

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990
WILDLIFE AND COUNTRYSIDE ACT 1981

THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO. 043
TURTON BRADSHAW SOUTH (PART) PUBLIC PATH DIVERSION ORDER AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2018

This order is made by The Borough Council of Bolton ("the Authority") under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely: Re-development and extension to former clubhouse to create 6 No residential dwellings together with new access road, provision of 12 parking spaces, boundary fencing and diversion of public footpath (Planning Permission 00510/1).

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 Definitive Map and Statement.

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map ("the Order Plan") and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted and the Definitive Map and Statement of Public Rights of Way for the Authority shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of the Authority an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which the Authority certify that the terms of paragraph 2 above have been complied with and upon the occurrence of the diversion of the footpath the Definitive Map and Statement of the Public Rights of Way for the Authority shall be modified by deleting from it the path referred to in paragraph 1 of this Order and the path referred to in paragraph 2 of this Order shall be added to it and the Definitive Map and Statement shall be modified as described in Part 4 of this schedule.
4. The following works shall be carried out in relation to the highway described in Part (2) of the Schedule:
Construct a stone path using 40mm crushed aggregate.
5. Bolton Open Golf & Leisure Ltd is hereby required to pay for the cost of carrying out the said works specified in paragraph 4 of this order.
6. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

**THE COMMON SEAL of
THE BOROUGH COUNCIL OF
BOLTON** was hereto affixed

On the 7th day of February 2018

In the presence of:-



Aileen Gorman

Authorised Sealing Officer

SEALING NO.
20203

SCHEDULE

PART 1

Description of site of existing path or way

Public Footpath No. 043 Turton Bradshaw South which lies within the former Bolton Open Golf Club site on the west side of Longsight Lane, Harwood, Bolton, BL2 4JX commencing from point A off Longsight Lane at grid reference SD373939 411458 in a generally south westerly direction to point B at grid reference SD373930 411446 for a distance of approximately 14 metres then running in a generally south west by westerly direction to point C at grid reference SD373871 411400 for a distance of approximately 76 metres as shown by the continuous bold black line between points A-B-C on the Order Plan over a total distance of approximately 90 metres and at a width of 1.5 metres throughout.

PART 2

Description of site of alternative highway

Public Footpath No. 043 Turton Bradshaw South which lies within the former Bolton Open Golf Club site on the west side of Longsight Lane, Harwood, Bolton, BL2 4JX commencing from a new line from point A off Longsight Lane at grid reference SD373939 411458 leading in a generally south by easterly direction to point D at grid reference SD373943 411437 for a distance of approximately 22 metres then running in a generally west south westerly direction to point C at grid reference SD373871 411400 for a distance of approximately 82 metres as shown by the bold black dashes between points A-D-C on the Order Plan over a total distance of approximately 104 metres. The width between points A-D-C will be 1.8 metres throughout over a stone surface.

PART 3

Limitations and Conditions

None

PART 4

**Modification of the definitive statement.
Particulars to be varied within the definitive statement.**

District: Turton Bradshaw South

Path/Way Number: Public Footpath Turton Bradshaw South 043

Amend the existing statement entry with the following: Replace "Crooks Fold" with "grid reference SD373939 411458 leading in a generally south by easterly direction to grid reference SD373943 411437 for a distance of approximately 22 metres with houses on its western side then running in a generally west south westerly direction to grid reference SD373871 411400 for a distance of approximately 82 metres with houses on its northern side".

Total Length: 1261 metres.

Width: Between grid reference SD373939 411458 and SD373871 411400; 1.8 metres throughout.

Surface Type: Between grid reference SD373939 411458 and SD373871 411400; stone.



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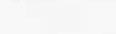
f Driving Range

Club House

Aileen Gorman
AUTHORISED SEALING OFFICER

SEALING NO.
20203

KEY

-  Restricted Byway
-  Bridleway
-  Footpath
-  Public Footpath Turton Bradshaw South 043 to be closed (A-B-C)
-  Public Footpath Turton Bradshaw South 043 to be created (A-D-C)

Bolton Council

HIGHWAY AND ENGINEERING
DELIVERY SERVICES
PUBLIC RIGHTS OF WAY

THE BOROUGH COUNCIL OF BOLTON
Public Footpath Turton Bradshaw South 043 (part) Diversion
Order Section 257 Town and Country Planning Act 1990

ENVIRONMENTAL SERVICES

Stephen Young BA(Hons) DMS MBA
Director of Place
The Wellsprings. Civic Centre. Bolton. BL1 1US

Date
11/12/2017

Scale
1:1000

Drawn
AS

Drg. No.
1Tbs043 The Plan

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

**TOWN AND COUNTRY PLANNING ACT 1990
WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO.43 TURTON
BRADSHAW SOUTH (PART)) PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP
AND STATEMENT MODIFICATION ORDER 2018**

Confirmed as an unopposed order on 16th May 2018

THE COMMON SEAL of THE
BOROUGH COUNCIL OF BOLTON
was hereunto affixed on
the 16th day of May 2018 in the presence of:



Aileen Gorman

Authorised Sealing Officer

SEALING NO.

20385

TOWN AND COUNTRY PLANNING ACT 1990
WILDLIFE AND COUNTRYSIDE ACT 1981

**THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO.043 TURTON
BRADSHAW SOUTH (PART)) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER 2018**

Confirmed as an operative order on 10th August 2018

THE COMMON SEAL of THE
BOROUGH COUNCIL OF BOLTON
was hereunto affixed on
the 15th day of August 2018 in the presence of:



Aileen Gorman

SEALING NO.
20543

Authorised Sealing Officer