

CORNWALL COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY FOR THE
FORMER CARRICK DISTRICT AREA

THE CORNWALL COUNCIL (UPGRADE OF PART OF FOOTPATH 2 TREGONY
TO RESTRICTED BYWAY AND ADDITION OF RESTRICTED BYWAYS IN THE
PARISHES OF TREGONY AND CUBY)) MODIFICATION ORDER 2016

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 Carrick district area requires modification in consequence of the occurrence of an event specified in Section 53(3)(c)(ii) of the Act, namely the discovery of evidence 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, and 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) 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.

The Cornwall Council hereby order that:

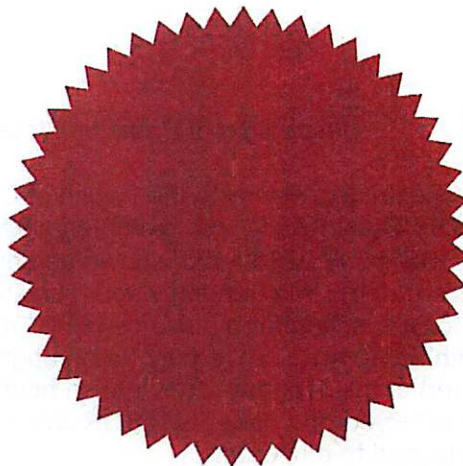
1. For the purposes of this order the relevant date is 07 October 2016.
2. The Definitive Map and Statement of Public Rights of Way for the former Carrick district area shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as, "The Cornwall Council (Upgrade of part of Footpath 2 Tregony to Restricted Byway and Addition of Restricted Byways in the parishes of Tregony and Cuby) Modification Order 2016".

GIVEN under the Common Seal of The Cornwall Council this 14th day of December 2016.

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

C. F. L. L.

Authorised signatory



0 1 7 1 2 3

SCHEDULE

PART I

Modification of Definitive Map

Description of Path or Way to be Upgraded

A length of existing Footpath No. 2 in the Parish of Tregony commencing at its junction with Byway Open to All Traffic No. 4 Tregony on "Well Lane" approximately 299 metres west-north-west of "Ryecroft Lodge" at Ordnance Survey Grid Reference (OSGR) SW 9232/4472 shown as point "C" on the map attached to this order thence continuing in a generally east-south-easterly direction for 325 metres to a point approximately 35 metres south of "Ryecroft Lodge" where the path is in moiety between the parishes of Tregony and Cuby at OSGR 9262/4462 shown as point D on the map attached to the Order thence continuing in a generally easterly and then south-easterly direction for 103 metres to a point approximately 114 metres south-east of "Ryecroft Lodge" where it connects with a Restricted Byway to be added by this order at OSGR SW 9270/4458 shown as point "B" on the map attached to this order thence continuing in a generally south-south-westerly direction for a distance of 23 metres to a point 116 metres south-east of "Ryecroft Lodge" at OSGR SW 9269/4456 shown as point "E" on the map attached to this Order, thence continuing in the parish of Tregony in a generally south-south-westerly direction for a distance of 10 metres to a point where it connects with a footpath added by "The County of Cornwall (Addition of Footpath from Footpath No. 2 Tregony to Footpath No. 23 Veryan) Modification Order 2007 and another Restricted Byway to be added by this order approximately 123 metres south-east of "Ryecroft Lodge" at OSGR 9268/4455 shown as point "F" on the map attached to this order.

The total length of Footpath 2 to be upgraded is 461 metres. The width of the Restricted Byway described varies between 3 (three) metres and 6 (six) metres, in accordance with the depiction of the way on map sheets Cornwall LXIII.12 & LXIII.16 from the Ordnance Survey County Series Second Edition published at 1:2500 scale.

Description of Paths or Ways to be Added

A length of Restricted Byway in the Parish of Cuby commencing at Unclassified Road U6098 ("Cuby Road") approximately 462 metres north-east of "Ryecroft Lodge" at OSGR SW 9298/4493, shown as point "A" on the map attached to this order thence running in a generally south-westerly westerly and then south-south-westerly direction for a distance of 505 metres and terminating at its junction with Footpath 2 in Tregony (to be upgraded to Byway Open to All Traffic by this Order) at the Tregony-Cuby parish boundary approximately 114 metres south-east of "Ryecroft Lodge" at OSGR SW 9270/4458 shown as point "B" on the map attached to this order.

A length of Restricted Byway in the Parish of Tregony commencing at a junction with Footpath No.2 Tregony (to be upgraded to Byway Open to All Traffic by this Order) and a footpath added by "The County of Cornwall (Addition of Footpath from Footpath No. 2 Tregony to Footpath No. 23 Veyan) Modification Order 2007 approximately 123 metres south-east of "Ryecroft Lodge" at OSGR SW 9268/4455, shown as point "F" on the map attached to the Order, thence running in a generally south-south-westerly direction for 630 metres terminating at County Road A3078 in the hamlet of 'Reskivers' approximately 662 metres south-south-west of "Ryecroft Lodge" at OSGR SW 9237/4404 shown as point "G" on the map attached to this order.

The total length of Restricted Byway to be added to the Definitive Map is 1135 metres. The width of the Restricted Byway described varies between 3 (three) metres and 6 (six) metres, in accordance with the depiction of the way on map sheets Cornwall LXIII.12 & LXIII.16 from the Ordnance Survey County Series Second Edition published at 1:2500 scale.

PART II

Modification of Definitive Statement

Particulars of Path or Way to be Added

In the Definitive Statement for the Parish of Cuby				
No.	Location	Average width	Minimum width	Maximum width
	RB from Unclassified Road U6098 at Cuby Close to RB Tregony at Tregony-Cuby parish boundary	-	3 metres	6 metres

In the Definitive Statement for the Parish of Tregony				
No.	Location	Average width	Minimum width	Maximum width
	RB from junction of BW 2 Tregony with BW 4 Tregony to County Road A3078 at Reskivers	-	3 metres	6 metres

	Footpath from RB to Reskivers to Footpath No. 23 Veryan in the parishes of Tregony and Veryan subject to the limitation of two stiles and one gate	4'0"	1.5 metres	2.5 metres
2	BW from B3287, Tregony to junction with BW 4 Tregony and RB to Reskivers	4'0"	-	-
4	BW from junction of RB to Reskivers & BW 2 to The Square, Tregony	8'0"	-	-

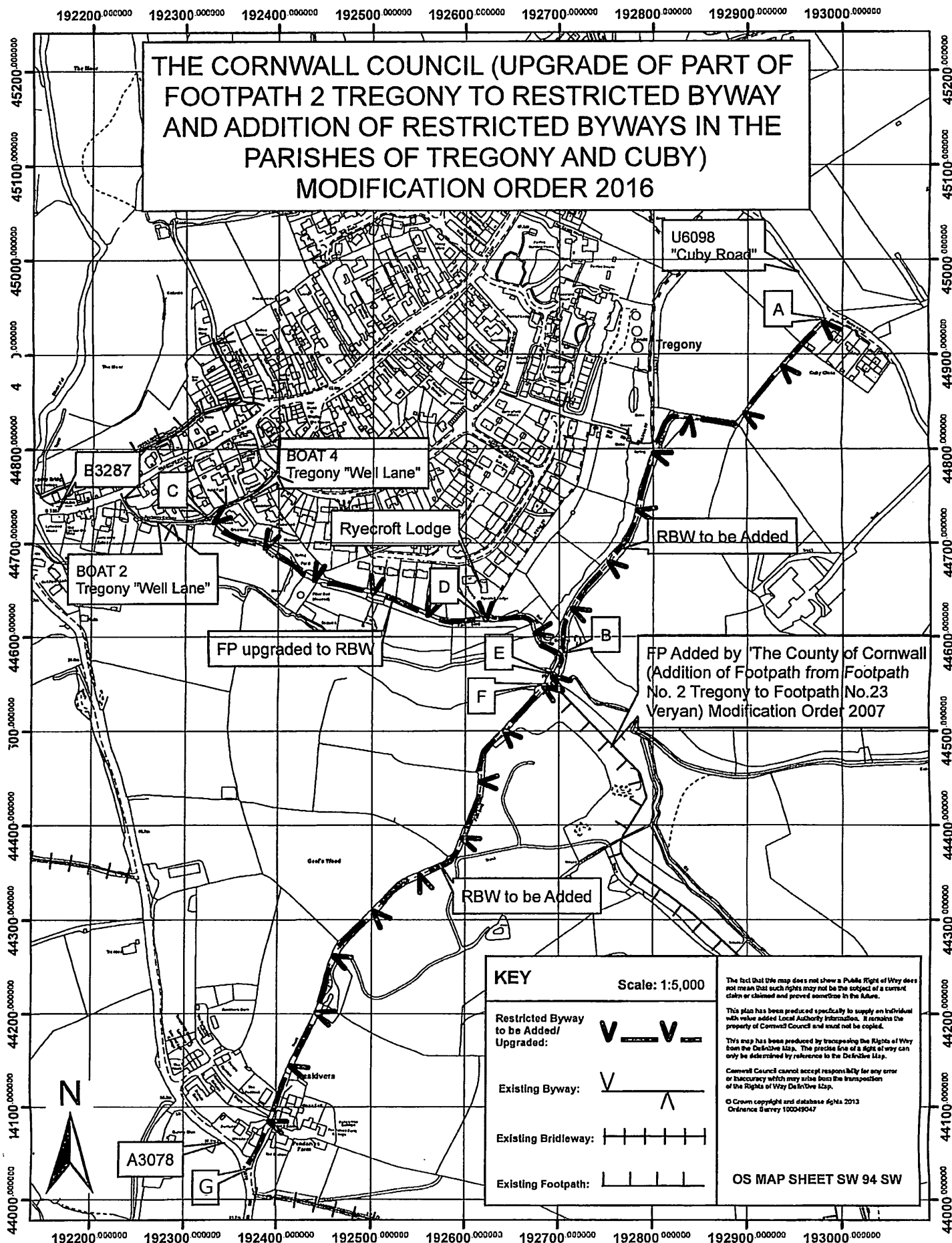
Particulars of Path or Way to be Deleted:

Existing particulars in the Definitive Statement for the Parish of Tregony:				
No.	Location	Average Width	Minimum Width	Maximum Width
	Footpath from RB to Reskivers to Footpath No. 23 Veryan in the parishes of Tregony and Veryan subject to the limitation of two stiles and one gate	-	1.5 metres	2.5 metres
2	BW from B3287, Tregony to junction with BW 4 Tregony and RB to Reskivers	4'0"	-	-
4	BW from junction of RB to Reskivers & BW 2 to The Square, Tregony	8'0"	-	-

Wildlife and Countryside Act 1981 Order Plan: WCA 485

Parish: TREGONY & CUBY Path Number: FP/325/2

Produced by Countryside Access Team: 9 December 2016



WILDLIFE AND COUNTRYSIDE ACT 1981

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OF PUBLIC RIGHTS OF WAY
FOR THE FORMER
CARRICK DISTRICT COUNCIL AREA**

**THE CORNWALL COUNCIL
(UPGRADE OF PART OF FOOTPATH 2
TREGONY TO RESTRICTED BYWAY
AND ADDITION
OF RESTRICTED BYWAYS IN THE
PARISHES OF TREGONY AND CUBY)
MODIFICATION ORDER 2016**

MADE BY CORNWALL COUNCIL ON:

I Certify that this is a proper copy
of the Order as it was:

**MADE BY CORNWALL
COUNCIL**

Signed:



Date:

14.12.2016