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Phone: 0303 123 1015 Email: equalities@southlanarkshire.gov.uk

**South Lanarkshire Council**

# Countryside (Scotland) Act 1967

# South Lanarkshire Council **Public Path Diversion Order** - Huntfield House (Quothquan) to Hillridge Farm (Biggar) Right of Way No. SL100

Whereas Andrew Knox Mccosh, residing sometime at South Wing, Huntfield, Biggar and now at Huntfield House, Shieldhill Road, Quothquan, Biggar ML12 6NA is the heritable proprietor of land crossed by the footpath shown shaded yellow, and by a broken black line, on the Map annexed and executed as relative to this Order and has satisfied South Lanarkshire Council, established under the Local Government etc. (Scotland) Act 1994 and having its main office at Council Offices, Almada Street, Hamilton, ML3 0AA (“the Council”) as Planning Authority, that it is expedient that the line of said footpath should be diverted to provide a more convenient pathway.

Now therefore, the Council, in exercise of the powers conferred on it by Section 35 of the Countryside (Scotland) Act 1967, and of all other powers enabling it in that behalf hereby makes the following Order:-

1. The public right of way over the land described in Part 1 of Schedule 1 annexed and executed as relative hereto and shown shaded yellow and by a broken black line, and lying between the points marked ‘A’ and ‘B’, on the said Map, shall be extinguished at the expiration of 28 days from the date of the making of this Order by the Council;

2. There shall be, at the expiration of 28 days from the date of the making of the Order by the Council, a footpath over the land described in Part 2 of the said Schedule 1 and shown by a dashed brown line between the points marked ‘A’ and ‘C’ on the said Map;

3. This Order is made subject to the condition that the proprietor for the time being of the ground described in the said Schedule 1 will be responsible for maintenance of the said footpath shown by a dashed brown line on the said Map, which shall also be subject to the limitations and conditions listed in Schedule 2 annexed and executed as relative hereto; and

4. This Order may be cited as The South Lanarkshire Council (Hillridge Farm to Huntfield House, Biggar) Path Diversion Order 2021:

 In witness whereof these presents, together with Schedule 1, Schedule 2 and the Map annexed hereto, are sealed with the Common Seal of the said South Lanarkshire Council and subscribed for and on its behalf by Margaret Mary Wilson, Legal Manager and Proper Officer, all at Hamilton on 25 November 2021.

# This is the schedule 1 referred to in the foregoing Public Path Diversion Order

# Part 1

# Description of land affected by existing path or way

1. All and whole that part of the Lands and Estate of Huntfield and Baitlaw in the Parish of Libberton and County of Lanark described in and disponed In the First Place by, and shown delineated in red on the plan annexed and subscribed as relative to, Disposition by James Percival Agnew and others as Testamentary Trustees therein-mentioned in favour of Bryce Knox McCosh dated 9 and 11, and recorded in the Division of the General Register of Sasines for the County of Lanark on 18, all days in November 1959; and
2. All and whole the lands lying in the Parish of Libberton, Barony of Carnwath and County of Lanark described in and disponed In the Second Place by, and shown delineated in blue on the plan annexed and subscribed as relative to, said Disposition by James Percival Agnew and others as Testamentary Trustees therein-mentioned in favour of Bryce Knox McCosh, under exception of the two areas or plots of ground in the said Parish and County shown edged in red on the Plan No. 1 annexed and subscribed as relative to Disposition by Bryce Knox McCosh in favour of Andrew Knox McCosh dated 28 December 1986 and recorded in the said Division of the General Register of Sasines on 12 January 1987.

# Part 2

# Description of land affected by new path or way

1. All and whole said part of the Lands and Estate of Huntfield and Baitlaw in the Parish of Libberton and County of Lanark described in and disponed In the First Place by, and shown delineated in red on the plan annexed and subscribed as relative to, said Disposition by James Percival Agnew and others as Testamentary Trustees therein-mentioned in favour of Bryce Knox McCosh; and
2. All and whole said lands lying in the Parish of Libberton, Barony of Carnwath and County of Lanark described in and disponed In the Second Place by, and shown delineated in blue on the plan annexed and subscribed as relative to, said Disposition by James Percival Agnew and others as Testamentary Trustees therein-mentioned in favour of Bryce Knox McCosh, under exception of the said two areas or plots of ground in the said Parish and County shown edged in red on the Plan No. 1 annexed and subscribed as relative to said Disposition by Bryce Knox McCosh in favour of Andrew Knox McCosh.

# **This is the schedule 2** referred to in the foregoing public path diversion order

# Limitations and conditions

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| **Part of footpath to which limitations and conditions specified opposite are to apply**  | **Limitations and Conditions**  |
| The footpath shown by a dashed brown line on the map annexed and executed as relative to the foregoing Order | Said footpath shall be formed, and thereafter maintained, to a standard acceptable to the Council as Planning Authority, including the installation, and repair or renewal where required, of sufficient ‘right of way’ posts; the clearing of any windblown trees; the installation and maintenance of suitable and sufficient gates; and the forming and upkeep of a 20 metres section of unsurfaced path to link to an existing forest track. |

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2021

Head of Administration

and Legal Services

Council HQ

Almada Street

Hamilton

File: GSM/CMFM-20841

FAS 4089