

CORNWALL COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE
FORMER NORTH CORNWALL DISTRICT AREA

THE CORNWALL COUNCIL (ADDITION OF RESTRICTED BYWAYS AT RETIRE
IN THE PARISH OF WITHIEL) MODIFICATION ORDER 2018

This Order is made by Cornwall Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ('the Act') because it appears to that authority that the Definitive Map and Statement of public rights of way for the former North Cornwall District area require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) of the Act, namely the discovery of evidence which (when considered with all other relevant available evidence) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates.

The Cornwall Council hereby order that:

1. For the purposes of this order the relevant date is 17 May 2018.
2. The Definitive Map and Statement of public rights of way for the former North Cornwall District area shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This order shall take effect on the date it is confirmed and may be cited as, 'The Cornwall Council (Addition of Restricted Byways at Retire in the Parish of Withiel) Modification Order 2018'.

GIVEN under the Common Seal of The Cornwall Council this 14th day of June 2018.

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

Senior Legal Officer
Commercial & Employment
Legal Services
Cornwall Council

Authorised signatory



052924

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

**MADE BY CORNWALL
COUNCIL**

Signed:

Date:

14th June 2018

SCHEDULE

PART I

Modification of Definitive Map

Description of Path or Ways to be Added

A length of Restricted Byway in the Parish of Withiel commencing at Footpath Number 6 Withiel approximately 89 metres west of 'Kyldenna' at Ordnance Survey Grid Reference (OSGR) SX 0024/6450 shown as point 'A' on the map attached to the Order then running in a easterly direction for a distance of 117 metres to a junction with Footpath Number 4 Withiel and another Restricted Byway to be added by this Order at OSGR SX 0036/6450 shown as point 'B' on the attached Order map, then running in an east-north-easterly direction for a distance of 100 metres to a junction with another Restricted Byway to be added by this Order at OSGR SX 0045/6454 shown as point 'C' on the attached Order map then running in an east-north-easterly direction for a distance of 96 metres terminating at its junction with Footpath Number 5 Withiel approximately 227 metres east-north-east of 'Kyldenna' at OSGR SX 0054/6456 shown as point 'D' on the attached Order map.

A length of Restricted Byway in the Parish of Withiel commencing at the junction with Footpath Number 4 Withiel and another Restricted Byway to be added by this Order approximately 30 metres north-east of 'Kyldenna' at OSGR SX 0036/6450 shown as point 'B' on the attached Order map then running in a south-south-easterly direction for a distance of 66 metres to a junction with another Restricted Byway to be added by this Order at OSGR SX 0038/6443 shown as point 'E' on the attached Order map then running in an south-south-westerly direction for a distance of 20 metres terminating at its junction with Unclassified Road (U6124) approximately 73 metres south-south-east of 'Kyldenna' at OSGR SX 0037/6442 shown as point 'F' on the attached Order map.

A length of Restricted Byway in the Parish of Withiel commencing at another Restricted Byway to be added by this Order approximately 130 metres north-east of 'Kyldenna' at OSGR SX 0045/6454 shown as point 'C' on the attached Order map then running in a southerly then south-westerly direction for a distance of 134 metres terminating at its junction with another Restricted Byway to be added by this Order approximately 68 metres south-east of 'Kyldenna' at OSGR SX 0038/6443 shown as point 'E' on the attached Order map.

The total length of Restricted Byway to be added to the Definitive Map is 533 metres. The width of the Restricted Byway described varies between 4 (four) metres and 14 (fourteen) metres, according to the depiction of the way on map sheet Cornwall XXXIII.11 from the Ordnance Survey County Series Second Edition published at 1:2500 scale.

PART II

Modification of Definitive Statement

Particulars of Path or Way to be Deleted

In the Definitive Statement for the Parish of Withiel			
No.	Location	Average width	Minimum width
4	FP from Retire to Road S of Withielgoose	-	-
5	FP from Road E of Retire to Road W of Tremore Bridge	-	-
6	FP from Withiel to W of Retire	-	-

Particulars of Paths or Ways to be Added

In the Definitive Statement for the Parish of Withiel			
No.	Location	Minimum width	Maximum width
4	FP from RB at Retire to Road S of Withielgoose	1 metre	2 metres
5	FP from RB at Retire to Road W of Tremore Bridge	1 metre	2 metres
6	FP from Withiel to RB at Retire	2 metres	8 metres
	RB from FP6 W of Retire to FP5 E of Retire	4 metres	12 metres
	RB from FP4 and RB at Retire to Road U6124	5 metres	14 metres
	RB from RB to RB at Retire	4 metres	14 metres

Wildlife & Countryside Act 1981 Section 53
Order Map: Re File WCA 481

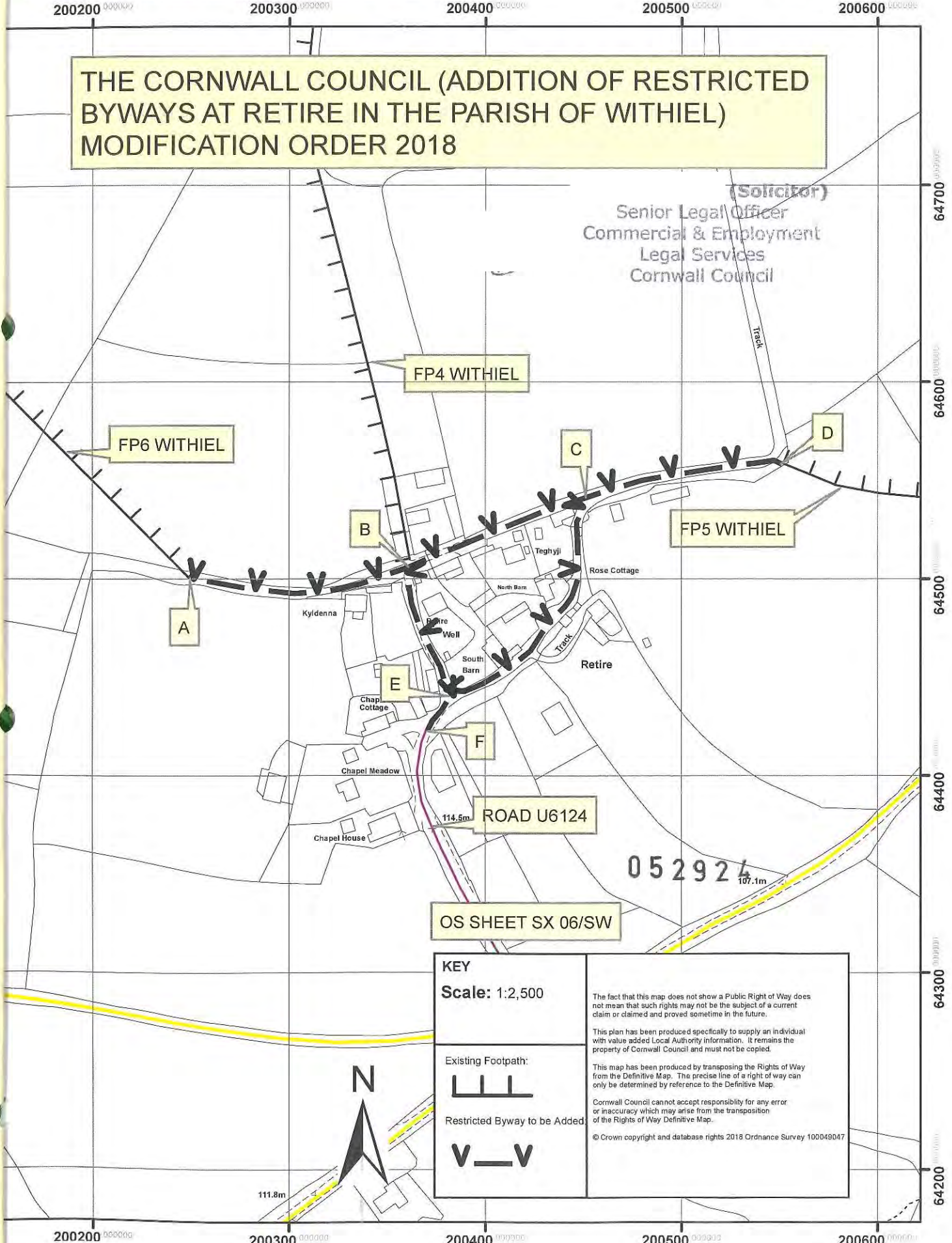
Parish: WITHIEL CIVIL PARISH

Produced by Countryside Access Team: 17 May 2018



THE CORNWALL COUNCIL (ADDITION OF RESTRICTED BYWAYS AT RETIRE IN THE PARISH OF WITHIEL) MODIFICATION ORDER 2018

(Solicitor)
Senior Legal Officer
Commercial & Employment
Legal Services
Cornwall Council



OS SHEET SX 06/SW

KEY
Scale: 1:2,500

Existing Footpath:

Restricted Byway to be Added

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 claimed 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 Cornwall Council and must not be copied.

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.

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