

# **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. 151 BOLTON (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: the erection of a two storey building comprising research and development centre, office and staff facilities together with associated landscaping (Planning Permission 98049/16).

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 Authority 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 Statement shall be modified as described in Part 4 of the Schedule.
4. The following works shall be carried out in relation to the highway described in part 2 of the schedule: construct asphalt with PCC flat top edging path.
5. Warburtons Ltd is hereby required to pay for the costs 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 any apparatus under, in, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the rights in respect of the apparatus as they then had.

#### **SCHEDULE**

##### **PART 1**

##### **Description of site of existing path**

Public Footpath No. 151 Bolton situated south of Warburtons Bakery; Waters Meeting Road, Bolton BL1 8HJ commencing from Waters Meeting Road point A at grid reference SD371932 410568 in a generally north westerly direction to point B at grid reference SD371923 410577 for a distance of approximately 13 metres then running in a generally south west by westerly direction to point C at grid reference SD371906 410565 for a distance of approximately 20 metres then running in a generally west by northerly direction to point D at grid reference SD371886 410566 for a distance of approximately 21 metres then running in a generally south by westerly direction to point E at grid reference SD371885 410563 for a distance of approximately 3 metres then running in a generally west south westerly direction to Hereford Street point F at grid reference SD371847 410549 for a distance of approximately 41 metres as shown by the continuous bold black line between points A-B-C-D-E-F on the Order Plan over a total distance of approximately 98 metres and at a width of 2.8 metres throughout.

## **PART 2**

### **Description of site of alternative highway**

Public Footpath No. 151 Bolton situated south of Warburtons Bakery; Waters Meeting Road, Bolton BL1 8HJ commencing from a new line from point A at grid reference SD 371932 410568 curving in a generally west by northerly direction to point G at grid reference SD 371927 410566 for a distance of approximately 6 metres then running in a generally south west by westerly direction to point H at grid reference SD 371911 410553 for a distance of approximately 21 metres then running in a generally south-south easterly direction to point I at grid reference SD 371914 410547 for a distance of approximately 7 metres then running in a generally south west by southerly direction to point J at grid reference SD 371879 410490 for a distance of approximately 67 metres then running in a generally west by southerly direction to point K at grid reference SD 371853 410486 for a distance of approximately 26 metres then running in a generally northerly direction to Hereford Street point L at grid reference SD 371843 410547 for a distance of approximately 64 metres as shown by the bold black dashes between points A-G-H-I-J-K-L on the Order Plan over a total distance of approximately 191 metres. The width between points A-G-H-I-J-K-L will be 1.8 metres throughout over an asphalt surface.

## **PART 3**

### **Limitations and Conditions**

None

## **PART 4**

### **Modification of the definitive statement**

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

**District: Bolton**

**Path/Way Number: Public Footpath Bolton 151**

**Particulars to be varied:**

**Replace** "Footbridge over railway then sleeper fence to left hand side and wire fence to right hand side. Ends in Blackbank Street" **with** "at grid reference SD371932 410568 curving in a generally west by northerly direction to grid reference SD 371927 410566 for a distance of approximately 6 metres then running in a generally south west by westerly direction across the access road utilising the dropped kerbs to grid reference SD 371911 410553 for a distance of approximately 21 metres then turning and running in a generally south-south easterly direction with the footway on the eastern side to grid

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reference SD 371914 410547 for a distance of approximately 7 metres then turning and running in a generally south west by southerly direction with the footway on the south eastern side to grid reference SD 371879 410490 for a distance of approximately 67 metres then turning and running in a generally west by southerly direction with footway on the southern side to grid reference SD 371853 410486 for a distance of approximately 26 metres then turning and running in a generally northerly direction with footway on the western side for a distance of approximately 64 metres to its end at Hereford Street at grid reference SD 371843 410547".

**Total Length:** 345 metres.

**Width:** 1.8-2.4 metres.

**Surface Type:** Stone/Asphalt.

**THE COMMON SEAL of THE BOROUGH  
COUNCIL of BOLTON was hereunto affixed  
on the 22<sup>nd</sup> day of January 2018 in the presence of:**



*Aileen Gorman*

Authorised Sealing Officer

SEALING NO.  
20,182



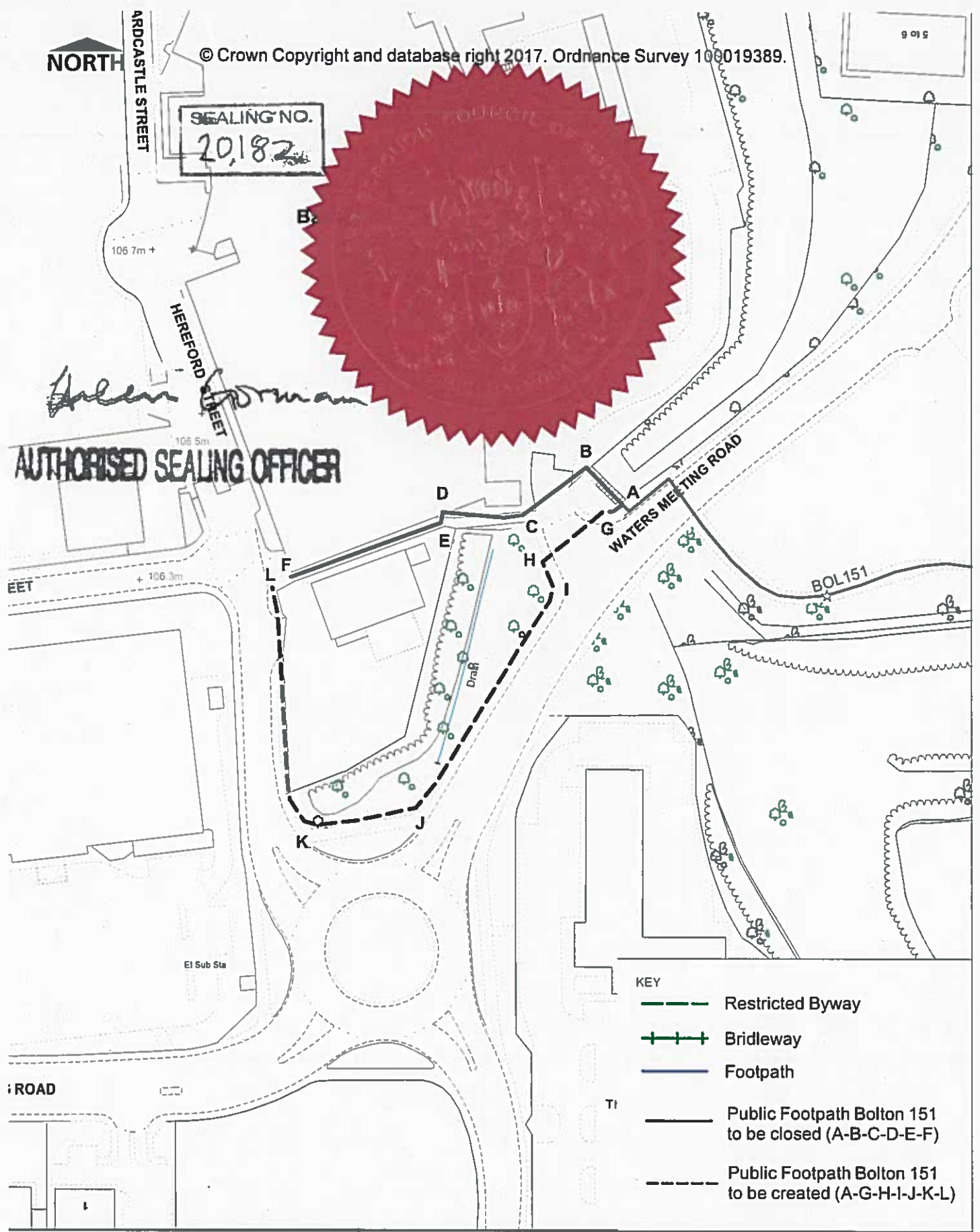
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SEALING NO.  
20,182



*Alan Gorman*

**AUTHORISED SEALING OFFICER**



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

**THE BOROUGH COUNCIL OF BOLTON**  
**Public Footpath Bolton 151 (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	Scale	Drawn	Drg. No.
21/11/2017	1:1250	AS	1Bol151 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. 151 BOLTON (PART))**  
**PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2018**

Confirmed as an unopposed order on 28<sup>th</sup> March 2018

**THE COMMON SEAL** of **THE BOROUGH COUNCIL** of **BOLTON** was hereunto affixed on the 28<sup>th</sup> day of March 2018 in the presence of:



*Aileen Gorman*

Authorised Sealing Officer

SEALING NO.  
20,300

Declared operative by the Borough Council of Bolton  
on the 07th June 2018

*Mines*

Trainee Solicitor