



Mr John Hesketh
St Keyne & Trewidland Parish Council
Lambest Cottage
Menheniot
Liskeard
Cornwall
PL14 6RE

Your ref:

My ref: RS/CAT/MKE/HAD279

Date: 31 January 2024

Dear Mr Hesketh,

Confirmation of Public Path Order

Highways Act 1980 – Section 119

The Cornwall Council Public Footpath No. 18 (Parts) St Keyne and Trewidland (Landlooe House) Public Path Diversion Order 2023

Land at Landlooe House, PL14 4RT

St Keyne and Trewidland CP

The abovementioned Order was made by Cornwall Council on 28th November 2023. The Order was subsequently confirmed by Cornwall Council as an unopposed Order on 16th January 2024. As required by Schedule 6 Part II Paragraph 4(1) to the Highways Act 1980 Cornwall Council hereby gives notice of the confirmation of the Order.

A copy of the required notice and a copy of the Order as confirmed are enclosed together with extracts of sections of the Highways Act 1980 as referred to in the notice. Please note that any applications to the High Court in respect of the validity of the Order must be made in the required manner within six weeks of the date of the notice.

Yours sincerely

M. K. Eastwood

Mike Eastwood
Public Path Orders Officer
Regulatory Services
Tel: 0300 1234 202 (ask for Mike Eastwood)
Email: mike.eastwood@cornwall.gov.uk

Cornwall Council | Konsel Kernow

HIGHWAYS ACT 1980

Countryside Access Team, P O Box 676, Threemilestone, Truro TR1 9EQ

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www.cornwall.gov.uk



***The Cornwall Council (Footpath No. 18 St Keyne & Trewidland (Parts)) (Landlooe House)
Public Path Diversion Order 2023***

TO: Mr John Hesketh

OF: St Keyne & Trewidland Parish Council
Lambest Cottage
Menheniot
Liskeard
Cornwall
PL14 6RE

On 16 January 2024, Cornwall Council confirmed the above Order made under section 119 of the Highways Act 1980. The effect of the Order as confirmed is to divert 5 parts of Public Footpath 18 in St Keyne & Trewidland as shown on the Order Map:

- (i) a length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with a part of Public Footpath Number 18 to be retained approximately 116 metres north-west of “Landlooe House” at Ordnance Survey Grid Reference (OSGR) SX 25167/59695 shown as point “A” on the order map and continuing in a generally south-easterly direction for a distance of 27 metres and terminating at its junction with another part of Public Footpath Number 18 to be extinguished by this order approximately 90 metres north-west of “Landlooe House” at OSGR SX 25188/59678 shown as point “E” on the order map to a line commencing at its junction with a part of Public Footpath Number 18 to be retained approximately 116 metres north-west of “Landlooe House” at OSGR SX 25167/59695 shown as point “A” on the order map and continuing in a generally south-easterly direction for a distance of 27 metres and terminating at its junction with another length of Public Footpath to be created by this order approximately 90 metres north-west of “Landlooe House” at OSGR SX 25188/59678 shown as point “E” on the order map;
- (ii) a length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with a part of Public Footpath Number 18 to be extinguished by this order approximately 90 metres north-west of “Landlooe House” at OSGR SX 25188/59678 shown as point “E” on the order map and continuing in a generally south-easterly direction for a distance of 91 metres and terminating at its junction with two other lengths of Public Footpath Number 18 to be extinguished by this order approximately 16 metres north-east of “Landlooe House” at OSGR SX 25254/59620 shown as point “B” on the order map to a line commencing at its junction with a length of Public Footpath to be created by this order approximately 90 metres north-west of “Landlooe House” at OSGR SX 25188/59678 shown as point “E” on the order map and continuing in a generally east

south-easterly direction for a distance of 100 metres and terminating at its junction with two other lengths of Public Footpath to be created by this order approximately 54 metres north-east of “Landlooe House” at OSGR SX 25282/59646 shown as point “F” on the order map;

- (iii) a length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with two other lengths of Public Footpath Number 18 to be extinguished by this order approximately 16 metres north-east of “Landlooe House” at OSGR SX 25254/59620 shown as point “B” on the order map and continuing in a generally east south-easterly direction for a distance of 27 metres and terminating at its junction with another part of Public Footpath Number 18 to be extinguished by this order approximately 35 metres east of “Landlooe House” at OSGR SX 25279/59611 shown as point “H” on the order map to a line commencing at its junction with two other lengths of Public Footpath to be created by this order approximately 54 metres north-east of “Landlooe House” at OSGR SX 25282/59646 shown as point “F” on the order map and continuing in a generally southerly direction for a distance of 35 metres and terminating at its junction with another length of Public Footpath to be created by this order approximately 35 metres east of “Landlooe House” at OSGR SX 25279/59611 shown as point “H” on the order map;
- (iv) a length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with a part of Public Footpath Number 18 to be extinguished by this order approximately 35 metres east of “Landlooe House” at OSGR SX 25279/59611 shown as point “H” on the order map and continuing in a generally north-easterly direction for a distance of 74 metres and terminating at its junction with a part of Public Footpath Number 18 to be retained approximately 103 metres north-east of “Landlooe House” at OSGR SX 25334/59658 shown as point “D” on the order map to a line commencing at its junction with two other lengths of Public Footpath to be created by this order approximately 54 metres north-east of “Landlooe House” at OSGR SX 25282/59646 shown as point “F” on the order map and continuing in a generally east north-easterly direction for a distance of 56 metres and terminating at its junction with a part of Public Footpath Number 18 to be retained approximately 103 metres north-east of “Landlooe House” at OSGR SX 25334/59658 shown as point “D” on the order map;
- (v) a length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with two other lengths of Public Footpath Number 18 to be extinguished by this order approximately 16 metres north-east of “Landlooe House” at OSGR SX 25254/59620 shown as point “B” on the order map and continuing in a generally southerly then south-westerly direction for a distance of 61 metres and terminating at its junction with Unclassified Road U6148 approximately 42 metres south-west of “Landlooe House” at OSGR SX 25222/59573 shown as point “C” on the order map to a line commencing at its junction with another length of Public Footpath to be created by this order approximately 35 metres east of “Landlooe House” at OSGR SX 25279/59611 shown as point “H” on the order map and continuing in a generally southerly direction for a distance of 46 metres and terminating at its junction with Unclassified Road U6148

approximately 51 metres south-east of “Landlooe House” at OSGR SX 25272/59566 shown as point “G” on the order map.

A copy of the Order as confirmed and the Order Map may be downloaded from Cornwall Council’s website at <https://www.cornwall.gov.uk/environment/countryside/public-path-orders/confirmed-public-path-orders/> and have also been placed and may be seen free of charge at the offices of Cornwall Council at the Liskeard Library and Information Service, Barras Street, Liskeard, Cornwall, PL14 6AB between the hours of 08:30 and 17:30 on Mondays to Wednesdays and Fridays; between 08:30 and 19:30 on Thursdays; and between 09:00 and 15:00 on Saturdays (except for Bank and Public Holidays). Alternatively, copies of the Order and Order map may be obtained free of charge from publicpathorders@cornwall.gov.uk.

The Order comes into force on the date on which Cornwall Council certify that work has been carried out to bring the sites of the new highways into a fit condition for use by the public, but if any person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the ground that that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of 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 six weeks from the date of this Notice, make application to the High Court.

Any person who wishes to claim compensation under Section 28 as applied by section 121(2) of the 1980 Act for depreciation or damage for disturbance arising as a result of the coming into force of the Order must make a claim in writing, addressed to the Interim Countryside Access Team Leader, Cornwall Council, P O Box 676, Threemilestone, Truro TR1 9EQ [quoting Reference HAD 279], and serve it by delivering it at, or sending it by prepaid post to that address not later than six months after the date on which the Order comes into force. Copies of the sections (as amended by the Transport and Works Act 1992) are attached.

Dated: 31 January 2024

Sophie Hosking
Strategic Director for Neighbourhoods

HIGHWAYS ACT 1980 SECTION 28

Compensation for loss caused by path creation order

- (1) Subject to the following provisions of this section, if on a claim made in accordance with this section, it is shown that the value of an interest of a person in land is depreciated, or that person has suffered damage by being disturbed in his enjoyment of land, in consequence of the coming into operation of a public path creation order, the authority by whom the order was made shall pay to that person compensation equal to the amount of the depreciation or damage.
- (2) A claim for compensation under this section shall be made within such time and in such manner as may be prescribed by regulations made by the Secretary of State, and shall be made to the authority by whom the order was made.
- (3) For the purposes of the application of this section to an order made by the Secretary of State under section 26(2) above, references to this section to the authority by whom the order was made are to be construed as references to one of the authorities referred to in that subsection as may be nominated by the Secretary of State for the purposes of that subsection.
- (4) Nothing in this section confers on any person, in respect of a footpath, bridleway or restricted byway created by a public path creation order, a right to compensation for depreciation of the value in an interest in the land, or for disturbance in his enjoyment of land, not being in either case land over which the path was created or land held therewith, unless the creation of the path or way would have been actionable at his suit if it had been effected otherwise than in exercise of statutory powers.
- (5) In this section 'interest', in relation to land, includes any estate in land and any right over land, whether the right is exercisable by virtue of the ownership of an interest in land or by virtue of a licence or agreement, and in particular includes sporting rights.

HIGHWAYS ACT 1980 SECTION 121(2)

(As amended by Transport and Works Act 1992 and Countryside and Rights of Way Act 2000)

Section 28 above (compensation for loss caused by public path creation order) applies in relation to public path extinguishment orders, rail crossing extinguishment orders, special extinguishment orders rail crossing diversion orders, special diversion orders and SSSI diversion orders as it applies in relation to public path creation orders but as if:

- (a) the references in it to section 26(2) above were references to section 120(3) above, and
- (b) in relation to special extinguishment orders and special diversion orders and SSSI diversion orders, the reference in section 28(4) to a footpath, bridleway or restricted byway included a reference to a highway over which the public have a right of way for vehicular and other kinds of traffic.

PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980 SECTION 119
CORNWALL COUNCIL

THE CORNWALL COUNCIL PUBLIC FOOTPATH No. 18 (PARTS)
ST KEYNE AND TREWIDLAND (LANDLOOE HOUSE)
PUBLIC PATH DIVERSION ORDER 2023

THIS ORDER is made by Cornwall 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 owners of the land crossed by the footpaths described in paragraph 1 of this Order, it is expedient that the line of the paths should be diverted.

The applicants for this Order have agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the sites of the new paths into a fit condition for use by the public.

BY THIS ORDER:

1. The Public Footpaths over the land situated at and in the environs of "Landlooe House" in the Parish of St Keyne and Trewidland and shown by continuous bold black lines on the map attached to this Order and described in Part 1 of the Schedule to this Order shall be stopped up on the date on which Cornwall Council certify that work has been carried out to bring the sites of the new highways mentioned in Part 2 of the Schedule to this Order into a fit condition for use by the public.
2. Notwithstanding paragraph 1 of this Order, statutory undertakers shall have the same rights over the land referred to in Paragraph 1 above, in respect of their apparatus under, in, upon, over, along, or across the said land as they had immediately before the date of confirmation of this Order.
3. There shall at the end of 28 days from the date of confirmation of this Order be Public Footpaths over the land situated to the north and east of "Landlooe House" in the Parish of St Keyne and Trewidland shown by broken black lines on the map attached to this Order and described in Part 2 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 to this Order.
5. This Order may be cited as "The Cornwall Council Public Footpath No. 18 (Parts) St Keyne and Trewidland (Landlooe House) Public Path Diversion Order 2023"

GIVEN under the Common Seal of the Council this 23 day of November 2023.

THE COMMON SEAL OF THE)
CORNWALL COUNCIL)
was hereunto affixed in
the presence of:-

Authorised signatory

[Redacted signature]

[Redacted signature]

070370



SCHEDULE

PART 1

DESCRIPTION OF SITES OF EXISTING PATHS OR WAYS

- (i) A length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with a part of Public Footpath Number 18 to be retained approximately 116 metres north-west of "Landlooe House" at Ordnance Survey Grid Reference (OSGR) SX 25167/59695 shown as point "A" on the attached map and continuing in a generally south-easterly direction for a distance of 27 metres and terminating at its junction with another part of Public Footpath Number 18 to be extinguished by this order approximately 90 metres north-west of "Landlooe House" at OSGR SX 25188/59678 shown as point "E" on the attached map.
- (ii) A length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with a part of Public Footpath Number 18 to be extinguished by this order approximately 90 metres north-west of "Landlooe House" at OSGR SX 25188/59678 shown as point "E" on the attached map and continuing in a generally south-easterly direction for a distance of 91 metres and terminating at its junction with two other lengths of Public Footpath Number 18 to be extinguished by this order approximately 16 metres north-east of "Landlooe House" at OSGR SX 25254/59620 shown as point "B" on the attached map.
- (iii) A length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with two other lengths of Public Footpath Number 18 to be extinguished by this order approximately 16 metres north-east of "Landlooe House" at OSGR SX 25254/59620 shown as point "B" on the attached map and continuing in a generally east south-easterly direction for a distance of 27 metres and terminating at its junction with another part of Public Footpath Number 18 to be extinguished by this order approximately 35 metres east of "Landlooe House" at OSGR SX 25279/59611 shown as point "H" on the attached map.
- (iv) A length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with a part of Public Footpath Number 18 to be extinguished by this order approximately 35 metres east of "Landlooe House" at OSGR SX 25279/59611 shown as point "H" on the attached map and continuing in a generally north-easterly direction for a distance of 74 metres and terminating at its junction with a part of Public Footpath Number 18 to be retained approximately 103 metres north-east of "Landlooe House" at OSGR SX 25334/59658 shown as point "D" on the attached map.
- (v) A length of Public Footpath Number 18 in the Parish of St Keyne and Trewidland commencing at its junction with two other lengths of Public Footpath Number 18 to be extinguished by this order approximately 16 metres north-east of "Landlooe House" at OSGR SX 25254/59620 shown as point "B" on the attached map and continuing in a generally southerly then south-westerly direction for a distance of 61 metres and terminating at its junction with Unclassified Road U6148 approximately 42 metres south-west of "Landlooe House" at OSGR SX 25222/59573 shown as point "C" on the attached map.

The Definitive Statement for Footpath Number 18 in St Keyne and Trewidland (formerly Footpath Number 18 in Dobwalls and Trewidland) records no information concerning the width of the path. For the avoidance of doubt, the sections of public footpath described above are to be stopped up in their entirety.

PART 2
DESCRIPTION OF SITES OF NEW PATHS OR WAYS

- (i) A length of Public Footpath in the Parish of St Keyne and Trewidland commencing at its junction with a part of Public Footpath Number 18 to be retained approximately 116 metres north-west of "Landlooe House" at OSGR SX 25167/59695 shown as point "A" on the attached map and continuing in a generally south-easterly direction for a distance of 27 metres and terminating at its junction with another length of Public Footpath to be created by this order approximately 90 metres north-west of "Landlooe House" at OSGR SX 25188/59678 shown as point "E" on the attached map.
- (ii) A length of Public Footpath in the Parish of St Keyne and Trewidland commencing at its junction with a length of Public Footpath to be created by this order approximately 90 metres north-west of "Landlooe House" at OSGR SX 25188/59678 shown as point "E" on the attached map and continuing in a generally east south-easterly direction for a distance of 100 metres and terminating at its junction with two other lengths of Public Footpath to be created by this order approximately 54 metres north-east of "Landlooe House" at OSGR SX 25282/59646 shown as point "F" on the attached map.
- (iii) A length of Public Footpath in the Parish of St Keyne and Trewidland commencing at its junction with two other lengths of Public Footpath to be created by this order approximately 54 metres north-east of "Landlooe House" at OSGR SX 25282/59646 shown as point "F" on the attached map and continuing in a generally southerly direction for a distance of 35 metres and terminating at its junction with another length of Public Footpath to be created by this order approximately 35 metres east of "Landlooe House" at OSGR SX 25279/59611 shown as point "H" on the attached map.
- (iv) A length of Public Footpath in the Parish of St Keyne and Trewidland commencing at its junction with two other lengths of Public Footpath to be created by this order approximately 54 metres north-east of "Landlooe House" at OSGR SX 25282/59646 shown as point "F" on the attached map and continuing in a generally east north-easterly direction for a distance of 56 metres and terminating at its junction with a part of Public Footpath Number 18 to be retained approximately 103 metres north-east of "Landlooe House" at OSGR SX 25334/59658 shown as point "D" on the attached map.
- (v) A length of Public Footpath in the Parish of St Keyne and Trewidland commencing at its junction with another length of Public Footpath to be created by this order approximately 35 metres east of "Landlooe House" at OSGR SX 25279/59611 shown as point "H" on the attached map and continuing in a generally southerly direction for a distance of 46 metres and terminating at its junction with Unclassified Road U6148 approximately 51 metres south-east of "Landlooe House" at OSGR SX 25272/59566 shown as point "G" on the attached map.

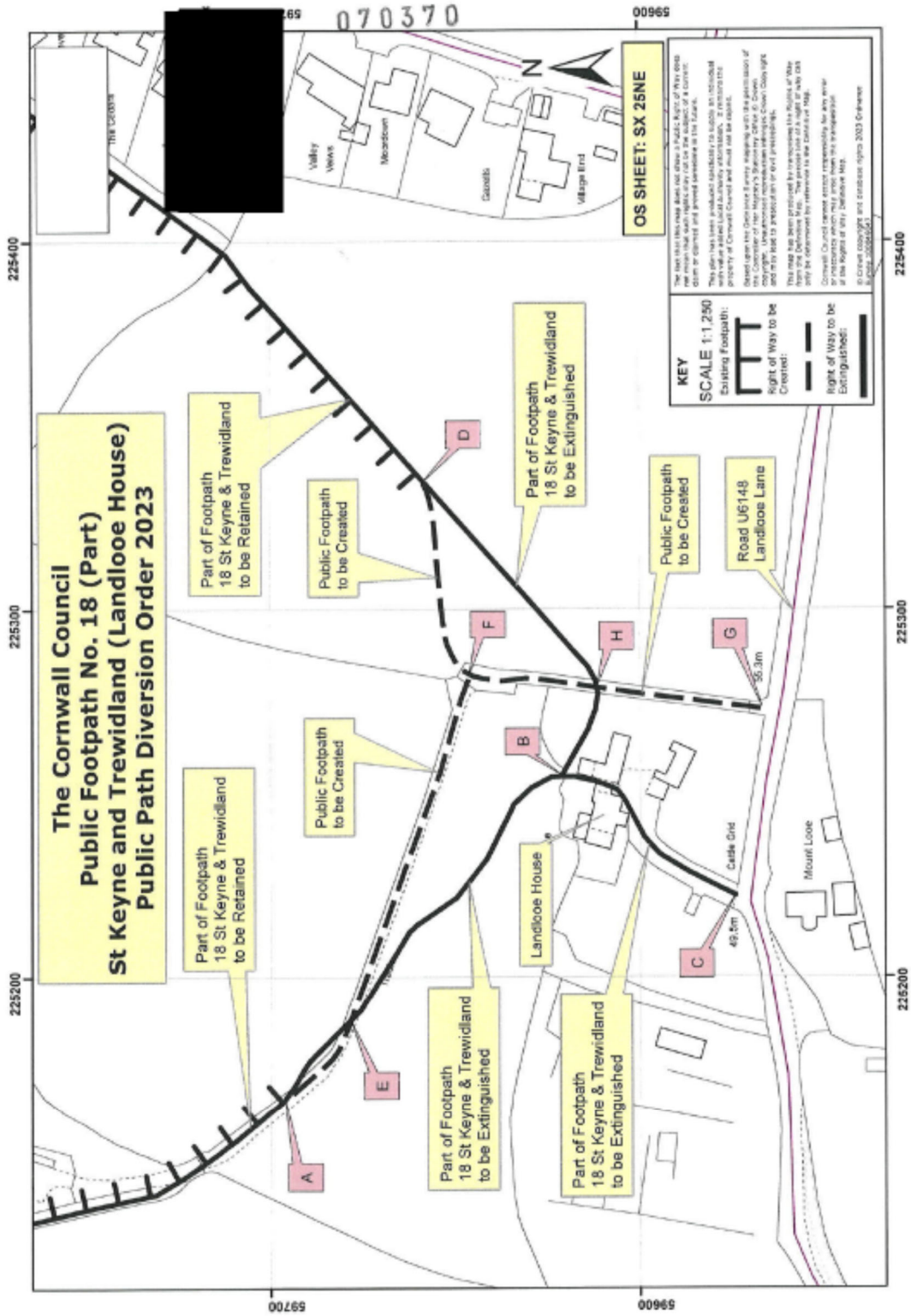
The Public Footpaths described above shall have a width of 2.0 metres throughout.

**PART 3
LIMITATIONS AND CONDITIONS**

Schedule Part 3 (i)	
Limitation Type	12' [Feet] Wooden Field Gate
Standard	British Standard 5709:2018. "Gaps, Gates and Stiles. Specification" ISBN 978 0 580 982 10 1
Variance from Standard	None
Design	In accordance with BS 5709:2018
Position	OSGR SX 25284/59647 [3 metres north of Point "F" on the Order Map]
Design Details	Gate is latched, opens one way and is non-self-closing
Maintenance Responsibility	To be maintained by the owner of the structure.

Schedule Part 3 (ii)	
Limitation Type	10' [Feet] Metal Field Gate
Standard	British Standard 5709:2018. "Gaps, Gates and Stiles. Specification" ISBN 978 0 580 982 10 1
Variance from Standard	None
Design	In accordance with BS 5709:2018
Position	OSGR SX 25273/59570 [4 metres north of Point "G" on the Order Map]
Design Details	Gate is latched, opens one way and is non-self-closing
Maintenance Responsibility	To be maintained by the owner of the structure.

Map Not to Scale



PUBLIC PATH DIVERSION ORDER

**HIGHWAYS ACT 1980
SECTION 119**

**THE CORNWALL COUNCIL
PUBLIC FOOTPATH No. 18 (PARTS)
ST KEYNE AND TREWIDLAND
(LANDLOOE HOUSE)
PUBLIC PATH DIVERSION ORDER 2023**

MADE BY CORNWALL COUNCIL ON:

23rd November 2023

**This Order was
confirmed on
16th January 2024
as an unopposed Order**



Authorised Officer
Cornwall Legal Services
Cornwall Council