

**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 BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO. 393 BOLTON)  
PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2014**

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 III of the Town and Country Planning Act 1990) namely: use as a manufacturing facility with an offices and outbuilding (Planning Permission 90539/13)

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(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 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 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 to this Order and shown by bold black dashes on the attached plan.
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 of this Order have been complied with and upon the occurrence of that 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 to this Order.
4. Where immediately before the date on which the footpath is diverted if there any apparatus under, in, on, over, along, across, 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.393 Bolton situated within the former Cutacre Open Cast Mining Site, south of the A6, Salford Road, Bolton, commencing from its junction with Restricted Byways No. 392 and No. 396 Bolton (Back Lane), Point A at grid reference SD 369918 404914 in a generally west by northerly direction to its junction with Restricted Byways No. 391 and No. 394 Bolton (Rosemary Lane) Point B at grid reference SD 369675 404938 as shown by the continuous bold black line on the Order Plan, over a total distance of approximately 256 metres and a width between Points A and B of 0.6 metres.

### PART 2

Public Footpath No. 393 Bolton situated within the former Cutacre Open Cast Mining Site, south of the A6, Salford Road, Bolton, from a new line commencing from Point C at grid reference SD 369937 404999 in a generally west north westerly direction to its junction with Restricted Byways No. 391 and No. 394 Bolton (Rosemary Lane) Point D at grid reference SD 369686 405094 as shown by the bold black dashes on the Order Plan, over a total distance of approximately 270 metres over a hard standing surface and at a width between Points C and D of 2 metres throughout.

#### Limitations

No limitations

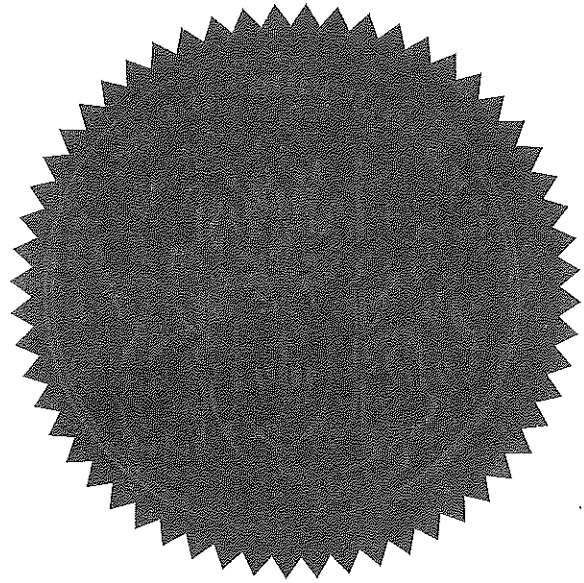
### PART 3

#### **Modification of Definitive Statement**

#### **Particulars to be varied within the definitive statement**

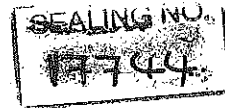
Replace "Starts on Rosemary Lane and runs east over stepping stile with hedge on left hand side to end with stepping stile at Back Lane" with "The footpath commences from the main access road at grid reference SD 369937 404999 and leads in a generally north westerly direction to its junction with Restricted Byways No. 391 and No. 394 Bolton (Rosemary Lane) at grid reference SD 369686 405094".

THE COMMON SEAL of THE BOROUGH  
COUNCIL of BOLTON was hereunto affixed  
on the 9<sup>th</sup> day of April 2014 in the presence of:



Authorised Sealing Officer

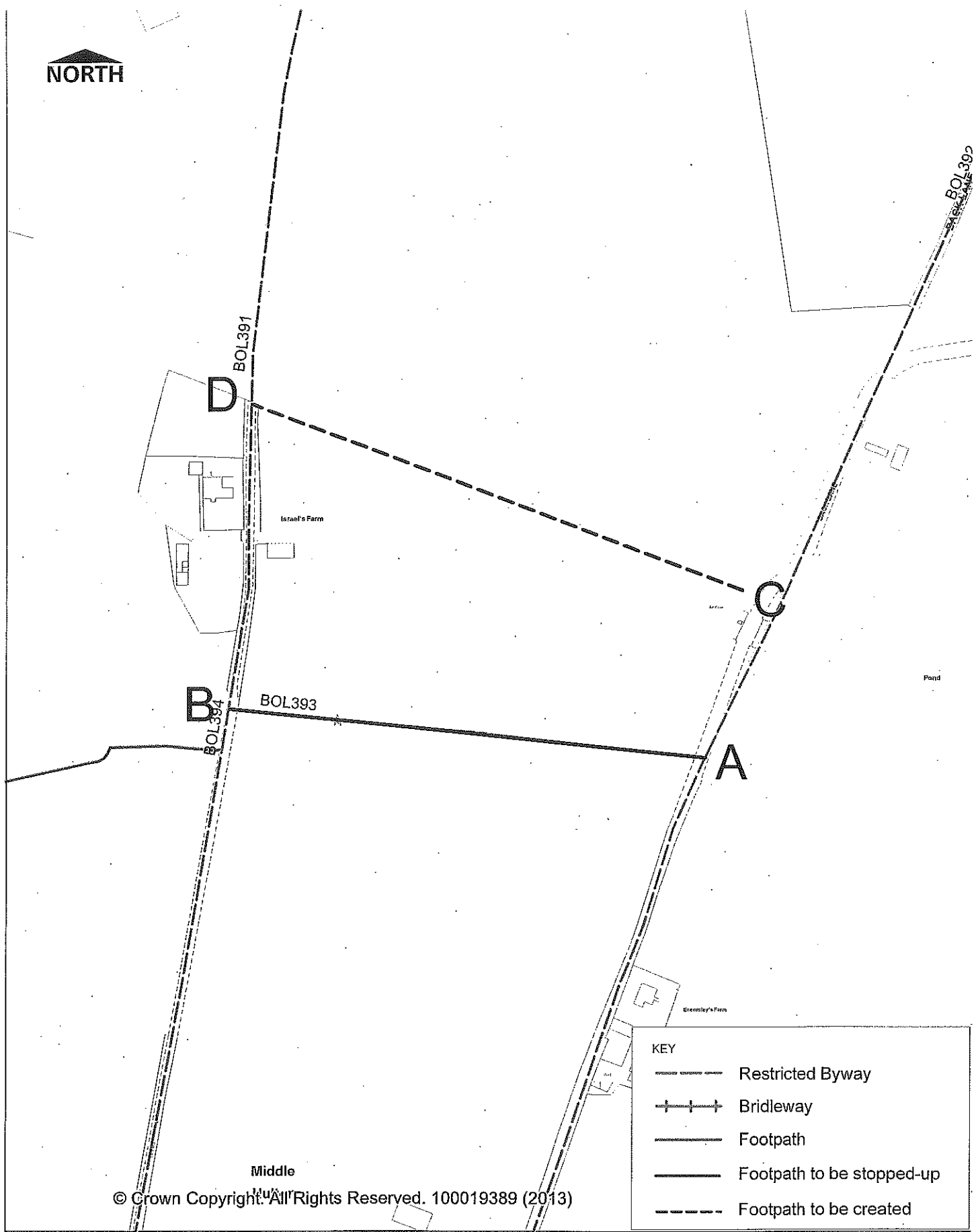
*Aileen Gorman*



Public Footpath No 393 Bolton confirmed on  
27<sup>th</sup> May 2014.

*Aileen Gorman*

*Borough Solicitor*



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KEY	
	Restricted Byway
	Bridleway
	Footpath
	Footpath to be stopped-up
	Footpath to be created

**Bolton Council**  
 HIGHWAY AND ENGINEERING  
 DELIVERY SERVICES  
 PUBLIC RIGHTS OF WAY

**ENVIRONMENTAL SERVICES**  
 Malcolm 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 393 Diversion Order  
 Section 257 Town and Country Planning Act 1990

Date	Scale	Drawn	Drg. No.
17/03/2014	1:2500	AS	1Bol393 The Plan