

## CABINET – Item 11.3



Report subject	<b>Winter Gardens Footpath Diversion</b>
Meeting date	11 September 2019
Status	Public Report
Executive summary	To seek approval for the diversion of Public Footpath B20 to make way for development at the Winter Gardens site, Bournemouth
Recommendations	<b>It is RECOMMENDED that:</b> <b>The order to divert Public Footpath B20 is made.</b>
Reason for recommendations	The order is necessary to allow development at the Winter Gardens to proceed.
<b>Portfolio Holder(s):</b>	Councillor Andy Hadley, Cabinet Member for Transport and Infrastructure
<b>Corporate Director</b>	Bill Cotton (Corporate Director for Regeneration and Economy)
<b>Contributors</b>	Julian McLaughlin, Director of Growth and Infrastructure Philip Elias, Senior Rights of Way Officer
<b>Wards</b>	Bournemouth Central
<b>Classification</b>	For Decision

### Background

1. Planning permission for the redevelopment of the Winter Gardens site was granted in 2017. The current line of Public Footpath B20 would be obstructed by the proposed structures within the scheme; therefore a minor diversion of the path is required.

### **Summary of financial implications**

2. Failure to divert the path could lead to disruption of the development scheme.  
The footpath will be re-instated on its new line as part of the redevelopment, and the cost of making the diversion Order will be covered by the development.

### **Summary of legal implications**

3. Leaving the path obstructed could trigger a judicial review challenge against the authority.

### **Summary of human resources implications**

4. There are no human resource implications.

### **Summary of environmental impact**

5. There are no environmental impacts.

### **Summary of public health implications**

6. There are no public health implications.

### **Summary of equality implications**

7. There are no equality implications.

### **Summary of risk assessment**

8. The risk assessment has identified that a refusal to divert the path could result in some negative publicity for the authority.

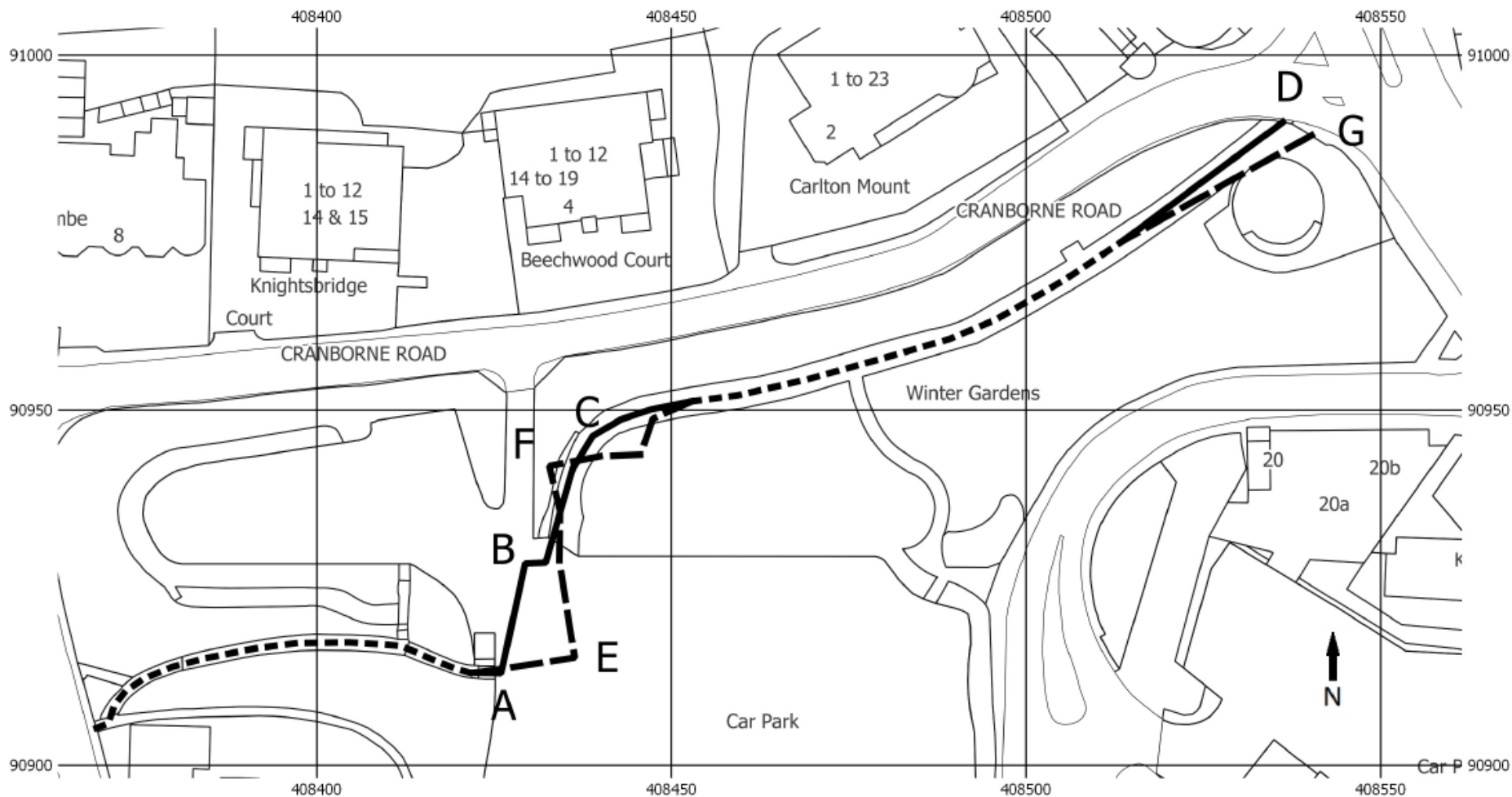
### **Background papers**

There are no background papers to this report.

### **Appendices**

Appendix 1: Order plan to divert Public Footpath B20.

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Public Footpath B20  
Diversion Order Map

Section 257  
Town and Country Planning Act 1990

- Key:
- Diverted Footpath
  - - - Unaffected Footpath
  - Existing to be diverted

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