



Newquay Town Council  
Municiple Offices  
Marcus Hill  
Newquay  
Cornwall  
TR7 1AF

**Date:** 30<sup>th</sup> October 2023  
**My ref:** HAD 289 [Newquay CP]

Dear Consultee

**Proceedings under the Highways Act 1980: Preliminary Consultation  
Proposed Revisions to Parts of Public Footpaths Newquay numbers 37, 42, 43 & 71  
at Whipsiderry in the Parish of Newquay**

**Introduction**

Cornwall Council has received an application that proposes the revision of public Footpath number 37 Newquay at Whipsiderry in the Parish of Newquay. The application is submitted to facilitate development at the Former Paradise Cove Hotel, Alexandra Road, Newquay. In addition, Cornwall council is taking a pro-active opportunity to propose revisions to a number of existing rights of way in the environs of the former Paradise Cove Hotel and beyond, including Footpaths 42 and 43 at Newquay Headland and Footpaths 37 & 71 near Watergate, in the Parish of Newquay.

The purpose of this letter is to carry out informal consultations.



## The Proposals

<b>Description of Ways to be Extinguished and Created</b>
<b>The Existing Right of Way</b>

<b>Section to be Extinguished</b>	<b>"START POINT"</b>	<b>"FINISH POINT"</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 37 Newquay	Classified Road B3276 south west of "Trevelgue Hotel" OSGR SW 8312/6311 POINT T	England Coast Path west-south-west of "Trevelgue Hotel" OSGR SW 8310/6329 POINT W	180 metres	Bold BLACK line on Map T to W

<b>Section to be Extinguished</b>	<b>"START POINT"</b>	<b>"FINISH POINT"</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 37 Newquay	England Coast Path west of "Trevelgue Hotel" OSGR SW 8320/6337 POINT X	England Coast Path north-north-west of "Trevelgue Hotel" OSGR SW 8326/6351 POINT Z	176 metres	Bold BLACK line on Map X to Z

<b>Section to be Extinguished</b>	<b>"START POINT"</b>	<b>"FINISH POINT"</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 37 Newquay	England Coast Path north-north-west of "Trevelgue Hotel" OSGR SW 8327/6355 POINT AA	England Coast Path north of "Trevelgue Hotel" OSGR SW 83361/6374 POINT AD	217 metres	Bold BLACK line on Map AA to AD

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 37 Newquay	England Coast Path west-south-west of “Trebelsue Bungalow” OSGR SW 8337/6375 POINT AE	England Coast Path west-north-west of “Trebelsue Bungalow” OSGR SW 8373/6419 POINT AF	601 metres	Bold BLACK line on Map AE to AF

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 42 Newquay	England Coast Path south-west of “Porth Beach Hotel” OSGR SW 8298/6295 POINT A	England Coast Path south-west of “Porth Beach Hotel” OSGR SW 8294/6292 POINT B	52 metres	Bold BLACK line on Map A to B

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 42 Newquay	England Coast Path west-south-west of “Porth Beach Hotel” OSGR SW 8282/6294 POINT C	England Coast Path west-south-west of “Porth Beach Hotel” OSGR SW 8273/6299 POINT E	102 metres	Bold BLACK line on Map C-E

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 42 Newquay	England Coast Path west of “Porth Beach Hotel” OSGR SW 8271/6299 POINT F	England Coast Path west of “Porth Beach Hotel” OSGR SW 8282/6309 POINT H	15 metres	Bold BLACK line on Map F to H

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 43 Newquay	England Coast Path west of “Porth Beach Hotel” OSGR SW 8271/6300 POINT H	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8288/6308 POINT K	203 metres	Bold BLACK line on Map H to K

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 43 Newquay	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8284/6309 POINT L	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8292/6306 POINT N	102 metres	Bold BLACK line on Map L to N

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 43 Newquay	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8296/6306 POINT O	Classified Road B3276 west-north-west of “Porth Beach Hotel” OSGR SW 8309/6307 POINT Q	160 metres	Bold BLACK line on Map O to Q

<b>Section to be Extinguished</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Part FP 71 Newquay	England Coast Path north of “Trevelgue Hotel” OSGR SW 8333/6361 POINT AB	England Coast Path north of “Trevelgue Hotel” OSGR SW 8333/6345 POINT AC	28 metres	Bold BLACK line on Map AB to AC

<b>The Proposed Revised Highway</b>				
<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path south-west of “Porth Beach Hotel” OSGR SW 8298/6295 POINT A	England Coast Path south-west of “Porth Beach Hotel” OSGR SW 8294/6292 POINT B	51 metres	Bold BLUE line on Map A to B
Public Footpath: Newquay CP	England Coast Path west-south-west of “Porth Beach Hotel” OSGR SW 8282/6294 POINT C	England Coast Path west-south-west of “Porth Beach Hotel” OSGR SW 8273/6299 POINT E	105 metres	Bold BLUE line on Map C to E
Public Footpath: Newquay CP	England Coast Path west of “Porth Beach Hotel” OSGR SW 8271/6299 POINT F	England Coast Path west of “Porth Beach Hotel” OSGR SW 8282/6309 POINT H	18 metres	Bold BLUE line on Map F to H
Public Footpath: Newquay CP	England Coast Path west of “Porth Beach Hotel” OSGR SW 8271/6300 POINT G	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8288/6308 POINT K	158 metres	Bold BLUE line on Map G to K

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path west of “Porth Beach Hotel” OSGR SW 8275/6299 POINT D	England Coast Path west of “Porth Beach Hotel” OSGR SW 8274/6302 POINT I	38 metres	Bold BLUE line on Map D to I

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path west of “Porth Beach Hotel” OSGR SW 8276/6303 POINT J	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8292/6306 POINT N	176 metres	Bold BLUE line on Map J to N

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8283/6308 POINT L	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8285/6308 POINT M	29 metres	Bold BLUE line on Map L to M

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path west-north-west of “Porth Beach Hotel” OSGR SW 8296/6306 POINT O	Classified Road B3276 north of “Porth Beach Hotel” OSGR SW 8309/6307 POINT R	163 metres	Bold BLUE line on Map O to R

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path north-north-west of “Porth Beach Hotel” OSGR SW 8307/6309 POINT P	England Coast Path west-south-west of “Trevelgue Hotel” OSGR SW 8310/6329 POINT W	220 metres	Bold BLUE line on Map P to W

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	Classified Road B3276 south-west of “Trevelgue Hotel” OSGR SW 8314/6317 POINT U	England Coast Path south-west of “Trevelgue Hotel” OSGR SW 8312/6317 POINT V	15 metres	Bold BLUE line on Map U to V

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path west of “Trevelgue Hotel” OSGR SW 8320/6337 POINT X	England Coast Path north-north-west of “Trevelgue Hotel” OSGR SW 8326/6351 POINT Z	258 metres	Bold BLUE line on Map X to Z

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path north of “Trevelgue Hotel” OSGR SW 8333/6361 POINT AB	England Coast Path north of “Trevelgue Hotel” OSGR SW 83361/6374 POINT AD	132 metres	Bold BLUE line on Map AB to AD

<b>Section to be Created</b>	<b>“START POINT”</b>	<b>“FINISH POINT”</b>	<b>Length of Section</b>	<b>Shown As</b>
Public Footpath: Newquay CP	England Coast Path west-south-west of “Trebelsue Bungalow” OSGR SW 8337/6375 POINT AE	England Coast Path west-north-west of “Trebelsue Bungalow” OSGR SW 8373/6419 POINT AF	266 metres	Bold BLUE line on Map AE to AF

<b>Proposed Limitations:</b>		
<b>Limitation</b>	<b>Position (OSGR)</b>	<b>Location</b>
Pedestrian Kissing Gate (4ft)	SW 8327/6345	North-north-west of “Trevelgue Hotel” at point Y

<b>Width of Revised Path</b>	<b>Details of “Definition” of Revised Path</b>
Open Path	Where the Revised Public Footpath crosses open land, the width of the path is proposed no be no less than 1.5 metres except north of Point V where the width is proposed to be no less than 3 metres to account for access to the Whipsiderry Steps.
Points P-R	Where the Revised Public Footpath lies adjacent to the boundary between Cavern Cottage and the development site (points P to R) the width of the centre line of the path is proposed to be no less than 2.0 metres from the nearest part of that boundary.
Points P-S	The part of the route between Points P to S is identified as having a width no less than 1.0 metre, which was identified by witnesses in their respective Public Path User forms in respect of the Definitive Map Modification Order application for that part of the path.



### **Information about Provided maps**

Maps are provided between 1:2000 – 1:3500 scale to illustrate the effect of the proposal sufficiently clearly for the purpose of preliminary consultations.

Any Orders would be made concurrently, and their composite effects are shown on Maps 1-3. Maps 1-3 show paths proposed to be extinguished are shown by solid bold black lines, paths proposed to be created are shown by solid bold blue lines and paths to be retained are shown by solid black lines with side bars. This plan is provided at a scale convenient for measuring by way of a scale rule.

### **Technical Matters**

Should Cornwall Council exercise its powers to make an order or orders under the powers of Highways Act 1980 then the Council would bear in mind those issues that are pertinent to both the making and confirmation of such orders.

The Council recognises that any paths created by the confirmation of proposed Orders would become highways maintainable at the public expense. The Council also recognises the provisions of Disability Discrimination legislation and attempts where possible to make paths more convenient for public use. The rights of Statutory Undertakers in respect of land where it is proposed to stop up a right of way would be preserved by the usual provisions contained in a Highways Act 1980 Order.

A Schedule of Works has been prepared that specifies those works that shall be carried out to bring any proposed paths into a fit condition for public use. This would be implemented jointly by the landowner and Cornwall Council at such time as any Order is in a position to be confirmed. However, for the purposes of this preliminary consultation, indicative works likely to be required are nominated on the attached plan.

The Council believes that it is possible for consultees to observe the sites of this proposed highway from vantage points on the present-day public path network for the purposes of consultation.

## **Conclusion**

Before Cornwall Council determines whether or not to exercise its power to make any Order as set out in the above proposals, it is helpful to consult with all interested parties to gauge the likely public response.

I am writing to seek your views and I would be grateful if you would provide comments directly to myself on the below email or postal address before **Monday 27<sup>th</sup> November 2023**.

If I do not hear from you by the above mentioned date, I will assume that you have no comment to make on the proposals.

Yours sincerely

*Emma Walker*

Mrs Emma Walker

**Countryside Access Team**

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