

**APPENDIX 1**

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

**THE BROXTOWE COUNCIL PUBLIC PATH  
(FOOTPATH NO. 31 - CHURCH LANE, BRINSLEY ) DIVERSION ORDER  
2022**

This Order is made by Broxtowe 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 on 7 July 2021 under Part III of the Town and Country Planning Act 1990, for the construction of a residential estate consisting of 115 new dwellings (planning application reference 20/00641/FUL).

**BY THIS ORDER:**

1. The footpath over the land shown as point C to point A on the attached plan and described in Part I of the schedule hereto shall be diverted as provided by this Order.
2. There shall be created to the reasonable satisfaction of Broxtowe Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part II of the schedule and shown as point D to point A on the plan attached hereto.
3. The diversion of the footpath shall have effect on the date on which it is certified by Broxtowe Borough Council that the provisions 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.

5. This Order may be cited as the Broxtowe Borough Council Public Path (Footpath No.31 - Church Lane, Brinsley) Diversion Order 2022.

Dated: 30 March 2022

The Common Seal of  
**BROXTOWE BOROUGH COUNCIL**  
was affixed in the presence of :-

Proper Officer

Name:\_\_\_\_\_

Position:\_\_\_\_\_

Officer of the Council

Name:\_\_\_\_\_

Position:\_\_\_\_\_

**SCHEDULE**

**PART I**

**Description of existing path**

That part of the footpath marked at point C to point A shown on the attached plan commencing from Cordy Lane and extending north to south east for a length of 79 metres.

**PART II**

**Description of site of alternative highway**

The alternative highway is marked at point D to point A as shown on the plan attached and is in length 58 metres. The alternative route would extend from Cordy Lane in a southerly direction and shall be constructed to an adoptable standard.