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**MEETING:** PLANNING CONTROL COMMITTEE

**DATE:** 26 JULY 2005

**SUBJECT:** APPLICATION TO DIVERT PART OF PUBLIC FOOTPATH NUMBER 85, RAMSBOTTOM

**REPORT FROM:** MIKE CANNON, BOROUGH ENGINEER

**CONTACT OFFICER:** IAN CROOK, MANAGER  
HIGHWAY NETWORK SERVICES

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**TYPE OF DECISION:** NON-KEY DECISION

**REPORT STATUS:** FOR PUBLICATION

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**PURPOSE/SUMMARY:**

This report contains information regarding an application to divert part of Public Footpath No 85, Ramsbottom.

**OPTIONS AND RECOMMENDED OPTION :**

That the Committee approve the application to divert part of Public Footpath number 85, Ramsbottom .

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**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

Are there any legal implications? Yes

**Considered by Monitoring Officer:**

Yes

**Statement by Director of Finance and E-Government:**

As all costs associated with the proposed diversion will be met by the landowners there is no financial impact on the Authority

**Staffing/ICT/Property:**

**Wards Affected:**

North Manor

**Scrutiny Interest:**

Economy, Environment and Transport

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**TRACKING/PROCESS**

**DIRECTOR:**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Panel	Executive	Committee	Council
		Planning Control Committee 26.7.05	

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**1.0 BACKGROUND**

- 1.1 An application has been received from Mr and Mrs R Orton, Lammy Bank, Robin Road, Summerseat, Bury under Section 119 of the Highway Act 1980.
- 1.2 The diversion will allow the owners to secure their boundaries and provide privacy.
- 1.3 Plan 1, PRW/85/RAMS/GOC/1 shows the section of footpath to be diverted as a bold solid line A – C and the proposed diversion as a bold dashed line A – B – C.
- 1.4 Plan 2, PRW/85/RAMS/GOC/2 shows the location of the path within the surrounding area.
- 1.5 Section 119 of the Highways Act 1980 permits the diversion of a public footpath in the interests of the owner of land crossed by the path.

**2.0 ISSUES**

- 2.1 The existing section of footpath A – C runs in a south westerly direction and along the driveway of the applicants land. It is approximately 45 metres in length.
- 2.2 The existing section of footpath has a smooth bitmac surface and includes 2 gates along the route.

- 2.3 The diversion A – B – C is approximately 45 metres in length and consists of a high quality compacted stone surface with fencing to a height of 1.1 metres on either side. It has a minimum width of 1.5 metres and is not gated.
- 2.4 The proposed diversion route was installed approximately 1 year ago and is used regularly by members of the public.
- 2.5 The Authority's Engineering Consultancy Section and the Environment Agency were consulted in relation to the proposed diversion and both have no objections.
- 2.6 Mr and Mrs Orton confirm that they are the landowners of the land over which both routes pass and that they will pay all costs associated with the proposed diversion.
- 2.7 Preliminary consultations with the prescribed organisations were carried out on 15 April 2005 and no objections have been received.

### **3.0 CONCLUSION**

- 3.1 The proposed diversion allows the applicant to secure their boundaries and provide privacy.
- 3.2 The Committee is recommended to authorise the Council Solicitor to make the necessary orders to divert part of Public Footpath Number 85 Ramsbottom under Section 119 of the Highways Act 1980.

**C M CANNON**  
**BOROUGH ENGINEER**

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#### **List of Background Papers:**

Letter of Application  
Definitive Map and Statement

#### **Enclosures:**

Appendix 1  
Plans 1 and 2

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#### **Contact Details:**

Ian Crook  
Manager  
Highway Network Services  
Lester House  
21 Broad Street  
Bury BL9 OAW  
Tel: 0161 253 6309

## PRELIMINARY CONSULTATIONS

CONSULTEE	RESPONSE	OBJECTION
United Utilities	Yes	No
Cable and Wireless	Yes	No
IPN	Yes	No
Transco		
Energis		
Norweb		
National Grid	Yes	No
BT	Yes	No
NTL		
Open Spaces Society		
Ramblers Association	Yes	No
Long Distance Walkers Association		
Peak and Northern Footpaths Society		