

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

CORNWALL COUNCIL

**THE CORNWALL COUNCIL (FOOTPATH No. 38, ST BURYAN (PART))
(BOSKENNAL BARTON)
PUBLIC PATH DIVERSION ORDER 2014**

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;

Mr & Mrs Clarke and Mr & Mrs Ryan have 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 "Boskennal Barton" in the Parish of St Buryan shown by a bold black continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up after 14 days from the date of confirmation of this Order.
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, on, over, along, or across the said land as they had immediately before the date of confirmation of this Order.
2. There shall at the end of 21 days from the date of confirmation of this Order be a public footpath over the land situate to the east and north of "Boskennal Barton" in the Parish of St Buryan described in Part 2 of the Schedule to this Order and shown by a bold black broken line on the map attached to this Order.
3. The rights conferred on the public under this Order shall not be subject to any limitations or conditions.
4. This Order may be cited as "The Cornwall Council (Footpath No. 38, St Buryan (Part))(Boskennal Barton) Public Path Diversion Order 2014".

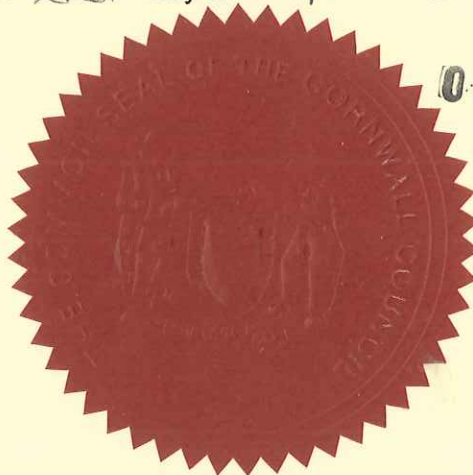
GIVEN under the Common Seal of the Council this *2nd* day of *September* 2014

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

Jayne Broadway

Authorised signatory

Jayne Broadway
Principal Legal Officer
Legal Services
CORNWALL COUNCIL



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of Public Footpath number 38 St Buryan 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 attached map

The Definitive Statement records that Public Footpath number 38 St Buryan has an average width of 3'0" (three feet). 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 in the Parish of St Buryan 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 attached map.

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

The width of the new Public Footpath shall be evenly distributed about the centreline of the track as surveyed by Ordnance Survey on the attached map

Highways Act 1980 Section 119 Order Plan: Re File HAD 216

Parish: St Buryan Civil Parish Path Number: FP/110/38

Produced by Countryside Access Team: 28 August 2014



THE CORNWALL COUNCIL (FOOTPATH No. 38, ST BURYAN (PART))(BOSKENNAL BARTON) PUBLIC PATH DIVERSION ORDER 2014

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Public Bridleway number 37 St Buryan to be retained

Public Footpath to be created

Part of Public Bridleway Number 37 to be Extinguished in another Order

Part of Public Footpath number 38 St Buryan to be Extinguished

Public Footpath number 38 St Buryan to be retained

Boskennal

Gwaralewenbyghan

arm Cottage

armhouse

Track

KEY	
Scale: 1:1,000	
Footpath to be Retained:	
Bridleway to be Retained:	
Footpath to be Created:	
Footpath to be Extinguished:	
BR Extinguished in other order:	

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.

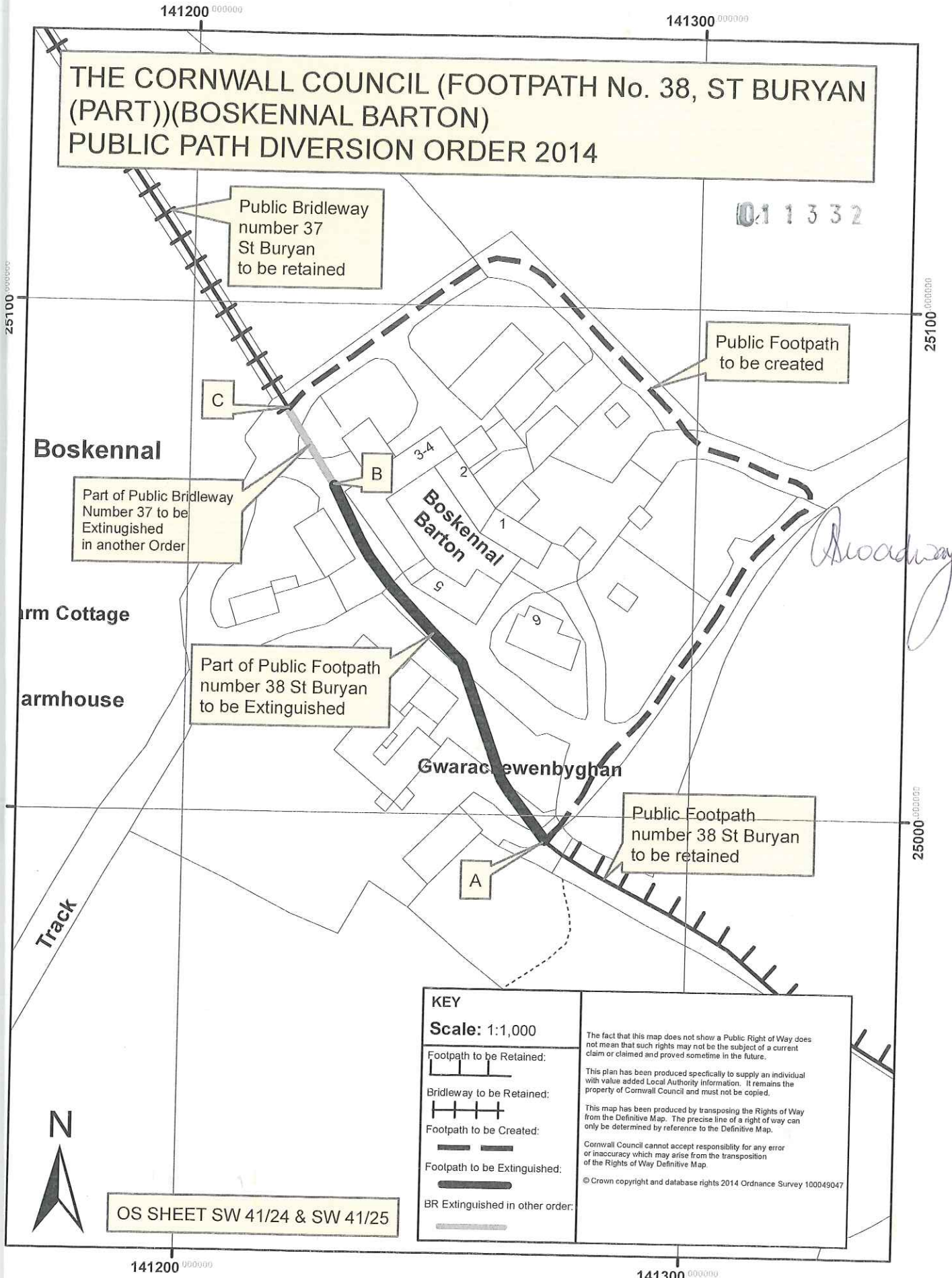
This map has been produced by transposing the Rights of Way from the Definitive Map. The precise line of a right of way can only be determined by reference to the Definitive Map.

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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OS SHEET SW 41/24 & SW 41/25



HIGHWAYS ACT 1980

SECTION 119

CORNWALL COUNCIL

**(FOOTPATH No. 38, ST BURYAN
(PART))**

(BOSKENNAL BARTON)

PUBLIC PATH DIVERSION ORDER

2014