

**TOWN AND COUNTRY PLANNING ACT 1990  
WILDLIFE AND COUNTRYSIDE ACT 1981**

**CUMBERLAND COUNCIL (FOOTPATH NO 133014 PARISH OF STAPLETON) PUBLIC  
PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER  
2024**

This Order is made by Cumberland Council ("the authority") under Section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the 1990 Act namely: No. 23/0439: Roofing over Livestock Handling Area at Cracrop Farm, Kirkcambeck, Brampton CA8 2BW.

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 Cumberland 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.

**BY THIS ORDER:**

1. The public footpath over the land situate at Cracrop Farm in the Parish of Stapleton shown by a continuous bold line on the map attached to this Order and described in Part 1 of the Schedule to this order shall be stopped up as provided below.
2. There shall be created to the reasonable satisfaction of the authority an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order.
3. The Cumberland Definitive Statement shall be modified as described in Part 3 of the Schedule to this Order.
4. 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 rights of way referred to in Part 1 of the Schedule to this Order.
5. The diversion of the footpath shall have effect upon the date when the authority certify that the terms of Article 2 above have been complied with.
6. The Order shall be cited as the Cumberland Council (Footpath No 133014 Parish of Stapleton) Public Path Diversion and Definitive Map and Statement Modification Order 2024.

Dated the 13th day of February 2024

Executed as a Deed )

Affixing the Common Seal of )

**CUMBERLAND COUNCIL** )

In the presence of :- )

1

*E. Hawson*



**SCHEDULE**

**PART 1**

**Description of site of existing path or way.**  
Description of public right of way to be stopped up

| <b>References on plan.</b>                        | <b>Description of length of existing right of way.</b>  |
|---|---|
| Marked with a bold continuous line and shown A-B. | The whole width of that section of public footpath no 133014 situate at Cracrop Farm in the parish of Stapleton from grid reference 351997 569858 eastwards southeastwards and southwestwards to grid reference 352074 569716 |

**PART 2**

**Description of site of new path or way.**  
Description of public right of way created.

| <b>References on plan.</b>                     | <b>Description of length of new right of way.</b>   | <b>Width</b> |
|--|---|--------------|
| Marked with a bold broken line and shown A-C-D | A new section of public footpath no 133014 situate at Cracrop Farm in the parish of Stapleton from grid reference 351997 569858 south-southwestwards and southwards to road (U1044) at grid reference 351945 569730 | 2.8 metres   |

**PART 3**

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

|                        |  |                   |  |
|------------------------|--|-------------------|--|
| <b>Path Number</b>     | 133014   | <b>Path type</b>  | footpath   |
| <b>Width</b>           | 2.8 metres at 2024 diversion   | <b>Length</b>     | 2005 metres  |
| <b>OS Sheet Number</b> | NY56NW<br>NY57SW   | <b>Grid Refs.</b> | From grid reference 351945 569730 to 351050 571283 |
| <b>Description</b>     | From road to southwest of Cracrop north-northeastwards over track to Cracrop then westwards then northwards near Rushyrigg then north-westwards there crossing BR 133015 continuing northwestwards to Burnside continuing northwestwards over footbridge across Kirk Burn and through field to road at White Gate. |                   |  |

|                    |  |
|--------------------|--|
| <b>Limitations</b> | None at 2024 diversion                 |
| <b>Remarks</b>     | Diverted by order at Cracrop Farm 2024 |

Confirmed as an unopposed Order

This 21<sup>st</sup> day of *May* 20 24

Executed as a Deed by )  
 Affixing the Common Seal of )  
**CUMBERLAND COUNCIL** )  
 In the presence of :- )




Emma Priest  
 Senior Lawyer  
 Cumberland Council

DATED 13 February 2024

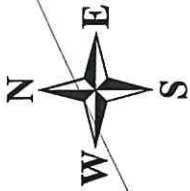
**TOWN AND COUNTRY PLANNING ACT  
1990  
WILDLIFE AND COUNTRYSIDE ACT  
1981**

**CUMBERLAND COUNCIL**

(Footpath No 133014 Parish of Stapleton)  
Public Path Diversion and Definitive Map  
and Statement Modification Order 2024

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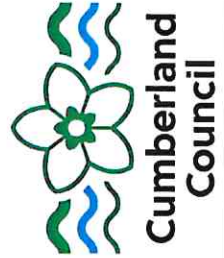
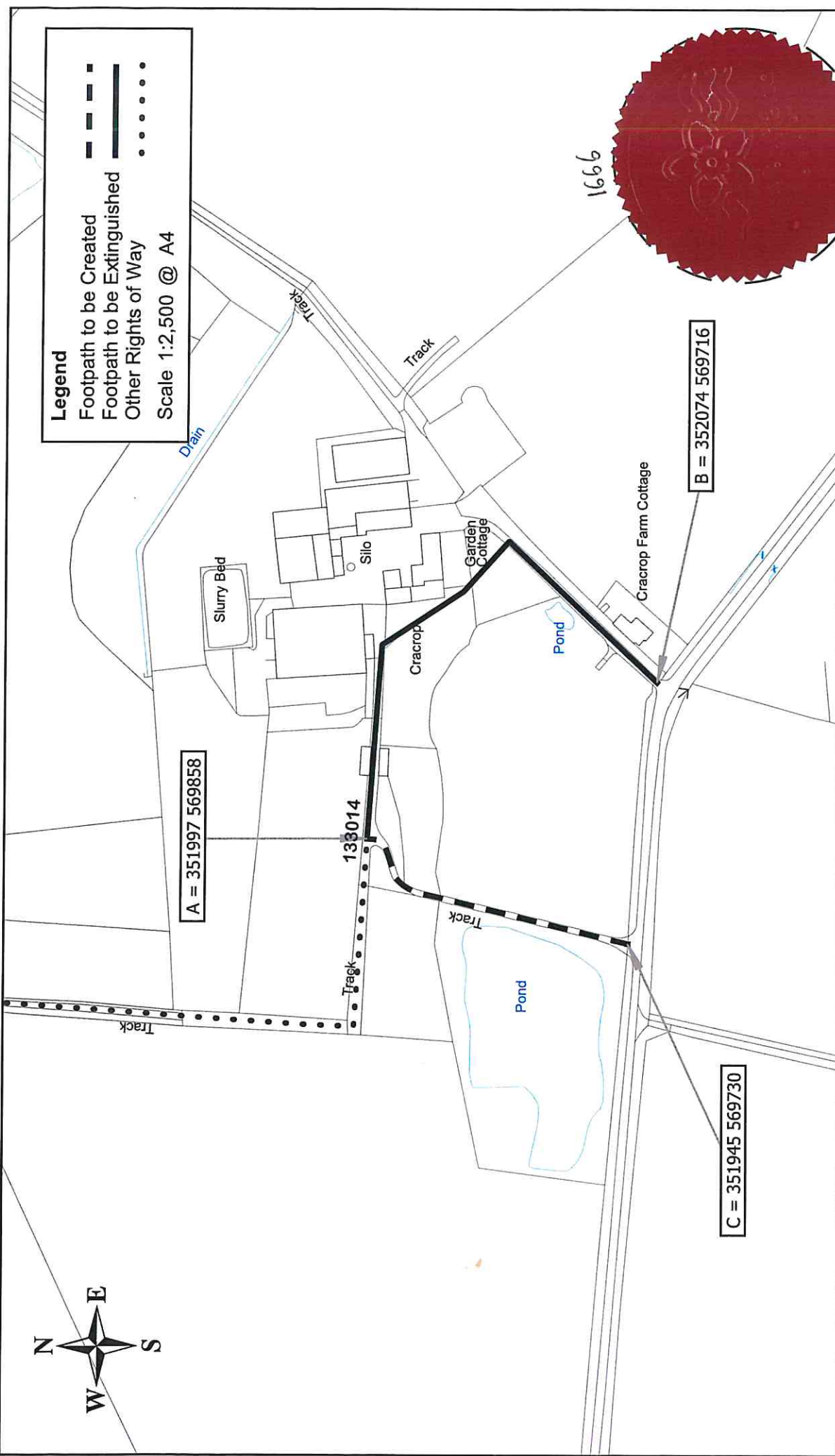
Chief Legal Officer  
Resources  
Civic Centre  
CARLISLE  
CA3 8QG



**Legend**

- Footpath to be Created 
- Footpath to be Extinguished 
- Other Rights of Way 

Scale 1:2,500 @ A4



**Public Footpath 133014 Diversion Order & Public Path Modification Order**  
**Town and Country Planning Act 1990 Section 257 &**  
**Wildlife and Countryside Act Section 53**  
**Cracrop Farm, Stapleton**

