

WILDLIFE AND COUNTRYSIDE ACT 1981

CUMBERLAND COUNCIL
(PARISH OF BLENNERHASSET AND TORPENHOW: DISTRICT OF ALLERDALE)
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER (NO 3) 2024

The Order is made by Cumberland Council ("the Authority") pursuant to Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Surveying Authority that the definitive map and statement for Cumberland require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(i) and (ii), namely, the discovery of evidence which (when considered with all other relevant evidence available to the surveying authority) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic: and that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.

The authority has consulted with every local authority whose area includes the land to which the Order relates.

The Authority hereby order that:

1. For the purposes of this Order the relevant date shall be 1 April 2024.
2. The definitive map and statement for Cumberland shall be modified as described in the Schedule and shown on the map attached to the order.
3. This Order shall have effect on the date it is confirmed and may be cited as the Cumberland Council (Parish of Blennerhasset and Torpenhow: District of Allerdale) Definitive Map and Statement Modification Order (No 3) 2024.

Dated the sixteenth day of April 2024

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


(KIM SMITH)



SCHEDULE

PART 1

Modification of the Definitive Map

Description of public rights of way to be added and modified

References on map.	Description of length of rights of way	Width
Marked with a bold broken line with small arrowheads and shown A-B	Restricted byway to be added at Whitrigg in the parish of Blennerhasset and Torpenhow from U2106 at grid reference 320243 538863 southwards along track for about 296 metres to join footpath no 208013	7 metres
Marked with a green dashed line and shown B-C	That section of footpath no 208013 in the parish of Blennerhasset and Torpenhow from grid reference 320208 538569 southwestwards along track for about 80 metres to grid reference 320150 538514 to be upgraded to restricted byway	7 metres
Marked with a bold broken line with small arrowheads and shown C-D	Restricted byway to be added at Whitrigg in the parish of Blennerhasset and Torpenhow from grid reference 320150 538514 southwards along track to join footpath no 208006	7 metres
Marked with a green dashed line and shown D-E	That section of footpath no 208006 in the parish of Blennerhasset and Torpenhow from grid reference 320112 538097 southwards along track for about 90 metres to U2107 at grid reference 320131 538010 to be upgraded to restricted byway	7 metres

PART 2
Modification of Definitive Statement New description of path or way.

Path Number	208017	Path type	restricted byway
Width	7 metres at No 3 order 2024	Length	296 metres
OS Sheet Number	NY 13 NE NY 23 NW		
Grid References	320243 538863 to 320208 538569		
Description	From U2106 approx. 285 metres northwest of Whitrigg Hall southwards along track to join path no 208013		
Limitations and Conditions	None at No 3 Order 2024		
Remarks	Added by modification order at Whitrigg 2024		

Path Number	208018	Path type	restricted byway
Width	7 metres at No 3 order 2024	Length	429 metres
OS Sheet Number	NY 13 NE NY 23 NW		
Grid References	320150 538514 to 320112 538097		
Description	From junction with path no 208013 southwards along track to join path no 208006		
Limitations and Conditions	None at No 3 Order 2024		
Remarks	Added by modification order at Whitrigg 2024		

Path Number	208006	Path type	part footpath part restricted byway
Width	7 metres at No 3 order 2024	Length	90 metres as restricted byway 800 metres as footpath
OS Sheet Number	NY 13 NE NY 23 NW		
Grid References	320131 538010 to 320112 538097 as restricted byway 320112 538097 to 319465 538346 as footpath		
Description	Starting as restricted byway from road approx. 201 metres north of entrance to Bird House north-northwestwards for about 90 metres along track and continuing west-southwestwards as footpath over Battery Lonning then northwards through field then northwestwards to parish boundary joining BW 213004 and BW 208005		
Limitations and Conditions	None at No 3 Order 2024		
Remarks	Part upgraded to restricted byway by modification order at Whitrigg 2024		

Path Number	208013	Path type	part footpath part restricted byway
Width	7 metres at No 3 order 2024	Length	242 metres as footpath 80 metres as restricted byway 362 metres as footpath
OS Sheet Number	NY 13 NE NY 23 NW		
Grid References	320442 538628 to 320208 538569 as footpath 320208 538569 to 320150 538514 as restricted byway 320150 538514 to 319800 538428 as footpath		
Description	Starting as footpath from road at Whitrigg westwards through fields to track at grid reference 320208 538569 continuing as restricted byway southwards for about 80 metres along track to grid reference 320150 538514 then continuing as footpath west-southwestwards over road to Borrowscale Lonning there joining BW 208005		
Limitations and Conditions	None at No 3 Order 2024		
Remarks	Part upgraded to restricted byway by modification order at Whitrigg 2024		

Confirmed this day of 202

Executed as a Deed by)

Affixing the Common Seal of)

CUMBERLAND COUNCIL)

in the presence of:-)

DATED

202

WILDLIFE AND COUNTRYSIDE ACT 1981

CUMBERLAND COUNCIL

(Parish of Blennerhasset and Torpenhow: District of Allerdale) Definitive Map and
Statement Modification Order (No 3) 2024

Chief Legal Officer
Resources,
Cumbria House
CARLISLE
CA1 1RZ



208002

208013

208006

1988

208006

1988

A = 320243 538863

B = 320208 538569

C = 320150 538514

D = 320112 538097

E = 320131 538010

Legend

- Restricted Byway to be Added
- Footpath to be upgraded
- Other Rights of Way

K. Smith



Wildlife and Countryside Act 1981 Section 53
Definitive Map Modification Order
Whitrigg Lonning, Whitrigg

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Scale 1:2500 @ A3

