

## **Notice of Making of Orders**

### **Highways Act 1980**

#### **North Somerset District Council**

**Part of Footpath AX 14/32, Ladymead Lane, Langford, Churchill**

**Public Path Diversion Order No. 1 2020**

#### **North Somerset District Council**

**Part of Footpath AX 14/46, Land north of Ladymead Lane, Langford, Churchill**

**Public Path Diversion Order No. 2 2020**

The above Orders, made on 7th February 2020, under section 119 of the Highways Act 1980, will divert those parts of Public Footpaths AX 14/32 and AX 14/46 in the Parish of Churchill within the District of North Somerset as described below:

That part of Public Footpath AX 14/32 (ref. PAP/PPO184a) from point A (grid ref. ST 45050 60877), at Ladymead Lane, running in a generally north westerly then generally westerly direction for approximately 141m to point B (grid ref. ST 44923 60916) then running in a generally west, south westerly direction for approximately 45m to point C (grid ref. ST 44884 60899) and then a generally westerly direction for approximately 49m to point D (grid ref. ST 44837 60894). The route then runs in a generally westerly direction for approximately 63m to point E (grid ref. ST 44775 60898), then in a south, south westerly direction for approximately 78m to point F (grid ref. ST 44747 60825), before running in a south westerly direction for approximately 106m to point G (grid ref. ST 44675 60747), as shown by a bold continuous line on the attached Map No. PPO 184a; to a footpath from a kissing gate at point H (grid ref. ST 45032 60830) at Ladymead Lane, running over a culvert bridge in a generally westerly direction for approximately 129m to a pedestrian gate at point I (grid ref. ST 44905 60840), then a generally west, south westerly direction for approximately 134m to point J (grid ref. ST 44779 60796). The route then runs in a west, south westerly direction for approximately 31m to a pedestrian gate at point K (grid ref. ST 44751 60781) and then in a west, south westerly direction for approximately 84m to a pedestrian gate at point G (grid ref. ST 44675 60747), as shown by a bold broken line on the attached Map No. PPO 184a.

That part of Public Footpath AX 14/46 (ref. PAP/PPO184b) from point L (grid ref. ST 45071 61051) running in a generally southerly then generally south, south westerly direction for approximately 185m to M (grid ref. ST 45054 60871), as shown by a bold continuous line on the attached Map No. PPO 184b; to a footpath from point L (grid ref. ST 45071 61051) running in a south, south westerly direction for approximately 18m to a field gate at point N (grid ref. ST 45064 61034) then in a generally southerly then generally south, south westerly direction for approximately 151m to a kissing gate at point O (grid ref. ST 45056 60886), as shown by a bold broken line on the attached Map No. PPO 184b. The paths will have widths of 2m, with pasture surfaces. AX 14/32 will have stoning at point J.

The proposals are shown on the Order Maps No. PPO 184a and PP9O 184b, with the existing routes shown by bold continuous lines and the proposed routes shown by bold broken lines. References to lettered points in this Notice are references to the points marked on the Order Maps.

Copies of the Orders and Order maps have been placed and may be seen free of charge at the North Somerset Council Reception, at the Town Hall address below from 9am to 4.30pm Mon to Thu and 9am to 4pm on Fridays, or may be viewed on the council's website [www.n-somerset.gov.uk/notices](http://www.n-somerset.gov.uk/notices). Copies are also available for inspection at Churchill Post Office, Front Street, Churchill BS25 5NB during normal opening hours (9am to 5.30pm Mon to Sat). Copies of the Orders and maps may be bought from the council offices at the price of £6.70 if collected and £8 if posted out.

Any representations about or objections to the Orders may be sent in writing to the Natural Environment Team, North Somerset Council, at the Town Hall address below not later than **12**

**March 2020**, quoting the above appropriate reference(s). Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District Council may confirm the Orders as unopposed Orders. If the Orders are sent to the Secretary of State for the Environment for confirmation, any representations and objections which have not been withdrawn will be sent with the Orders.

Dated: 13 February 2020. John Flannigan, Community and Environment Service Manager, North Somerset Council, Town Hall, Weston-super-Mare BS23 1UJ.

## **Explanatory Statement**

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#### **North Somerset District Council**

**Part of Footpath AX 14/46, Land north of Ladymead Lane, Langford, Churchill**

#### **Public Path Diversion Order No. 2 2020**

**This statement is for information only and does not form part of the Order**

Under the provisions of S.119 of the Highways Act 1980 County and District Councils have the power to make orders to divert public rights of way. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

North Somerset District Council ("the Council") has made these Orders because it appears to the council that in the interests of the owners of the land crossed by the footpath AX 14/32 and of the public it is expedient that the line of the path should be diverted; and in the interests of the public it is expedient that the line of footpath AX 14/46 should be diverted. The applications have been submitted for the following reasons:

Public Footpath AX 14/32 (ref: PAP/PPO 184a). Ladymead Farm is an isolated property with Public Footpath AX14/32 routed along 140m of shared vehicular access drive, from Point A to B and through 35m of the applicants' private garden, between Points B and C. The remaining 305m between points C-D-E-F-G, suggested for diversion, is across agricultural pasture. There are numerous gates and kissing gates across the route.

The 35m of the definitive route through the applicants' garden has always been available for use, however a short 'permissive alternative' route via pasture to the south, has been in place and used by most walkers for many years, therefore the applicants have experienced few problems. Planning consent for the development of the agricultural barn to the west of the main house as a dwelling and construction of an associated vehicular access track from Point B has been granted. The proposed development will increase the length of path shared with vehicular access by around 35m.

The proposed diversion is more in keeping with the rural nature of this and other connecting paths and will provide a shorter, more direct route west from Ladymead Lane alongside a mature hedge and on well drained pasture. The proposed alternative route will also have fewer gates than the existing. In addition, the proposed route is well away from the vehicular access drive and private garden, which should encourage public use and allow the applicants to better manage access to their property and the new barn development. The proposed diversion will clearly benefit the applicants but will also provide benefit to the walking public as most prefer to walk a more rural route with fewer gates to negotiate.

Public Footpath AX 14/46 (ref: PAP/PPO 184b). At the same time, the council is seeking to address an apparent mapping anomaly arising during the Definitive Map process, which shows the legal line of Public Footpath AX 14/46 following a historic drainage ditch for approximately 185 metres, between points L to M. The public have been taking a route via a stile at point O, then walking along the field edge on the west side of the drainage ditch, to a field gate at point N, before re-joining the definitive line at point L, a total distance of approximately 169m.

The formal diversion to a route between points O-N-L is necessary to address the historic mapping anomaly, providing clarity, with the public being the main beneficiary of the diversion.

The stile at point O will be replaced with a kissing gate and appropriate footpath signage will be affixed.

The applications comply with the provisions of Section 119 (1) of the Highways Act 1980 on the basis that, in the interests of the owners of the land crossed by the path or way (for AX 14/32) and of the public (for both paths/applications) it is expedient that the lines of the paths or ways or parts of those lines should be diverted. It further complies with Section 119 (6) in that the paths or ways will not be substantially less convenient to the public in consequence of the diversion.

The Orders will come into effect only after they have been confirmed. Making and advertising the Orders provides an opportunity for objections or representations to be made.

Any representations about or objections to the Orders must be made in writing by **12 March 2020** to the Natural Environment Team, Streets and Open Spaces, Town Hall, Weston-super-Mare BS23 1UJ quoting the above relevant reference(s) and stating the grounds on which they are made.

If any objections are made and not withdrawn the matter will be submitted to the Planning Inspectorate (as agent for the Secretary of State for the Environment, Food and Rural Affairs) for determination. Once submitted, the Planning Inspectorate will appoint an Inspector who will determine whether to deal with the matter by written representations, a hearing or a public inquiry. The inspector can confirm an Order, confirm it with modifications, or refuse to confirm it. In some cases the Inspectorate may award costs. If no objections are received the council will be able to confirm the Orders itself but has no powers to modify Orders.

The right of objection to an Order is a statutory right, but it should be exercised in a reasonable manner. If you objected at the pre-order stage and still wish to object now that Orders have been made you will need to re-submit your objection by the deadline specified above. Only objections received during this statutory period will be forwarded to the Secretary of State.

This is a copy of the Order  
Date: 7 February 2020

Highways Act 1980 Section 119  
North Somerset District Council  
Part of Footpath AX 14/32, Ladymead Farm, west of Ladymead Lane, Langford, Churchill  
Public Path Diversion Order No 1 2020

This Order is made by North Somerset District Council (“the authority”) under Section 119 of the Highways Act 1980 (“the 1980 Act”) because it appears to the authority that in the interests of the owners of the land crossed by the footpath described in paragraph 1 of the order and of the public it is expedient that the line of the path should be diverted.

The applicants have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order.

By this Order (1) The public right of way over the land situated at Ladymead farm, west of Ladymead Lane, Langford, Churchill and shown by a bold continuous line on the Map No. PPO 184a contained in this order and described in Part 1 of the Schedule to this order shall be stopped up on the date on which North Somerset District Council certify that work has been carried out to bring the site of the new highway mentioned in Part 2 of the Schedule into a fit condition for use by the public. (2) Notwithstanding this order Bristol Water plc, Western Power Distribution and Gigaclear shall have the following rights over the land referred to in paragraph 1 namely: they shall for the purpose of carrying out their undertaking continue to have the same rights in respect of their apparatus as they had immediately before the date on which the footpath is diverted. (3) There shall at the end of 28 days from the date of confirmation of this order be a public footpath over the land situated at Ladymead farm, west of Ladymead Lane, Langford, Churchill described in Part 2 of the Schedule and shown by a bold broken line on the Map No. PPO 184a attached to this order. (4) The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

Schedule 1 - Part 1 Description of Site of Existing Path or Way. That part of footpath AX 14/32 in the parish of Churchill from point A (grid ref. ST 45050 60877), at Ladymead Lane, running in a generally north westerly then generally westerly direction for approximately 141m to point B (grid ref. ST 44923 60916) then running in a generally west, south westerly direction for approximately 45m to point C (grid ref. ST 44884 60899) and then a generally westerly direction for approximately 49m to point D (grid ref. ST 44837 60894). The route then runs in a generally westerly direction for approximately 63m to point E (grid ref. ST 44775 60898), then in a south, south westerly direction for approximately 78m to point F (grid ref. ST 44747 60825), before running in a south westerly direction for approximately 106m to point G (grid ref. ST 44675 60747), as shown by a bold continuous line on the attached Map No. PPO 184a.

Schedule 1 – Part 2 Description of Site of New Path or Way. A footpath from a kissing gate at point H (grid ref. ST 45032 60830) at Ladymead Lane, running over a culvert bridge in a generally westerly direction for approximately 129m to a pedestrian gate at point I (grid ref. ST 44905 60840), then a generally west, south westerly direction for approximately 134m to point J (grid ref. ST 44779 60796). The route then runs in a west, south westerly direction for approximately 31m to a pedestrian gate at point K (grid ref. ST 44751 60781) and then in a west, south westerly direction for approximately 84m to a pedestrian gate at point G (grid ref. ST 44675 60747), as shown by a bold broken line on the attached Map No. PPO 184a. The path will have a width of 2m, with a pasture surface, with stoning at point J.

Schedule 1 – Part 3 Limitations and Conditions. Point H (grid reference ST 45032 60830) Culvert Bridge. Point H (grid reference ST 45032 60830) Kissing Gate. Point I (grid reference ST 44905

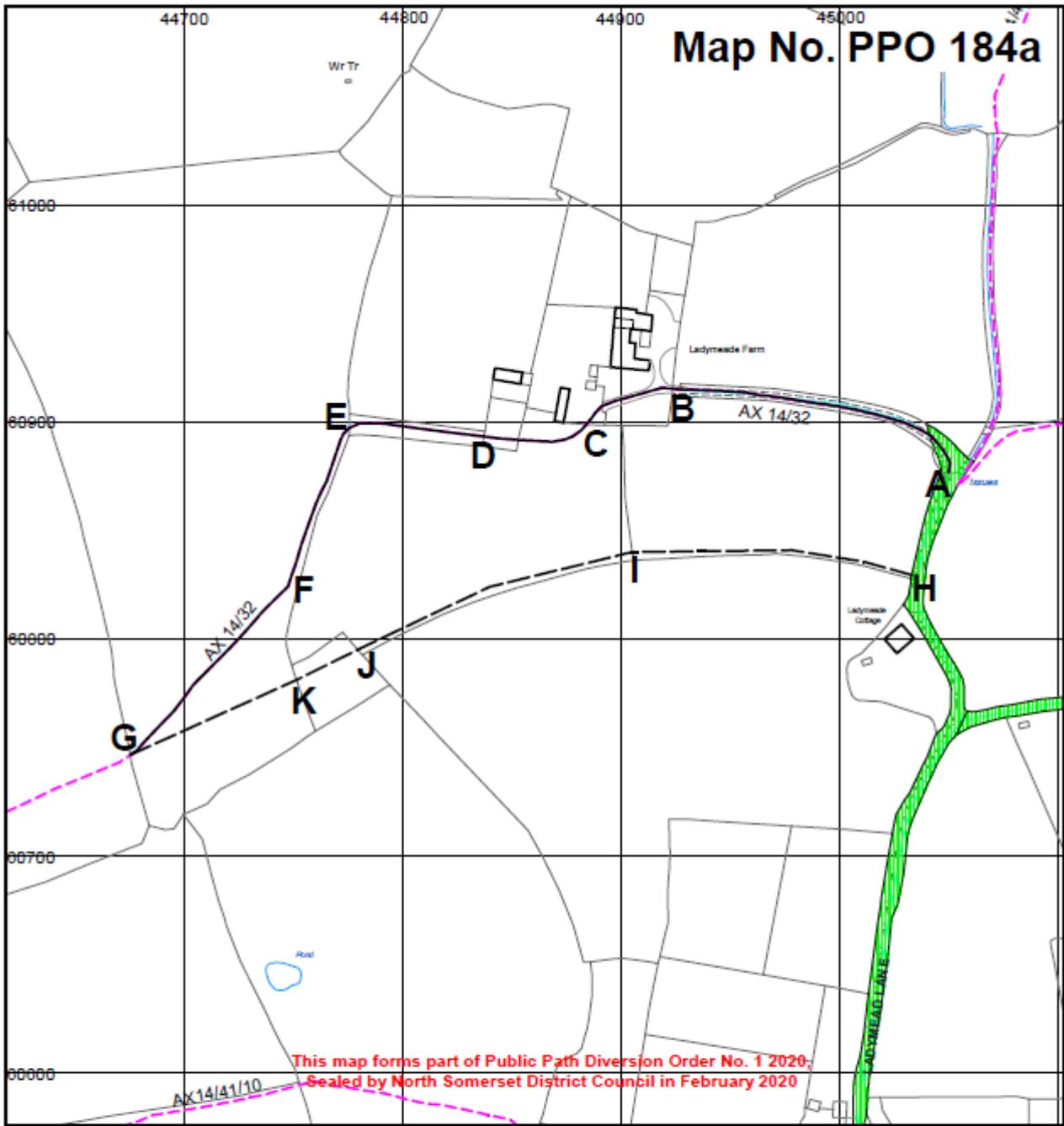
60840) Pedestrian Gate. Point K (grid reference ST 44751 60781) Pedestrian Gate. Point G (grid reference ST 44675 60747) Pedestrian Gate.

The kissing and pedestrian gates specified above are to be provided to comply with BS 5709.2018 and should be considered for removal in the event that they are no longer required to prevent the ingress or egress of animals or if the land is no longer used for agricultural purposes (including forestry and the keeping of horses).

Given under the Common Seal of North Somerset District Council the 7<sup>th</sup> day of February 2020.

The Common Seal of North Somerset District Council was hereunto affixed in the presence of:  
North Somerset District Council Seal No. 19/20 - 197 was affixed here on February 2020.

N P Brain, Head of Legal and Democratic Services, North Somerset Council, Town Hall, Weston-super-Mare BS23 1UJ.



Highways Act 1980 - Section 119 North Somerset District Council

## Public Path Diversion Order No.1 2020

Part of footpath AX 14/32, Ladymead Farm, west of Ladymead Lane, Langford, Churchill



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

### Location Plan



Scale 1:2500	
Date 7 February 2020	
Grid Squares ST4460 & ST4560	
Drawn by Penny Price	
<b>PATH TO BE DIVERTED</b>	
Existing (A-B-C-D-E-F-G)	
Proposed (H-I-J-K-G)	
Connecting paths	

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This is a copy of the Order  
Date: 7 February 2020

Highways Act 1980 Section 119  
North Somerset District Council  
Part of Footpath AX 14/46, land north of Ladymead Lane, Langford, Churchill  
Public Path Diversion Order No 2 2020

This Order is made by North Somerset District Council ('the authority') under Section 119 of the Highways Act 1980 ('the 1980 Act') because it appears to the authority that in the interests of the public it is expedient that the line of the path should be diverted.

The applicants have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

By this Order: (1) The public right of way over the land situated north of Ladymead Lane, Langford, Churchill and shown by a bold continuous line on the Map No. PPO 184b contained in this order and described in Part 1 of the Schedule to this order shall be stopped up on the date on which North Somerset Council certify that work has been carried out to bring the site of the new highway mentioned in Part 2 of the Schedule into a fit condition for use by the public. (2) Notwithstanding this order Bristol Water plc shall have the following rights over the land referred to in paragraph 1 namely: they shall for the purpose of carrying out their undertaking continue to have the same rights in respect of their apparatus as they had immediately before the date on which the footpath is diverted. (3) There shall at the end of 28 days from the date of confirmation of this order be a public footpath over the land situated north of Ladymead Lane, Langford, Churchill described in Part 2 of the Schedule and shown by a bold broken line on the Map No. PPO 184b attached to this order. (4) The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

Schedule 1 – Part 1 Description of Site Existing Path or Way. That part of footpath AX 14/46 in the parish of Churchill from point L (grid ref. ST 45071 61051) running in a generally southerly then generally south, south westerly direction for approximately 185m to M (grid ref. ST 45054 60871), as shown by a bold continuous line on the attached Map No. PPO 184b.

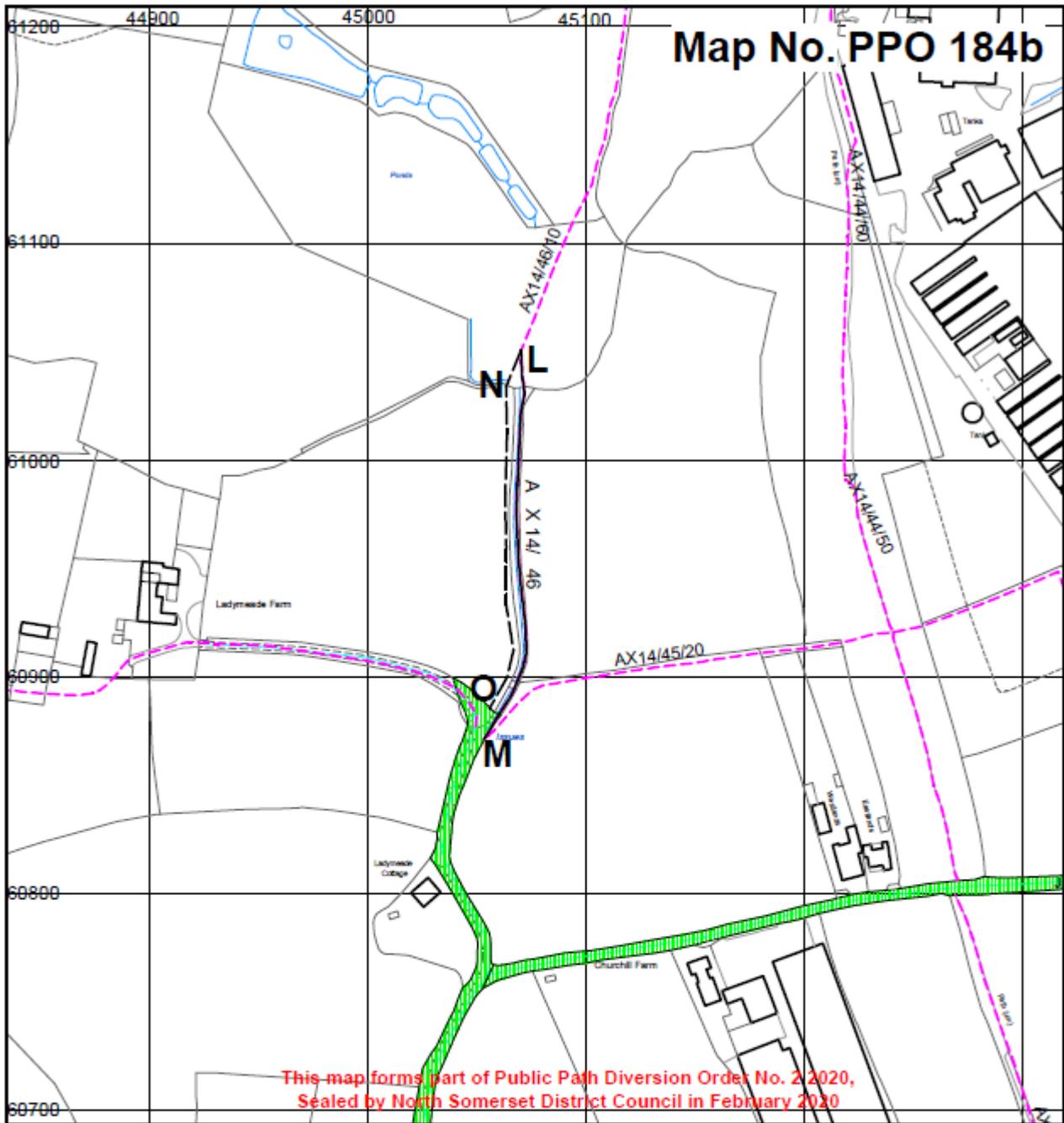
Schedule 1 – Part 2 Description of Site of New Path or Way. A footpath from point L (grid ref. ST 45071 61051) running in a south, south westerly direction for approximately 18m to a field gate at point N (grid ref. ST 45064 61034) then in a generally southerly then generally south, south westerly direction for approximately 151m to a kissing gate at point O (grid ref. ST 45056 60886), as shown by a bold broken line on the attached Map No. PPO 184b. The path will have a width of 2m, with a pasture surface.

Schedule 1 – Part 3 Limitations and Conditions. Point N (grid reference ST 45064 61034) – Field Gate. Point O (grid reference ST 45056 60886) – Kissing Gate. The kissing gate specified above is to be provided to comply with BS 5709.2018 and should be considered for removal in the event that it is no longer required to prevent the ingress or egress of animals or if the land is no longer used for agricultural purposes (including forestry and the keeping of horses).

Given under the Common Seal of North Somerset District Council the 7th day of February 2020

The Common Seal of North Somerset District Council was hereunto affixed in the presence of:  
North Somerset District Council Seal No. 19/20 - 195 was affixed here on February 2020.

N P Brain, Head of Legal and Democratic Services, North Somerset Council, Town Hall, Weston-super-Mare BS23 1UJ.



Highways Act 1980 - Section 119 North Somerset District Council

## Public Path Diversion Order No. 2 2020

Part of footpath AX 14/46, over land north of Ladymead Lane, Churchill



### 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



Scale 1:2500



Date 7 February 2020

Grid Squares  
ST4560 & ST4561

Drawn by Penny Price  
**PATH TO BE DIVERTED**

Existing ———  
(L-M)  
Proposed - - - - -  
(L-N-O)  
Connecting paths - - - - -