

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

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

**LANCASHIRE COUNTY COUNCIL**

**PART OF FOOTPATH OVER KELLET 1  
AT COCKLE HILL  
PUBLIC PATH DIVERSION ORDER 2020**

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 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 shown or required to be shown in the map and statement.

The applicant has 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 new site of the footpath into a fit condition for use for the public.

Lancaster City Council and Over Kellet 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 former chicken sheds, Cockle Hill, Kirkby Lonsdale Road, Over Kellet 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 the Definitive Map and Statement 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 former chicken sheds, Cockle Hill, Kirkby Lonsdale Road, Over Kellet and 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 that public right of way to it.
3. The Definitive Statement of Public Rights of way for the County of Lancashire shall be modified as described in Part 3 of the Schedule of this Order.

## **SCHEDULE**

### **PART 1**

#### **DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

<b>Section of footpath as shown on the Order Map</b>	<b>Position (all lengths and compass points are approximate)</b>	<b>Width</b>
Part of Footpath Over Kellet 1 shown by a bold continuous line A-B-C.	Starting from an unmarked point at the start of a bend on Footpath Over Kellet 1 at grid reference SD 5233 7006 (point A), the footpath curves generally north along an access track for 90 metres to an unmarked point on the access track 10 metres south west of the kink in Footpath Over Kellet 1 at SD 5230 7011 (point B), then generally north north east for 90 metres to the junction of Footpath Over Kellet 1 and Maggie Elgin Lane at SD 5234 7019 (point C).	The entire width
Total length of existing footpath: 180 metres		

### **PART 2**

#### **DESCRIPTION OF SITE OF NEW PATH OR WAY**

<b>Section of footpath as shown on the Order Map</b>	<b>Position (all lengths and compass points are approximate)</b>	<b>Width</b>
A footpath shown by a bold broken line A-D-B-E-C	Starting from an unmarked point at the start of a bend on Footpath Over Kellet 1 at grid reference SD 5233 7006 (point A), the compacted stone surfaced footpath runs generally north north west for 90 metres to a gap in the garden fence at SD 5231 7010 (point D), then continues north west for 15 metres to an unmarked point 10 metres south west of the kink in Footpath Over Kellet 1 adjacent to the access track at SD 5230 7011 (point B), then continuing north west for 25 metres to an unmarked point on Maggie Elgin Lane at SD 5228 7013 (point E) then generally north east along Maggie Elgin Lane for 90 metres to the junction with the existing Footpath Over Kellet 1 at SD 5234 7019 (point C).	2.0 metres
Total length of new footpath: 220 metres		

### PART 3

#### MODIFICATION OF DEFINITIVE STATEMENT

#### VARIATION OF PARTICULARS OF PATH OR WAY

The Definitive Statement for Footpath Over Kellet 1, Lancaster City be amended as follows:

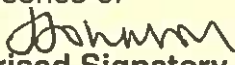
The 'Position' column to read: "From Carnforth-Kirkby Lonsdale Road (Class II B.6254) east end of Over Kellet Village, northerly to SD 5233 7006 then curves 90 metres generally north north west to SD 5231 7910, then 40 metres north west to SD 5228 7013, then runs 90 metres along Maggie Elgin Lane north east to SD 5234 7019 then continues northerly to Unclassified Road 2/30 by Old Lime Kiln."

The 'length' column be amended to read: "0.95 km"

The 'Other Particulars' column be amended to read "The width between SD 5233 7006 and SD 5234 7019 is 2 metres and there are no limitations between those points"

Dated this 8<sup>th</sup> day of January 2020.

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

  
Authorised Signatory

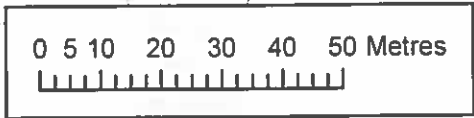


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Length to be diverted (A-B-C)  
Proposed alternative length (A-D-B-E-C)  
Unaffected public right of way  
Unadopted highway



*Bohner*  
Authorized Signatory

X608 Cockle Hill  
(Maggie Eglin Lane)

Graveyard

The Bower's  
ESS  
The Stables  
Mill Cottage  
Old Hall Cottage  
KIRKBY LONSDALE ROAD

73.3m

65.9m

Longton's Cottages

Cockle Hill Barn

77.2m

The Chapel

PRW-01-24-09

PRW-01-24-10

Croft

Yew Tree Barn

Yew Tree House

77.6m

Down Cottage

Roselea

Fern Nook

352200

352250

352300

352350

352400

<p>Andrew Mullaney Head of Planning and Environment Lancashire County Council</p>	<p>Highways Act 1980 Section 119 Proposed diversion of part of Footpath Over Kellet 1 at former chicken sheds, Cockle Hill, Kirkby Lonsdale Road, Over Kellet.</p>	<p>Drawing No: 211-708v4 Scale 1:1250 @A4</p>
<p>This Map is reproduced from the 1:1250 Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to Prosecution or civil proceedings. Lancashire County Council Licence No. 100023320 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.</p>		

