

Report of	Meeting	Date
Corporate Director of Governance	General Purposes Committee	18/10/07

HIGHWAYS ACT 1980 – SECTION 119 PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH NO. 25, BRETHERTON, CHORLEY BOROUGH

PURPOSE OF REPORT

1. To consider a proposal submitted by Lancashire County Council for the diversion of part of Public Footpath No. 25, Bretherton.

RECOMMENDATION(S)

2. That no objection be raised to the making by Lancashire County Council of a Public Path Diversion Order under Section 119 of the Highways Act 1980, for the purpose of diverting a length of Public Footpath No. 25, Bretherton from its current route in the vicinity of Barrowford House onto a new route sited further to the south and east of the said dwelling.

REASONS FOR RECOMMENDATION(S)

3. The reason proposed for the footpath diversion represents one of the commonest put forward, i.e. the desire to take a right of way out of the middle of residential / working buildings and re-route it around the periphery of such a site. The Council has, however, no direct information on public usage of the footpath or of land ownerships in the area. The Council, whilst not averse to the proposal, is not seeking to promote the proposal and would have no evidence to offer should the proposal result in the calling of a public local inquiry. In the circumstances, the decision to raise no objection to the proposed diversion does not detract from the merits of that proposal or commit the Council to support a proposal about which it has no information.

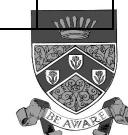
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. The only other alternative available would have been to oppose the proposed diversion, for which course of action the Council has no apparent grounds.

CORPORATE PRIORITIES

5. This report does not relate to any of the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the central Lancashire sub region		Improved access to public services	
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Improving equality of opportunity and life chance		Develop the character and feel of Chorley as a good place to live	
Involving People in their Communities		Ensure Chorley is a performing Organisation	

BACKGROUND

6. The site concerned is located in an entirely rural setting in Bretherton close to the borough boundary with West Lancs District Council. Public Footpath No. 25 Bretherton represents an isolated length of public footpath running cross country between Eyes Lane and Lock Lane. (The area is situated between the Rufford branch of the Leeds-Liverpool Canal and the A.59 in Tarleton).

DETAILS OF PROPOSAL

7. The length of footpath forming the subject of the diversion proposal runs southwards for a short distance along the east side of Eyes Lane and thence runs in a north-westerly direction for some 200 metres across a field to Barrowford House, whence it runs along the access track leading to/from the said dwelling in a westerly direction for approximately 50 metres to the junction of Sollom Lane with Lock Lane. The existing route is marked by the solid black line **A-B-C-D-E** on the map attached.
8. The proposed diversion would result in the route of the footpath following a line running in a south-westerly direction along the field boundary adjoining the westerly side of Eyes Lane, and thence in a north-westerly direction running along the inside of the field boundary adjoining the north side of Sollom Lane to the area of its junction with Lock Lane. The effect of this would be to remove the route of the path both from the vicinity of Barrowford House and from its track running across the middle of a field and essentially place a long a route fringing the field boundary further to the south and east of Barrowford House. The length of footpath to be diverted is marked by the broken black line **F-C-G-H**.

IMPLICATIONS OF REPORT

9. This report does not have any implications in relation to the following areas:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal			

A DOCHERTY
CORPORATE DIRECTOR OF GOVERNANCE

Background Papers			
Document	Date	File	Place of Inspection
Letter from Lancashire County Council together with map	3 August 2007	601	Town Hall, Chorley

Report Author	Ext	Date	Doc ID
G Fong	5169	18 September 2007	