PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

CORNWALL COUNCIL

THE CORNWALL COUNCIL (PART OF FOOTPATH NO. 48, NEWQUAY) (LAND AT 10 & 12 LEADER ROAD) PUBLIC PATH DIVERSION ORDER 2019

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 owners of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

BY THIS ORDER:

1. The public right of way over the land situated at 10 & 12 Leader Road in the Town of Newquay 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 diverted on the date on which the Order is confirmed.

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 date of confirmation of this order be a public footpath over the land situated at 10 & 12 Leader Road in the Town of Newquay described in Part 2 of the Schedule to this order and shown by a bold broken line on the map attached to this order.

4. This Order may be cited as The Cornwall Council (Part of Footpath No. 48, Newquay) (Land at 10 & 12 Leader Road) Public Path Diversion Order 2019.

GIVEN under the Common Seal of the Council this 1st day of July 2019

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

[Signature]

Authorised signatory

Senior Lawyer
Cornwall Legal Services
Cornwall Council

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

CONFIRMED BY CORNWALL COUNCIL

Signed:

Date: 14 August 2019

055422
SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A length of Public Footpath number 48 Newquay commencing from its junction with a part of Footpath 48 Newquay to be retained at a point approximately 26 metres south south-east of '10 Leader Road' at Ordnance Survey Grid Reference (OSGR) SW 83891 62000 shown as point "A" on the attached map and continuing in a generally north north-westerly direction for a distance of 36 metres to its junction with Road no. U6091 (Leader Road) at a point approximately 11 metres north of '10 Leader Road' at OSGR SW 83881 62035 shown as point 'B' on the attached map.

The Definitive Statement records no information regarding the width for Footpath number 48 Newquay. 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 Footpath in the town of Newquay commencing from its junction with a part of Footpath 48 Newquay to be retained at a point approximately 26 metres south south-east of '10 Leader Road' at Ordnance Survey Grid Reference (OSGR) SW 83891 62000 shown as point "A" on the attached map and continuing in a generally northerly direction for a distance of 34 metres its junction with Road no. U6091 (Leader Road) at a point approximately 16 metres north of '10 Leader Road' at OSGR SW 83895 62033 shown as point 'C' on the attached map.

The Public Footpath described above shall have a width of 1.2 metres throughout.
4. THE CORNWALL COUNCIL
(PART OF FOOTPATH NO. 48, NEWQUAY)
(LAND AT 10 & 12, LEADER ROAD)
PUBLIC PATH DIVERSION ORDER 2019

1:500

The data 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 claimed and proved sometime in the future.

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OS SHEET: SW 8361 & 8362

TCB

56.4m

10 Leader Road

B

C

Public Footpath to be Created

Part of Public Footpath No. 48 Newquay to be Stopped Up

Part of Public Footpath No. 48 Newquay to be Retained
HIGHWAYS ACT 1980

THE CORNWALL COUNCIL
(PART OF FOOTPATH NO. 48,
NEWQUAY) (LAND AT 10 & 12
LEADER ROAD)

PUBLIC PATH DIVERSION ORDER
2019

This Order was
confirmed on
6 August 2019
as an unopposed Order