

# NOTICE OF ORDER

## HIGHWAYS ACT 1980 SECTION 119

Cornwall Council  
(Footpath No. 38, St. Buryan (Part)) (Boskennal Barton) Public Path  
Diversion Order 2014  
HIGHWAYS ACT 1980 SECTION 118  
(Bridleway No. 37, St. Buryan (Part)) (Boskennal Barton) Public Path  
Extinguishment Order 2014

Notice is hereby given that the above referenced Orders have been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Orders.

The **start date** for the above Orders is **24 November 2015**.

Consideration of the Orders will take the form of a public local inquiry.

The Inquiry will be held at the **Committee Room 1 and Boardroom, Penzance One Stop Shop, Penzance, Cornwall, TR18 3QW** on **Tuesday 26 April 2016** at 10.00am.

The effect of the first Order, if confirmed without modifications, will be to divert that length of Public Footpath number 38 commencing from a point where it has a junction with that part of Public Footpath number 38 to be retained approximately 60 metres south-south-east of the property number 1 "Boskennal Barton" at Ordnance Survey Grid Reference (OSGR) SW 4127/2499 shown as point "A" on the attached map thence running in a generally north-westerly direction for a distance of 82 metres to a point where it has a junction with the south-eastern termination of that length of Public Bridleway number 37 St Buryan to be extinguished in another Order approximately 37 metres west-north-west of the property number 1 "Boskennal Barton" at OSGR SW 4122/2506 shown as point "B" on the Order map to a line commencing from a point where it has a junction with that part of Public Footpath number 38 to be retained approximately 60 metres south-south-east of the property number 1 "Boskennal Barton" at Ordnance Survey Grid Reference (OSGR) SW 4127/2499 shown as point "A" on the attached map thence running in a north-north-easterly then north-westerly and then south-westerly direction for a distance of 217 metres to a point where it has a junction with that part of Public Bridleway number 37 St Buryan to be retained approximately 52 metres north-west of the property number 1 "Boskennal Barton" at OSGR SW 4121/2507 shown as point "C" on the Order map.

The effect of the second Order, if confirmed without modifications, will be to extinguish that length of Public Bridleway number 37 St Buryan

commencing from a point where it has a junction with the north-western termination of that part of Public Footpath number 38 St Buryan to be extinguished in another order approximately 37 metres west-north-west of the property number 1 "Boskennal Barton" at Ordnance Survey Grid Reference (OSGR) SW 4122/2506 shown as point "A" on the Order map thence running in a generally north-north-westerly direction for a distance of 18 metres to a point where it has a junction with that part of Public Bridleway number 37 St Buryan to be retained approximately 52 metres west-north-west of the property number 1 "Boskennal Barton" at OSGR SW 4121/2507 shown as point "B" on the Order map.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: [helen.sparks@pins.gsi.gov.uk](mailto:helen.sparks@pins.gsi.gov.uk) Please quote reference numbers FPS/D0840/4/12 & FPS/D0840/3/5 on all correspondence.

Any person wishing to view the statements of case and other documents relating to these Orders may do so by appointment at the offices of Cornwall Council at Truro One Stop Shop, Carrick House, Pydar Street, Truro, Cornwall, TR1 1EB and Penzance One Stop Shop, St Clare, Penzance, Cornwall, TR18 3QW during normal office hours (excepting Public and Bank Holidays). To arrange a viewing, please contact the relevant One Stop Shop via Cornwall Information Centre on Telephone Number (0300) 1234 100.

### **Timetable for sending in statements of case and proofs of evidence**

#### **Within 8 weeks of the start date [by 19 January 2016]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Orders.

#### **Within 14 weeks of the start date [by 1 March 2016]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Orders (excluding

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<sup>1</sup> If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

copies of any supporting documents, although these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Orders (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

#### **4 weeks before the date of the inquiry [by 29 March 2016]**

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

Notice of order for inquiry