

**STOCKPORT COUNCIL**  
**EXECUTIVE REPORT – SUMMARY SHEET**

**Subject:** Diversion and upgrade to bridleway of Footpath 16 Hazel Grove and Bramhall

**Report to:** (a) Bramhall & Cheadle Hulme South Area Committee **Date:** 7<sup>th</sup> April 2022

**Report of:** (b) Head of Highways and Transportation

**Key Decision:** (c) **NO / ~~YES~~** (Please circle)

Forward Plan ☐ General Exception ☐ Special Urgency ☐ (Tick box)

**Summary:**

Committee are requested to assess the proposal to divert part of Public Footpath 16 Hazel Grove and Bramhall from its current alignment through the Ashmead Farm yard area to a position west of the farmyard through open fields and upgrade to bridleway status with the addition of a section of unadopted path leading from Meadway Bramhall. A new surface will be constructed from bituminous materials and a new fenceline provided either side of the footpath. The proposed diverted and upgraded footpath will provide improved access from the Meadway to the shared path alongside the A555.

**Recommendation(s):**

That the Committee resolves to authorise the making of an Order under section 119 of the Highways Act 1980, diverting part of Public Footpath 16 Hazel Grove and Bramhall and upgrade to bridleway status with the addition of a section of unadopted path leading from Meadway Bramhall.

**Relevant Scrutiny Committee** (if decision called in): (d)  
Communities & Housing Scrutiny Committee

**Background Papers** (if report for publication): (e)

There are none.

Contact person for accessing  
background papers and discussing the report

**Officer: Sue Stevenson**  
Tel: 0161 474 4351

**‘Urgent Business’:** (f) **~~YES~~ / NO** (please circle)

**Certification** (if applicable)

This report should be considered as ‘urgent business’ and the decision exempted from ‘call-in’ for the following reason(s):

The written consent of Councillor \_\_\_\_\_ and the Chief  
Executive/Monitoring Officer/Borough Treasurer for the decision to be treated  
as ‘urgent business’ was obtained on \_\_\_\_\_ /will be obtained  
before the decision is implemented.

**DIVERSION OF A SECTION OF PUBLIC FOOTPATH 16 HAZEL GROVE AND  
BRAMHALL UNDER SECTION 119 OF THE HIGHWAYS ACT 1980 AND UPGRADE TO  
BRIDLEWAY STATUS**

Report of the Head of Highways and Transportation

**1.0 MATTER FOR CONSIDERATION**

- 1.1 Committee is requested to consider whether to authorise the diversion of part of Public Footpath 16 Hazel Grove and Bramhall and upgrade to bridleway status with the addition of a section of unadopted path leading from Meadway Bramhall.

**2.0 LEGAL POSITION**

- 2.1 Section 119 of the Highways Act 1980 gives the Council the power to make an Order diverting the footpath where it appears expedient to do so in the interests of the landowner or the public.
- 2.2 Before confirming the Order, the Council (or Secretary of State) must additionally be satisfied that the path will not be substantially less convenient to the public in consequence of the diversion and that it is expedient to confirm the Order having regard to the effect the Order would have on the public's enjoyment of the path as a whole and on the land over which the existing and diverted footpaths run.

**3.0 BACKGROUND**

- 3.1 The section of existing footpath to be diverted and upgraded currently passes easterly between 115 and 117 Meadway Bramhall (see Appendix A for location plan and references) for approximately 38 metres (A – B) and has a bituminous macadam surface before turning south easterly for approximately 23 metres (B – C) on a stone surface then north easterly for approximately 60 metres (C – E) before turning south easterly through the yard area of Ashmead Farm and then continues along their former access road for approximately 115 metres (E – F) on a natural surface until it meets the north side of A555 which provides the main vehicular access route for the oil terminal.
- 3.2 It is proposed to divert the section of the route described above which passes through the yard and along the former access track of Ashmead Farm (E – F), to a new route which leaves the existing footpath and crosses fields in a south easterly direction for 135 metres on a new asphalt surface and with a width of 3 metres until it meets the shared usage path adjacent to the A555 (C – D)
- 3.3 It is proposed to upgrade the route (A – B – C – D) to bridleway status.
- 3.4 It is important to note that the existing path which runs in a north easterly direction (C – E – G) will continue to exist as a public footpath.

- 3.5 The unadopted section of path between 115 and 117 Meadway is already used as a footpath linking Meadway to the existing Public Footpath 16 Hazel Grove and Bramhall.

#### **4.0 DESCRIPTION OF THE ROUTE**

- 4.1 The route to be diverted, shown as a solid black line on the plan included at Appendix A, starts at point E and runs in a south easterly direction through the yard area and access road of Ashmead Farm until it meets the north side of the A555 which provides the main vehicular access route for the oil terminal at Point F. The route is a natural grassed surface and has no defined width.
- 4.2 The proposed diversion and upgrade to bridleway route shown as a bold dashed line on the plan included in Appendix A starts at Point A, passing between the houses of 115 and 117 Meadway Bramhall with a maximum width of 1.8 metres before turning south east at Point B where the path has a width of 2.2 metres, continuing to Point C and then continuing across fields on a bituminous surface of 3 metres width to Point D where it meets the shared usage path adjacent to the A555.

#### **5.0 LAND OWNERSHIP AND CONSULTATIONS**

- 5.1 The owners of the land where the existing route (B - C) & (E – F) and proposed upgraded route (C – D) lies have indicated that they have no objection to the proposed diversion and upgrade.
- 5.2 The section of the route (A-B) is currently un-registered. A notice was placed on site between 17<sup>th</sup> December 2021 to 15<sup>th</sup> February 2022 requesting details of land ownership. No response has been received.
- 5.3 Letters of consultation were sent to: residents of 114, 116, 115, 117, 119 Meadway Bramhall and the Bramhall Oil Terminal manager regarding the proposal to divert and upgrade the route. There were three responses received, one in support, two provided comments and requested some clarifications but no objections to the proposal were received.

#### **6.0 SUMMARY**

- 6.1 It is considered that the diversion of part of Public Footpath 16 Hazel Grove and Bramhall and upgrade to bridleway status with the addition of a section of unadopted path leading from Meadway Bramhall would provide improved access to and from the shared usage path along the A555 for the benefit of all users, pedestrians, equestrians and cycle users and is also in the interests of the landowner allowing them to utilise their access road and yard effectively.
- 6.2 The consultation feedback suggested that the route is already used by cyclists so the proposed upgrade would formalise this usage.

## **7.0 CONCLUSION**

- 7.1 It is concluded that the legal grounds exist to justify exercising the power to make the Order to divert and upgrade the route as described.

## **8.0 RECOMMENDATIONS**

- 8.1 That the Committee resolves to authorise the making of an Order under section 119 of the Highways Act 1980, diverting part of Public Footpath 16 Hazel Grove and Bramhall and upgrade to Bridleway status with the addition of a section of unadopted path leading from Meadway Bramhall.

### **Background Papers**

Anyone wishing for further information please contact Sue Stevenson on telephone number 0161 474 4351 or by email at [sue.stevenson@stockport.gov.uk](mailto:sue.stevenson@stockport.gov.uk)

**Appendix A – Location Plan**

