

REPORT FOR DECISION

Agenda Item	
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MEETING: PLANNING CONTROL COMMITTEE

DATE: 29 JUNE 2004

SUBJECT: APPLICATION TO DIVERT PART OF NON-DEFINITIVE
FOOTPATH AT THE SIDE OF 60 LEPP CRESCENT,
BURY

REPORT FROM: MIKE CANNON, BOROUGH ENGINEER

CONTACT OFFICER: IAN CROOK, MANAGER
HIGHWAY NETWORK SERVICES

TYPE OF DECISION: NON-KEY DECISION

REPORT STATUS: FOR PUBLICATION

PURPOSE/SUMMARY:

This report contains information regarding an application to divert part of Non-Definitive path at the side of 60 Lepp Crescent, Bury.

OPTIONS AND RECOMMENDED OPTION :

That the committee approve the application to divert part of the Non-Definitive footpath at the side of 60 Lepp Crescent, Bury in the interests of the public to create a more commodious route for pedestrians, and authorise the Council Solicitor to process the necessary orders.

IMPLICATIONS -

**Financial Implications and
Risk Considerations**

See statement by Director of Finance and E-
Government

Corporate Aims/Policy Framework:

Do the proposals accord with the Policy Framework? Yes

Improving Transport and the Environment.
Maintaining the asset value of the highway network and contributing to community safety.

Are there any legal implications? Yes

Considered by Monitoring Officer: Yes

Comments: None

Statement by Director of Finance and E-Government: The costs of the required works, estimated at between £1,000 and £2,000 will be met from the Bury West Area Board budget for Greener, Cleaner, Safer budget.

Staffing/ICT/Property: N/A

Wards Affected: Elton Ward

Scrutiny Interest: Economy, Environment and Transport

TRACKING/PROCESS**DIRECTOR:**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Panel	Executive	Committee	Council
		Planning Control 29.06.04	

1.0 BACKGROUND

1.1 The Authority received an application on 23 April 2004 from the Authority's Housing Services to divert part of a non-definitive footpath at the side of 60 Lepp Crescent, Bury.

1.2 The application was made under Section 119 of the Highways Act 1980.

- 1.3 The applicants' request for the diversion is to prevent crime and antisocial behaviour, the congregation of youths, litter and dog fouling.
- 1.4 The proposed route is more open and visible, and pedestrians will feel safer using it.
- 1.5 Housing Services have consulted with the tenants and residents of Brandlesholme Estate regarding the proposed diversion. Ninety-nine people have responded and there are no objections.
- 1.6 Both the existing and proposed paths are of the same length and both paths adjoin the footway on Brandlesholme Road at the same point.
- 1.7 Plan 1, PRW/ND/BURY/GOC/1 shows the section of footpath to be diverted as a solid line A – B and the proposed diversion as a bold dashed line C – B.
- 1.8 Plan 2, PRW/ND/BURY/GOC/2 shows the location of the path within the surrounding area.

2.0 ISSUES

- 2.1 The application was made following residents' complaints regarding crime, antisocial behaviour, litter and dog fouling.
- 2.2 Housing Services cannot use the flats to the rear of the path as stones are thrown and fires lit. There is also regular damage to boundary fencing.
- 2.3 Housing Services have received the full support of the local residents, shops, library and Playschool regarding the proposed diversion, and also from the Police, Elected Members and the Bury West Area Board.
- 2.4 The pathway is dark and overgrown, and is considered threatening to local residents who find alternative routes rather than use the path.
- 2.5 The proposed path will see the introduction of new fencing and lighting, creating a safer, better lit, open and more secure passage of travel.
- 2.6 Preliminary consultations have taken place with prescribed bodies and no objections have been raised. (See appendix 1 for list of consultees).
- 2.7 The proposed new route would be added to the Definitive Rights of Way Map and Statement.
- 2.8 The costs of the diversion process will be met through the Greener Cleaner Safer budget.

3.0 CONSULTATIONS

Head of Legal Services
Director of Finance and E-Government
Borough Property and Technical Services Officer

4.0 CONCLUSION

The proposed diversion would allow a particularly useful route, linking residential properties to local amenities and travel routes, to become safer for users and reduce the potential for crime and antisocial behaviour.

**C M CANNON
BOROUGH ENGINEER**

List of Background Papers:

Application.

Enclosures:

Plans 1 & 2
Appendix 1

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