

**OFFICER DELEGATION SCHEME
RECORD OF OPERATIONAL DECISION**



TO BE UPLOADED TO THE E-MEETINGS MANAGER

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|---|--|
| Date: 08/04/20 | Ref No: 111 |
| Type of Operational Decision: | |
| Executive Decision <input type="checkbox"/> | Council Decision <input type="checkbox"/> |
| Status: For Publication | |
| Title/Subject matter: GM Growth Fund 2, Transport Programme, Minor Works, Bury to Bolton Railway Path, Ph3 Hardman's Fold (Revised Op Dec 1926) | |
| Budget/Strategy/Policy/Compliance – Is the decision: | |
| (i) within an Approved Budget | Yes |
| (ii) not in conflict with Council Policy | Yes |
| (iii) not raising new issues of Policy | Yes |
| Equality Impact Assessment [Does this decision change policy, procedure or working practice or negatively impact on a group of people? If yes – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR | No |

Details of Operational Decision Taken [with reasons]: To instruct Legal Services to make a bridleway creation order under s25 of the 1980 Highways Act for two sections of the Bury Bolton Railway Path at

- Spen Moor (Parcels B and F on attached plan)
- Lower Spen Moor (Parcel H)

and a bridleway creation order under s26 of the 1980 Highways Act for four sections of the Bury Bolton Railway Path as shown on attached plans at

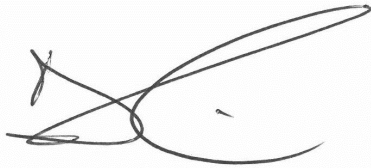

- Hardmans Fold (Parcels A, C, D and E on attached plan)
- Lower Spen Moor (Parcel G)
- Land east of Lower Spen Moor (Parcel I)
- Land off Buckingham Drive (Parcel L)

For parcels F and H the landowner has given consent to bridleway creation via a s106 agreement under the 1990 Planning Act. For sections A, C, D, E, G, I, and L landowners have been asked to enter into a voluntary creation under s25 of the Act but have not, to date, consented. Parcels J and K already have bridleway status.

The path is a long-standing proposal of the Council's adopted development plan (UDP Policies HT6/3 and RT3/4/2). Parcels A, B, C, E and G involve improvement to an existing public footpath. Parcels F, H, I and L involve the designation of existing tracks with no existing highway designation. Parcel D is partly improvement of an existing public footpath and partly a new link path. Parcel L would be a new link between an existing bridleway and an adopted highway.

It is anticipated that should the order be granted, compensation will be payable at Parcels, C, D E and G. The scheme would be 100% funded through the GM Growth Fund Transport Programme and a provisional allocation has been made for it. The scheme is part of a long-term project to deliver a quiet road/off road cycle route between Bury and Bolton. A continuous route already exists in Bolton.

Should the order be confirmed, the Local Highway Authority would acquire the responsibility of ensuring the route is maintained to a standard commensurate with its designated use.

| Decision taken by: | Signature: | Date: |
|---|--|--------------|
| David Giblin Head of Engineering |  | 08/04/2020 |
| Members Consulted [see note 1 below] | | |
| Cabinet Member, Environment – Alan Quinn | By Email  Re Operational Decision - Spen Moor | 08/04/2020 |
| Lead Member | | |
| Opposition Spokesperson | | |

Notes

1. It is not generally a requirement to consult with any Members on Operational Decisions but where a Chief Officer considers it necessary to consult with the appropriate Executive Member and/or Lead Member, they must sign the form so as to confirm that they have been consulted and that they agree with the proposed action. The signature of the Opposition Spokesperson should be obtained to confirm that he/she has been consulted.
2. **This form must not be used for urgent decisions.**