

DEPARTMENT OF RESOURCES

ORIGINATING DIVISION: Highways and Transportation

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

COMMITTEE DATE: 18th January 2018

TITLE: Diversion of Public Footpaths 30, 31, 32 and 33 Blackburn

WARDS: Roe Lee

COUNCILLORS: Sylvia Liddle, Phil Riley and Ron Whittle

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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 footpaths 30, 31, 32 and 33 Blackburn.

**2. BACKGROUND**

2.1 Blackburn with Darwen Borough Council received an application for planning permission for "34 No. residential units with associated vehicular access and car parking". This is registered under application reference 10/16/1398 and was been granted in October 2017.

2.2 The proposed development has an impact on the alignment of Public Footpaths 30, 31, 32 and 33 Blackburn, which may be considered to necessitate its diversion.

2.3 Blackburn with Darwen Borough Council (PROW) subsequently has received an application to divert the footpaths.

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.

## 6. RECOMMENDATION

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

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

BACKGROUND PAPERS

Plan and Report

CONTACT OFFICER

Lorraine Mellodey

DATE 4th January 2017