
MEETING: PLANNING CONTROL COMMITTEE

DATE: 26 JULY 2005

SUBJECT: APPLICATION TO DIVERT PART OF PUBLIC
FOOTPATH NUMBER 8 ST THOMAS RADCLIFFE

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 Public Footpath number 8 St Thomas Radcliffe.

OPTIONS AND RECOMMENDED OPTION:

That the Committee approve the application to divert part of Public Footpath number 8 St Thomas Radcliffe under Section 119 of the Highway Act 1980.

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 impact on the Authority.

Staffing/ICT/Property:

Wards Affected:

Radcliffe West

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 Committee 26.7.05	

1.0 BACKGROUND

- 1.1 An application has been received from Mr & Mrs J A Renshaw, Scotson Fold Farm, Radcliffe, Manchester, under Section 119 of the Highways Act 1980 to divert part of Public Footpath Number 8 St Thomas, Radcliffe.
- 1.2 The diversion will allow improved security and reduce the level of antisocial behaviour.
- 1.3 Plan 1, PRW/8ST/RAD/GOC/1 shows the section of footpath to be diverted as a solid bold line A – C and the proposed diversion as a bold dashed line A – B - C.
- 1.4 Plan 2, PRW/8ST/RAD/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 between an open field and Scotson Fold's premises. Both parcels of land are owned by Mr and Mrs Renshaw. Section A - C is approximately 180 metres

in length and meets a kissing gate at point C. The route is shielded to the south by hawthorn hedges.

- 2.2 The diversion A – B – C is approximately 200 metres in length which makes the onward journey approximately 20 metres longer.
- 2.3 Mr & Mrs Renshaw confirm that they are the landowners and that they will pay all costs associated with the proposed diversion.
- 2.4 Preliminary consultations were carried out on 16 March 2005. Two objections relating to the footpath diversion were received from The Open Spaces Society and The Ramblers Association. The basis of the objections related to the area of point B on the plan PRW/8ST/RAD/GOC/1. This area is lower than the rest of the path and the objectors consider that this area will be wet and boggy. The applicants have confirmed that they will provide full drainage in this area and also at point A on the plan to ensure the route remains free from wet/boggy conditions.
- 2.5 The diversion order will not be confirmed until the Authority is satisfied with the condition of the path and this has been accepted by the applicant and objectors.

3.0 CONCLUSION

- 3.1 The proposed diversion allows the applicant improved security and will reduce the level of antisocial behaviour due to the open aspect of the diversion route, as opposed to the original route which is shielded by a row of hawthorns.
- 3.2 The Committee authorises the Council Solicitor to make the necessary orders to divert part of Public Footpath 8 St Thomas Radcliffe under Section 119 of the Highways Act 1980.

C M CANNON
BOROUGH ENGINEER

List of Background Papers:

Letter of Application
Definitive Map and Statement

Enclosures:

Appendix 1
Plans 1 and 2

Contact Details:

Ian Crook
Manager
Highway Network Services
Lester House
21 Broad Street
Bury BL9 0AW

APPENDIX 1

PRELIMINARY CONSULTATIONS

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