

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

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A(2)**

**THE BOLTON (PUBLIC FOOTPATH NO 384 BOLTON) PUBLIC PATH DIVERSION
AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2013**

This Order is made by the Borough Council of Bolton 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 111 of the Town and Country Planning Act 1990) namely: for the erection of an all-in-vessel composting facility (Planning Permission 86862/11)

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 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 hitherto shown or required to be shown in the Definitive Map and Statement.

BY THIS ORDER:

1. The public footpath over the land shown by a bold black line on the attached map 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 Borough Council of Bolton shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of the Borough Council of Bolton 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 Borough Council of Bolton certify that the terms of Article 2 have been complied with and upon the occurrence of that diversion the Definitive Map and Statement of the Public Rights of Way for the Borough Council of Bolton 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 Statement shall be modified as described in Part 3 of the Schedule.
4. Where immediately before the date on which the footpath is diverted if there are any apparatus under, in on, over, along, across it belonging to statutory undertakers for the purpose of carrying on their undertaking, then the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of site of existing path or way

Public Footpath No. 384 Bolton, on land to the north and west of the former CMP Excide Batteries Ltd., site at Salford Road, Bolton, running from Point A approximately 23 metres to the south-east of the existing access road to the site off Salford Road, at grid reference SD 370510 404902 for a distance of approximately 177 metres to Point B, then for approximately 173 metres in a south-south-west direction to a point C at grid reference SD 370340 404608.

PART 2

Description of alternative highway

Public Footpath No. 384 Bolton, on land to the north and west of the former CMP Excide Batteries Ltd., site at Salford Road, Bolton, from Point D on the footway of Salford Road, on the north side of the access road, at its junction with Salford Road to the site, at approximately grid reference SD 370489 404932 for a distance of approximately 113 metres in a generally south-west direction to Point E at approximately grid reference SD 370406 404856 along a made surface at a width of 1.5 metres, then for a distance of approximately 55 metres in a generally south-west direction to a Point F at approximately grid reference SD 370367 404818 along a natural surface at a width of 1.2 metres, then for a distance of approximately 98 metres in a generally south direction to Point G at approximately grid reference SD 370375 404722 along a natural surface at a width of 1.2 metres, then for a distance of approximately 94 metres in a generally south-south-west direction to Point H on the east bank of Cutacre Brook at approximately grid reference 370342 404636 along a natural surface and at a width of 1.2 metres.

PART 3

Modification of Definitive Statement

The footpath commences on the footway of Salford Road and runs in a south-west direction on the north side of an access road on a made surface for approximately 168 metres with a width of 1.5 metres. The path continues in a generally southerly direction following the toe of an embankment for approximately 271 metres with a width of 1.2 metres on a natural surface to its end, meeting a permissive path running parallel to and east of Cutacre Brook. The path has a total length of 361 metres.

THE COMMON SEAL of THE BOROUGH
COUNCIL of BOLTON was hereunto affixed
on the 8th day of April 2013 in the presence of:

by

Aileen Gorman

Authorised Sealing Officer



SEALING
16487

*Confirmed by Bolton Borough Council on
22nd May 2013*

Aileen Gorman

Borough Solicitor.

*Bolton Borough Council declared this Order
(LS/DH 03.13) operative on the 17th January 2014*

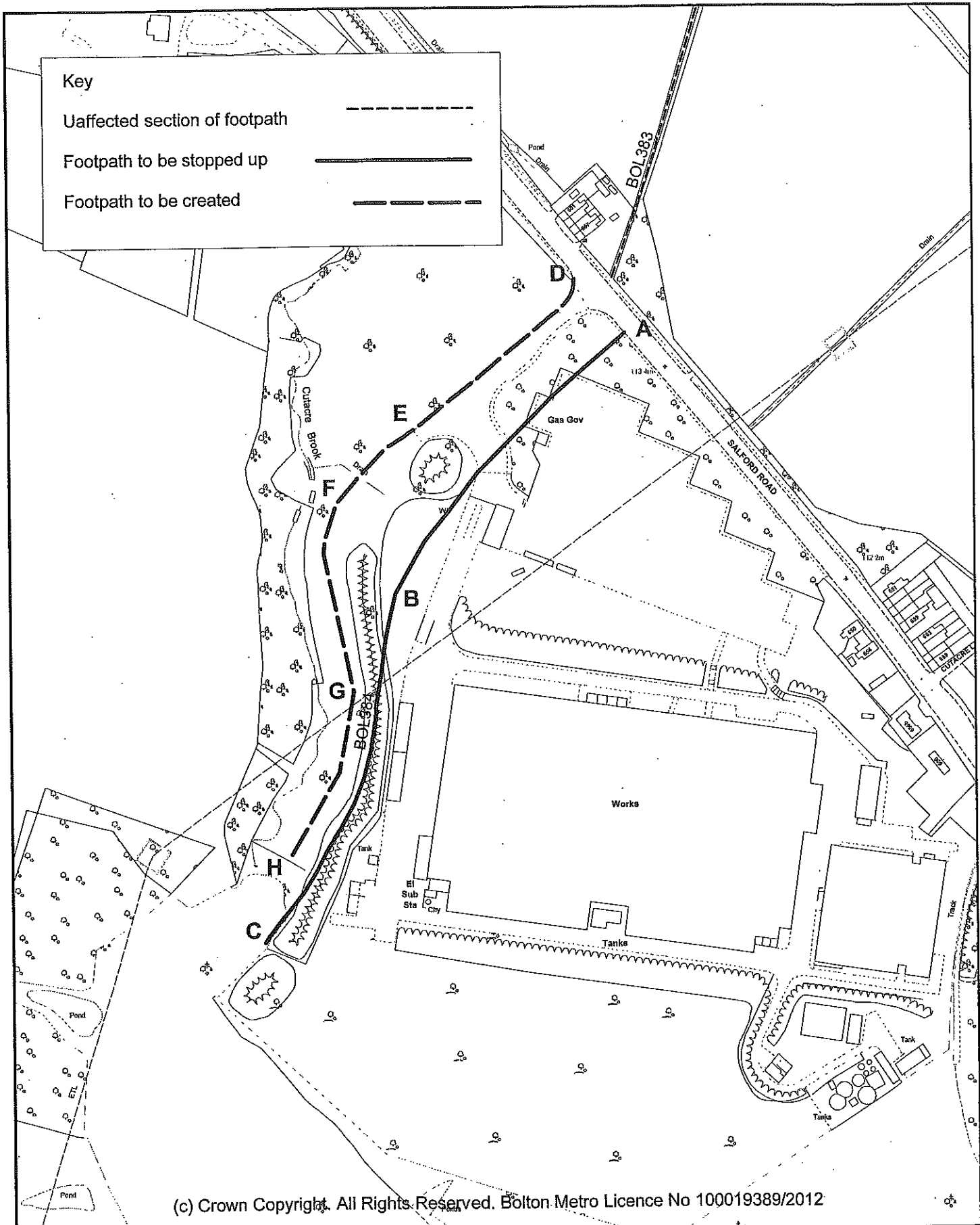
Aileen Gorman
Borough Solicitor

Key

Unaffected section of footpath ————

Footpath to be stopped up —————

Footpath to be created - - - - -



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Bolton Council

**DRAINAGE AND BRIDGE
MAINTENANCE
DELIVERY SERVICES**

ENVIRONMENTAL SERVICES

Molom J. Cox, MBA, BSc, C Eng, MICE
Director of Environmental Services
The Wellsprings, Civic Centre, Bolton, BL1 1US

The Borough Council of Bolton Public Footpath Bolton 384 Diversion Combined Order
Section 257 Town and Country Planning Act 1990 and
Section 53(a)(2) Wildlife and Countryside Act 1981
Order Plan

Date	Scale	Drawn	Drg. No.
07/01/2013	1 : 2500		BOL384 - Order Plan