

SIGNED FOR MAIL

Clerk to the Council
Nether Wyresdale Parish Council
Tomlinson's Farm
Fluke Hall Lane
Pilling
PR3 6HA

Phone: 01772 531280
Email: Simon.Moore@lancashire.gov.uk

Your ref:
Our ref: LSG4/SM18/888.3501
Date: 03 October 2023

Lancashire County Council does
not accept service by e-mail.

Dear Sirs,

**HIGHWAYS ACT 1980 S.119
WILDLIFE AND COUNTRYSIDE ACT 1981
PART OF FOOTPATH FP0219002 AT 'BROAD FALL', GUBBERFORD LANE,
SCORTON PUBLIC PATH DIVERSION ORDER 2023**

I am writing to inform you that the County Council made the above-mentioned Order on 06 September 2023 and enclose a copy of a Notice of the making of the Order.

I also enclose for your use a copy of the Order together with the relevant plan.

In addition, I enclose a copy of the public notice, please ensure this is displayed on the parish noticeboard for the duration of the 28-day notice period.

I trust that you will find this self-explanatory, should you require any further assistance, please do not hesitate to contact me.

Yours faithfully



Simon Moore
Paralegal Officer

Please quote our full reference number on all correspondence

NOTICE OF A PUBLIC PATH DIVERSION ORDER

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

LANCASHIRE COUNTY COUNCIL

**PART OF FOOTPATH FP0219002 AT 'BROAD FALL',
GUBBERFORD LANE, SCORTON PUBLIC PATH DIVERSION ORDER 2023**

The above Order, made on 06 September 2023, under section 119 of the Highways Act 1980, will divert the footpath running from an unmarked point in the field at SD 5008 4763, running north-north-west, then north-north-east for 210 metres to SD 5012 4781, to a new line starting from the same point at SD 5008 4763 then running north-north-east for 40 metres to SD 5011 4766, then for 160 metres to SD 5015 4781, and for a further 5 metres to SD 5014 4782 as shown on the order map.

The Order will amend the Definitive Map and Statement for the County of Lancashire accordingly.

A copy of the Order and the Order Map may be found and downloaded free from our website at <https://dmmo.lancashire.gov.uk/application.asp?id=688>. A copy of the Order and the order map may also be seen free of charge at the offices of Wyre Borough Council, and at my offices from 9.00 and 17.00 on weekdays. Copies of the order and map may be bought there at the price of £1.00. A free digital copy of the Order may be requested by emailing simon.moore@lancashire.gov.uk or by telephoning Simon Moore on 01772 531280 between 9.00 and 17.00, Monday to Friday.

Any representations about, or objections to the Order may be sent in writing to Simon Moore, Lancashire County Council, PO Box 100, County Hall, Preston, PR1 0LD (REF:LSG4/SM18/888.3501/PROW) not later than 2 November 2023. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, Lancashire County Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation any representations or objections which have not been withdrawn will be sent with the Order.

Dated this 5th day of October 2023

HELOISE MACANDREW
Director of Law and Governance
PO Box 100
Lancashire County Council
County Hall
Preston
PR1 0LD

This does not form part of the above Notice

Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.

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

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

LANCASHIRE COUNTY COUNCIL

**PART OF FOOTPATH FP0219002
AT 'BROAD FALL', GUBBERFORD LANE, SCORTON
PUBLIC PATH DIVERSION ORDER 2023**

This Order is made by the Lancashire 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 path 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 Definitive Map and Statement of Public Rights of Way for the County of Lancashire requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, a highway shown or required to be shown in the Definitive Map and Statement has been authorised by this Order to be diverted.

The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of the Order and any expenses which are incurred in bringing the new site of the path into a fit condition for use for the public.

Wyre Borough Council and Nether Wyresdale Parish Council have been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER

1. The public right of way over the land situated at the property known as 'Broad Fall', Scorton, and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up as from the date that the Authority certifies that all work to bring the public footpath described in Part 2 of the Schedule into a fit condition for use by the public has been carried out, and thereupon the Definitive Map of Public Rights of Way for the County of Lancashire shall be modified by deleting from it, that public right of way.
2. There shall at the end of 14 days from the date of confirmation of this Order be a public footpath over the land situated at 'Broad Fall', Scorton as described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order, and thereupon the Definitive Map of Public Rights of Way for the County of Lancashire shall be modified by adding to it, that public right of way.
3. The Definitive Statement of Public Rights of Way for the County of Lancashire shall be modified as described in Part 4 of the Schedule to this Order.

4. 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.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Section of footpath as shown on the Order map	Position (All lengths and compass points are approximate)	Width
Part of FP0219002 shown by a bold continuous line A-B	Starting from an unmarked point in the field at SD 5008 4763 (point A on the Order Map) at the south-eastern corner of the pasture to the south of the access track to Broad Fall, continuing in a north-north-westerly direction, then in a north-north-easterly direction for 210 metres to SD 5012 4781 (point B).	The entire width
Total length of existing footpath: 210 metres		

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Section of footpath as shown on the Order map	Position (All lengths and compass points are approximate)	Width
A footpath shown by a bold broken line A - C - D - E	Starting from the same point on FP0219002 at SD 5008 4763 (point A) then running north-north-east for 40 metres to SD 5011 4766 (point C), then for 160 metres to SD 5015 4781 (point D), and for a further 5 metres to SD 5014 4782 (point E) as shown on the Order Map.	2.0 metres
Total length of new footpath: 205 metres		

PART 3

LIMITATIONS AND CONDITIONS

Limitations and Conditions	Position
The right of the owner of the soil to erect and maintain a gate that conforms to BS 5709:2018	Grid Reference SD 5011 4766 (point C)

The right of the owner of the soil to erect and maintain a gate that conforms to BS 5709:2018

Grid Reference SD 5015 4781 (point D)

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

The Definitive Statement for Footpath 2 to be amended as follows:

The 'position' column to read:

Woodacre Great Wood to SD 5008 4763 then NNE 40m along the west side of a hedge to a gate into another pasture to the east of Broad Fall, generally N across this field for 160m another to gate then a further 5m to join footpath 3 at SD 5014 4782.

(All compass points given are approximate).

Length:

0.21 km

Other Particulars:

The only limitations on the section between SD 5008 4763 and SD 5014 4782 is the right of the owner of the soil to erect and maintain a two-way gate that conforms to BS 5709:2018 at SD 5011 4766 and SD 5015 4781.

The width between SD 5008 4763 and SD 5014 4782 is 2 metres."

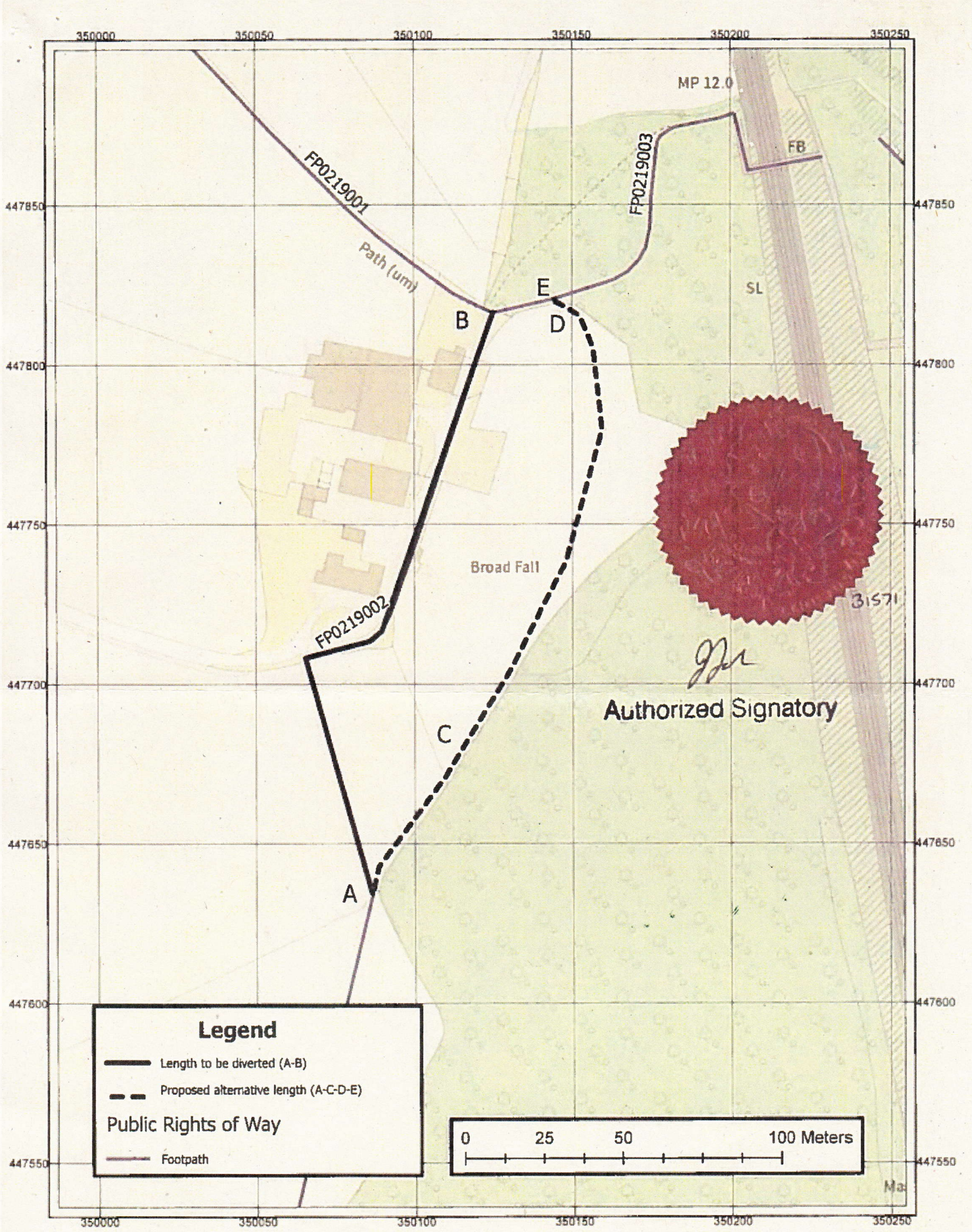
Dated this 6th day of September 2023

THE COMMON SEAL of the)
Lancashire County Council)
was hereunto affixed in)
the presence of)





Authorised Signatory


31571

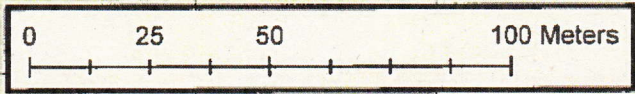


Legend

-  Length to be diverted (A-B)
-  Proposed alternative length (A-C-D-E)

Public Rights of Way

-  Footpath



Public Rights of Way
 PROW@lancashire.gov.uk
 01772 530317

Highways Act 1980 - Section 119 / Wildlife and Countryside Act 1981 - Section 53A
 Diversion of part of Footpath FP0219002 at Broad Fall, Nether Wyresdale

Plan no.
 211-747 v1



The digitised Rights of Way Information should be used for guidance only as its accuracy cannot be guaranteed. Rights of Way information must be verified on the current Definitive Map before being supplied or used for any purpose.

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