

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

**THE BROXTOWE COUNCIL PUBLIC PATH
(FOOTPATH NO.55 BEESTON) DIVERSION ORDER 2019**

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 24 May 2018 under Part III of the Town and Country Planning Act 1990, namely full planning permission for the construction of 47 dwellings, retail unit (Class A1), car parking and highway infrastructure (Planning application reference 17/00723/FUL).

BY THIS ORDER:

1. Part of the footpath over the land situated at Wilmot Lane, Beeston shown as a bold black line 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 a line of bold black dashes 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. 55 Beeston) Diversion Order 2019.

Dated: Day of February 2019

THE COMMON SEAL of)
BROXTOWE BOROUGH COUNCIL)
was hereunto affixed)
In the presence of :-)

DULY AUTHORISED OFFICER

NAME _____

DULY AUTHORISED OFFICER

NAME: _____

SCHEDULE

PART I

Description of existing path

That part of the footpath approximately 45 metres in length marked as 'Existing Route' and shown as a bold black line on the attached plan running north to south from Wilmot Lane between point 'A' (East 452538 - North 336338) and point 'B' (East 452528 – North 336365).

PART II

Description of site of alternative highway

The alternative highway is marked as 'Proposed Route' and shown as a line of bold black dashes on the plan attached hereto being approximately 45 metres in length and 2 metres wide, constructed of tarmac, between point 'A' (East 452538 - North 336338) and point 'B' (East 452528 – North 336365).