

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

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

**THE BOROUGH COUNCIL OF BOLTON (RESTRICTED BYWAY NO. 396 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 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that in the interests of the owner of the land crossed by the way described in paragraph 1 of this Order it is expedient that the line of the way 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.

Harworth Estates Investments Limited of AMP Technology Centre, Advanced Manufacturing Park, Brunel Way, Catcliffe, Rotherham has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new site of the way into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situate within the former Cutacre Open Cast mining site, south of the A6, Salford Road, Bolton (Employment Zone) and shown by a bold black continuous line on the map contained in this Order ("the Order Plan") and described in Part 1 of the Schedule to this Order ("the Schedule") shall be stopped up as from the date the Authority certifies that all necessary works to bring the restricted byway described in Part 2 of the Schedule into a fit condition for use have been completed and thereupon the Definitive Map of the Authority 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 restricted byway over the land situate within the former Cutacre Open Cast mining site, south of the A6, Salford Road, Bolton (Employment Zone) 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 Definitive Map of the Authority shall be modified by adding that way 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 Authority shall be modified as described in Part 4 of the Schedule.

THE COMMON SEAL OF THE
BOROUGH COUNCIL OF BOLTON
was hereunto affixed on the 25th day
of January 2018 in the presence of:



Aileen Gorman

Authorised Sealing Officer

SCHEDULE

PART 1

Description of site of existing path or way

Restricted Byway No. 396 Bolton situated within the former Cutacre Open Cast mining site, South of the A6, Salford Road, Bolton (Employment Zone) commencing from point A at grid reference SD369793 404629 in a generally south-south westerly direction to point B at grid reference SD369791.79 404621.81 for a distance of approximately 8 metres then in a generally south by easterly direction to point C at grid reference SD369803 404499 for a distance of approximately 123 metres as shown by the continuous bold black line between points A-B-C on the Order Plan over a total distance of approximately 131 metres of a width of 3 metres throughout.

PART 2

Description of site of new path or way

Restricted Byway No. 396 Bolton situated within the former Cutacre Open Cast mining site, South of the A6, Salford Road, Bolton (Employment Zone) commencing from a new line from point A at grid reference SD369793 404629 in a generally south-south westerly direction to point D at grid reference SD369791.15 404621.72 for a distance of approximately 8 metres then running in a generally southerly direction to point E at grid reference SD369798 404504 for a distance of approximately 118 metres then running in a generally south easterly direction to point C at grid reference SD369803 404499 for a distance of approximately 7 metres as shown by the bold black broken line between points A-D-E-C on the Order Plan over a total distance of approximately 133 metres. The width between points A-D-E-C will be 3 metres throughout over a limestone surface.

PART 3
Limitations and Conditions

None

PART 4
Modification of Definitive Statement
Particulars to be varied within the Definitive Statement

District: Bolton
396

Path/Way Number: Restricted Byway

Replace "then running in a generally south by easterly direction for approximately 263 metres" **with** "then running in a generally southerly direction to grid reference SD369798 404504 for a distance of approximately 118 metres then running in a generally south easterly direction to grid reference SD369803 404499 for a distance of approximately 7 metres then running in a generally south by easterly direction for approximately 260 metres.

Total Length: 701 metres

Width: 3 metres throughout

Surface Type: Limestone

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PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2018**

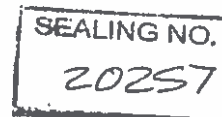
Confirmed as an unopposed order on 21st March 2018

THE COMMON SEAL of **THE BOROUGH
COUNCIL** of **BOLTON** was hereunto affixed
on the 21st day of March 2018
in the presence of:



Aileen Gorman

Authorised Sealing Officer



NORTH

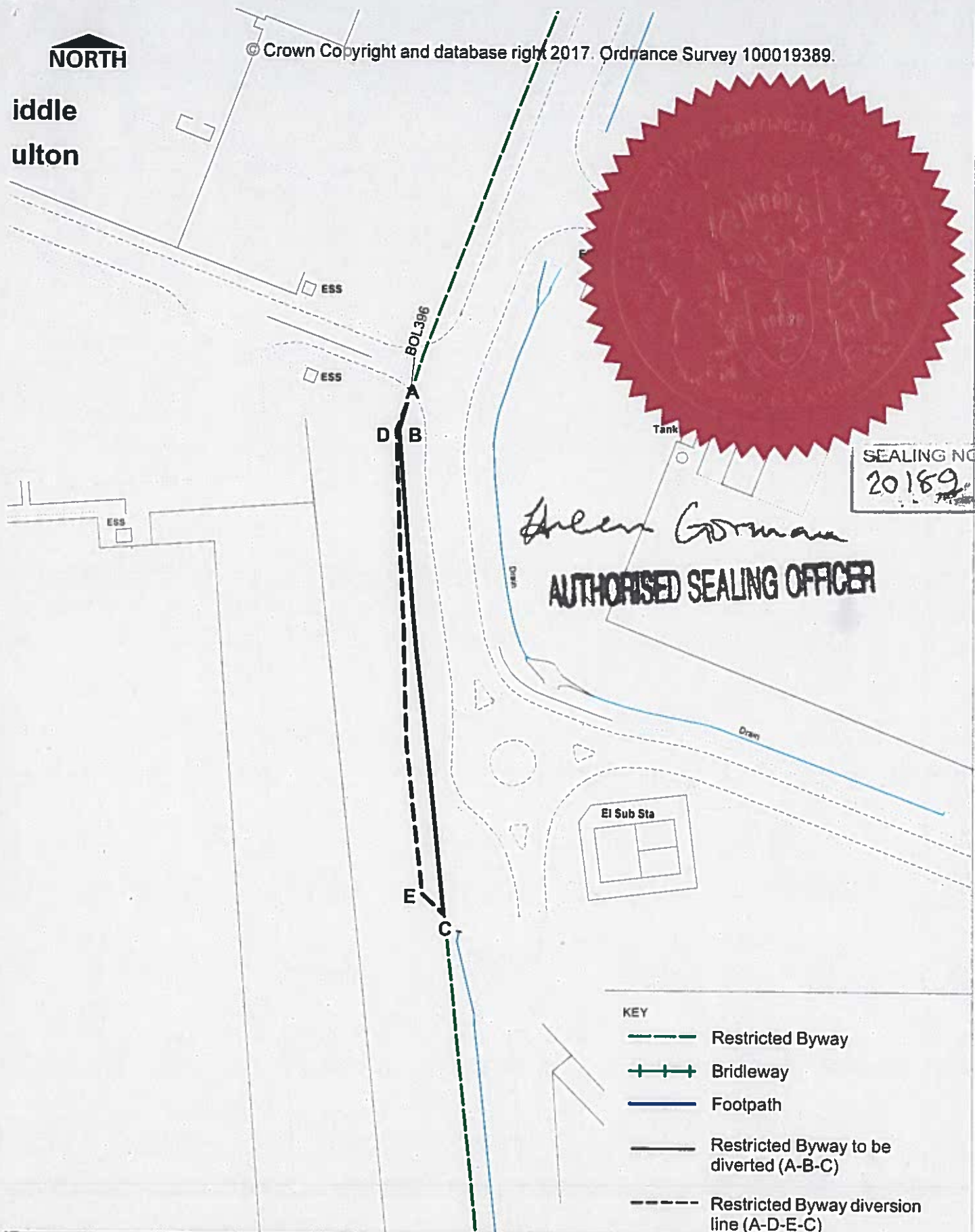
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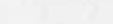

iddle
ulton



SEALING NO.
20189

Aileen Gorman
AUTHORISED SEALING OFFICER



- KEY**
-  Restricted Byway
 -  Bridleway
 -  Footpath
 -  Restricted Byway to be diverted (A-B-C)
 -  Restricted Byway diversion line (A-D-E-C)



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

THE BOROUGH COUNCIL OF BOLTON
Restricted Byway Bolton 396 (Part) Diversion Order
Section 119 Highways Act 1980

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

Date	Scale	Drawn	Drg. No.
04/01/2018	1:1250	AS	1Bol396The Plan