

25th February

2021

PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
BOROUGH COUNCIL OF PENDLE
PART OF PUBLIC FOOTPATH 20 GOLDSHAW BOOTH
PUBLIC FOOTPATH DIVERSION ORDER 2021

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PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
BOROUGH COUNCIL OF PENDLE
PART OF PUBLIC FOOTPATH 20 GOLDSHAW BOOTH
PUBLIC FOOTPATH DIVERSION ORDER 2021

This Order is made by the Borough Council of Pendle ("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: Residential Development at Spenbrook Mill Newchurch-in-Pendle Burnley

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part I of the Schedule to this order ('the Schedule') shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Lancashire County Council 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 Lancashire County Council certify that the terms of Article 2 have been complied with.
4. The following works may be carried out in relation to the highway described in Part 2 of the Schedule: -

The construction of a 2m wide footpath comprising crushed stone with a high dust content spread evenly and compacted to a minimum depth of 100mm, with the maximum stone size at the surface not to exceed 20 mm.

5. Cheshire Estates Limited is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, 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

Section of footpath as shown on the order map	Position (All distances and directions are approximate)	Width
Part of footpath 20 Goldshaw Booth marked by a bold continuous line and shown as A - B - C	Starting from a point 50m west of Spenbrook Road at Grid Reference SD 8246 3891 (Point A) the footpath runs SSE for 18m to an unmarked point within the grounds of the former Spenbrook Mill at Grid Reference SD 8246 3890 (Point B). The path then runs W for 88m to a point on 16m E of a stone stile at Grid Reference SD 8238 3889 (Point C).	The entire width

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

Section of footpath as shown on the order map	Position (All distances and directions are approximate)	Width
A footpath marked by a bold broken line and shown as A - C	Starting from a point 50m west of Spenbrook Road at Grid Reference SD 8246 3891 (Point A) the footpath runs in a generally westerly direction for 85m to re-join footpath 20 at Grid Reference SD 8238 3889 (Point C).	2 metres

The **COMMON SEAL** of the
BOROUGH COUNCIL OF PENDLE
was hereunto affixed this

25th day of February 2021

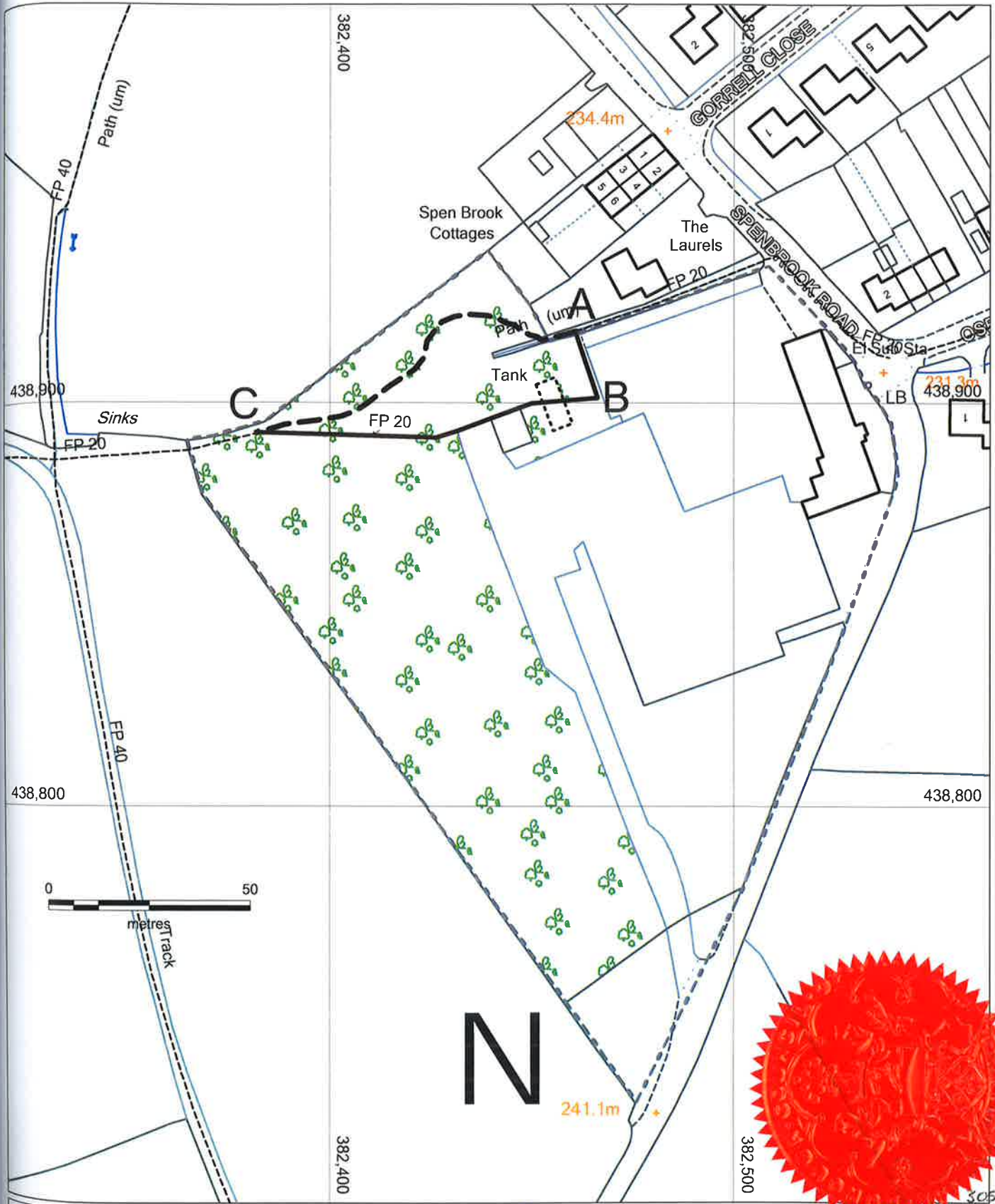
in the presence of:-

Philip Mousdale

Corporate Director
Philip Mousdale – Authorised Signatory



3030



Philipp Mousdale
 CORPORATE DIRECTOR - AUTHORISED SIGNATORY



Proposed diversion of public footpath 20 Goldshaw Booth

Footpath to be created

Other footpaths

To be diverted

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 Date: 6th November 2020
 Drawn: T Partridge