the site of the new highway into fit condition for public use

This Order was confirmed on 23rd September 2015 as an unopposed Order

Cornwall Council

HIGHWAYS ACT 1980
SECTION 119

THE CORNWALL COUNCIL
(FOOTPATH No. 41, ST AGNES (PART))
(COOSEWARTHA FARM)

PUBLIC PATH DIVERSION ORDER 2015

MADE BY CORNWALL COUNCIL ON:
08 JULY 2015

HIGHWAYS ACT 1980 SECTION 119

CORNWALL COUNCIL.

CERTIFICATE OF THE HIGHWAY AUTHORITY [HIGHWAYS ACT 1980 S119 (3)(b)] IN RESPECT OF AND ANNEXED TO:

THE CORNWALL COUNCIL (FOOTPATH NO. 41, ST AGNES (PART)) (COOSEWARTHA FARM)
PUBLIC PATH DIVERSION ORDER 2015

I hereby certify that the terms of Article 1 of the abovementioned order requiring works to be carried out to bring the site of the new highway described in Part 2 of the Schedule to the order into a fit condition for use by the public have been complied with, thereby enabling the order to come into force.

Dated this 19th day of July 2017

Michael Eastwood
Countryside Access Team Leader