

NOTICE OF MAKING OF AN ORDER

HIGHWAYS ACT 1980
NORTH SOMERSET DISTRICT COUNCIL
(FOOTPATH AX 30/18 AND PART OF FOOTPATH AX 30/16,
OVER LAND WEST AND SOUTH OF PIGEON HOUSE FARM,
CRIBB'S LANE AND PIGEON LANE, REDHILL, WRINGTON)
PUBLIC PATH DIVERSION ORDER NO. 3 2017

The above Order, made on 28th September 2017, under section 119 of the Highways Act 1980, will divert Public Footpath AX 30/18 and part of Public Footpath AX 30/16 in the Parish of Wrington within the District of North Somerset as described below:

Public Footpath AX 30/18

from: from the eastern side of Cribb's Lane at point A (grid reference ST 49664 62320) running in a generally easterly then generally south, south easterly direction for approximately 479 metres, to the junction with Public Footpath AX 30/16 at point B (grid reference ST 50024 62125);

to: a footpath running from a kissing gate at point E (grid reference ST 49671 62271), at the eastern side of Cribb's Lane, running in a generally east, south easterly then south easterly direction for approximately 190 metres to a pedestrian gate at point F (grid reference ST 49832 62178), then running in a south easterly direction for approximately 311 metres to point G1 (grid reference ST 50047 61952). The path then runs in a generally easterly direction for approximately 149 metres to point H (grid reference ST 50193 61940), then in a generally southerly direction for approximately 51 metres to point I (grid reference ST 50196 61888), then in an east, south easterly direction for approximately 17 metres to a pedestrian gate at point J (grid reference ST 50211 61879) and then in an east, south easterly direction for approximately 7 metres, connecting with the diverted AX 30/16 at point K (grid reference ST 50217 61876);

and part of Public Footpath AX 30/16

from: steps and a kissing gate at the southern side of Pigeon Lane at point L (grid reference ST 50092 62320) running in a generally south, south westerly then generally southerly direction for approximately 215 metres to the junction with Public Footpath AX 30/18 at point B (grid reference ST 50024 62125), then in a generally south, south easterly then generally southerly direction for approximately 186 metres to point G (grid reference ST 50042 61950), then running in a generally south, south easterly direction for approximately 821 metres to point C (grid reference ST50377 61209);

to: A footpath running from steps and a kissing gate at the southern side of Pigeon Lane at point L (grid reference ST 50092 62320), in a south, south easterly direction for approximately 181 metres to point M (grid reference ST 50169 62157) then running in a generally south, south easterly then southerly direction for approximately 137 metres to a pedestrian gate at point N (grid reference ST 50190 62022) and then running in a south, south easterly direction passing a piped culvert and then a southerly, then south easterly direction for approximately 147 metres to a bridge with 2 pedestrian gates, at point O (grid reference ST 50218 61880) and then in a southerly direction for approximately 5 metres connecting with the diverted AX 30/18 footpath at point K (grid reference ST 50217 61876). The route then runs in a south, south westerly then south, south easterly direction for approximately 199 metres to a pedestrian gate at point P (grid reference ST 50230 61678), then in a south, south easterly direction for approximately 186 metres to a pedestrian gate at point Q (grid reference ST 50284 61500). The route then runs southerly then east, north easterly for approximately 55 metres to point R (grid reference ST 50334 61498) and then in a south, south easterly direction for approximately 293 metres to point C (grid reference ST 50377 61209).

Continued over

The proposal is shown on Order Map No. PPO 169, with the existing routes indicated by bold continuous lines and the proposed routes indicated by bold broken lines. The two diverted sections will have a natural surface and have a width of 2 metres.

Copies of the Order and Order map have been placed and may be seen free of charge at the Reception desk, North Somerset Council Offices, Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ from 9.00am to 4.30pm Mondays to Thursdays and 9.00am to 4.00pm on Fridays, or may be viewed on the Council's Web site (at the address: www.n-somerset.gov.uk/notices). Copies are also available for inspection at Wrington Post Office, Broad Street, Wrington BS40 5LA, during normal opening hours (9.00am to 5.30pm Mondays to Fridays and 9.00am to 12.30pm on Saturdays). A copy can be obtained from North Somerset Council at the price of £6.50 if collected and £7.80 if posted out.

Any representations about or objections to the Order may be sent in writing to the Director of Development and Environment, Natural Environment Team, Streets and Open Spaces, North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ not later than **3rd November 2017**, quoting the reference **PAP/PPO 169**. 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 Order as an unopposed Order. If the Order is 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 Order.

Dated: 5th October 2017

David Carter
Director of Development and Environment

North Somerset Council
Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ



EXPLANATORY STATEMENT

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL

(FOOTPATH AX 30/18 AND PART OF FOOTPATH AX 30/16, OVER LAND WEST AND SOUTH OF PIGEON HOUSE FARM, CRIBB'S LANE AND PIGEON LANE, REDHILL, WRINGTON)

PUBLIC PATH DIVERSION ORDER NO. 3 2017

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 this Order because it appears to the council that in the interests of the landowners of the land and of the public it is expedient that the lines of the paths should be diverted.

The routes of Public Footpaths AX 30/18 and AX 30/16, through Pigeon House Farm have been unavailable for many years due, in part, to drafting errors and a lack of clarity during the definitive map process. Subsequent development of farm buildings has compounded the problem, resulting in sections of the legal line being unavailable. In addition, other sections of the legal line take users through areas of cattle penning and where there are frequent movements of agricultural machinery.

The lack of clarity with regards to the line of these paths has led to confusion for members of the public wishing to walk the paths. People have frequently had difficulty with regards to route finding, resulting in fences being climbed and trespass.

The proposed new routes seek to remove any confusion with regards to the legal lines people should be following. They are on well-drained land with good views of the surrounding countryside and are positioned so as to ensure the public will be well away from farm buildings and main areas of farming operations. Five stiles on the existing routes will be removed and replaced with metal gates allowing for safer access, especially for less able walkers.

Overall, the proposed diversions, if successful, will benefit the walking public as they will be able to follow clearly waymarked paths, via improved structures and away from areas of potential conflict with agricultural operations. The landowners will also benefit as they will be better able to manage their farming operations.

The application complies 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 paths or ways and of the public 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.

Contd./...(please see reverse)

The order will come into effect only after it has been confirmed. Making and advertising the Order simply provides an opportunity for objections or representations to be made.

Any representations about or objections to the order must be made in writing by **3rd November 2017** to the Director of Development and Environment, Natural Environment Team, Streets and Open Spaces, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ quoting reference **PAP/PPO 169** and stating the grounds on which they are made.

If any objections are made and not withdrawn the matter will be referred to the Council's Public Rights of Way Sub-Committee who will decide whether or not to submit the Order to the Planning Inspectorate (as agent for the Secretary of State for the Environment, Food and Rural Affairs) for determination. As the Council cannot recharge the costs of an Inquiry or Hearing the Public Rights of Way Sub-Committee may decide to withdraw the Order at this stage. Once submitted, the Planning Inspectorate will then 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 against objectors. If no objections are received the Council will be able to confirm the Order 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 the Order has 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.



Highways Act 1980
Section 119

North Somerset District Council

(Footpath AX 30/18
and part of Footpath AX 30/16,
over land west and south of Pigeon House Farm,
Cribb's Lane and Pigeon Lane, Redhill, Wrington)

Public Path Diversion Order
No. 3 2017

N P Brain
Head of Legal and Democratic Services
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL

**(FOOTPATH AX 30/18 AND PART OF FOOTPATH AX 30/16,
OVER LAND WEST AND SOUTH OF PIGEON HOUSE FARM,
CRIBB'S LANE AND PIGEON LANE, REDHILL, WRINGTON)**

PUBLIC PATH DIVERSION ORDER NO. 3 2017

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 footpaths described in paragraph 1 of the order and of the public it is expedient that the lines of the paths should be diverted.

BY THIS ORDER:

1. The public rights of way over the land situated west and south of Pigeon House Farm, Cribb's Lane and Pigeon Lane, Redhill, Wrington and shown by bold continuous lines on the Map No. PPO 169 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 highways mentioned in Part 2 of the Schedule into a fit condition for use by the public.
2. Notwithstanding this order Western Power Distribution 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 footpaths are diverted.
3. There shall at the end of 28 days from the date of confirmation of this order be public footpaths over the land situated west and south of Pigeon House Farm, Cribb's Lane and Pigeon Lane, Redhill, Wrington described in Part 2 of the Schedule and shown by bold broken lines on the Map No. PPO 169 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

PART 1

DESCRIPTION OF SITE OF EXISTING PATHS OR WAYS

Public Footpath AX 30/18

Footpath AX 30/18 in the parish of Wrington, from the eastern side of Cribb's Lane at point A (grid reference ST 49664 62320) running in a generally easterly then generally south, south easterly direction for approximately 479 metres, to the junction with Public Footpath AX 30/16 at point B (grid reference ST 50024 62125), as shown by a bold continuous line on the attached Map No. PPO 169.

Public Footpath AX 30/16

That part of Footpath AX 30/16, from steps and a kissing gate at the southern side of Pigeon Lane at point L (grid reference ST 50092 62320) running in a generally south, south westerly then generally southerly direction for approximately 215 metres to the junction with Public Footpath AX 30/18 at point B (grid reference ST 50024 62125), then in a generally south, south easterly then generally southerly direction for approximately 186 metres to point G (grid reference ST 50042 61950), then running in a generally south, south easterly direction for approximately 821 metres to point C (grid reference ST50377 61209), as shown by a bold continuous line on the attached Map No. PPO 169.

PART 2

DESCRIPTION OF SITE OF NEW PATHS OR WAYS

Public Footpath AX 30/18

A footpath running from a kissing gate at point E (grid reference ST 49671 62271), at the eastern side of Cribb's Lane, running in a generally east, south easterly then south easterly direction for approximately 190 metres to a pedestrian gate at point F (grid reference ST 49832 62178), then running in a south easterly direction for approximately 311 metres to point G1 (grid reference ST 50047 61952). The path then runs in a generally easterly direction for approximately 149 metres to point H (grid reference ST 50193 61940), then in a generally southerly direction for approximately 51 metres to point I (grid reference ST 50196 61888), then in an east, south easterly direction for approximately 17 metres to a pedestrian gate at point J (grid reference ST 50211 61879) and then in an east, south easterly direction for approximately 7 metres, connecting with the diverted AX 30/16 at point K (grid reference ST 50217 61876), as shown by a bold broken line on the attached Map No. PPO 169. The path will have a natural surface and a width of 2 metres.

Public Footpath AX 30/16

A footpath running from steps and a kissing gate at the southern side of Pigeon Lane at point L (grid reference ST 50092 62320), in a south, south easterly direction for approximately 181 metres to point M (grid reference ST 50169 62157) then running in a generally south, south easterly then southerly direction for approximately 137 metres to a pedestrian gate at point N (grid reference ST 50190 62022) and then running in a south, south easterly direction passing a piped culvert and then a southerly, then south easterly direction for approximately 147 metres to a bridge with 2 pedestrian gates, at point O (grid reference ST 50218 61880) and then in a southerly direction for approximately 5 metres connecting with the diverted AX 30/18 footpath at point K (grid reference ST 50217 61876). The route then runs in a south, south westerly then south, south easterly direction for approximately 199 metres to a pedestrian gate at point P (grid reference ST 50230 61678), then in a south, south easterly direction for approximately 186 metres to a pedestrian gate at point Q (grid reference ST 50284 61500). The route then runs southerly then east, north easterly for approximately 55 metres to point R (grid reference ST 50334 61498) and then in a south, south easterly direction for approximately 293 metres to point C (grid reference ST 50377 61209), as shown by a bold broken line on the attached Map No. PPO 169. The path will have a natural surface and a width of 2 metres.

PART 3

LIMITATIONS AND CONDITIONS

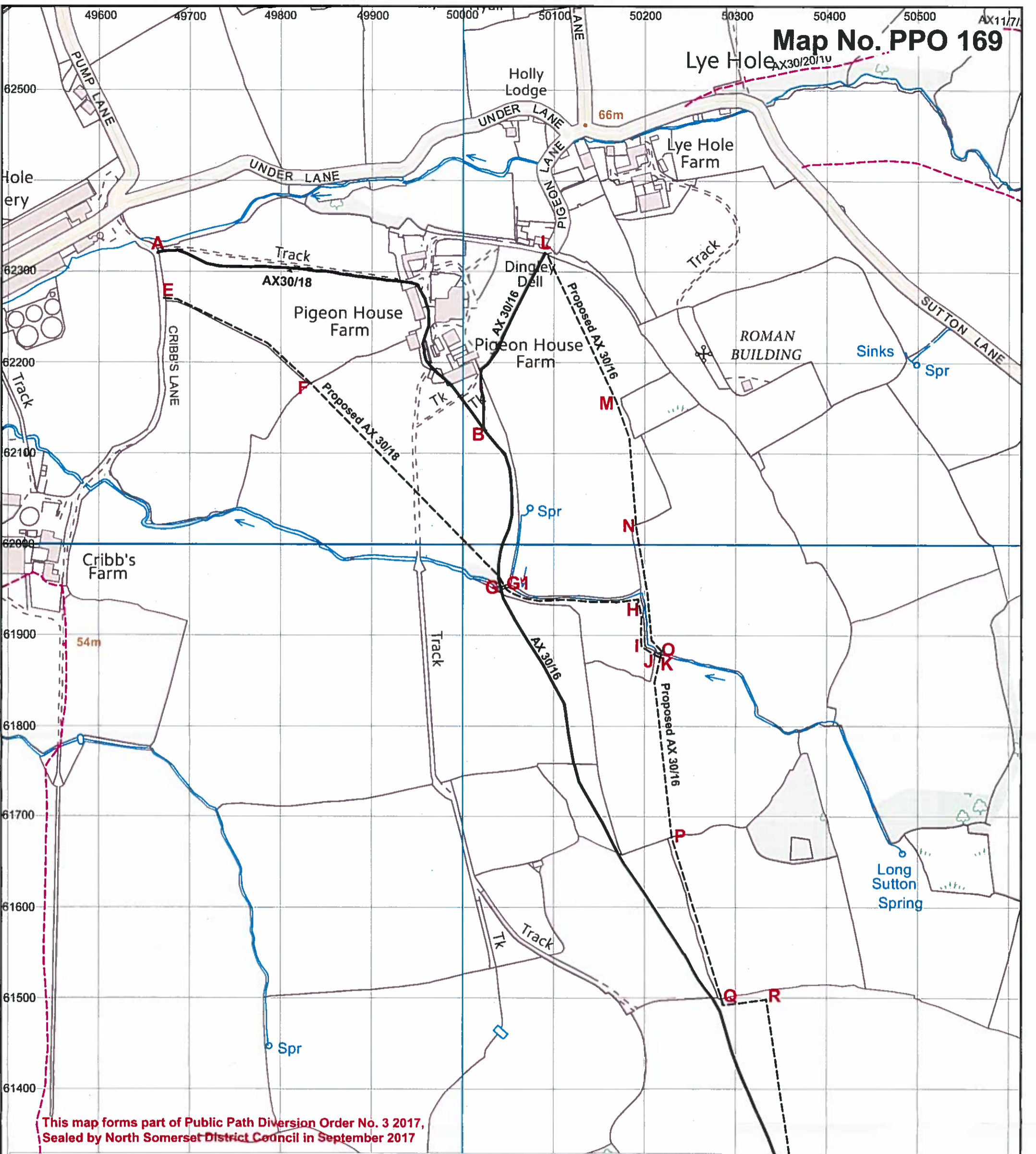
Public Footpath AX 30/18

Point E (Grid Reference ST 49671 62271)	Kissing gate
Point F (Grid Reference ST 49832 62178)	Pedestrian gate
Point J (Grid Reference ST 50211 61879)	Pedestrian gate

Public Footpath AX 30/16

Point L (Grid Reference ST 50092 62320)	Steps
Point L (Grid Reference ST 50092 62320)	Kissing gate
Point N (Grid Reference ST 50190 62022)	Pedestrian gate
Point O (Grid Reference ST 50218 61880)	Bridge with 2 pedestrian gates
Point P (Grid Reference ST 50230 61678)	Pedestrian gate
Point Q (Grid Reference ST 50284 61500)	Pedestrian gate

The pedestrian and kissing gates specified above are to be provided to comply with BS 5709.2006 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).



This map forms part of Public Path Diversion Order No. 3 2017,
Sealed by North Somerset District Council in September 2017

Highways Act 1980 - Section 119 North Somerset District Council
Public Path Diversion Order No. 3 2017
 Footpath AX30/18 and part of Footpath AX 30/16, over land west and south of Pigeon House Farm, Cribb's Lane and Pigeon Lane, Redhill, Wrington

North Somerset COUNCIL
 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 1:4000 NORTH
 Date 21 September 2017
 Grid Squares ST4961, ST4962, ST5061 & ST5062
 Drawn by Penny Price
PATHS TO BE DIVERTED
 Existing ——— AX 30/18 A-B & AX 30/16 L-B-G-C
 Proposed - - - - - AX 30/18 E-F-G1-H-I-J-K & AX 30/16 L-M-N-O-K-P-Q-R-C
 Connecting Paths - - - - -

Not to Scale

AR.

Given under the Common Seal of North Somerset District Council the 28th day of September 2017.

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

A. Rich.

17609

for:

HEAD OF LEGAL AND DEMOCRATIC SERVICES