

**Wildlife and Countryside Act 1981  
Section 53**

**North Somerset District Council**

**(Part of Footpath AX29/48 and unrecorded route between  
Drove Way Winscombe and Riverside Banwell)  
Definitive Map and Statement Modification  
Order No 2 2017**

**Director of Development and Environment  
Streets and Open Spaces  
Town Hall  
Walliscote Grove Road  
Weston-super-Mare  
BS23 1UJ**

**File ref: Mod 51**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE COUNTY OF SOMERSET DEFINITIVE MAP AND STATEMENT  
AXBRIDGE RURAL DISTRICT**

**NORTH SOMERSET DISTRICT COUNCIL  
(PART OF FOOTPATH AX 29/48 AND UNRECORDED ROUTE FROM  
DROVE WAY WINSCOMBE TO RIVERSIDE, BANWELL)  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER NO. 2 2017**

This Order is made by North Somerset District Council ("The Council") under Section 53(2) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to North Somerset District Council that the County of Somerset Definitive Map and Statement Axbridge Rural District requires modification in consequence of an event specified in section 53(3)(c)(i) of the Act; namely that a right of way which is not shown in the map and statement subsist or is reasonable alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic; and (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.

The Council have consulted with every local authority whose area includes the land to which the Order relates. The Council hereby orders that:

1. For the purpose of this Order the relevant date is 15 August 2017.
2. The County of Somerset Definitive Map and Statement Axbridge Rural District shall be modified as described in Part 1 and Part II of the Schedule and shown on the map attached to this Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the North Somerset District Council (Part of Footpath AX 29/48 and unrecorded route from Drove Way, Winscombe to Riverside, Banwell) Definitive Map and Statement Modification Order No.2 2017.

## SCHEDULE

### PART I

#### Modification of Definitive Map

#### **Description of public right of way to be upgraded to a Bridleway**

##### Modification of part of Footpath AX 29/48 to Bridleway AX 29/86

The footpath AX 29/48 commences from point A (Grid Ref: ST41176 61755) on the adopted highway known as Drove Way and proceeds in a south westerly direction for a distance of approximately 674 metres to point B (Grid Ref: ST40745 61235). This section of the route will be known as Bridleway AX 29/86.

##### Description of Bridleway to be added

The Unrecorded route commences from point B (Grid Ref: ST40745 61235) and proceeds in a south westerly direction for a distance of approximately 543 metres to point C (Grid Ref: ST40440 60790). This section of the route will be recorded as Bridleway AX 29/86.

The route then continues from point C (Grid Ref: ST40440 60790) and proceeds in a westerly direction, for a distance of approximately 571 metres to point D (Grid Ref: ST39874 60716), which ends at an adopted highway known as Riverside. This section of the route will be recorded as Bridleway AX 3/59.

This route will be in total an approximate length of 1788 metres and is shown on the attached map EB/Mod 51.

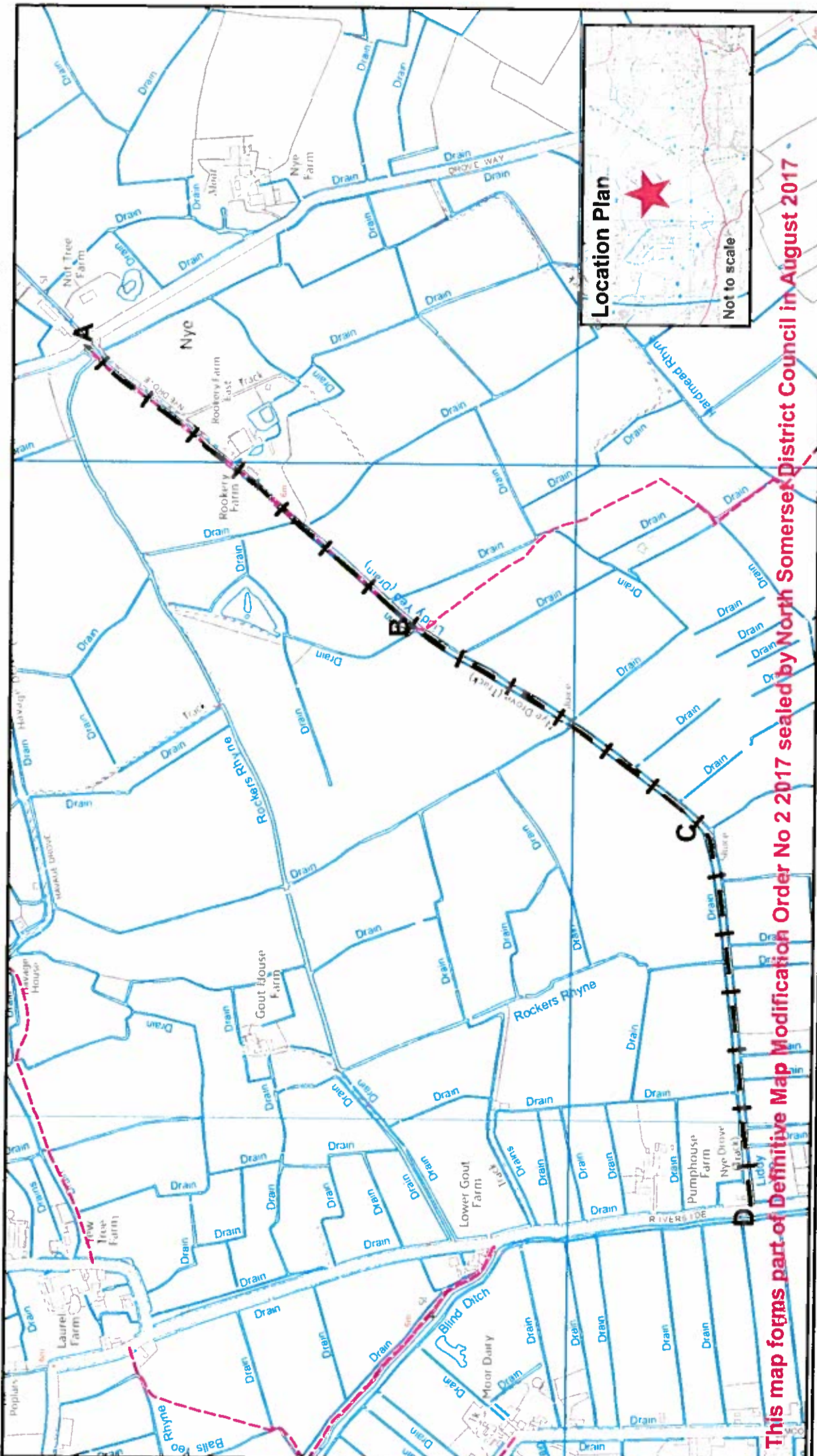
The width of this route is depicted on the OS Second Edition 1903 whereby the full length of the route is depicted as a bounded track. Between A and B the route has a width of 4 metres, between B and C the route is shown with a width varying between 6 and 7 metres, and between C and D the route is depicted with a width of 7 metres to its junction with Riverside.

PART II

Modification of Definitive Map and Statement

Map No.	Class & Right of Way	Description of Route				Particulars as to position, width, limitations or conditions as in the opinion of the Authority it is expedient to record		Reason for inclusion
		From		To				
		County Road or Right of Way	Location (with bounding property Nos.)	General Direction	County Road or Right of Way	Location (with bounding property Nos.)	General Description of Route	
EB/Mod 51	Part of Footpath AX29/48 and Unrecorded route	Drove Way USRN 47816527	ST 41176 61755	South-westerly, west	Riverside USRN 47830144	ST 39874 60716	<p>The footpath AX 29/48 commences from point A on the adopted highway known as Drove Way and proceeds in a south westerly direction for a distance of approximately 674 metres to point B. This section of the route will be known as Bridleway AX 29/86.</p> <p>The Unrecorded route commences from point B and proceeds in a south westerly direction for a distance of approximately 543 metres to point C. This section of the route will be recorded as Bridleway AX 29/86. The route then continues from point C and proceeds in a westerly direction, for a distance of approximately 571 metres to point D, which ends at an adopted highway known as</p>	<p>Wildlife and Countryside Act 1981</p> <p>Modification of Definitive Map part of Footpath AX29/48 to become Bridleway AX29/86 and creation of Bridleway AX 29/86 and AX 3/59</p>

Riverside. This section of the route will be recorded as Bridleway AX 3/59. This route will be in total an approximate length of 1788 metres and is shown on the attached map EB/Mod 51. The width of this route is depicted on the OS Second Edition 1903. Whereby the full length of the route is depicted as a bounded track. Between A and B the route has a width of 4 metres, between B and C the route is shown with a width varying between 6 and 7 metres, and between C and D the route is depicted with a width of 7 metres to its junction with Riverside.



**This map forms part of Definitive Map Modification Order No 2 2017 sealed by North Somerset District Council in August 2017**

Wildlife & Countryside Act 1981 - Sec 53 North Somerset District Council  
**Bridleway AX29/86 and AX3/59 Nye Drive**  
**Definitive Map Modification Order No 2 2017**



**Development & Environment**  
 Public Rights of Way  
 Streets and Open Spaces  
 North Somerset Council  
 Town Hall  
 Walliscote Grove Road  
 Weston-super-Mare  
 BS23 1UJ  
 Tel 01934 888 802

**Map No.**  
 EB/Mod 51  
**Scale** 1:7791  
**Grid Reference**  
 ST4061  
**Date**  
 22 May 2017

**Claimed Bridleway** - | - | - | - | -  
**A-B-C-D**

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Given under the Common Seal of North Somerset District Council on the 31<sup>st</sup> day of August 2017.

17554

The COMMON SEAL of )  
NORTH SOMERSET )  
DISTRICT COUNCIL )  
was hereunto affixed in )  
the presence of :- )

A Rich

for

HEAD OF LEGAL AND DEMOCRATIC SERVICES

**NORTH SOMERSET DISTRICT COUNCIL** )  
hereby confirms the foregoing )  
Order as an unopposed Order )  
This 11<sup>th</sup> day of MAY 2018 )

18089 .

A handwritten signature in black ink, appearing to be 'R. H. A.', written in a cursive style.

**HEAD OF LEGAL AND DEMOCRATIC SERVICES**



## **NOTICE OF CONFIRMATION OF A DEFINITIVE MAP MODIFICATION ORDER**

### **Section 53 of the Wildlife and Countryside Act 1981 The County of Somerset Definitive Map and Statement Axbridge Rural District**

#### **North Somerset District Council (Part of Footpath AX29/48 and unrecorded route from Drove Way Winscombe to Riverside Banwell) Definitive Map and Statement Modification Order No 2 2017**

The above Order made on 31<sup>st</sup> August 2017, under Section 53 Wildlife and Countryside Act 1981 was confirmed by North Somerset Council on 11 May 2018.

The effect of the Order is to modify the definitive map and statement for the area by upgrading to bridleway part of Footpath AX 29/48 to be known as Bridleway AX29/86 and the addition of a new bridleway to be known as AX29/86 and AX3/59. Bridleway AX 29/86 commences from point A (Grid Ref: ST41176 61755) on the adopted highway known as Drove Way and proceeds in a south westerly direction for a distance of approximately 674 metres to point B (Grid Ref: ST40745 61235). It then continues in a south westerly direction for a distance of approximately 543 metres to point C (Grid Ref: ST40440 60790). Bridleway AX 3/59 continues from point C (Grid Ref: ST40440 60790) and proceeds in a westerly direction, for a distance of approximately 571 metres to point D (Grid Ref: ST39874 60716), which ends at an adopted highway known as Riverside.

A copy of the confirmed Order and the Order map have been placed and may be seen free of charge at the reception of North Somerset Council Offices, Town Hall, Walliscote Grove Road, Weston super Mare, BS23 1UJ from 9am to 4.30pm, Monday to Thursday (4.00pm Friday) or may be viewed on the Council's website [www.n-somerset.gov.uk/notices](http://www.n-somerset.gov.uk/notices). Alternatively a copy is also available for inspection at Banwell Parish Council Offices, Banwell Parish Hall, Westfield Road, Banwell, and Winscombe and Sandford Parish Council Offices, The Parish Office, 11 Sandford Road, Winscombe during their normal opening hours.

The Order came into force on 11 May 2018, but if a person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of Section 53 of the Wildlife and Countryside Act 1981, as amended, or on the ground that any requirement of the Act, or on the ground that any requirement of Schedule 15 to the Act, or of any regulation made under the Act has not been complied with in relation to the Order, he or she may, under paragraph 12 of Schedule 15 to the Act, within six weeks from date on which the notice is first published, make an application to the High Court.

Dated 17 May 2018

**David Carter**  
**Director of Development & Environment**  
North Somerset Council  
Town Hall  
Walliscote Grove Road  
Weston-super-Mare  
BS23 1UJ

