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## Order Decision

Inquiry held on 20 August 2019

Site visit made on 19 August 2019

**by Martin Elliott BSc FIPROW**

**an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs**

**Decision date: 17 January 2020**

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### **Order Ref: ROW/3216716M**

- This Order is made under Section 119 of the Highways Act 1980 (the 1980 Act) and is known as The Cornwall Council (Footpath 12 (Part) in the Parish of Kea) Public Path Diversion Order 2018.
- The Order was sealed on 22 February 2018 and proposes to divert the public right of way shown on the Order plan and described in the Order Schedule.
- In accordance with paragraph 2(3) of Schedule 6 to the 1980 Act notice of the proposal to confirm the Order subject to modification has been given.

**Summary of Decision: The Order is confirmed subject to the modification previously proposed set out below in the Formal Decision.**

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### **Preliminary Matters**

1. In my interim decision I proposed the confirmation of the Order subject to the increase of the width of the alternative route between points C and D on the Order map to 2 metres. The effect of the modification is that the width of the alternative route is 2 metres throughout. Following the notice of the proposed modification one representation of support was received; there are no objections to the proposed modification.

### **Conclusion**

2. Bearing in mind the above I conclude that the Order should be confirmed subject to the modification previously proposed.

### **Formal Decision**

3. I confirm the Order subject to the following modification.
  - At paragraph 2 of Part 2 of the Schedule to the Order delete the words '*1 metre between points C and D and have a width of 2 metres between points B to C and D to E*' and insert '*2 metres*' so as to read '*The Public Footpath described above shall have a width of 2 metres.*'

*Martin Elliott*

Inspector