

**RAIL CROSSING DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER**

**HIGHWAYS ACT 1980, SECTION 119A
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A (2)**

LANCASHIRE COUNTY COUNCIL

**PUBLIC FOOTPATH OVER RAILWAY BETWEEN HOLTS LANE AND FOOTPATH
POULTON-LE-FYLDE 4, RAIL CROSSING DIVERSION ORDER 2019**

This Order is made by the Lancashire County Council ("the Authority") under Section 119A of the Highways Act 1980 ("the 1980 Act").

The footpath described in paragraph 1 of this Order in the Authority's area crosses a railway otherwise than by tunnel or bridge.

It appears to the Authority that it is expedient in the interests of the safety of members of the public using, or likely to use, the said footpath that it should be diverted onto land that is also occupied by Network Rail.

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 Definitive Map and Statement of Public Rights of Way for the County of Lancashire 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 shown or required to be shown in the Map and Statement.

The Lancashire County Council has required the operator of the railway to enter into an agreement to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in the erection or maintenance of barriers and signs and also any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public.

Wyre Borough Council have been consulted as required by section 120(2)(a) of the 1980 Act and have consented to the making of the Order.

BY THIS ORDER

1. The public right of way over the land situated at Holts Lane, Poulton-le-Fylde shown by a bold continuous line on the Map attached to this Order and described in Part 1 of the Schedule hereto shall be extinguished as from the date that the Authority certifies that all work to bring the public footpath described in Part 2 of the Schedule into a fit condition for use by the public has been carried out, and the Definitive Map and Statement of Public Rights of Way for the County of Lancashire shall be modified by deleting from it that public right of way.
2. There shall at the end of 14 days from the date of confirmation of this Order be a public footpath over the land situated at Holts Lane, Poulton-le-Fylde described in Part 2 of the Schedule and shown by a bold broken line on the Map contained in this Order, and thereupon the Definitive Map and Statement of Public Rights of Way

for the County of Lancashire shall be modified by adding that public right of way to it.

3. The operator of the railway crossed by the footpath described in paragraph 1 shall maintain the footpath created by this Order.
4. The Definitive Statement of Public Rights of Way for the County of Lancashire shall be modified as described in Part 3 of the Schedule.

SCHEDULE

PART I

DESCRIPTION OF SITE OF EXISTING PATH

The public footpath as described below and shown by a bold continuous line marked A-B on the attached Map (Lengths and compass points given are approximate).

FROM	TO	COMPASS DIRECTION	LENGTH (metres)	WIDTH
A (SD 3583 3884) East side of the kissing gate on the east side of the railway.	B (SD 3582 3884) West side of the kissing gate on the west side of the railway.	W	15	The entire width

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Public footpath as described below and shown by a bold broken line A-C-D-E on the attached Map (lengths and compass points given are approximate).

FROM	TO	COMPASS DIRECTION	LENGTH (metres)	WIDTH (metres)	OTHER INFORMATION
A (SD 3583 3884) East side of kissing gate on the east side of the railway.	C (SD 3581 3888) 90 degree bend where the top step meets the deck of the footbridge on east side of the railway.	NNW	45	2	Tarmac surface on ground level, then 3 flights of 10 steps.
C (SD 3581 3888) 90 degree bend where the top step meets the deck of the footbridge on east side of the railway.	D (SD 3579 3887) 90 degree bend where the top step meets the deck of footbridge on west side of the railway.	WSW	20	2	Upper deck of footbridge
D (SD 3579 3887) 90 degree bend where the top step meets the deck of footbridge on west side of the railway.	E (SD 3581 3884) Point on Holts Lane 10 metres west of the kissing gate on the west side of the railway.	Generally SSE	25	2	3 flights of 10 steps, then tarmac surface on ground level.
Total distance of new footpath:			90		

PART 3

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF THE PATH OR WAY

The Definitive statement for Footpath Poulton-le-Fylde 4 be amended to read as follows:

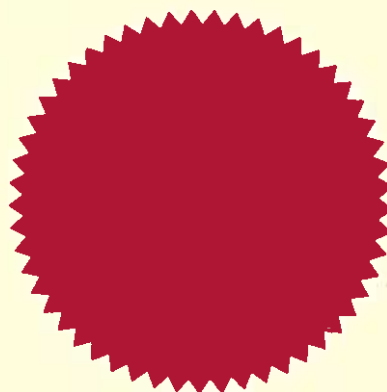
The 'Position' column to read: "From Holts Lane at SD 3581 3884 runs 25 metres generally north north west on a tarmac path on ground level, then ascends 3 flights of 10 steps on the footbridge to SD 3579 3887, then runs 20 metres east north east on the footbridge deck to SD 3581 3888, then 45 metres south south east descending 3 flights of 10 steps to SD 3583 3884 on the east side of the railway to Urban District Boundary at Main Dyke – to Singleton. (Lengths and compass points given are approximate)."

The 'length' column be amended to read: "0.65 km"

The 'Other Particulars' column be amended to read "The width of the section of footpath between SD 3581 3884 and SD 3583 3884 is 2 metres. There are no limitations on the section of footpath between SD 3581 3884 and SD 3583 3884."

Dated this 29 day of October 2019.

THE COMMON SEAL of the)
Lancashire County Council)
was hereunto affixed in)
the presence of)



28370

A handwritten signature in black ink, appearing to read 'John Gurney', written over the 'Authorised Signatory' label.

Authorised Signatory

Authorized Signatory

Andrew Mullaney

Andrew Mullaney
Head of Planning
and Environment

Highways Act 1980 Section 119A, Wildlife and Countryside Act 1981 Section 53A.
Diversion of Public Footpath over Railway between Hols Lane and Footpath Poulton-le-Fylde 4

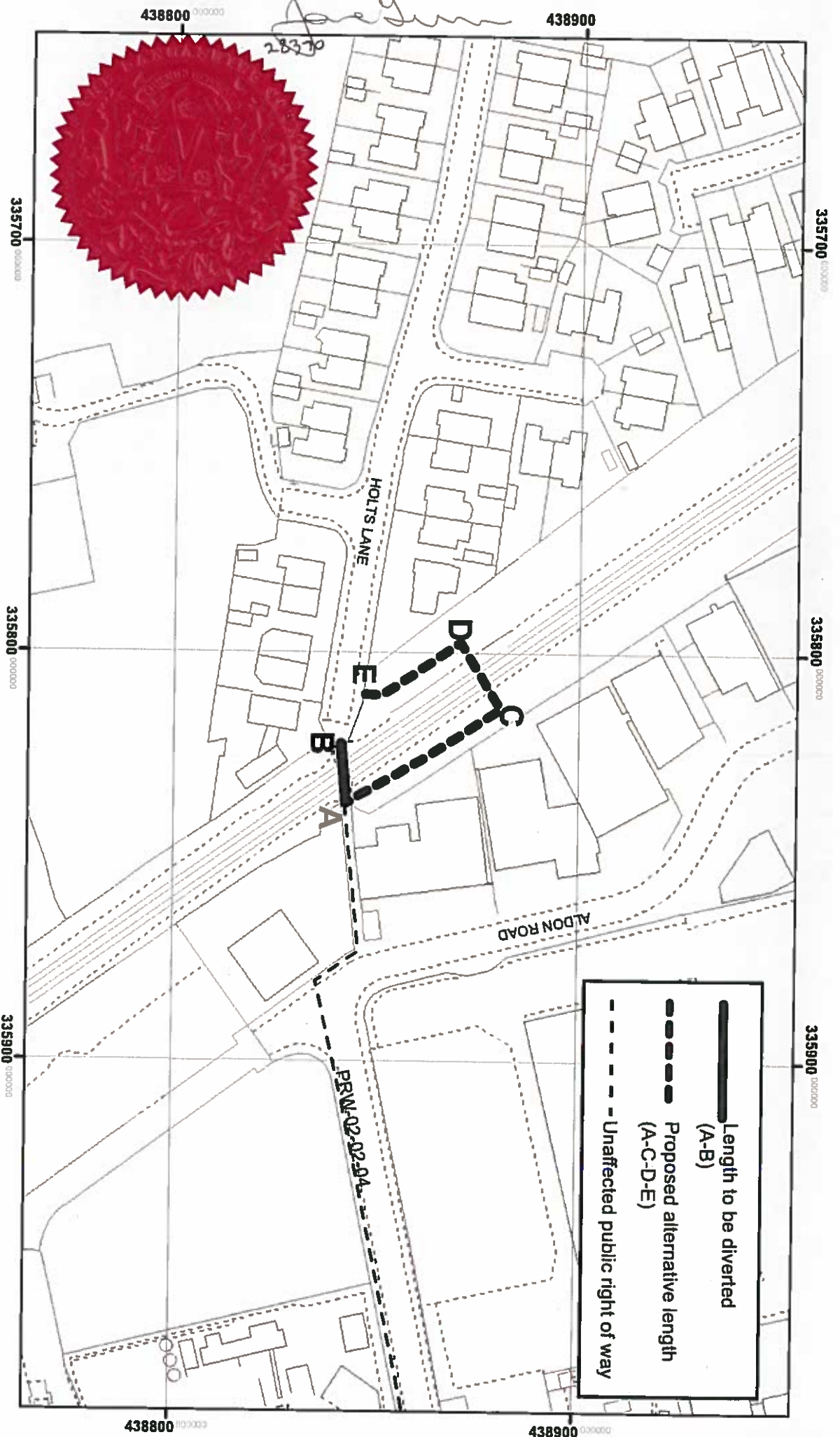
Plan No:
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MODIFICATION ORDER**

**HIGHWAYS ACT 1980, SECTION 119A
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A (2)**

LANCASHIRE COUNTY COUNCIL

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It appears to the Authority that it is expedient in the interests of the safety of members of the public using, or likely to use, the said footpath that it should be diverted onto land that is also occupied by Network Rail.

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 Definitive Map and Statement of Public Rights of Way for the County of Lancashire 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 shown or required to be shown in the Map and Statement.

The Lancashire County Council has required the operator of the railway to enter into an agreement to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in the erection or maintenance of barriers and signs and also any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public.

Wyre Borough Council have been consulted as required by section 120(2)(a) of the 1980 Act and have consented to the making of the Order.

BY THIS ORDER

1. The public right of way over the land situated at Holts Lane, Poulton-le-Fylde shown by a bold continuous line on the Map attached to this Order and described in Part 1 of the Schedule hereto shall be extinguished as from the date that the Authority certifies that all work to bring the public footpath described in Part 2 of the Schedule into a fit condition for use by the public has been carried out, and the Definitive Map and Statement of Public Rights of Way for the County of Lancashire shall be modified by deleting from it that public right of way.
2. There shall at the end of 14 days from the date of confirmation of this Order be a public footpath over the land situated at Holts Lane, Poulton-le-Fylde described in Part 2 of the Schedule and shown by a bold broken line on the Map contained in this Order, and thereupon the Definitive Map and Statement of Public Rights of Way

for the County of Lancashire shall be modified by adding that public right of way to it.

3. The operator of the railway crossed by the footpath described in paragraph 1 shall maintain the footpath created by this Order.
4. The Definitive Statement of Public Rights of Way for the County of Lancashire shall be modified as described in Part 3 of the Schedule.

SCHEDULE

PART I

DESCRIPTION OF SITE OF EXISTING PATH

The public footpath as described below and shown by a bold continuous line marked A-B on the attached Map (Lengths and compass points given are approximate).

FROM	TO	COMPASS DIRECTION	LENGTH (metres)	WIDTH
A (SD 3583 3884) East side of the kissing gate on the east side of the railway.	B (SD 3582 3884) West side of the kissing gate on the west side of the railway.	W	15	The entire width

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Public footpath as described below and shown by a bold broken line A-C-D-E on the attached Map (lengths and compass points given are approximate).

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C (SD 3581 3888) 90 degree bend where the top step meets the deck of the footbridge on east side of the railway.	D (SD 3579 3887) 90 degree bend where the top step meets the deck of footbridge on west side of the railway.	WSW	20	2	Upper deck of footbridge
D (SD 3579 3887) 90 degree bend where the top step meets the deck of footbridge on west side of the railway.	E (SD 3581 3884) Point on Holts Lane 10 metres west of the kissing gate on the west side of the railway.	Generally SSE	25	2	3 flights of 10 steps, then tarmac surface on ground level.
Total distance of new footpath:			90		

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MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF THE PATH OR WAY

The Definitive statement for Footpath Poulton-le-Fylde 4 be amended to read as follows:

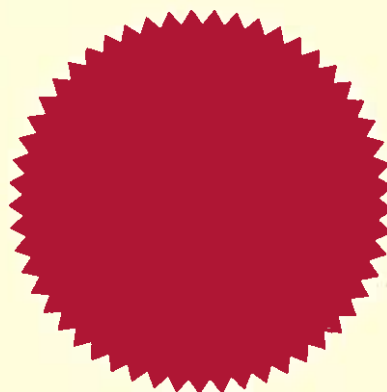
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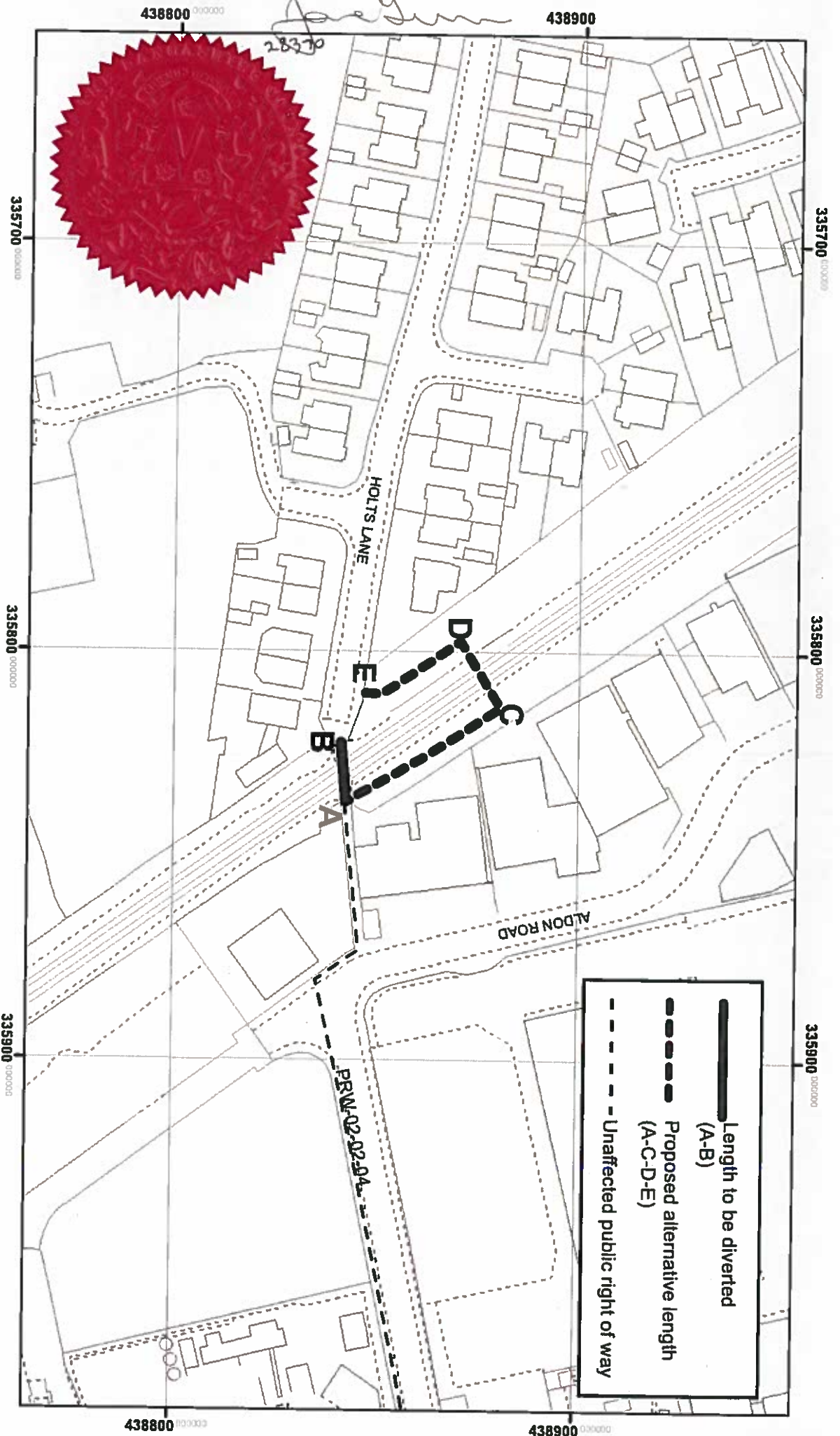
Highways Act 1980 Section 119A, Wildlife and Countryside Act 1981 Section 53A.
Diversion of Public Footpath over Railway between Hols Lane and Footpath Poulton-le-Fylde 4

Plan No:
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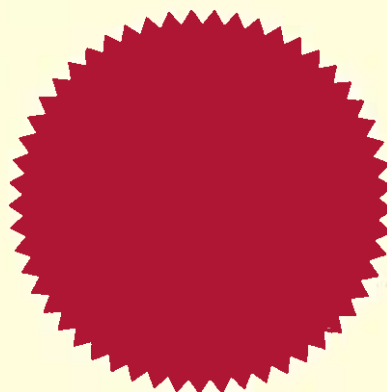
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