

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER**

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

**THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO. 008 KEARSLEY (PART))
PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

This Order is made by the Borough Council of Bolton ("the Authority") under Section 119 of the Highways Act 1980 ("the 1980 Act"). 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 that it is expedient that the line of the path 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 Definitive Map and Statement of the Public Rights of Way for the Borough Council of Bolton 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.

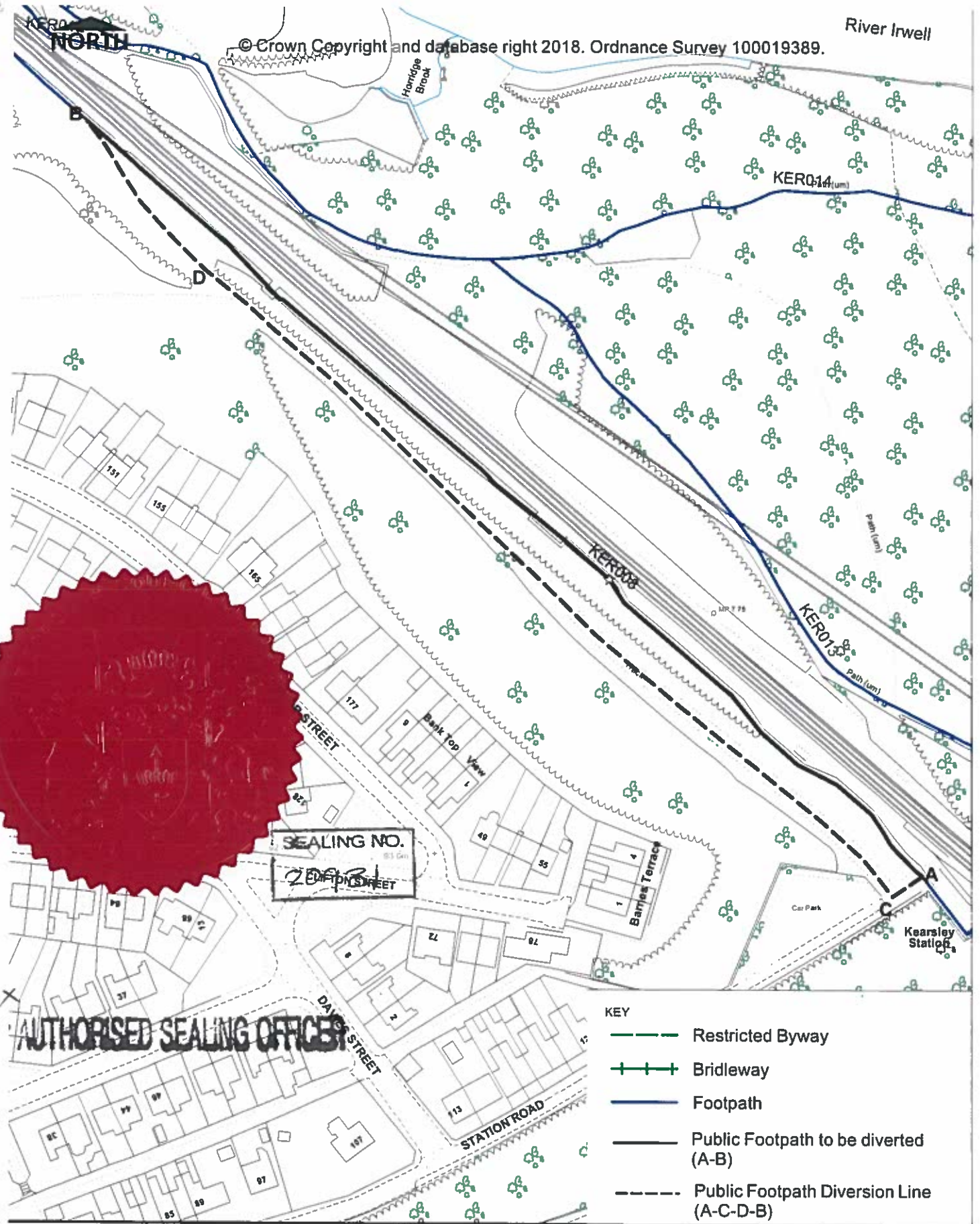
Network Rail, Square One, 4 Travis Street, Manchester, M1 2NY has agreed to defray any compensation which becomes payable in consequence of (1) the coming into force of this Order and (2) any expenses which are incurred in the erection of the fencing and bringing the new site of the footpath into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land which is situated to the west of Kearsley Station, Stoneclough Road, Kearsley BL4 8DU and shown by a bold black continuous line on the map contained in this order and described in Part 1 of the Schedule to this order shall be stopped up as from the date the 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 Borough Council of Bolton definitive map shall be modified by deleting from it that public right of way.
2. Notwithstanding this Order all statutory undertakers shall continue to have existing rights of access to and egress from any apparatus equipment and plant accessible over the land referred to in Part 1 of the Schedule.
3. There shall at the end of 21 days from the date of confirmation of this order be a footpath over the land situate to the west of Kearsley Station, Stoneclough Road, Kearsley BL4 8DU described in Part 2 of the Schedule and shown by a bold black broken line on the map contained in this Order, and thereupon the Borough Council of Bolton Definitive Map shall be modified by adding that path to it.
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.
5. The Definitive Statement of the Public Rights of Way for the Borough Council of Bolton shall be modified as described in Part 4 of the Schedule.

River Irwell

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- KEY**
- Restricted Byway
 - Bridleway
 - Footpath
 - Public Footpath to be diverted (A-B)
 - Public Footpath Diversion Line (A-C-D-B)

Bolton Council

HIGHWAY AND ENGINEERING DIVISION
PUBLIC RIGHTS OF WAY

THE BOROUGH COUNCIL OF BOLTON
Public Footpath Kearsley 008 (part) Diversion Order and
Definitive Map Modification Order - HA 1980 & WCA 1981

DIRECTORATE OF PLACE
Gerald Brough BSc (Hons) MBA, Dip M
Director of Place
Town Hall, Victoria Square, Bolton, BL1 1RU

Date	Scale	Drawn	Drng. No.
28/11/2018	1:1500	AS	1Ker008ThePlan

Schedule

Part 1

Description of site of existing path or way

Public Footpath No. Kearsley 008 situated to the west of Kearsley Station, Stoneclough Road, Kearsley BL4 8DU commencing from point A at grid reference SD375241 405346 in a generally north westerly direction to point B at grid reference SD374983 405577 for a distance of approximately 348 metres as shown by the continuous bold black line between points A-B on the Order Plan of a width of 2.0 metres throughout over a natural surface.

Part 2

Description of site of new path or way

Public Footpath No. Kearsley 008 commencing from a new line from point A at grid reference SD375241 405346 in a generally south-west by westerly direction to point C at grid reference SD375232 405340 for a distance of approximately 11 metres then running in a generally north westerly direction to point D at grid reference SD375020 405531 for a distance of approximately 286 metres then curving in a generally north-west by northerly direction to point B at grid reference SD374983 405577 for a distance of approximately 59 metres as shown by the bold black broken line between points A-C-D-B on the Order Plan over a total distance of approximately 356 metres. The width between points A-C-D-B will be 3.0 metres throughout over a natural surface except between grid reference SD375241 405346 & SD375225 405348, bitmac.

Part 3

Limitations and Conditions

None

Part 4

Modification of the definitive statement

Variation of particulars of path or way

District: Kearsley

Path/Way Number: Public Footpath Kearsley 008

Amend the existing statement entry with the following: Replace "via south side of Kearsley Station" with "to grid reference SD375241 405346 on the south side of Kearsley Station then running in a generally south-west by westerly direction to grid reference SD375232 405340 for a distance of approximately 11 metres then running in a generally north westerly direction to grid reference SD375020 405531 for a distance of approximately 286 metres then curving in a generally north-west by northerly direction for approximately 59 metres to grid reference SD374983 405577 then running in a generally north westerly direction for a distance of approximately 29 metres

Total Length: 642 metres.

Width: Between grid reference SD375241 405346 and SD374983 405577; 3.0 metres throughout.

Surface Type: Between grid reference SD375241 405346 and SD375225 405348; bitmac. Between SD375225 405348 and SD374983 405577; natural.

THE BOROUGH COUNCIL OF BOLTON

HIGHWAYS ACT 1980 AND WILDLIFE AND COUNTRYSIDE ACT 1981

NOTICE OF OPERATION

**THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO.008 KEARSLEY
(PART)) PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

The Borough Council of Bolton declared the above-mentioned Order operative on the 6th June 2019

H Gorman
Borough Solicitor
Town Hall
Bolton, BL1 1RU (LS/GH/076410)



x *S. Hynes*
AUTHORISED SEALING OFFICER

SEALING NO.
20931