

**TRANSPORT AND WORKS ACT 1992
TRANSPORT AND WORKS (INQUIRIES PROCEDURES)
RULES 2004
NETWORK RAIL (STALYBRIDGE TO DIGGLE
(SADDLEWORTH) ENHANCEMENTS) ORDER**

**Status of Canal Towpath (Footpath 76 SADD)
INQ-23**

Prepared by Network Rail

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The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order

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1. GENERAL INTRODUCTION

1.1 Purpose of the Document

- 1.1.1 The purpose of this document is to confirm the status of the sections of canal towpath that are affected by the Order application.

2. CANAL TOWPATH (FOOTPATH 76 SADD)

2.1 Status of canal towpath (Footpath 76 SADD)

- 2.1.1 The sections of canal towpath that are affected by the Order application comprise the dedicated public right of way known as Footpath 76 SADD. Accordingly, the status of the sections of canal towpath affected by the Order application is that of a public right of way and so therefore these sections of canal towpath are not open space for the purposes of the Acquisition of Land Act 1981 (**NR56**).
- 2.1.2 The Order (**NR02** as amended by **NR144**) does not seek to confer any powers on Network Rail to permanently stop up and divert any part of Footpath 76 SADD.
- 2.1.3 The Order (**NR02** as amended by **NR144**) does seek to confer powers on Network Rail to temporarily stop up Footpath 76 SADD under Article 14 of the Order to the extent specified for Footpath 76 SADD in column (3) of Schedule 6 to the Order (please see Schedule 6 to the Order as amended by **NR144**).