

# **NOTICE OF ORDER**

## **HIGHWAYS ACT 1980 SECTION 118**

Cornwall Council

(Footpath No. 20, St Austell) (Formerly Footpath No. 27, St Austell Unparished Area) (Tregonissey Road to Slades Road) Public Path Extinguishment Order 2015

Notice is hereby given that the above referenced Order has 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 Order.

The **start date** for the above Order is **26 April 2016**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to extinguish the entire length of Public Footpath Number 20 in the Parish of St Austell commencing at a point where it has a junction with the eastern margin of publicly maintained road number C 0281 "Tregonissey Road" approximately 23 metres north-west of the property number 2, Thornpark Road at Ordnance Survey Grid Reference (OSGR) SX 0217/5341 shown as Point "A" on the order map thence running in a generally easterly direction for a distance of 180 metres to a point where it has a junction with the western margin of publicly maintained road C 0768 "Slades Road" approximately 11 metres north-north-east of the property number 28, Slades Road at OSGR SX 0235/5339 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 number FPS/D0840/3/6 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment, during normal office hours (excepting Public and Bank Holidays) at the offices of Cornwall Council at the following locations: Truro One Stop Shop, Carrick House, Pydar Street, Truro, Cornwall, TR1 1EB and St Austell One Stop Shop, 39, Penwinnick Road, St Austell, Cornwall, PL25 5DR. To arrange a viewing, please contact the Cornwall Information Centre on Telephone Number 0300 1234 100.

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 10 May 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, the applicant and any other person who has written to us in respect of the Order.

**Within 8 weeks of the start date [by 21 June 2016]**

Everyone who has made an objection or representation or any other written representation 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 copies (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) 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 Order.

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, 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 the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order.

**Within 14 weeks of the start date [by 2 August 2016]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

**PUBLIC PATH EXTINGUISHMENT ORDER  
HIGHWAYS ACT 1980**

**CORNWALL COUNCIL**

**THE CORNWALL COUNCIL  
(FOOTPATH No. 20, ST AUSTELL)  
(FORMERLY FOOTPATH No. 27, ST AUSTELL UNPARISHED AREA)  
(TREGONISSEY ROAD TO SLADES ROAD)  
PUBLIC PATH EXTINGUISHMENT ORDER 2015**

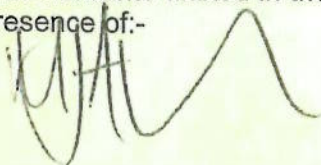
This Order is made by Cornwall Council ("the Authority") under Section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that the Public Footpath described in paragraph 1 of this Order is not needed for public use.

**BY THIS ORDER**

1. The public right of way over the land situate at "Thornpark Road" and the environs of "Tregonissey Road" and "Slades Road", in the Parish of St Austell and shown by a bold continuous line on the map contained in this Order and described in The Schedule to this Order shall be extinguished after 14 days from the date of confirmation of this Order.
2. Notwithstanding 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 confirmation of this Order.
3. This Order may be cited as, "The Cornwall Council (Footpath No. 20, St Austell) (Formerly Footpath No. 27, St Austell Unparished Area) (Tregonissey Road to Slades Road) Public Path Extinguishment Order 2015".

GIVEN under the Common Seal of the Council this *29th* day of *September* 2015

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



Authorised signatory

*MARK ANDREWS*





## SCHEDULE

### DESCRIPTION OF SITE OF PATH OR WAY TO BE EXTINGUISHED

The entire length of Public Footpath Number 20 in the Parish of St Austell (that is shown as Public Footpath Number 27 on the Definitive Map for the area with a Relevant Date of 15 September 2006) commencing at a point where it has a junction with the eastern margin of publicly maintained road number C 0281 "Tregonissey Road" approximately 23 metres north-west of the property number 2, Thornpark Road at Ordnance Survey Grid Reference (OSGR) SX 0217/5341 shown as Point "A" on the attached map thence running in a generally easterly direction for a distance of 180 metres to a point where it has a junction with the western margin of publicly maintained road C 0768 "Slades Road" approximately 11 metres north-east of the property number 28, Slades Road at OSGR SX 0235/5339 shown as Point "B" on the attached map.

Public Footpath Number 20 St Austell is recorded as Public Footpath Number 27 in the Definitive Statement for the St Austell Unparished Area with a Relevant Date of 15 September 2006. This Definitive Statement records the average width of the public path as 5' (five feet). For the avoidance of doubt the intention of the Order is to stop up the abovementioned length of public path in its entirety.



Highways Act 1980 Section 118 Order Plan: Re File TAD 079

Parish: ST AUSTELL CIVIL PARISH Path Number: FP/428/20

Produced by Programmes Team: 11 September 2015



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**THE CORNWALL COUNCIL (FOOTPATH  
No. 20, ST AUSTELL) (FORMERLY FOOTPATH  
No. 27, ST AUSTELL UNPARISHED AREA)  
(TREGONISSEY ROAD TO SLADES ROAD)  
PUBLIC PATH EXTINGUISHMENT ORDER 2015**

Road C 0281  
"Tregonissey Road"

Road C 0768  
"Slades Road"

Road U 6107  
"Thornpark Road"

Estate Footpath F 7107

Footpath St Austell 20  
to be Extinguished

A

B

OS SHEET SX 02/53

**KEY**  
Scale: 1:1,250

Footpath to be Extinguished:  
"A" to "B"



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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Ordnance Survey 100049047



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**HIGHWAYS ACT 1980**

**SECTION 118**

**THE CORNWALL COUNCIL  
(FOOTPATH No. 20, ST AUSTELL)  
(FORMERLY FOOTPATH No. 27, ST AUSTELL UNPARISHED AREA)  
(TREGONISSEY ROAD TO SLADES ROAD)  
PUBLIC PATH EXTINGUISHMENT ORDER 2015**

**MADE BY CORNWALL COUNCIL ON:  
29 SEPTEMBER 2015**