

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Cornwall Council

(Addition of Bridleway together with the Upgrade of Footpath to Bridleway at Cardeast, Cardinham) Modification 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 **8 December 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 modify the definitive map and statement for the area by:

(i) Adding a length of Public Bridleway in the Parish of Cardinham commencing at Bridleway Number 2 Cardinham approximately 72 metres south-south-west of 'Cardeast Farm' at Ordnance Survey Grid Reference (OSGR) SX 1180/6932 at a field gate shown as point "A" on the Order Map, thence running in a generally northerly direction for a distance of 32 metres to a point where it terminates at a junction with Footpath Number 1 Cardinham approximately 40 metres south-south-west of property 'Cardeast Farm' at OSGR SX 1180/6935 shown as point "B" on the map.

(ii) Upgrading a length of Public Footpath to Public Bridleway in the Parish of Cardinham shown on the definitive map as Footpath Number 1 Cardinham commencing at its junction with Bridleway Number 2 Cardinham to be added by this order approximately 40 metres south-south-west of 'Cardeast Farm' at OSGR SX 1180/6935 shown as point "B" on the Order Map, thence running in a generally northerly, north-easterly and southeasterly direction for a distance of 65 metres to a point where it terminates at a field gate at the Unclassified Road U6139 'Cardeast Lane' approximately 55 metres south-east of 'Cardeast Farm' at OSGR SX 1185/6935 shown as point "C" on the map.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: helen.sparks@pins.gsi.gov.uk Please quote reference number FPS/D0840/7/23 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, Truro One Stop Shop, Carrick House, Pydar Street, Truro, Cornwall, TR1 1EB. To make an

appointment to view, please contact the One Stop Shop via 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 22 December 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 - 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 2 February 2017]

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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to 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 full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within 14 weeks of the start date [by 16 March 2017]

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.

Notice of order for w/r

CORNWALL COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

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

THE CORNWALL COUNCIL (ADDITION OF BRIDLEWAY TOGETHER WITH THE
UPGRADE OF FOOTPATH TO BRIDLEWAY AT CARDEAST, CARDINHAM)
MODIFICATION ORDER 2015

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 Council area requires 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 evidence available to them) 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 and an event specified in Section 53(3)(c)(ii) of the Act, namely the discovery of evidence which shows that a highway shown in the Map and Statement as a highway of a particular description ought to be there shown as a highway of a different description.

The Cornwall Council hereby orders that:

1. For the purposes of this order the relevant date is 15 April 2015.
2. The Definitive Map and Statement of Public Rights of Way for the former North Cornwall District Council 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 Bridleway together with the Upgrade of Footpath to Bridleway at Cardeast, Cardinham) Modification Order 2015".

GIVEN under the Common Seal of The Cornwall Council this *20th* day of *April* 2015.

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



013061



Authorised signatory

C. Otter

CLAUDE OTTER



SCHEDULE

PART I

Modification of Definitive Map

Description of Path or Way to be Added

A length of Public Bridleway in the Parish of Cardinham commencing at Bridleway Number 2 Cardinham approximately 72 metres south-south-west of 'Cardeast Farm' at Ordnance Survey Grid Reference (OSGR) SX 1180/6932 at a field gate shown as point "A" on attached Order Map, thence running in a generally northerly direction for a distance of 32 metres to a point where it terminates at a junction with Footpath Number 1 Cardinham approximately 40 metres south-south-west of property 'Cardeast Farm' at OSGR SX 1180/6935 shown as point "B" on attached Order Map.

The Bridleway to be added will be 32 metres in length and will have a width of 3 metres.

Description of Path or Way to be Upgraded-

A length of Public Bridleway in the Parish of Cardinham shown on the definitive map as Footpath Number 1 Cardinham commencing at its junction with Bridleway Number 2 Cardinham to be added by this order approximately 40 metres south-south-west of 'Cardeast Farm' at OSGR SX 1180/6935 shown as point "B" on attached Order Map, thence running in a generally northerly, north-easterly and south-easterly direction for a distance of 65 metres to a point where it terminates at a field gate at the Unclassified Road U6139 'Cardeast Lane' approximately 55 metres south-east of 'Cardeast Farm' at OSGR SX 1185/6935 shown as point "C" on attached Order Map.

The Footpath to be upgraded to Bridleway will be 65 metres in length and will have a width of 3 metres.

PART II

Modification of Definitive Statement

Particulars of Path or Way to be Deleted

In the Definitive Statement for the Parish of Cardinham			
No.	Location	Average width	Minimum width
1	Footpath from Footpath No. 1 Cardinham through the farmyard at Cardeast, to the County Road between Cardeast and Lower Cardeast and FP from Cardeast to Parish Boundary N of Higher Carblake via BR4	-	-
2	BR from Cardeast to Junction with BR34	-	-

Particulars of Path or Way to be Added

In the Definitive Statement for the Parish of Cardinham			
No	Location	Average width	Minimum width
1	FP from Junction with BR2 at Cardeast to Parish Boundary N of Higher Carblake via BR4	-	-
2	BR from County Road U6139 at Cardeast to Junction with BR34	-	-

Wildlife & Countryside Act 1980 Section 53
Order Map: WCA 507

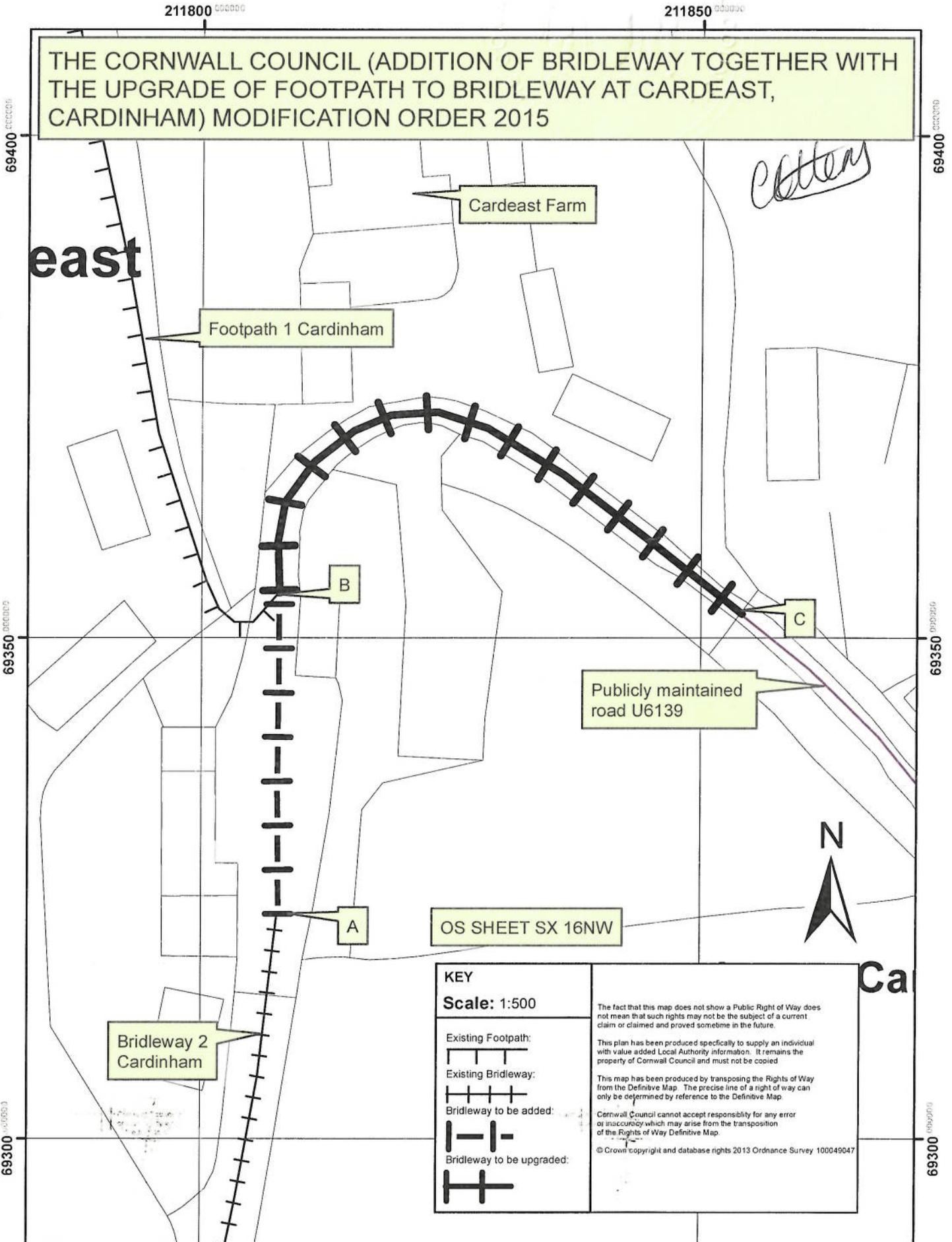
Parish: CARDINHAM CIVIL PARISH

Produced by Countryside Access Team: 15 April 2015

013061



THE CORNWALL COUNCIL (ADDITION OF BRIDLEWAY TOGETHER WITH THE UPGRADE OF FOOTPATH TO BRIDLEWAY AT CARDEAST, CARDINHAM) MODIFICATION ORDER 2015



KEY

Scale: 1:500

Existing Footpath:



Existing Bridleway:



Bridleway to be added:



Bridleway to be upgraded:



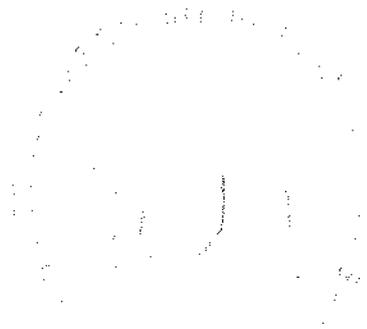
The fact that this map does not show a Public Right of Way does not mean that such rights may not be the subject of a current claim or claimed and proved sometime in the future.

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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WILDLIFE AND COUNTRYSIDE ACT 1981

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

THE CORNWALL COUNCIL
(ADDITION OF BRIDLEWAY TOGETHER WITH
THE UPGRADE OF FOOTPATH TO
BRIDLEWAY AT CARDEAST, CARDINHAM)
MODIFICATION ORDER 2015