PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980
CORNWALL COUNCIL

THE CORNWALL COUNCIL (BRIDLEWAY No. 41, STITHIANS (PART))
(TRESEVERN HOUSE) 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 bridleway described in paragraph 1 of this Order it is expedient that the line of the path should be diverted;

Mr & Mrs Cox 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 into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situate at "Tresevern House" in the Parish of Stithians shown by a bold continuous line on the map attached to 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 paragraph 1 of 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 date of confirmation of this Order.

3. There shall at the end of 28 days from the date of confirmation of this Order be a public bridleway over the land situate north and east of "Tresevern House" in the Parish of Stithians described in Part 2 of the Schedule to this Order and shown by a bold broken line with cross bars on the map attached to this order.

4. The rights conferred on the public by this Order shall not be subject to any Limitation or Condition.

This Order may be cited as "The Cornwall Council (Bridleway No.41, Stithians (Part)) (Tresevern House) Public Path Diversion Order 2015".

GIVEN under the Common Seal of the Council this 9th day of September 2015

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


Authorised signatory
The foregoing order is hereby confirmed

Heidi Cruickshank
An Inspector appointed by The Secretary of
State for Environment, Food and Rural Affairs

23 AUG 2016

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

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED
Signed: P. McGeehy
Date: 28th October 2016
SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A length of Public Bridleway number 41 in the Parish of Stithians commencing from a point where it has a junction with that part of Bridleway number 41 Stithians to be retained approximately 66 metres north-north-west of the property "Tresevern House" at Ordnance Survey Grid Reference (OSGR) SW 7142/3692 shown as Point "A" on the attached map thence running in a generally south-south-easterly direction for a distance of 80 metres to a point where it has a junction with the eastern end of Bridleway number 50 Stithians within the extent of County Road U6052 approximately 18 metres south-east of the property "Tresevern House" at OSGR SW 7147/3685 shown as Point "B" on the attached map.

The Definitive Statement records an average width for Bridleway number 41 Stithians of 8'0" (eight feet). For the avoidance of doubt it is intended to stop up the highway described above in its entirety.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A length of Public Bridleway in the Parish of Stithians commencing from a point where it has a junction with that part of Bridleway number 41 Stithians to be retained approximately 66 metres north-north-west of the property "Tresevern House" at Ordnance Survey Grid Reference (OSGR) SW 7142/3692 shown as Point "A" on the attached map thence running in a generally north-easterly then south-easterly direction for a distance of 88 metres to a point where it has a junction with the northern margin of County Road U6052 approximately 38 metres north-east of the property "Tresevern House" at OSGR SW 7148/3688 shown as Point "C" on the attached map.

The Public Bridleway described above shall have a width of 3.0 (three) metres throughout.
THE CORNWALL COUNCIL
(BRIDLEWAY No. 41, STITHIANS (PART))
(TRESEVERN HOUSE)
PUBLIC PATH DIVERSION ORDER 2015

Bridleway Number 41
Stithians to be retained

Unclassified County Road
U6052

Tresevern Croft

Bridleway to be Created

Part of Bridleway
Stithians
Number 41 to be
Extinguished

Tresevern House

Bridleway Number
50 Stithians

Bridleway Number
51 Stithians

KEY
Scale
1:1,000

Bridleway to be Retained:

Bridleway to be Created:

Bridleway 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 proof sometimes 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.

Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty’s Stationery Office & Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

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.

C.C. License No. 10005087, (2013)
I certify that this is a proper copy of the order as it was:

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED

Signed: \( P. M. G. \)

Date: 28th October 2016

HIGHWAYS ACT 1980
SECTION 119
CORNWALL COUNCIL
(BRIDLEWAY No. 41, STITHIANS (PART))
(TRESEVERN HOUSE)
PUBLIC PATH DIVERSION ORDER 2015

MADE BY CORNWALL COUNCIL ON:
09 SEPTEMBER 2015

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.

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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 (BRIDLEWAY NO. 41, STITHIANS (PART)) (TRESEVERN HOUSE)
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 28th day of October 2016

Michael K Eastwood
Countryside Access Team Leader