

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

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

**THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO. 083 BLACKROD)
PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2017**

This Order is made by the Borough Council of Bolton ("the authority") under Section 119A of the Highways Act 1980 ("the 1980 Act"). The footpath described in paragraph 1 of this Order in the authority's area crosses a railway otherwise than by a tunnel or bridge. It appears to the authority that it is expedient in the interests of the safety of members of the public using, or likely to use, the said footpath that it should be diverted onto land owned by Network Rail as described in the Schedule.

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.

The Borough Council of Bolton has required the operator of the railway to enter into an agreement to defray any compensation which becomes payable in consequence of (1) the coming into force of this Order and (2) any expenses which are incurred in the erection or maintenance of barriers and signs and bringing the new site of the footpath into a fit condition for use by the public.

Blackrod Town Council has been consulted and has consented to the making of the Order as required by Section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land situated to the north east of Blackrod By-Pass, Blackrod, Bolton and shown by a bold 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 diverted and the Definitive Map and Statement of Public Rights of Way for the Authority shall be modified as provided below on the later of the following events:
 - a. The date of first publication of confirmation of this Order
 - b. The date that the Authority certifies that all necessary works to bring the footpath described in Part 2 of the Schedule into a fit condition for use have been completed.
2. There shall be created to the reasonable satisfaction of the Authority a footpath 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 Order Plan subject to the following: namely the operator of the railway crossed by the footpath described in paragraph 1 shall construct a footbridge across the railway to the satisfaction of the authority and that it is constructed so as to be in a fit condition for use by the public and there is an agreement in place with the railway operator and their successors in title to maintain the bridge so as to be in a fit condition for use by the public ever after.

3. 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.
4. The Definitive Map and Statement of the Public Rights of Way for the Authority shall be modified as described in Part 4 of the Schedule.
5. Where immediately before the date on which the public footpath is diverted any statutory undertakers had existing rights of access to and egress from any apparatus and plant accessible only from the right of way described in Part 1 of the Schedule such undertakers will continue to have such rights.

SCHEDULE

PART 1

Description of site of existing path or way

Public Footpath No. 083 Blackrod situated to the north east of Blackrod By-Pass, Blackrod, Bolton, BL6 5DS known as Anderton Hall Level Crossing commencing from point A at grid reference SD361990 411147 in a generally north easterly direction to point B at grid reference SD362003 411158 as shown by the continuous bold line between points A-B on the Order Plan over a total distance of approximately 18 metres and at a varying width of between 4 metres and 1.6 metres.

PART 2

Description of site of new path or way

Public Footpath No. 083 Blackrod situated to the north east of Blackrod By-Pass, Blackrod, Bolton, BL6 5DS known as Anderton Hall Level Crossing commencing from a new line from point A at grid reference SD361990 411147 running in a generally south easterly direction for a distance of approximately 15 metres to point C at grid reference SD361999 411135 to cross a footbridge over the railway, initially by 2 flights of 17 steps in a generally south easterly direction for a distance of approximately 15 metres to point D at grid reference SD362008 411123 where the path turns continuing in a generally north east by easterly direction for a distance of approximately 17 metres utilising 2 flights of 5 steps to point E at grid reference SD362022 411132 where the path turns continuing in a generally north west by northerly direction for a distance of approximately 15 metres utilising 2 flights of 17 steps to point F at grid reference SD362013 411144 then running in a generally north west by northerly direction for a distance of approximately 17 metres to point B at grid reference SD362003 411158 as shown by the bold black dashes between points A-C-D-E-F-B on the Order Plan over a total distance of approximately 79 metres. The width between points A-C-D-E-F-B will be 2 metres throughout over a stone surface between points A-C & F-B.

PART 3

Limitations and Conditions

None

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

District: Blackrod

Path/Way Number: Public Footpath Blackrod 083

Particulars to be varied:


Replace the existing statement entry with "Starting at Blackrod By-Pass Trunk Road A6 opposite entrance to Whitehall Lane at grid reference SD361868 410995 and running in a generally north east by easterly direction through a metal kissing gate and field gate at grid reference SD361879 411000 for a distance of approximately 63 metres to grid reference SD361922 411025 then running in a generally north east by northerly direction for a distance of approximately 139 metres to grid reference SD361990 411147 where the path turns and continues in a generally south easterly direction for a distance of approximately 15 metres to grid reference SD361999 411135 to cross a footbridge over the railway, initially by 2 flights of 17 steps in a generally south easterly direction for a distance of approximately 15 metres to grid reference SD362008 411123 where the path turns continuing in a generally north east by easterly direction for a distance of approximately 17 metres utilising 2 flights of 5 steps to grid reference SD362022 411132 where the path turns continuing in a generally north west by northerly direction for a distance of approximately 15 metres utilising 2 flights of 17 steps to grid reference SD362013 411144 then running in a generally north west by northerly direction for a distance of approximately 17 metres to grid reference SD362003 411158 where the path turns and continues in a generally north east by northerly direction for a distance of approximately 38 metres to its end at the footbridge over the River Douglas at the district boundary at grid reference SD362024 411189".

Total Length: 319 metres.

Width: Between 4 metres and 2 metres.

Surface Type: Cobbles/Natural/Stone.

order confirmed by the Borough
Council of Bolton on the
10th March 2017


BOROUGH SOLICITOR

**THE COMMON SEAL of THE BOROUGH
COUNCIL of BOLTON was hereunto affixed
on the 17th day of January 2017 in the presence of:**



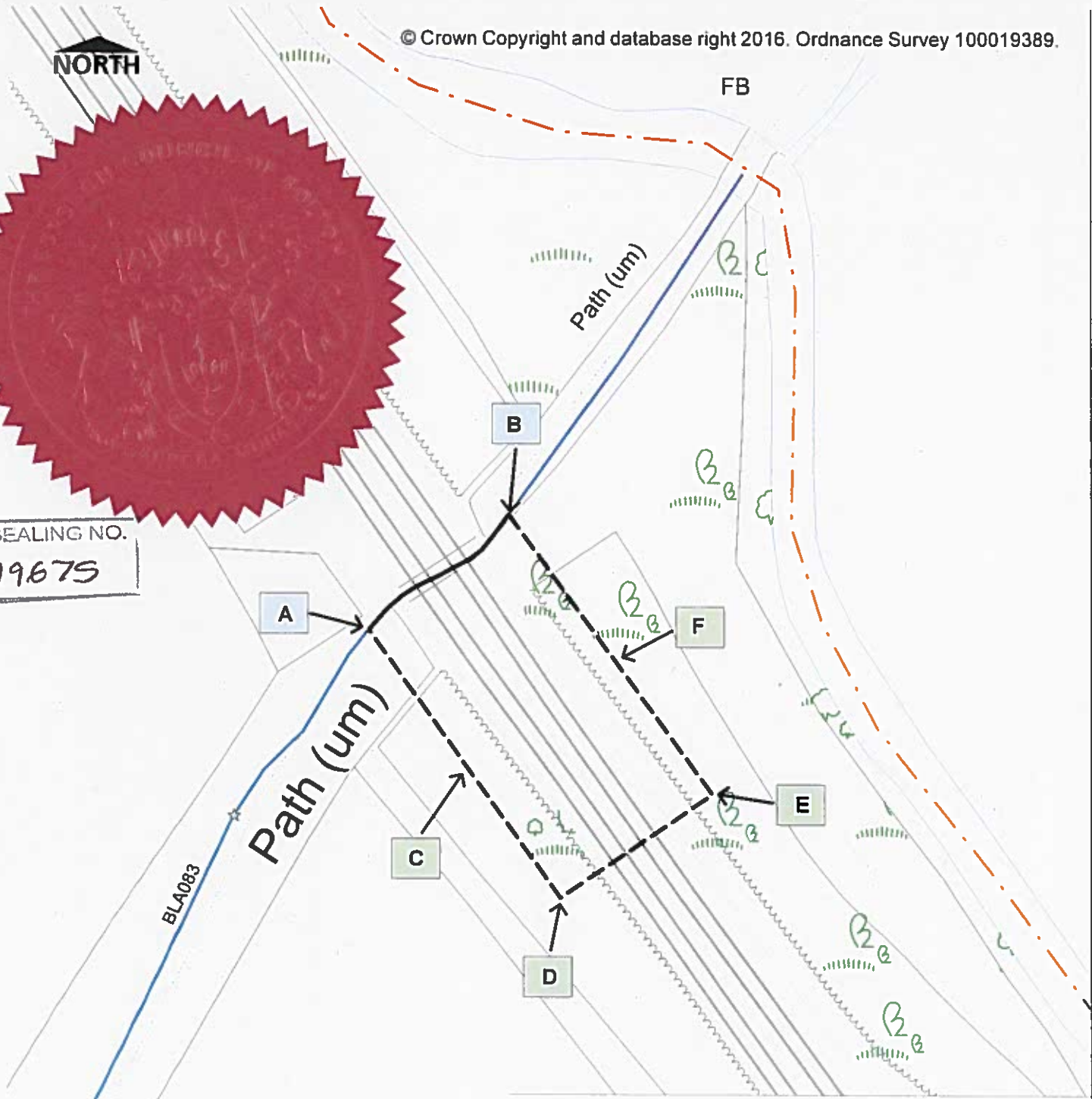
CEWandby

Authorised Sealing Officer

NORTH



SEALING NO.
19675



x CEW andky
AUTHORISED SEALING OFFICER

- KEY**
- Restricted Byway
 - + + + Bridleway
 - Footpath
 - Footpath to be Diverted (A-B)
 - - - Footpath Diversion Line (A-C-D-E-F-B)
 - - - Borough Boundary

Bolton Council HIGHWAY AND ENGINEERING DELIVERY SERVICES PUBLIC RIGHTS OF WAY

THE BOROUGH COUNCIL OF BOLTON
Public Footpath Blackrod 083 Diversion Order (Part)
Section 119A Highways Act 1980

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

Date	Scale	Drawn	Drng. No.
15/12/2016	1 500	AS	1Bla083ThePlan