PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

CORNWALL COUNCIL

THE CORNWALL COUNCIL (FOOTPATH No. 29, VERYAN (PART))
(CROHANS CLOSE AND TREGONHAWSE 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 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;

[Redacted] has 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 "Crohans Close" and "Tregonhawse Farm" in the Parish of Veryan 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 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 footpath over the land situate at "Crohans Close" and "Tregonhawse Farm" in the Parish of Veryan 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. 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 (Footpath No. 29, Veryan (Part)) (Crohans Close and Tregonhawse Farm) Public Path Diversion Order 2015".

GIVEN under the Common Seal of the Council this 17th day of February 2015

THE COMMON SEAL OF THE COUNCIL
was hereunto affixed in the presence of:
[Redacted]

Authorised signatory

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

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED

Signed: [Redacted]
Date: 28/11/2017.
SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A length of Public Footpath number 29 in the Parish of Veryan commencing at a point where it has a junction with a part of Public Footpath number 29 Veryan to be retained at the eastern margin of publicly maintained road C 0079 (road from junction with C 0191 north of "Crohans" to junction with C 0190 south of "Crohans Farm") approximately 55 metres south-west of the property "Gay Winds" at Ordnance Survey Grid Reference (OSGR) SW 9318/4064 shown as point "A" on the attached map thence running in a generally east-north-easterly then northerly then north-easterly direction for a distance of 292 metres to a point where it has a junction with Public Footpath number 27 Veryan to be retained approximately 224 metres north-east of the property "Gay Winds" at OSGR SW 9338/4084 shown as point "B" on the attached map.

The Definitive Statement records no information in respect of the width of Public Footpath number 29 Veryan. However an operative Order "for the diversion of part Public Footpath No. 29 at Crohans, Veryan" made by Carrick District Council in 1979 under section 217 of the Town and Country Planning Act 1971 described the alternative highway from point "A" on the attached map to the northern boundary of "Gay Winds" as having a minimum width of 1.2184 metres. For the avoidance of doubt the intention of the order is 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 number 29 in the Parish of Veryan commencing at a point where it has a junction with a part of Public Footpath number 29 Veryan to be retained at the eastern margin of publicly maintained road C 0079 (road from junction with C 0191 north of "Crohans" to junction with C 0190 south of "Crohans Farm") approximately 55 metres south-west of the property "Gay Winds" at Ordnance Survey Grid Reference (OSGR) SW 9318/4064 shown as point "A" on the attached map thence running in a generally east-north-easterly then northerly then north-easterly direction for a distance of 290 metres to a point where it has a junction with Public Footpath number 27 Veryan to be retained approximately 224 metres north-east of the property "Gay Winds" at OSGR SW 9338/4084 shown as point "B" on the attached map.

The Public Footpath described above shall have a width of 2.0 (two) metres throughout.
SCHEDULE

PART 3
LIMITATIONS AND CONDITIONS

<table>
<thead>
<tr>
<th>Schedule Part 3 (i)</th>
<th>Kissing Gate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limitation Type</td>
<td></td>
</tr>
<tr>
<td>Variance from Standard</td>
<td>None</td>
</tr>
<tr>
<td>Design</td>
<td>In accord with BS 5709:2006</td>
</tr>
<tr>
<td>Position</td>
<td>OSGR SW 9321/4069 (Boundary at Point &quot;KG&quot; on Order Map.)</td>
</tr>
<tr>
<td>Variation or Stipulation in respect of Limitation</td>
<td>None</td>
</tr>
<tr>
<td>Design Details</td>
<td>Provided that the specifications of BS 5709:2006 are met the Kissing Gate may be of wooden or metal construction</td>
</tr>
<tr>
<td>Maintenance Responsibility</td>
<td>To be maintained by landowner</td>
</tr>
</tbody>
</table>

End of Part 3
THE CORNWALL COUNCIL (FOOTPATH No. 29, VERYAN (PART)) (CROHANS CLOSE AND TREGONHAWSE FARM) PUBLIC PATH DIVERSION ORDER 2015

Part of Footpath 29 Veyan to be retained

Part of Footpath 27 Veyan to be stopped-up

Footpath to be created

Part of Footpath 29 Veyan to be retained

Part of Footpath 29 Veyan to be retained

Road C0079

CROHANS CLOSE

OS SHEET SW 93/40

KEY

Scale: 1:2,000

Footpath to be retained:

Footpath to be created:

Footpath to be extinguished:

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This Order was confirmed by Cornwall Council as an unopposed Order on:

28 April 2015

Authorised Signatory

HIGHWAYS ACT 1980
SECTION 119

CORNWALL COUNCIL

(FOOTPATH No. 29, VERYAN (PART))
(CROHANS CLOSE AND TREGONHAWSE FARM)

PUBLIC PATH DIVERSION ORDER 2015

MADE BY CORNWALL COUNCIL ON:

17 February 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

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.29, VERYAN (PART))
(CROHANS CLOSE AND TREGONHAWSE 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 the 28th day of November 2019

[Signatory Name]

Michael K. Astwood
Countryside Access Team Leader