

This is a copy of the Notice of Confirmation and the Order

Notice of Confirmation of an Order

Highways Act 1980

North Somerset District Council (Part of Footpath AX 14/21, over land running between Churchill Green and Sandmead Rhyne) Public Path Diversion Order No. 4 2020

On 24th September 2020 North Somerset Council confirmed the above Order, made under section 119 of the Highways Act 1980. The effect of the Order as confirmed is to divert that part of Public Footpath AX 14/21 in the Parish of Churchill within the District of North Somerset as described below:

from point A (grid reference ST 43214 60100), which is approximately 12 metres south of Churchill Green, running in a south, south westerly direction for approximately 116 metres to point B (grid reference ST 43158 6000), then in a south, south westerly direction for approximately 120 metres, to Sandmead Rhyne at point C (grid reference ST 43122 59885);

to a footpath from point A (grid reference ST 43214 60100), which is approximately 12 metres south of Churchill Green, running in a south, south westerly direction for approximately 110 metres to point D (grid reference ST 43175 59997), then running in a south, south westerly direction for approximately 84 metres to a pedestrian gate at point E (grid reference ST 43148 59918) and then in a south, south westerly direction for approximately 42 metres, to the Sandmead Rhyne at point C (grid reference ST 43122 59885), as shown by a bold broken line. Within the 4 metre wide corridor, a 2.5 metre footpath width will be maintained along the path route. The path will have a natural surface.

Due to current Covid-19 restrictions which have affected the opening of local offices, the Order and Order Map can only be viewed online at www.n-somerset.gov.uk/notices. Therefore, a free copy can be obtained by emailing penny.price@n-somerset.gov.uk or phoning Lucy Roca on 01934 427539.

The Order comes into force on 22nd October 2020 but, if any person aggrieved by the Order desires to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the Order, he or she may under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within six weeks from 1st October 2020, make an application to the High Court.

Dated: 1st October 2020

John Flannigan, Community and Environment Service Manager
North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ

This is a copy of the Order
Date: 20th March 2020

Highways Act 1980 Section 119
North Somerset District Council
Part of Footpath AX 14/21, over land running between Churchill Green and Sandmead Rhyne,
Churchill
Public Path Diversion Order No. 4 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 applicant has 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 situated over the land running between Churchill Green and Sandmead Rhyne and shown by a bold continuous line on the Map No. PPO 187 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 Western Power Distribution 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 running between Churchill Green and Sandmead Rhyne described in Part 2 of the Schedule and shown by a bold broken line on the Map No. PPO 187 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 14/21 in the parish of Churchill, from point A (grid reference ST 43214 60100) which is approximately 12 metres south of Churchill Green, running in a south, south westerly direction for approximately 116 metres to point B (grid reference ST 43122 59885)m then in a south, south westerly direction for approximately 120 metres, to Sandmead Rhyne at point C (grid reference ST 43122 59885), as shown by a bold continuous line on the attached Map No. PPO 187.

Schedule 1 – Part 2 Description of Site of New Path or Way

A footpath from point A (grid reference ST 43214 60100), which is approximately 12 metres south of Churchill Green, running in a south, south westerly direction for approximately 110 metres to point D (grid referece ST 43175 59997), then running in a south, south westerly direction for approximately 84 metres to a pedestrian gate at point E (grid reference ST 43148 59918) and then in a south, south westerly direction for approximately 42 metres, to the Sandmead Rhyne at point C (grid reference ST 43122 59885), as shown by a bold broken line on the attached Map No. PPO 187.

Within the 4 metre wide corridor, a 2.5 metre footpath width will be maintained along the path route. The path will have a natural surface.

Schedule 1 – Part 3 Limitations and Conditions
Point E (grid reference ST 43148 59918) – Pedestrian gate

The pedestrian 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 20th day of March 2020.

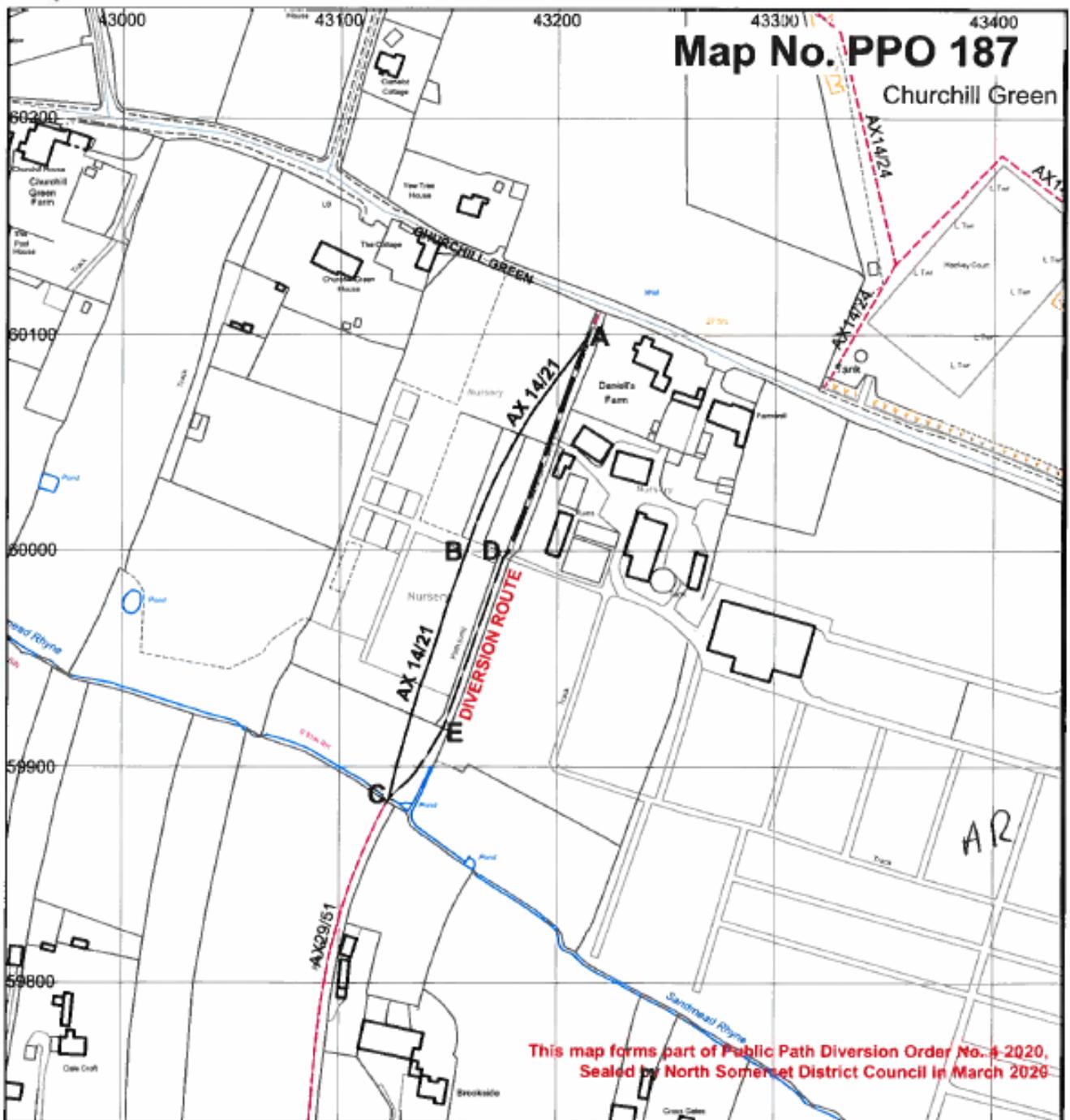
The Common Seal of North Somerset District Council was hereunto affixed in the presence of:
North Somerset District Council Seal No. 19/20 - 276 was affixed here on 20th March 2020.

A. Rich for Head of Legal and Democratic Services

North Somerset Council hereby confirms the foregoing Order as an unopposed Order this 24th day of September 2020.

North Somerset District Council Seal No. 19/20 239 was affixed here on 24th September 2020.

N. P. Brain, Head of Legal and Democratic Services



Highways Act 1980 - Section 119 North Somerset District Council

Public Path Diversion Order No. 4 2020

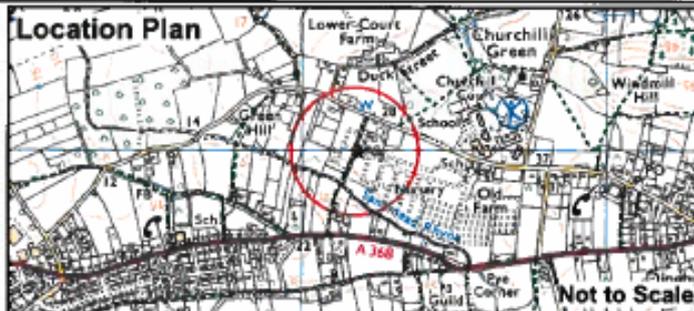
Part of footpath AX 14/21, over land running between Churchill Green and Sandmead Rhyne, Churchill



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 885 802



Scale 1:2500

Date 11 March 2020

Grid Square
ST4359/ST4360

Drawn by Penny Price

PATH TO BE DIVERTED

Existing —————

(A-B-C) ————

Proposed - - - - -

(A-D-E-C) ————

Connecting paths - - - - -

