

THIS AGREEMENT is made the 11th day of September Two thousand and Two BETWEEN THE LAKE DISTRICT NATIONAL PARK AUTHORITY whose office is at Murley Moss Oxenholme Road Kendal in the County of Cumbria (hereinafter called "the Authority") of the one part and ENNERDALE WITH KINNISIDE PARISH COUNCIL (hereinafter called "the Parish Council") of the other part

WHEREAS:

- (1) The Parish Council is seised in fee simple in possession of (inter alia) the land described in the First Schedule hereto in the Lake District National Park ("the Land")
- (2) It is intended to dedicate public rights of way as footpaths across the Land shown by bold black dashes on the plan annexed hereto
- (3) The Cumbria County Council have consented to the dedication of the footpaths
- (4) The dedication of the footpaths is made under Section 25 of the Highways Act 1980 and in consideration of the conditions hereinafter contained

NOW IT IS HEREBY AGREED as follows:-

- 1 IN CONSIDERATION of the premises and the execution of the works hereinafter mentioned and the agreements and conditions hereinafter contained the Parish Council HEREBY dedicate for use by the public for the purpose of footpaths the three strips of land one decimal point eight metres (1.8 m) in width shown by lines of bold black dashes on the plan annexed hereto and described in the Second Schedule hereto
- 2 THE Parish Council shall if called upon by the Authority but at the sole expense of the Authority prove title to the said strip of land as beneficial owners in fee simple
- 3 THE Authority shall make and thereafter maintain to a suitable condition a surface

to the footpath sufficient for the passage of pedestrians

- 4 THE Authority will at its own expense provide such signs and (subject as hereinafter provided) gates and carry out such works to the footpath as the Authority considers necessary PROVIDED ALWAYS and it is hereby agreed between the parties hereto that nothing in this agreement shall require the Authority to maintain repair or renew the said footpath to a standard in excess of that required by the Authority acting as a statutory highway authority under the terms of an Agency Agreement made pursuant to Section 101 of the Local Government Act 1972 between the Cumbria County Council of the one part and the Authority of the other part and dated fifteenth day of August One thousand Nine hundred and Ninety seven
- 5 The footpaths hereby dedicated shall be subject at all times to the limitations and conditions described in the Third Schedule hereto

AS WITNESS whereof the Authority and the Parish Council have caused their respective Common Seals to be hereunto affixed the day and year first before written

THE FIRST SCHEDULE

ALL THOSE strips of land respectively 420 metres 590 metres 220 metres in length and 1.8 metres in width situate at Cold Fell and Swinside in the Parish of Ennerdale with Kinniside in the County of Cumbria as shown on the plan annexed hereto by a line of bold black dashes extending between points A and B C and D(i) and G and H

THE SECOND SCHEDULE

| Section of footpath as indicated on map | Description of site of new footpath | Width |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Marked with bold black dashes and shown A-B | Commencing at Point A (grid reference NY 0616 1439) at the northern boundary of Kinniside Common and proceeding generally northwards, west of and parallel to the C4004 county road, for approximately 420 metres to Point B (grid reference NY 0622 1479) where it meets the road | 1.8 m |
| Marked with bold black dashes and shown C-D(i) | Commencing at Point C (grid reference NY 0622 1481) and proceeding generally northwards, west of and parallel to the C4004 county road, for approximately 590 metres to Point D(i) (grid reference NY 0635 1538) where it re-joins the road | 1.8 m |
| Marked with bold black dashes and shown G-H | Commencing at Point G (grid reference NY 0651 1562) and proceeding firstly east and then north eastwards, to the north of and parallel to the C4004 county road, for approximately 220 metres to Point H (grid reference NY 0670 1571) where it re-joins the road | 1.8 m |

THE THIRD SCHEDULE

Limitations and conditions

Section A-B

Gate at grid reference NY 0601 1439

Gate at grid reference NY 0618 1449

Gate at grid reference NY 0621 1470

Gate at grid reference NY 0622 1479

Section C-D

Gate at grid reference NY 0622 1481

Gate at grid reference NY 0627 1507

Gate at grid reference NY 0629 1520

Gate at grid reference NY 0631 1533

Section G-H

Gate at grid reference NY 0651 1562

Gate at grid reference NY 0664 1565

Gate at grid reference NY 0670 1571

THE COMMON SEAL of THE LAKE)
DISTRICT NATIONAL PARK)
AUTHORITY was hereunto affixed)
in the presence of:)



AUTHORISED SIGNATORY

RF

EXECUTED AS A DEED by
ENNERDALE WITH KINNISIDE
PARISH COUNCIL

)
)
)



Chairman/~~Member~~

Witness Signature
Name (in caps)
Address

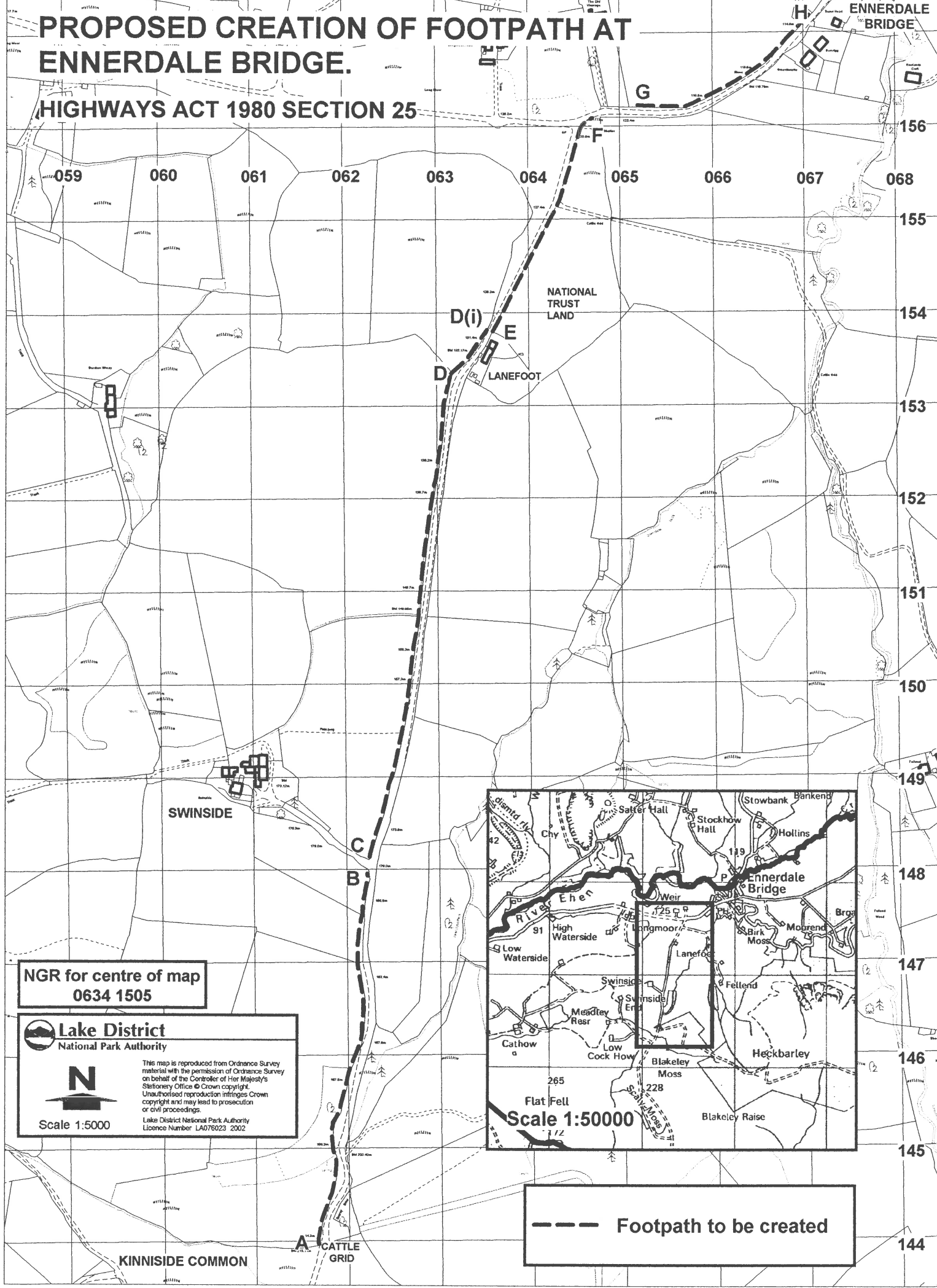
J. Holmes
J. HOLMES
1 POST OFFICE ROW, ENNERDALE
CLEATOR, CUMBRIA CA23 3AR

Occupation

Retired Deputy Head Teacher

PROPOSED CREATION OF FOOTPATH AT ENNERDALE BRIDGE.

HIGHWAYS ACT 1980 SECTION 25



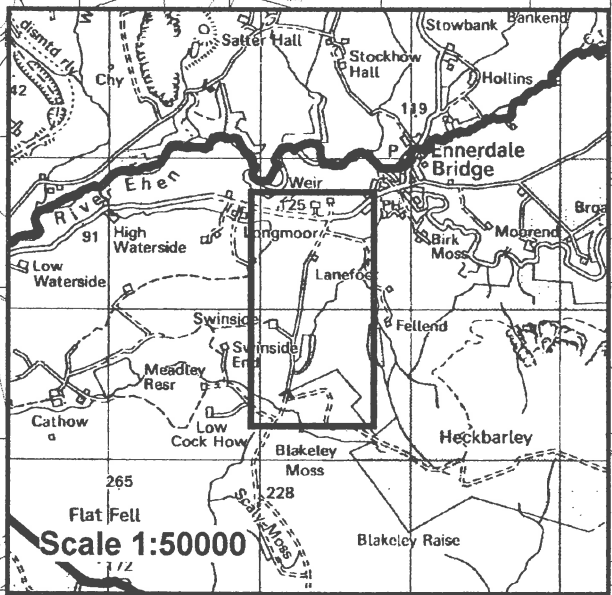
NGR for centre of map
0634 1505

Lake District
National Park Authority

N

Scale 1:5000

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Lake District National Park Authority
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--- Footpath to be created

DATED 11 September, 2002

THE LAKE DISTRICT NATIONAL PARK
AUTHORITY

and

ENNERDALE WITH KINNISIDE PARISH
COUNCIL

DEDICATION AGREEMENT

relating to a footpath at Cold Fell and Swinside
in the County of Cumbria

File Ref: 1412.407.01

Minute Ref:

Muniment Room No: AM15 (B) 27

Solicitor
Lake District National Park Authority
Murley Moss
Oxenholme Road
KENDAL
Cumbria

/HMc