

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

**CUMBRIA COUNTY COUNCIL (FOOTPATH NOS 114014 AND 114015 PARISH OF
DALSTON) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2022**

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 footpaths described in paragraph 1 of this order, it is expedient that the line of the footpaths 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 rights of way over the land situate in the Parish of Dalston shown by continuous bold lines 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:-
 - a. The date of first publication of confirmation of this Order;
 - b. 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 completed

and thereupon the Cumbria County Definitive Map shall be modified by deleting from it those public rights of way

2. There shall from the date of first publication of confirmation of this Order be public footpath over the land situate in the parish of Dalston described in Part 2 of the Schedule to this Order and shown by bold broken lines on the map contained in this Order and thereupon the Cumbria County Definitive Map shall be modified by adding those footpaths to it
3. The Cumbria County Definitive Statement 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 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 right 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 Nos 114014 and 114015 Parish of Dalston) Public Path Diversion and Definitive Map and Statement Modification Order 2022

Dated the eighteenth day of October 2022

Executed as a Deed by

Affixing the Common Seal of)

CUMBRIA COUNTY COUNCIL)

the presence of :-)



The foregoing order is hereby confirmed

Paul Freer 4 APR 2024

An Inspector appointed by The Secretary of
State for Environment, Food and
Rural Affairs

SCHEDULE

PART 1

Description of site of existing path or way.

Description of public rights of way to be extinguished and deleted from the definitive map.

References on plan.	Description of length of existing right of way.	Width
Marked with a bold continuous line and shown A-B.	The whole width of that length of public footpath no 114014 in the parish of Dalston from GR 336655 548700 west-northwestwards and northwestwards for about 184 metres to GR 336489 548770	
Marked with a bold continuous line and shown D-E.	The whole width of that length of public footpath no 114015 in the parish of Dalston from GR 336494 548773 north-northeastwards northwards and eastwards for about 679 metres to GR 336908 549248	

PART 2

Description of site of new path or way.

Description of public rights 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 A-C	A new section of public footpath no 114014 in the parish of Dalston from GR 336655 548700 west-southwestwards and westwards for about 202 metres to GR 336464 548756	2 metres
Marked with a bold broken line and shown D-F-G-H-E	A new section of public footpath no 114015 in the parish of Dalston from GR 336494 548773 northeastwards for about 646 metres through fields to GR 336908 549248	2 metres

PART 3		
Limitations & Conditions		
Grid reference	Limiting item/s or condition/s	Width
336663 548974 336785 549116 336864 549225	Wicket Gates– conforming to BS 5709:2018	

PART 4
Modification of Definitive Statement
The following shall be substituted for existing path statement

Path Number	114014	Path type	footpath
Width	Minumum 1.5 metres between NY 3705 4867 and 3699 4866; Minimum 1.8 metres between GR 3699 4866 and NY 3666 4870 at 2000 DMMO 2 metres at 2022 diversion	Length	640 metres
OS Sheet Number	NY 34 NE	Grid Refs.	From grid reference 337056 548669 and 336464 548756
Description	From Bridge End Dalston westwards along an enclosed path between the properties of Primrose Hill and Deepdale for approx 70 metres to a kissing gate at which point the footpath enters the field no 8467 and runs westwards for approx 350 metres over grazing pasture to a ladder stile then west-northwestwards for approx 202 metres to stile there joining FP 114015 north east of Nook Lane Head		
Limitations	Kissing Gate at GR NY 3699 4866 and Ladder stile at GR NY 3666 4870 (added by 2000 DMMO) None at 2022 diversion		
Remarks	Modified by DMMO 2000 Diverted by Diversion Order at Greenhead 2022		

Path Number	114015	Path type	footpath
Width	2 metres at 2022 diversion	Length	1079 metres
OS Sheet Number	NY 34 NE	Grid Refs.	From grid reference 336127 548601 and 336913 549248
Description	From stile on east side of Nooklane at Nooklane Head east-northeastwards through fields approx 389 metres to stile there joined by FP 114014 from the east continuing northeastwards through fields for approx 690 metres to stile north of Dalston Bridge on B5299 Dalston to Carlisle Road		
Limitations	Wicket gates conforming to BS 5709:2018 at GR 336663 548974; 336785 549116 and 336864 549225 at 2022 Diversion		
Remarks	Parts subject to being ploughed out Amended under 1976 review part renumbered 114056 Diverted by Diversion Order at Greenhead 2022		

Confirmed as an unopposed Order

This day of 202

Executed as a Deed by

Affixing the Common Seal of)

CUMBRIA COUNTY COUNCIL)

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Legend

- Footpath to be Extinguished
- Footpath to be Created
- Routes to remain

Scale 1: 2250 @ A3



E = 336908 549248

Ladywood

Shelter

45.0m

Walk

Chase End

Green Head

H = 336864 549225

G = 336785 549116

48.6m

Bridge

Park View

Cottages

Green Lane

Court

Wind Pump

Issues

F = 336663 548974

Sinks

47.6m

River Caldew Path (um)

B = 336489 548770

FP 114015

D = 336494 548773

Sinks Pump

C = 336464 548756

Path (um)

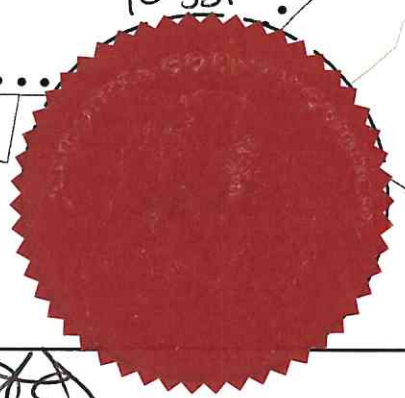
FP 114015

FP 114014

Issues

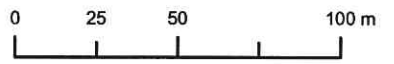
A = 336655 548700

F0381



Highways Act 1980 Section 119 and Wildlife and Countryside Act Section 53
 Public Footpath 114014 & 114015 Diversion Order and Public Path Modification Order
 Greenhead, Dalston

Mark L. H.



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DATED

2022

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

CUMBRIA COUNTY COUNCIL

(Footpath Nos 114014 and 114015 Parish
of Dalston) Public Path Diversion and
Definitive Map and Statement Modification
Order 2022

Chief Legal Officer
Corporate, Customer & Community Services
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