

**SECTION 257 TOWN & COUNTRY PLANNING ACT 1990
PUBLIC PATH DIVERSION ORDER**

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

**OLDHAM BOROUGH COUNCIL (PUBLIC FOOTPATH 45 OLDHAM)
PUBLIC PATH DIVERSION ORDER 2013**

This order is made by Oldham Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990, namely the development of land at Rosary Road, Oldham (PA/331978/12).

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted as described below.
2. There shall be created to the reasonable satisfaction of Oldham Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Oldham Borough Council certify that the terms of Article 2 above have been complied with.
4. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of site of existing path or way

Commencing at point B situated at the back of the footway of Rosary Road, Oldham 143 metres in a generally north easterly direction from the junction of Mills Farm Close and Rosary Road, for a distance of 48 metres in a south easterly direction to point A situated 15 metres north east of the north east corner of 9 Mills Farm Close, Oldham.

PART 2
Description of site of alternative highway

Commencing from point A for a distance of 34 metres in a generally north easterly direction to point X situated 49 metres in a generally north easterly direction from 9 Mills Farm Close and then for a distance of 48 metres in a north westerly direction to point Y situated at the back of the footpath of Rosary Road 175 metres north east of the junction of Mills Farm Close and Rosary Road and having a width of 1.8 metres throughout, as shown on the attached map.

**THE COMMON SEAL of
OLDHAM BOROUGH
COUNCIL** was hereunto
affixed on 17th July 2013
in the presence of: -

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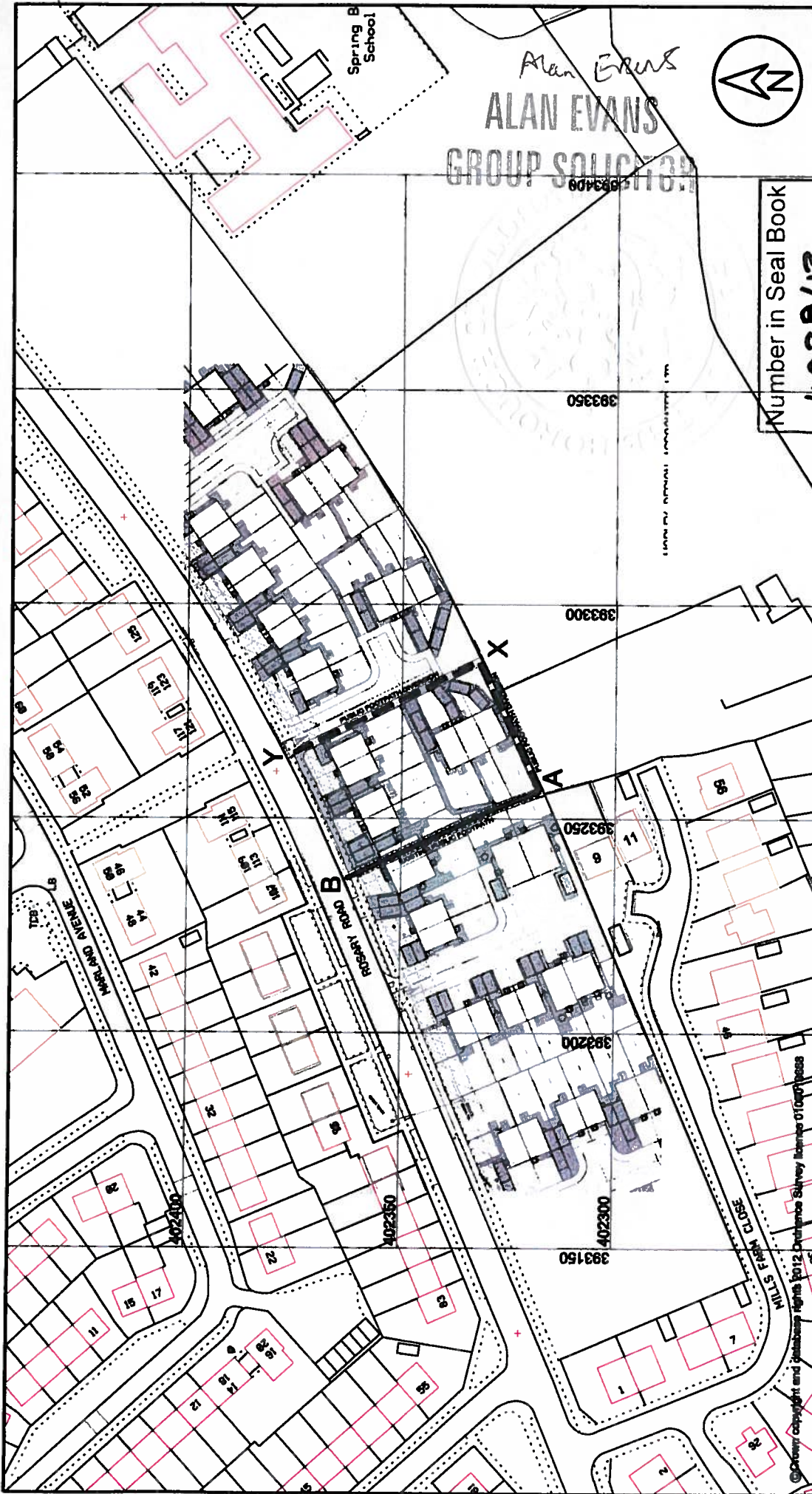
RE

Alan Evans
ALAN EVANS
GROUP SOLICITOR

Number in Seal Book 408/13

Date of making this Order: 17th July 2013

Date of confirming this Order:



KEY — SITE OF EXISTING PUBLIC FOOTPATH - - - SITE OF PROPOSED ALTERNATIVE FOOTPATH		OS REF SD9302		OS REF SD9302	OS REF SD9302
		Project: KEEP MOAT HOMES	Client: OLDHAM MBC	Drawing No. 764/A4 /224/1	Rev. 1
HIGHWAYS & ENGINEERING Henshaw House, Chesapeake, Oldham OL1 1NY		Drawn by: RW Checked by: TC Approved by: TC	Date: 12/12 Date: 12/12 Date: 12/12	Purpose of Issue: Information Scale: 1:1250	Drawing No. 764/A4 /224/1