

**Public Path Diversion and
Definitive Map Modification (Public
Footpath 279, Cadney cum
Howsham) Order 2023(1)**

**Highways Act 1980, Section 119,
and Wildlife and Countryside Act
1981, Section 53**

**North
Lincolnshire
Council**

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT ORDER

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

NORTH LINCOLNSHIRE COUNCIL

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION (PUBLIC
FOOTPATH 279, CADNEY CUM HOWSHAM) ORDER 2023(1)**

This order is made by North Lincolnshire 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 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 'County of Lincoln, Parts of Lindsey (Glanford Brigg)' 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 shown or required to be shown in the map and statement.

The owner (A N Kerr Farms Limited of Poolthorne Farm, Cadney, Brigg, DN20 9HU) 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 by the public.

There are no other councils or bodies to consult and from whom to obtain consent for the making of the order as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situated at, west, south and south east of Poolthorne Farm, Cadney, and shown by a bold continuous line on the map continued in this order and described in Part 1 of the Schedule to this order shall be stopped up after fourteen days from the date of confirmation of this order, and thereupon the 'County of Lincoln, Parts of Lindsey (Glanford Brigg)' definitive map shall be modified by deleting from it that public right of way.
2. Not applicable.

3. There shall at the end of seven days from the date of confirmation of this order be a public footpath over the land situate west, south and south east of Poolthorne Farm, Cadney, described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this order, and thereupon the 'County of Lincoln, Parts of Lindsey (Glanford Brigg)' definitive map shall be modified by adding that footpath to it.
- 3A. The 'County of Lincoln, Parts of Lindsey (Glanford Brigg)' definitive statement shall be modified as described in Part 4 of the Schedule to this order.
4. This order sets out no limitations and conditions on the public.

The **COMMON SEAL** of
NORTH LINCOLNSHIRE COUNCIL
was hereunto affixed
in the presence of:



Dated: 8th November 2023

Seal number: 11120

Authorised
Signatory
(Wul Bell)

SCHEDULE

PART 1 DESCRIPTION OF SITE OF EXISTING PATH

A – B, as indicated on the map: a 610-metre-long footpath commencing by a footbridge on the eastern side of a north-south drain at grid reference TA02630314 and proceeding eastwards to the far side of Poolthorne Farm at grid reference TA03230318.

B – C, as indicated on the map: a 235-metre-long footpath commencing within Poolthorne Farm at grid reference TA03230318 and proceeding southwards via a track to grid reference TA03270295.

C – D, as indicated on the map: a 700-metre-long footpath commencing on a track south of Poolthorne Farm at grid reference TA03270295 and proceeding over arable enclosures first eastwards for 290 metres to grid reference TA03570296 and thence southeastwards for 410 metres to its terminus ad quem on the northern bank of North Kelsey Beck at grid reference TA03950278.

PART 2 DESCRIPTION OF SITE OF NEW PATH

A – D, as indicated on the map: a 1,635-metre-long footpath of a width of two metres throughout commencing by a footbridge on the eastern side of a north-south drain at grid reference TA02630314 and proceeding southwards along the eastern side of said drain via headland for 120 metres to grid reference TA02650302; thence eastwards along a further field headland and beside a drain for 105 metres to grid reference TA02750302; thence southwards again alongside the same drain via another headland for 190 metres to grid reference TA02780283; thence eastwards via a headland along the north side of Cadney Land Drain for 915 metres to a point beside the confluence of the latter watercourse and North Kelsey Beck at grid reference TA03650271; and thence along the northern bank of the North Kelsey Beck for 305 metres to a point beside the southeast corner of a large arable enclosure south east of Poothorne Farm at grid reference TA03950278.

PART 3 LIMITATIONS AND CONDITIONS

There are no limitations or conditions.

PART 4 MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path


A 1,635-metre-long footpath of a width of two metres throughout commencing by a footbridge on the eastern side of a north-south drain at grid reference TA02630314 and proceeding southwards along the eastern side of said drain via headland for 120 metres to grid reference TA02650302; thence eastwards along a further field headland and beside a drain for 105 metres to grid reference TA02750302; thence southwards again alongside the same drain via another headland for 190 metres to grid reference TA02780283; thence eastwards via a headland along the north side of Cadney Land Drain for 915 metres to a point beside the confluence of the latter watercourse and North Kelsey Beck at grid reference TA03650271; and thence along the northern bank of the North Kelsey Beck for 305 metres to a point beside the southeast corner of a large arable enclosure south east of Poothorne Farm at grid reference TA03950278.

**Highways Act 1980, Section 119
Wildlife and Countryside Act 1981, Section 53**

**County of Lincoln – Parts of Lindsey (Glanford Brigg) Definitive
Map and Statement**

**Confirmation of Public Path Diversion and Definitive Map
Modification (Public Footpath 279, Cadney cum Howsham) Order
2023(1)**

The **COMMON SEAL** of
NORTH LINCOLNSHIRE COUNCIL
was hereto affixed
in the presence of:



(Authorised signatory)

Caroline Emerson

Seal Number: 11299

Dated: 1st May 2024

