

## **DEPARTMENT OF RESOURCES**

**ORIGINATING DIVISION: Highways and Transportation (PROW)**

**REPORT TO: Blackburn with Darwen Borough Council**

**Planning and Highways Committee**

**COMMITTEE DATE: 25<sup>th</sup> May 2017**

**TITLE : Diversion of Public Footpath 87 Edgworth (part)**

**WARDS: North Turton with Tockholes**

**COUNCILLORS: Cllr Jean Rigby**

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### **1. PURPOSE OF THE REPORT**

- 1.1 To seek committee approval for a public path order under the Town & Country Planning Act 1990, Section 257 to divert part of public footpath 87 Edgworth, around Lower Giles, Edgworth.

### **2. BACKGROUND**

- 2.1 On 27th February 2015 Blackburn with Darwen Borough Council received an application for planning permission for the erection of a new dwelling. This is registered under application reference 10/15/0144 and has been granted.
- 2.2 The proposed development has an impact on the alignment of Public Footpath, Edgworth No 87 which may be considered to necessitate its diversion.
- 2.3 On the 23<sup>rd</sup> of June 2015 Blackburn with Darwen Borough Council (PROW) subsequently has received an application to divert footpath 87.
- 2.4 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 Town & Country Planning Act 1990, Section 257 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.

### **5. 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 Order.**

**BACKGROUND PAPERS**  
**CONTACT OFFICER**  
**DATE**

Plan and Report  
James Daplyn PROW Manager 01254273525  
**25<sup>th</sup> May 2017**