

HIGHWAYS ACT 1980 AND WILDLIFE AND COUNTRYSIDE ACT 1981

CUMBRIA COUNTY COUNCIL (FOOTPATH NO 119003 PARISH OF IRTHINGTON) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2020

On the 20 October 2020 Cumbria County Council confirmed the above order made under Section 119 of the Highways Act 1980 and Section 53 of the Wildlife and Countryside Act 1981.

The effect of the order as confirmed is to divert the full width of that section of public footpath no 119003 situate at Cumrenton in the parish of Irthington from GR 349437 562303 at FP 119004 northwestwards; west-southwestwards; westwards; northwestwards; westwards; southwestwards; westwards; northwestwards and southwards for about 818 metres to GR 348776 562349; to run from FP 119004 at GR 349246 562109 west-northwestwards; southwestwards; westwards; north-northeastwards and northwestwards to GR 348776 562349 as shown on the order map. The width of the new path will be 2 metres.

Copies of the Order and map will be available at Brampton Library, 1 Market Place, Brampton, Carlisle. However, should you be unable to visit the Library and require a copy of the Order and map please contact the Countryside Access Team, The Parkhouse Building, Kingmoor Business Park, Carlisle CA6 4SJ quoting ref 5.1.455 (tel no 07920 711254). Alternatively contact countryside.access@cumbria.gov.uk for further information.

The order comes into force immediately, but if a person aggrieved by the order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the order, he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within 6 weeks from 30 October 2020 make an application to the High Court.

Chief Legal Officer
Corporate, Customer & Community Services

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER**

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

**CUMBRIA COUNTY COUNCIL (FOOTPATH NO 119003 PARISH OF IRTHINGTON)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2020**

This Order is made by Cumbria County 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 owner of the land crossed by the footpath described in paragraph 1 of this order, it is expedient that the line of the footpath should be diverted.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that the Cumbria County Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act namely the diversion (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

The Carlisle City Council have been consulted as required by Section 120 (2) of the 1980 Act and the Carlisle City Council have consented to the making of this Order.

BY THIS ORDER:

1. The public right of way over the land situate in the Parish of Irthington shown by a continuous bold line on the map attached to this Order and described in Part 1 of the Schedule to this order shall be extinguished on the later of the following events:-
 - (i) The date of first publication of confirmation of this Order;
 - (ii) The date the Highway Authority certifies that all necessary works to bring the footpath described in Part 2 of the Schedule into a fit condition for use have been completedand thereupon the Cumbria County Definitive Map shall be modified by deleting from it that public right of way
2. There shall from the date of first publication of confirmation of this Order be a public footpath over the land situate in the parish of Irthington described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in this Order and thereupon the Cumbria County Definitive Map shall be modified by adding that footpath to it
3. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule to this Order.

4. The Cumbria County Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.
5. Despite this Order all statutory undertakers shall continue to have any existing rights of access to and egress from any apparatus, equipment and plant accessible only from the rights of way referred to in Part 1 of the Schedule to this Order.
6. The Order shall be referred to as The Cumbria County Council (Footpath No 119003 Parish of Irthington) Public Path Diversion and Definitive Map and Statement Modification Order 2020

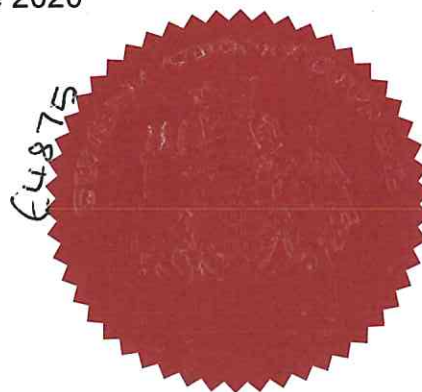
Dated the 23rd day of June 2020

Executed as a Deed by

Affixing the Common Seal of)

CUMBRIA COUNTY COUNCIL)

the presence of :-)



SCHEDULE

PART 1

Description of site of existing path or way.

Description of public right of way to be extinguished and deleted from the definitive map.
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References on plan.	Description of length of existing right of way.
Marked with a bold continuous line and shown A-B	The full width of that section of public footpath no 119003 situate at Cumrenton in the parish of Irthington from GR 349437 562303 at FP 119004 northwestwards; west-southwestwards; westwards; northwestwards; westwards; southwestwards; westwards; northwestwards and southwards for about 818 metres to GR 348776 562349

PART 2

Description of site of new path or way.
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Description of public right of way created and added to the definitive map.

References on plan.	Description of length of new right of way.	Width
Marked with a bold broken line and shown C-D-E-F-G-H-B	A new section of public footpath no 119003 situate at Cumrenton in the parish of Irthington from FP 119004 at GR 349246 562109 west-northwestwards; southwestwards; westwards; north-northeastwards and northwestwards to GR 348776 562349	2 metres

PART 3

Grid reference	Limiting item/s or condition/s
349242 562113	Gate – conforming to the BS:5709
349014 562069	Gate – conforming to the BS:5709
348926 562038	Gate – conforming to the BS:5709
348825 562068	Gate – conforming to the BS:5709
348870 562276	Gate – conforming to the BS:5709

PART 4**Modification of Definitive Statement**

The following shall be substituted for existing path statement

Path Number	119003	Path type	footpath
Width	2 metres at 2020 diversion	Length	1480 metres
OS Sheet Number	NY 46 SE	Grid Refs.	From grid reference 349246 562109 to 348108 562337
Description	From footpath no 119004 approximately 410 metres from the road south south west of Whiteflat west-northwestwards, southwestwards and westwards through fields (kissing gates) then continuing through fields north-northeastwards and northwestwards (fields gates) to kissing gate thence westerly through fields (stiles and field gates) to wicket gate and joining bridleway 119001 near Chapel Well.		
Limitations	Gates conforming to BS 5709 at GR 349242 562113; 349014 562069; 348926 562038; 348825 562068 and 348870 562276 at 2020 diversion		
Remarks	Diverted by Diversion Order at Cumrenton 2020		

Confirmed as an unopposed Order

This 20th day of OCTOBER 2020 ESSSO

Executed as a Deed by

Affixing the Common Seal of)

CUMBRIA COUNTY COUNCIL)

the presence of :-)

P Bredie



DATED

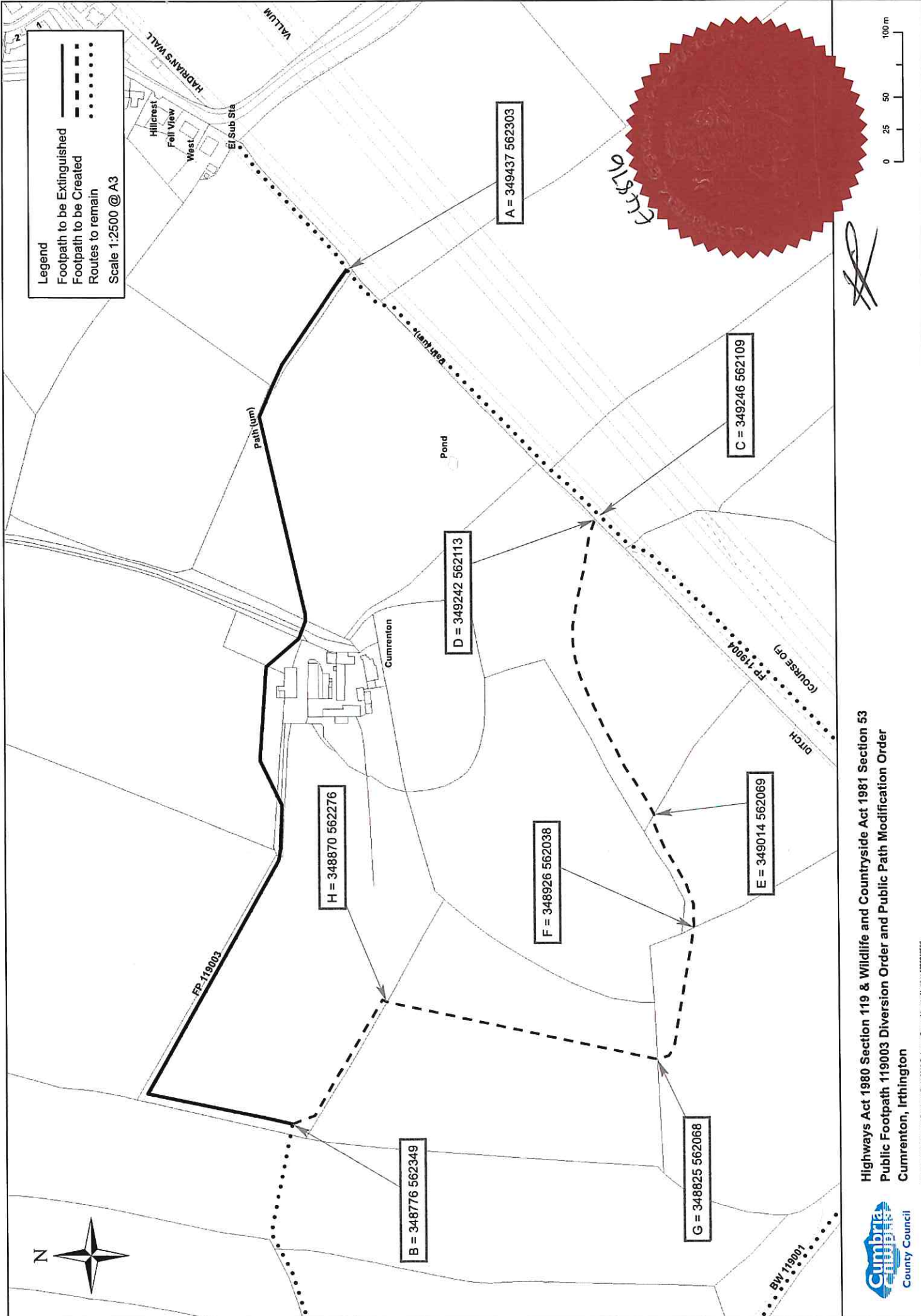
2020

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

CUMBRIA COUNTY COUNCIL

(Footpath No 119003 Parish of Irthington)
Public Path Diversion and Definitive Map
and Statement Modification Order 2020

Chief Legal Officer
Corporate, Customer & Community Services
Cumbria House
CARLISLE
CA1 1RZ



Highways Act 1980 Section 119 & Wildlife and Countryside Act 1981 Section 53
Public Footpath 119003 Diversion Order and Public Path Modification Order
Cumrenton, Irthington

