

**TOWN AND COUNTY PLANNING ACT 1990 S.257**

**LANCASTER CITY COUNCIL**

**(Diversion of part of Footpath Lancaster 55 and Stopping Up of an Unrecorded Public Footpath)**

**PUBLIC PATH DIVERSION AND STOPPING UP ORDER 2019**

This Order is made by **LANCASTER CITY COUNCIL** under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the part of footpath 55 and to stop up the unrecorded 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: Planning Permission 17/00073/FUL for the development of residential housing situate on land adjacent to Aikengill Scotforth Road Lancaster Lancashire LA1 4NU.

**BY THIS ORDER:**

1. Part of Footpath Lancaster 55 shown by a bold black line on the attached map and described in Paragraph (a) of Part I of the Schedule to this Order ("the Schedule") shall be diverted as provided below.
2. The Unrecorded Public Footpath shown by a bold black line on the attached map and described in Paragraph (b) of Part 1 of the Schedule shall be stopped up.
3. There shall be created to the reasonable satisfaction of Lancaster City Council an alternative footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map for use as a replacement for the said footpath described in Paragraph (a) of part 1 of the Schedule.
4. The diversion of and stopping up of the footpaths shall have effect on the date on which Lancaster City Council certify that the terms of Article 3 above have been complied with.
5. The developer shall at its own cost carry out the works described in Part 2 of the Schedule.
6. Where immediately before the date on which the footpath is diverted and the unrecorded public footpath is stopped up there is apparatus under, in, on, over along or across them 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

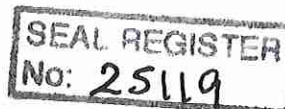
- (a) The entire width of that part of Footpath Lancaster 55 shown on the attached plan by a bold black line commencing at point A (grid reference SD 4804 5889), running south south east for 30 metres to the junction with an unrecorded public footpath at point B (SD 4805 5886) then generally south for 60 metres to the junction with Oakwood Gardens at point C (SD 4805 5881).
- (b) The entire width of an unrecorded public footpath shown on the attached plan as a bold black line commencing at point B (grid reference SD 4805 5886), running generally south east for 30 metres to the junction with the new footpath at point D (SD 4806 5884)

### PART 2

#### Description of site of alternative footpath

A tarmac surfaced footpath 3 metres wide, shown on the attached plan by bold black dashes commencing at point A (grid reference SD 4804 5889), running generally south south east for 75 metres to point E (SD 4807 5883) as indicated on the order map.

THE COMMON SEAL of  
LANCASTER CITY COUNCIL  
was hereunto affixed on  
the 21<sup>st</sup> day of October 2019  
in the presence of:



Authorised signatory



In pursuance of the powers in that behalf conferred by section 257 of the Town & Country Planning Act 1990 the Council hereby confirms the forgoing order.

THE COMMON SEAL of  
LANCASTER CITY COUNCIL  
was hereunto affixed on the  
the 28<sup>th</sup> day of November 2019  
in the presence of:



Authorised signatory

