

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. 008 BLACKROD (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 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 The Borough Council of Bolton and 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 fencing barriers and signs and bringing the new site of the footpath into a fit condition for use by the public.

Blackrod Town Council and Horwich Town Council have been consulted and have 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 situate to the west of Horwich Parkway Station, Horwich, Bolton, BL6 6SU known as Red Moss Level Crossing 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 extinguished as from the date the Authority certifies that all necessary works to bring the public footpath described in Part 2 of the schedule into a fit condition for use have been completed and thereupon the Borough Council of Bolton definitive map 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 public footpath over the land situate to the west of Horwich Parkway Station, Horwich, Bolton, BL6 6SU known as Red Moss Level Crossing described in Part 2 of the Schedule and shown by a bold black broken line on the map contained in this order 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 and thereupon the Borough Council of Bolton definitive map shall be modified by adding that footpath 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 Borough Council of Bolton 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 12th September, 2018 in the presence of:



Authorised Sealing Officer



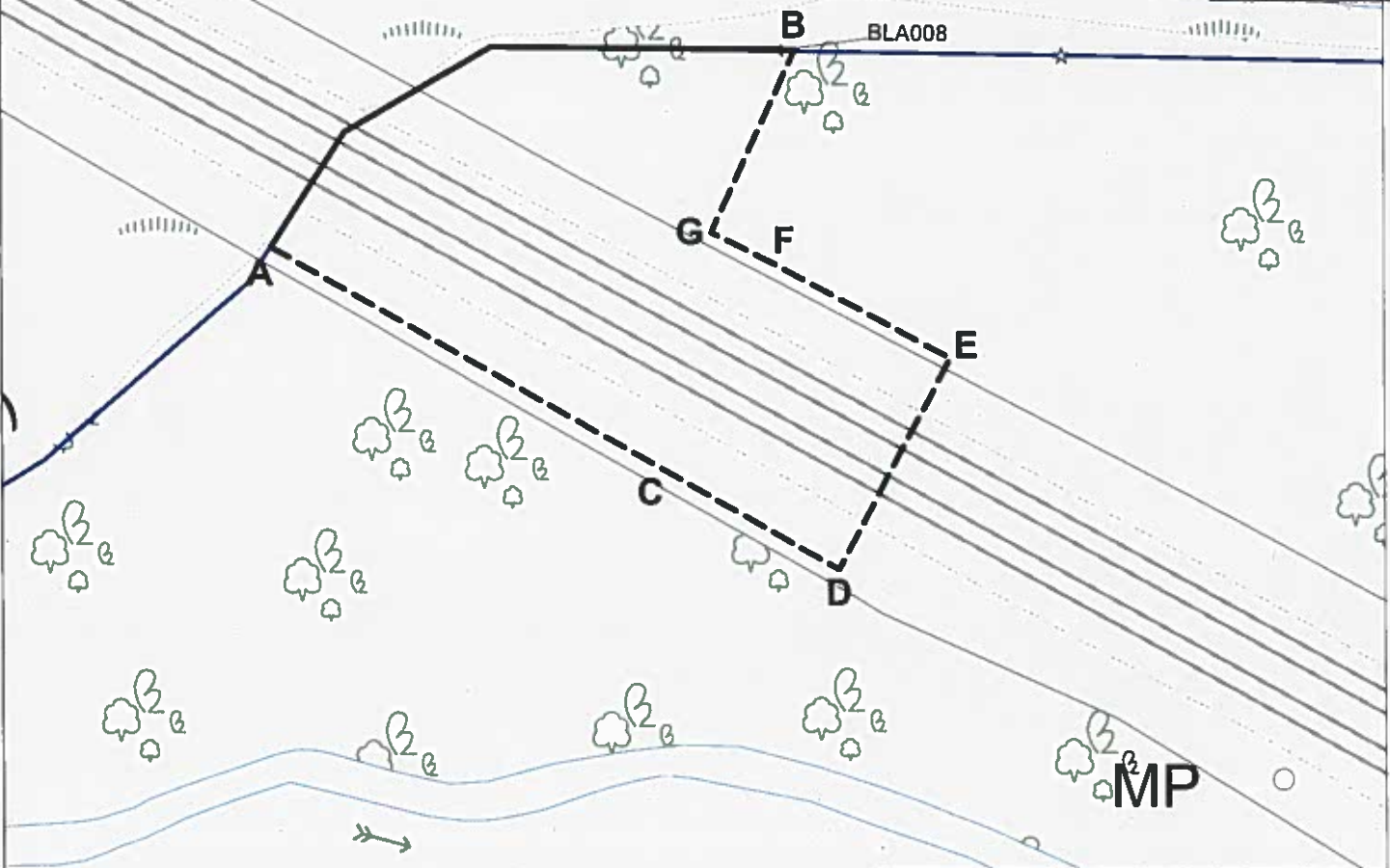
SEALING NO. 20565

NORTH

Helen Gorman
AUTHORISED SEALING OFFICER



SEALING NO.
20565



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

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HIGHWAY AND ENGINEERING DIVISION PUBLIC RIGHTS OF WAY	THE BOROUGH COUNCIL OF BOLTON Public Footpath Blackrod 008 Diversion Order (Part) Section 119A Highways Act 1980			
	DIRECTORATE OF PLACE Gerald Brough BSc (Hons) MBA, Dip M Interim Director of Place Town Hall, Victoria Square, Bolton, BL1 1RU	Date 01/08/2018	Scale 1:500	Drawn AS



John Brown

AUTHORIZED SIGNING OFFICE

RECEIVED



Administrative form with multiple rows and columns for data entry, including fields for name, address, and other details.

Schedule

Part 1

Description of site of existing path or way

Public Footpath No. Blackrod 008 situated to the west of Horwich Parkway Station, Horwich, Bolton, BL6 6SU known as Red Moss Level Crossing commencing from point A at grid reference SD363747 409506 in a generally north east by easterly direction to point B at grid reference SD363785 409520 as shown by the continuous bold line between points A-B on the Order Plan over a total distance of approximately 43 metres at a width of 1.5 metres.

Part 2

Description of site of new path or way

Public Footpath No. Blackrod 008 situated to the west of Horwich Parkway Station, Horwich, Bolton, BL6 6SU known as Red Moss Level Crossing commencing from a new line from point A at grid reference SD363747 409506 running in a generally south east by easterly direction for a distance of approximately 31 metres to point C at grid reference SD363775 409490 to cross a footbridge over the railway, initially by 2 flights of 18 steps in a generally south east by easterly direction for a distance of approximately 15 metres to point D at grid reference SD363788 409483 where the path turns continuing in a generally north east by northerly direction for a distance of approximately 17 metres utilising 2 flights of 5 steps to point E at grid reference SD 363796 409498 where the path turns continuing in a generally north westerly by westerly direction for a distance of approximately 15 metres utilising 2 flights of 18 steps to point F at grid reference SD363783 409505 then running in a generally north westerly by westerly direction for a distance of approximately 4 metres to point G at grid reference SD363779 409507 where the path turns and continues in a generally north north-easterly direction for a distance of approximate 14 metres to point B at grid reference SD 363785 409520 as shown by the bold black dashes between points A-C-D-E-F-G-B on the Order Plan over a total distance of approximately 96 metres. The width between points A-C & F-G-B will be 1.6 metres over a stone surface and 1.9 metres between points C-D-E-F.

Part 3

Limitations and Conditions

None

Part 4

Modification to the definitive statement

Particulars to be varied within the definitive statement.

District: Blackrod

Path/Way Number: Public Footpath Blackrod 008

Replace "Steps over fence at each side of railway line" with "to grid reference SD363747 409506 where the path turns and runs in a generally south east by easterly direction for a distance of approximately 31 metres to grid reference SD363775 409490 to cross a footbridge over the railway, initially by 2 flights of 18 steps in a generally south east by easterly direction for a distance of approximately 15 metres to grid reference SD363788 409483 where the path turns continuing in a generally north east by northerly direction for a distance of approximately 17 metres utilising 2 flights of 5 steps to grid reference SD 363796 409498 where the path turns continuing in a generally north westerly by westerly direction for a distance of approximately 15 metres utilising 2 flights of 18 steps to grid reference SD363783 409505 then running in a generally north westerly by westerly direction for a distance of approximately 4 metres to grid

reference SD363779 409507 where the path turns and continues in a generally north north-easterly direction for a distance of approximate 14 metres to grid reference SD 363785 409520 and continues in an east north easterly direction with drainage ditch on its northern side".

Total Length: 668 metres.

Width: 1.5 metres except between SD363747 409506 & SD363775 409490 & SD363783 409505 & SD363785 409520 1.6 metres throughout; between SD363775 409490 & SD363783 409505 1.9 metres throughout.

Surface Type: Natural except between SD363747 409506 & SD363775 409490 & SD363783 409505 & SD363785 409520 Stone.

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WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO.008 BLACKROD
(PART)) PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2018**

Confirmed as an unopposed order on 7TH November, 2018

THE COMMON SEAL of THE
BOROUGH COUNCIL OF BOLTON
was hereunto affixed on
the 7th day of November 2018 in the presence of:

Aileen Gorman

Authorised Sealing Officer



SEALING NO.
20625

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALBANY

RESOLUTION NO. 100-100

RESOLVED, THE BOARD OF SUPERVISORS DO HEREBY ORDER THAT THE COUNTY OF ALBANY SHALL...

ADOPTED AND PASSED AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD AT THE COUNTY OFFICE BUILDING ON...

THIS 15th DAY OF MARCH, 1990.
COUNTY CLERK

[Faint handwritten notes or signatures]

[Handwritten signature]

COUNTY CLERK

100-100

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HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE BOROUGH COUNCIL OF BOLTON (PUBLIC FOOTPATH NO. 008 BLACKROD (PART)) PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2018

Declared operative on 3rd July, 2019.

THE COMMON SEAL of THE
BOROUGH COUNCIL OF BOLTON
was hereunto affixed on
the 3rd July, 2019 in the presence of:

Aileen Gorman

Authorised Sealing Officer



SEALING NO
20955

