PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

Penwith District Council (Footpath No.35 Trencred) Public Path Diversion Order 1991

WHEREAS Penwith District Council 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 Town and Country Planning Act 1990 ("the Act")

NOW THEREFORE Penwith District Council in pursuance of the powers in that behalf conferred on it by Section 257 of the Act hereby make the following Order:

1. The footpath over the land situate at Trencred Farm Lelant Downs St Ives shown by a bold black line on the map annexed hereto and described in Part I of the Schedule hereto shall be diverted as provided by this Order

2. There shall be created to the reasonable satisfaction of the Council an alternative highway for use as a replacement for the footpath referred to in Article 1 above as specified in and over the land described in Part II of the Schedule hereto and shown by bold black dashes on the map annexed hereto

3. The diversion of the footpath referred to in Article 1 above shall have effect on the date on which it is certified by Penwith District Council that the provisions of Article 2 above have been complied with

Signed: 9th October 2015
4. Where immediately before the date on which a highway is diverted in pursuance of this Order there is apparatus under, in, on or across that highway 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.

5. The Penwith District Council (Tencrom Farm) Public Path Diversion Order 1988 made on 14 April 1988 but never confirmed is hereby revoked.

6. This Order may be cited as the Penwith District Council (Footpath No.35, Tencrom) Public Footpath Diversion Order 1991.

**SCHEDULE**

**PART I**

**Description of site of existing path**

Approximately 400 metres of footpath of indeterminate width running in a generally southerly direction between the points marked X and Y on the map annexed hereto.

**PART II**

**Description of site of alternative highway**

A footpath of approximately of 390 metres with a uniform width of 1.5 metres and a rolled and grassed surface running between the points marked A and B on the map annexed hereto.
Dated this 11th day of January 1991

THE COMMON SEAL OF THE COUNCIL
OF THE DISTRICT OF PENWITH was hereunto affixed in the presence of:

Chair

Director of Central Services

CONFIRMED AS AN UNOPPOSED ORDER BY THE COUNCIL ON 12 JANUARY 1995.
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

CORNWALL COUNCIL

CERTIFICATE OF THE HIGHWAY AUTHORITY [TOWN AND COUNTRY PLANNING ACT 1990 S257 AND SCHEDULE 14 PART II 8] IN RESPECT OF AND ANNEXED TO:

THE PENWITH DISTRICT COUNCIL (FOOTPATH NO. 35 TRENCRON) PUBLIC PATH DIVERSION ORDER 1991

I hereby certify that the terms of Article 2 of the abovementioned order that require that there shall be created to the reasonable satisfaction of the authority an alternative highway for use as a replacement for the said footpath/restricted byway as provided in Part 2 of the Schedule to the order have been complied with, thereby enabling the order to come into force.

[Signature]

Michael P K Eastwood
Programmes Manager

L B Rowland
Solicitor
Council Offices
Penzance
Cornwall