

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

**CUMBERLAND COUNCIL (FOOTPATH NO 138058 PARISH OF WETHERAL) PUBLIC  
PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER  
2024**

This Order is made by Cumberland 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 public, it is expedient that the line of the footpath 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 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 right of way over the land situate at Collar Beck in the Parish of Wetheral 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 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 Cumberland Definitive Map shall be modified by deleting from it that public right of way.

2. There shall from the date of first publication of confirmation of this Order be a public footpath over the land situate at Collar Beck in the parish of Wetheral described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map contained in this Order and thereupon the Cumberland Definitive Map shall be modified by adding that footpath to it.
3. The Cumberland 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 Cumberland Council (Footpath No 138058 Parish of Wetheral) Public Path Diversion and Definitive Map and Statement Modification Order 2024.

Dated the 29th day of October 2024

Executed as a Deed by )

Affixing the Common Seal of )

**CUMBERLAND COUNCIL** )

In the presence of:- )



**PART 4**

**Modification of Definitive Statement**

The following shall be substituted for existing path statement

<b>Path Number</b>	138058	<b>Path type</b>	footpath
<b>Width</b>	2 metres between grid reference 342846 556490 and 342580 556490 1.2 metres between grid reference 342580 556490 and 342560 556487 2 metres between grid reference 342560 556487 and 342119 556741 at 2024 diversion	<b>Length</b>	1488 metres
<b>OS Sheet Number</b>	NY 45 NW	<b>Grid Refs.</b>	From grid reference 342898 556515 to 341726 556621
<b>Description</b>	From FP 138001 alongside the bank of the River Eden crossing footbridge over Collar Beck near its confluence then continuing along bank of River Eden to meet FP 109111 at Carlisle City Boundary		
<b>Limitations</b>	Kissing Gate conforming to the BS 5709:2018 at Grid Reference 342556 556487		
<b>Remarks</b>	Was previously numbered 138001 (144001) Diverted by Diversion Order at Collar Beck 2024		

Confirmed as an unopposed Order

This      day of                          202

Executed as a Deed by                      )

Affixing the Common Seal of            )

**CUMBERLAND COUNCIL**                )

the presence of :-                            )

**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.

<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 length of public footpath no 138058 at Collar Beck in the parish of Wetheral from grid reference 342846 556490 for about 853 metres westwards and northwestwards alongside the River Eden then west-northwestwards across fields before returning alongside the River Eden southwestwards to grid reference 342119 556741

**PART 2**

**Description of site of new path or way.**

Description of public rights of way created and added to the definitive map.

<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-E-F-G-B	A new section of public footpath no 138058 at Collar Beck in the parish of Wetheral from grid reference 342846 556490 westwards and curving southwestwards for about 284 metres bridge then over bridge tuning northwards for about 132 metres to continue along the bank of the River Eden north-northwestwards and southwestwards for a further 573 metres to grid reference 342119 556741	A-C = 2 metres throughout C-D = 1.2 metres for 21m (on bridge) D-E-F-G-B = 2 metres throughout

**PART 3**

**Limitations and Conditions**

<b>Grid Reference</b>	<b>Limiting item/s or condition/s</b>
342556 556487	Kissing gate – conforming to the BS 5709:2018.

DATED

2024

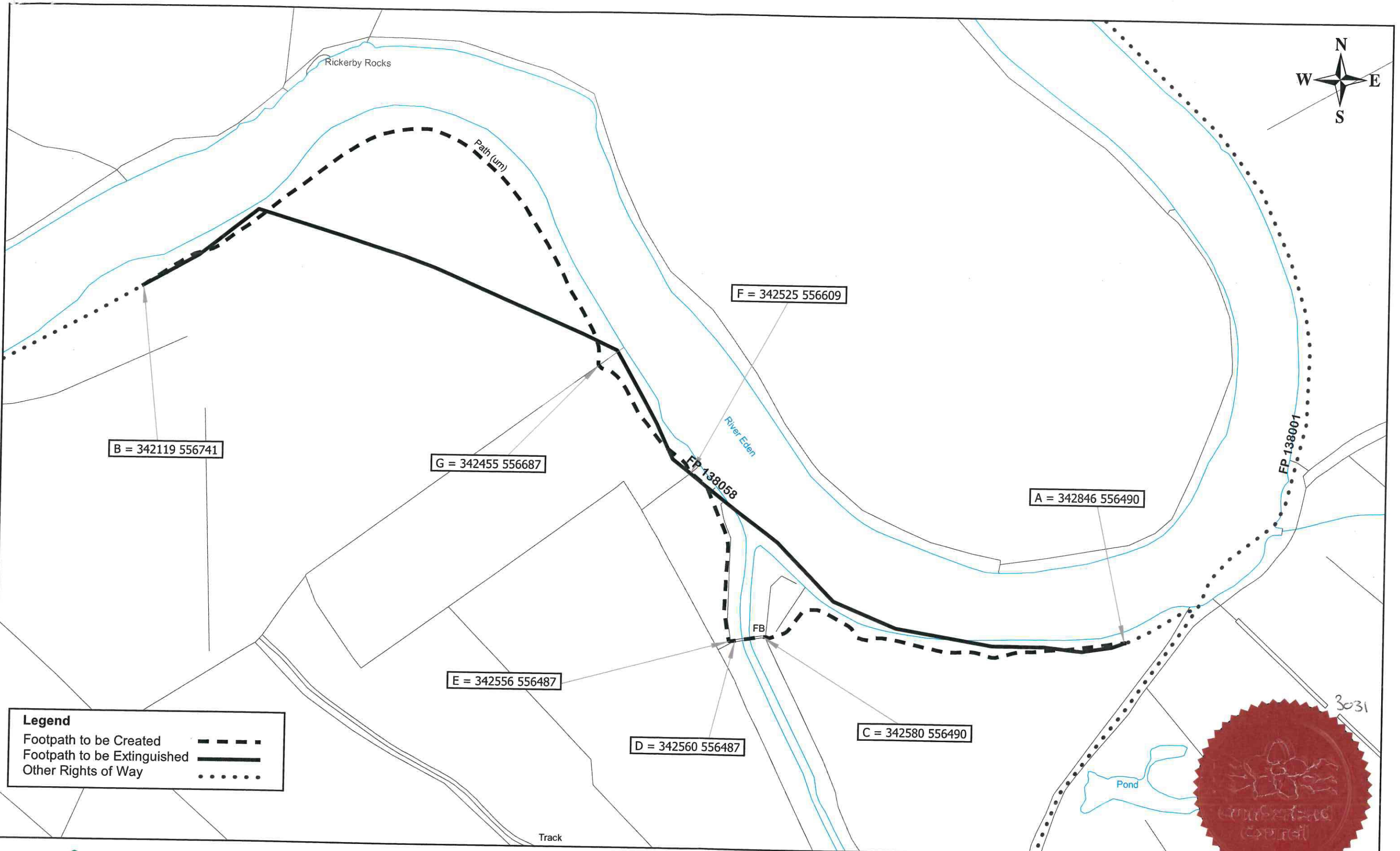
**HIGHWAYS ACT 1980  
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**CUMBERLAND COUNCIL**

(Footpath No 138058 Parish of Wetheral)  
Public Path Diversion and Definitive Map  
and Statement Modification Order 2024

Chief Legal Officer  
Resources  
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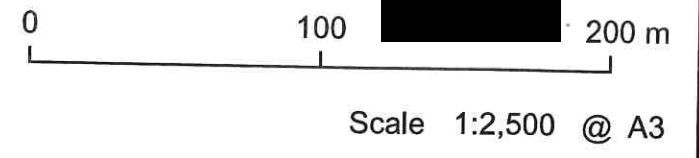




**Legend**  
 Footpath to be Created    - - - -  
 Footpath to be Extinguished    ————  
 Other Rights of Way    ······



**Public Footpath 138058 Diversion Order & Public Path Modification Order**  
**Highways Act 1980 Section 119 & Wildlife and Countryside Act Section 53**  
**Collar Beck, East of Carlisle**



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