

NOTICE OF ORDER

HIGHWAYS ACT 1980 SECTION 119

Cheshire East Council
The Cheshire East Borough Council (Footpath No. 24 (Part) Parish of
Bollington) Public Path Diversion Order 2016

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is 6 December 2017.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert that length of Public Footpath No.24 in the Parish of Bollington commencing at O.S. grid reference SJ 9391 7646 and running in a generally east north easterly direction for a distance of approximately 75 metres to O.S. grid reference SJ 9398 7648, then turning in a generally south easterly direction for a distance of approximately 132 metres to O.S. grid reference SJ 9408 7640, then turning in a south south easterly direction for approximately 137 metres to O.S. grid reference SJ 9414 7627.

To a new line commencing at O.S. grid reference SJ 9391 7646 and running in a generally southerly direction ascending 12 steps for approximately 6 metres to O.S. grid reference SJ 9391 7645, then turning in a generally easterly direction ascending a further 6 steps and continuing for approximately 82 metres to O.S. grid reference SJ 9400 7646 then turning in a generally east south easterly direction for approximately 45 metres to O.S. grid reference SJ 9404 7645, then turning in a generally east north easterly direction for a distance of approximately 18 metres to O.S. grid reference SJ 9406 7646, then turning in a generally easterly direction ascending a flight of steps for a distance of approximately 35 metres to join footpath No.46 Bollington at O.S. grid reference SJ 9409 7646.

Any queries relating to this Order should be referred to Jean McEntee at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number ROW/3185097 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at Cheshire East Council, Public Rights of Way Team, 2nd Floor. Old Building, Municipal Buildings, Earle Street, Crewe CW1 2BJ between 9:00am – 5:00pm Monday to Thursday and 9:00am – 4:30 Friday.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 20 December 2017]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 31 January 2018]

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within 14 weeks of the start date [by 14 March 2018]

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

**PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980 S119**

**THE CHESHIRE EAST BOROUGH COUNCIL
(FOOTPATH NO. 24 (PART) PARISH OF BOLLINGTON)
PUBLIC PATH DIVERSION ORDER 2016**

This Order is made by Cheshire East Borough Council ("the Authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that in the interests of the owners of the land crossed by the path it is expedient that the line of the path described in Paragraph 1 of this Order should be diverted.

Bollington Town Council have been consulted as required by section 120 (2) of the 1980 Act;

BY THIS ORDER:

1. The Public Footpath over the land situated in the Parish of Bollington and shown by a bold continuous black line on the attached plan and described in Part 1 of the Schedule to this Order ("the Schedule") shall be stopped up on the date on which the Cheshire East Borough Council certifies that the work has been carried out to bring the new highway mentioned in Article 2 into a condition fit for use by the public.
2. There shall be on the date of confirmation a Public Footpath over the land situated in the Parish of Bollington described in Part 2 of the Schedule and shown by bold black dashes on the attached plan.
3. Notwithstanding this order any statutory undertaker having apparatus, in, on, over along or across it for the purpose of carrying on their undertaking, shall have the following rights over the land referred to in paragraph 1, namely the same rights in respect of the apparatus as they had immediately before the date on which the footpath is diverted.
4. This Order shall be cited as "The Cheshire East Borough Council (Footpath No.24 (part) Parish of Bollington) Public Path Diversion Order 2016."

THE COMMON SEAL OF
CHESHIRE EAST BOROUGH COUNCIL
was hereunto affixed this 6th day of October
Two Thousand and Sixteen
in the presence of:-



9252
(1)

AUTHORISED SIGNATORY

SCHEDULE

PART 1

Description of site of existing Paths or Ways to be diverted

That length of Public Footpath No. 24 in the Parish of Bollington commencing at O.S. grid reference SJ 9391 7646 (point A on Plan No. HA/104A) and running in a generally east north easterly direction for a distance of approximately 75 metres to O.S. grid reference SJ 9398 7648 (point E on Plan No. HA/104A), then turning in a generally south easterly direction for a distance of approximately 132 metres to O.S. grid reference SJ 9408 7640 (point F on Plan No. HA/104A), then turning in a south south easterly direction for approximately 137 metres to O.S. grid reference SJ 9414 7627 (point D on Plan No. HA/104A) as indicated by a bold continuous black line between the points marked A-E-F-D on Plan No. HA/104A.

A total distance of approximately 344 metres.

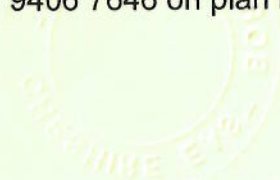
PART 2

Description of site of new Path or Way

A footpath, in the Parish of Bollington commencing at O.S. grid reference SJ 9391 7646 (point A on Plan No. HA/104A) and running in a generally southerly direction ascending 12 steps for approximately 6 metres to O.S. grid reference SJ 9391 7645, then turning in a generally easterly direction ascending a further 6 steps and continuing for approximately 82 metres to O.S. grid reference SJ 9400 7646 (point B on Plan No. HA/104A) then turning in a generally east south easterly direction for approximately 45 metres to O.S. grid reference SJ 9404 7645 (point G on Plan No. HA/104A), then turning in a generally east north easterly direction for a distance of approximately 18 metres to O.S. grid reference SJ 9406 7646 (point H on Plan No. HA/104A), then turning in a generally easterly direction ascending a flight of steps for a distance of approximately 35 metres to join footpath no.46 Bollington at O.S. grid reference SJ 9409 7646 (point C on Plan No. HA/104A) as indicated by bold black dashes between the points marked A-B-G-H-C on Plan No. HA/104A.

A total distance of approximately 186 metres.

The footpath running between points A-B-G-H-C on Plan No. HA/104A is 2 metres wide throughout, except for where the width is restricted to 1 metre and 1.2 metres respectively by the steps (marked 'Steps' at O.S grid reference SJ 9391 7645 and O.S grid reference SJ 9406 7646 on plan no. HA/104A).



Footnote: Lengths computed from Ordnance Survey digitised maps. Widths measured on the ground.

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394000

394200

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376600

376400

376400

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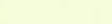
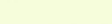
394200

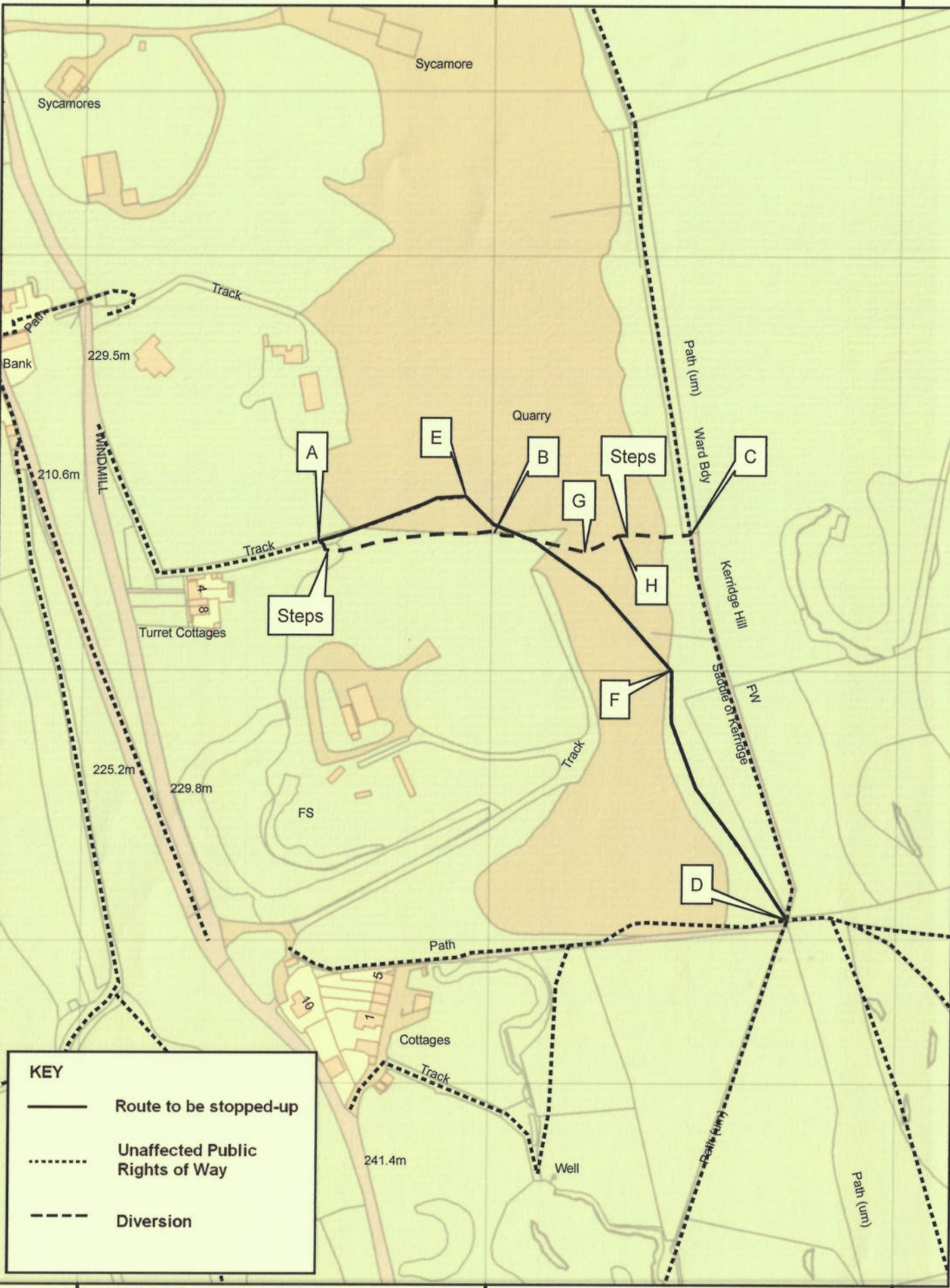
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KEY

-  Route to be stopped-up
-  Unaffected Public Rights of Way
-  Diversion



The Cheshire East Borough Council
 (Footpath No.24 (part) Parish of Bollington)
 Public Path Diversion Order 2016

Plan No.
 HA/104A

1:2,500

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