

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP  
AND STATEMENT MODIFICATION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**

**WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53A(2)**

**OLDHAM BOROUGH COUNCIL (FOOTPATHS 61 OLDHAM) PUBLIC PATH  
DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2024**

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 3 of the Town and Country Planning Act 1990 namely FUL/351218/23 – demolition of gas holder, erection of employment development comprising 5 units (Use Class E(g)(ii)(iii)/B2/B8 uses) with ancillary E(g)(i) office space, car parking and vehicular, pedestrian circulation with access onto Olive Claydon Way, Hollinwood, Oldham.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 (“the 1981 Act”) because it appears to the authority that the Oldham Metropolitan Borough Council Definitive Map of Public Rights of Way definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

**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 and the Oldham Metropolitan Borough Council Definitive Map of Public Rights of Way definitive map and statement shall be modified 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 paragraph 2 above have been complied with and upon the occurrence of the diversion the Oldham Metropolitan Borough Council Definitive Map of Public Rights of Way definitive map shall be modified by deleting from it the path or way referred to in paragraph 1 of this order and the path or way referred to in paragraph 2 of this order shall be added to it, and the definitive statement shall be modified as described in Part 3 of the Schedule.
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**

Part of Footpath 61 Oldham commencing on Olive Claydon Way, Hollinwood at point A (GR SD90701 02310) proceeding in a southerly direction for a distance of approximately 276 metres to point B (GR SD90746 02038) where the path crosses Roman Road and continues south on its existing alignment as shown on the attached map.

### **PART 2**

#### **Description of site of alternative highway**

Part of Footpath 61 Oldham commencing at point C on Olive Claydon Way, Hollinwood (GR SD90698 02307) proceeding in a southwesterly direction along the gravel path for a distance of approximately 44 metres to point D (GR SD90665 02284) then proceeding in a generally southerly direction along the western boundary of the industrial site for a distance of approximately 267 metres to point E (GR SD90704 02037) then proceeding in an easterly direction for a distance of approximately 47 metres to point B (GR SD90746 02038) to cross Roman Road and proceeding south on its existing alignment as shown on the attached map.

## PART 3

### Modification of Definitive Statement

#### Variation of particulars of path or way

#### Statement to be deleted

District and page number	Page Number	Status	Length	Description	Comments
Oldham Footpath 61	10	Footpath	750 metres	<p>The path leaves Hollins Road along Gee Street and runs southwards directly along the boundary with Failsworth. A short section of the path west of the Lime Mill is actually within Failsworth U.D. Beyond Roman Road the path runs along the western boundary fence of the Kaskenmoor School before joining the disused Hollinwood Branch Canal. The path then follows the western towpath of the partly infilled canal until it reaches Cutler Hill Bridge. Wooden steps lead up to Cutler Hill Road from the footpath. The surfacing of the path varies from a wide cinder track to a narrow worn grass track. 7/4/1989 side road order. Highway to be stopped up. FP69 (Oldham) from its junction with A6104 Hollins Road for its entire length a distance of 72 metres DMMO 19 June 2002</p>	<p>Highways Agency Side Road Order 5/3/1993. Highway to be stopped up. FP61 from its junction with Hollins Road for a distance of 90 metres in a southerly then westerly direction</p>

# Statement to be added

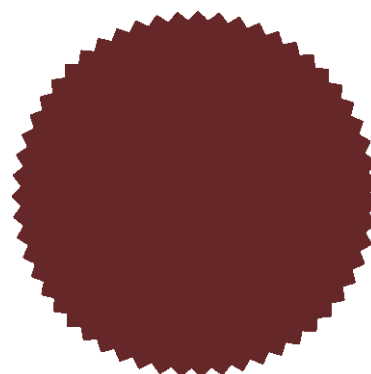
District and page number	Page Number	Status	Length	Description	Comments
Oldham Footpath 61	10	Footpath	1072 metres	Footpath commences at GR SD90698 02307 on Olive Claydon Way approximately 60 metres east of its junction with Albert Street following the gravel path in a southwesterly, southerly and then easterly direction along the western boundary of the industrial estate for a distance of approximately 358 metres to GR SD90746 02038. The route continues south crossing Roman Road along the western boundary of New Bridge School before proceeding along the western side of the former Hollinwood Branch Canal for a distance of approximately 702 metres until it reaches Cutler Hill Road at GR SD90951 01369.	The surfacing of the path varies from a wide cinder track to a narrow worn grass track. Between GR SD90698 02307 and GR SD90746 02038 the path is 1.8 metres wide and has a compacted gravel surface  Highways Agency Side Road Order 5/3/1993. Highway to be stopped up. FP61 from its junction with Hollins Road for a distance of 90 metres in a southerly then westerly direction

THE COMMON SEAL of )  
 OLDHAM BOROUGH )  
 COUNCIL was hereunto )  
 affixed on 29<sup>th</sup> February 2024 )  
 in the presence of: - )

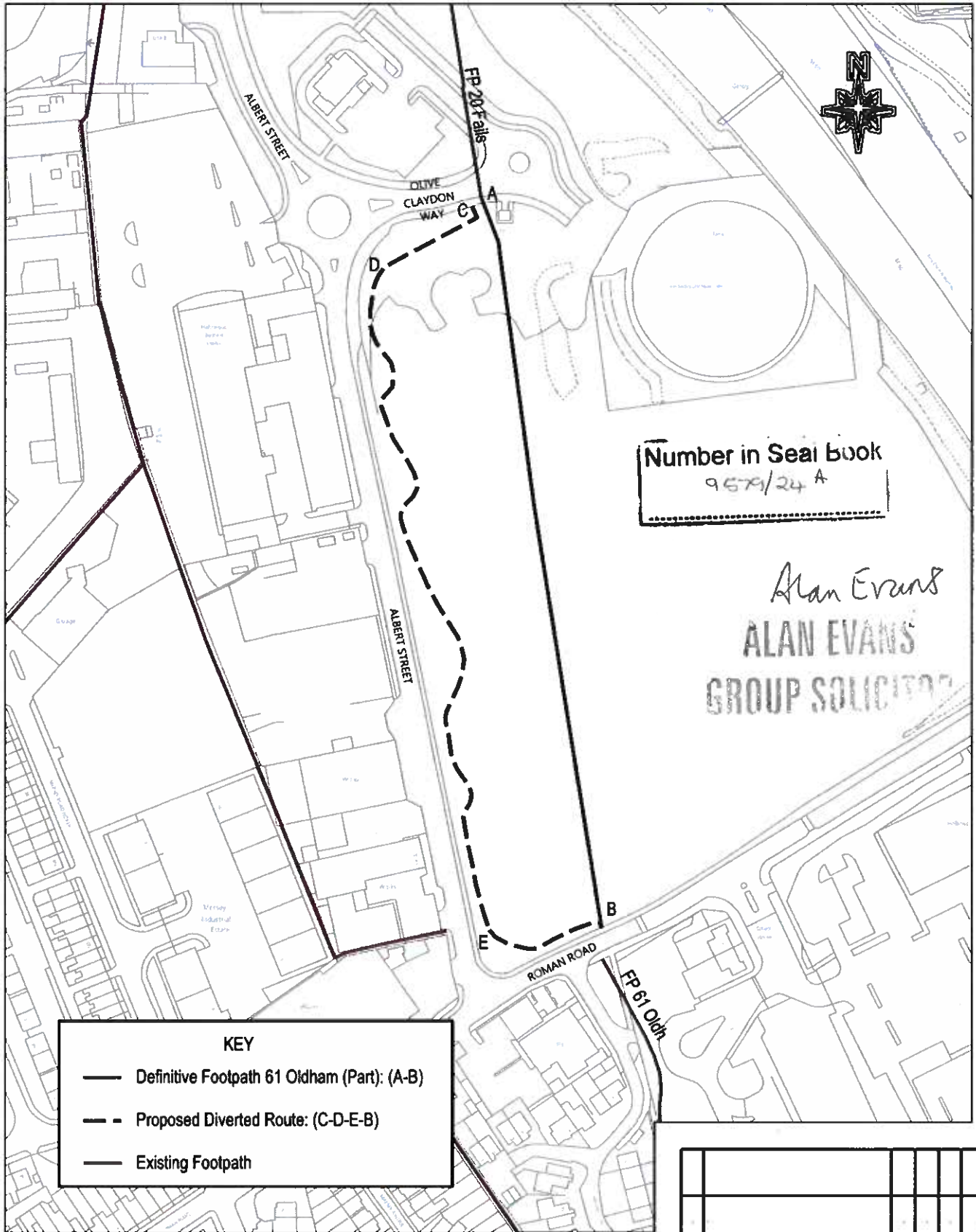
AE

*Alan Evans*  
 ALAN EVANS

GROUP SOLICITOR



Number in Seal Book  
 9579/24



KEY	
	Definitive Footpath 61 Oldham (Part): (A-B)
	Proposed Diverted Route: (C-D-E-B)
	Existing Footpath



**Place and Economic Growth  
HIGHWAYS & ENGINEERING**  
Henshaw House, Cheapside, Oldham OL1 1NY

Client Oldham MBC		
Project Albert Street, Failsworth		
Drawn by RW	Date 11/23	Purpose of issue information Scale at A4 size 1:2000
Checked by LK	Date 11/23	
Approved by	Date	

Rev	Revision details	By	Chk	App	Date
Title Diversion of Public Highway Combined Order s257 Town and Country Planning Act 1990 Diversion of Public Footpath 61 Oldham (Part) and Wildlife and Countryside Act 1981 S53(2) Modification of the Definitive Map and Statement					
Drawing No. 764/A4/243/1					Rev.