

DEPARTMENT OF RESOURCES

ORIGINATING DIVISION: Highways and Transportation Capita

REPORT TO: Blackburn with Darwen Borough Council
Planning and Highways Committee

COMMITTEE DATE: 28th July 2016

TITLE : Diversion of Public Footpath 159 (pt) Edgworth

WARDS: North Turton with Tockholes

COUNCILLORS: Jean and Colin Rigby

1. PURPOSE OF THE REPORT

- 1.1 To seek committee approval for a public path order under the Highways Act 1980, Section 119 to divert part of public footpath 159 (pt) Edgworth, around Lower Fold, Edgworth.

2. BACKGROUND

- 2.1 On the 10th June 2014 Blackburn with Darwen Borough Council (PROW) received an application to divert footpath 159 (part).
- 2.2 The applicant has advised that the application seeks to regularise the existing pattern of use of the footpath which has been in place for over 37 years. The applicant has also confirmed that he is willing to provide the new path to a standard that is to the satisfaction of the Highway Authority.
- 2.3 A report has been prepared which seeks to address those matters before Blackburn with Darwen Borough Council, namely the application for the public path diversion order to divert the path as shown on the plan attached to this report and enabling them to consider whether, or not to promote the Order requested.

3. LAW

3.1 The relevant legislation is the Highways Act 1980, Section 119 to divert part of public footpath. Please see attached report for further details.

4. DETAILS

4.1 Please refer to accompanying report.

5. FINANCIAL IMPLICATIONS

5.1 The cost of the diversion of the new path will be met by the Applicant and is in the region of £2,500.

6. RECOMMENDATION

The committee may *either* decide to 'Promote the Order' or 'Not to Promote the Order'

6.1 **It is the officer's recommendation that the legislative criteria have been met and the committee should resolve to Promote the Public Path Order.**

BACKGROUND PAPERS
CONTACT OFFICER
DATE PREPARED

Plan and Report
James Daplyn PROW Manager 01254273525
05 July 2016