

Notice of Confirmation of an Order
Highways Act 1980
North Somerset District Council
(Parts of footpaths AX 3/1 and AX 3/21, Lower Rhodyate Farm, The Rhodyate, Banwell)
Public Path Diversion Order No. 3 2020

On 14th January 2021 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 those parts of Public Footpaths AX 3/1 and AX 3/21 in the Parish of Banwell within the District of North Somerset as described below:

AX 3/1: from a gate at point A (grid reference ST 40157 58932) at The Rhodyate, running in an east, north easterly direction for approximately 42 metres to point B (grid reference ST 40195 58407), then in an easterly direction for approximately 44 metres to a pedestrian gate at point C (grid reference ST 40239 58404), then in an easterly direction for approximately 87 metres to a pedestrian gate at point D (grid reference ST 40326 58394), then in an easterly direction for approximately 123 metres to a pedestrian gate at point E (grid reference ST 40448 58379) and then in an east, north easterly direction for approximately 49 metres to point F (grid reference ST 40493 58394); to a footpath running from point G (grid reference ST 40154 58189) in an east, north easterly direction for approximately 86 metres to a pedestrian gate and a piped/stoned culvert bridge point H (grid reference ST 40232 58226), then running in an east, north easterly direction for approximately 5 metres to point I (grid reference ST 40236 58228), then in a north, north easterly direction for approximately 18 metres to point J (grid reference ST 40230 58245), then in an east, north easterly direction for approximately 150 metres to a pedestrian gate at point K (grid reference ST 40374 58282), then in an east, north easterly direction for approximately 120 metres to point L (grid reference ST 40482 58332) and then in a north, north easterly direction for approximately 63 metres to point F (grid reference ST 40493 58394).

and AX 3/21: from point M (grid reference ST 40075 58352) at The Rhodyate, running in a southerly direction for approximately 185 metres to point N (grid reference ST 40102 58170), then in a south, south easterly direction for approximately 190 metres to point O (grid reference ST 40142 57985); to a footpath from a field gate at point M1 (grid reference ST 40060 58345) at The Rhodyate, running in a south easterly direction for approximately 32 metres to point M2 (grid reference ST 40084 58328), then running in a south, south easterly direction for approximately 153 metres, to a pedestrian gate at point P (grid reference ST 40153 58192) and then running in a south, south easterly direction for approximately 3 metres to point G (grid reference ST 40154 58189). The route then runs in a south, south westerly direction for approximately 205 metres to point O (grid reference ST 40142 57985).

The diversion is shown on the Order Map No. PPO 174, with previous routes shown by bold continuous lines and the diverted routes shown by bold broken lines. The diverted paths have pasture surfaces and widths of 2 metres. References to lettered points in this Notice are references to the points marked on the Order Map. Due to current Covid-19 restrictions which have affected the opening of local offices, the confirmed 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 01934 427406.

The Order comes into force on 11th February 2021 but, if any person aggrieved by the Order desires to question it's 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 21st January 2021, make an application to the High Court.

Dated: 21st January 2021

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: 5th March 2020

Highways Act 1980 Section 119
North Somerset District Council
Parts of footpaths AX 3/1 and AX 3/21, Lower Rhodyate Farm, The Rhodyate, Banwell
Public Path Diversion Order No. 3 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 footpaths described in paragraph 1 of the order and of the public it is expedient that the lines of the paths 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 sites of the paths into a fit condition for use by the public.

By this Order:

1. The public rights of way over the land situated at Lower Rhodyate Farm, The Rhodyate, Banwell and shown by bold continuous lines on the Map No. PPO 174 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 sites of the new highways mentioned in Part 2 of the Schedule into a fit condition for use by the public.
2. Notwithstanding this order Bristol Water 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 at Lower Rhodyate Farm, The Rhodyate, Banwell described in Part 2 of the Schedule and shown by bold broken lines on the Map No. PPO 174 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

AX 3/1 - That part of footpath AX 3/1 in the parish of Banwell, from a gate at point A (grid reference ST 40157 58932) at The Rhodyate, running in an east, north easterly direction for approximately 42 metres to point B (grid reference ST 40195 58407), then in an easterly direction for approximately 44 metres to a pedestrian gate at point C (grid reference ST 40239 58404), then in an easterly direction for approximately 87 metres to a pedestrian gate at point D (grid reference ST 40326 58394), then in an easterly direction for approximately 123 metres to a pedestrian gate at point E (grid reference ST 40448 58379) and then in an east, north easterly direction for approximately 49 metres to point F (grid reference ST 40493 58394); as shown by a bold continuous line on the attached Map no. PPO 174.

AX 3/21 - That part of footpath AX 3/21 in the parish of Banwell, from point M (grid reference ST 40075 58352) at The Rhodyate, running in a southerly direction for approximately 185 metres to point N (grid reference ST 40102 58170), then in a south, south easterly direction for approximately 190 metres to point O (grid reference ST 40142 57985); as shown by a bold continuous line on the attached Map no. PPO 174.

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

AX 3/1 - A footpath running from point G (grid reference ST 40154 58189) in an east, north easterly direction for approximately 86 metres to a pedestrian gate and a piped/stoned

culvert bridge point H (grid reference ST 40232 58226), then running in an east, north easterly direction for approximately 5 metres to point I (grid reference ST 40236 58228), then in a north, north easterly direction for approximately 18 metres to point J (grid reference ST 40230 58245), then in an east, north easterly direction for approximately 150 metres to a pedestrian gate at point K (grid reference ST 40374 58282), then in an east, north easterly direction for approximately 120 metres to point L (grid reference ST 40482 58332) and then in a north, north easterly direction for approximately 63 metres to point F (grid reference ST 40493 58394), as shown by bold broken lines on the attached Map No. PPO 174. The path will have a pasture surface and a width of 2 metres.

AX 3/21 - A footpath from a field gate at point M1 (grid reference ST 40060 58345) at The Rhodyate, running in a south easterly direction for approximately 32 metres to point M2 (grid reference ST 40084 58328), then running in a south, south easterly direction for approximately 153 metres, to a pedestrian gate at point P (grid reference ST 40153 58192) and then running in a south, south easterly direction for approximately 3 metres to point G (grid reference ST 40154 58189). The route then runs in a south, south westerly direction for approximately 205 metres to point O (grid reference ST 40142 57985), as shown by bold broken lines on the attached Map No. PPO 174. The path will have a pasture surface and a width of 2 metres.

Schedule 1 – Part 3 Limitations and Conditions

Point H (Grid Reference ST 40232 58226) – Pedestrian Gate

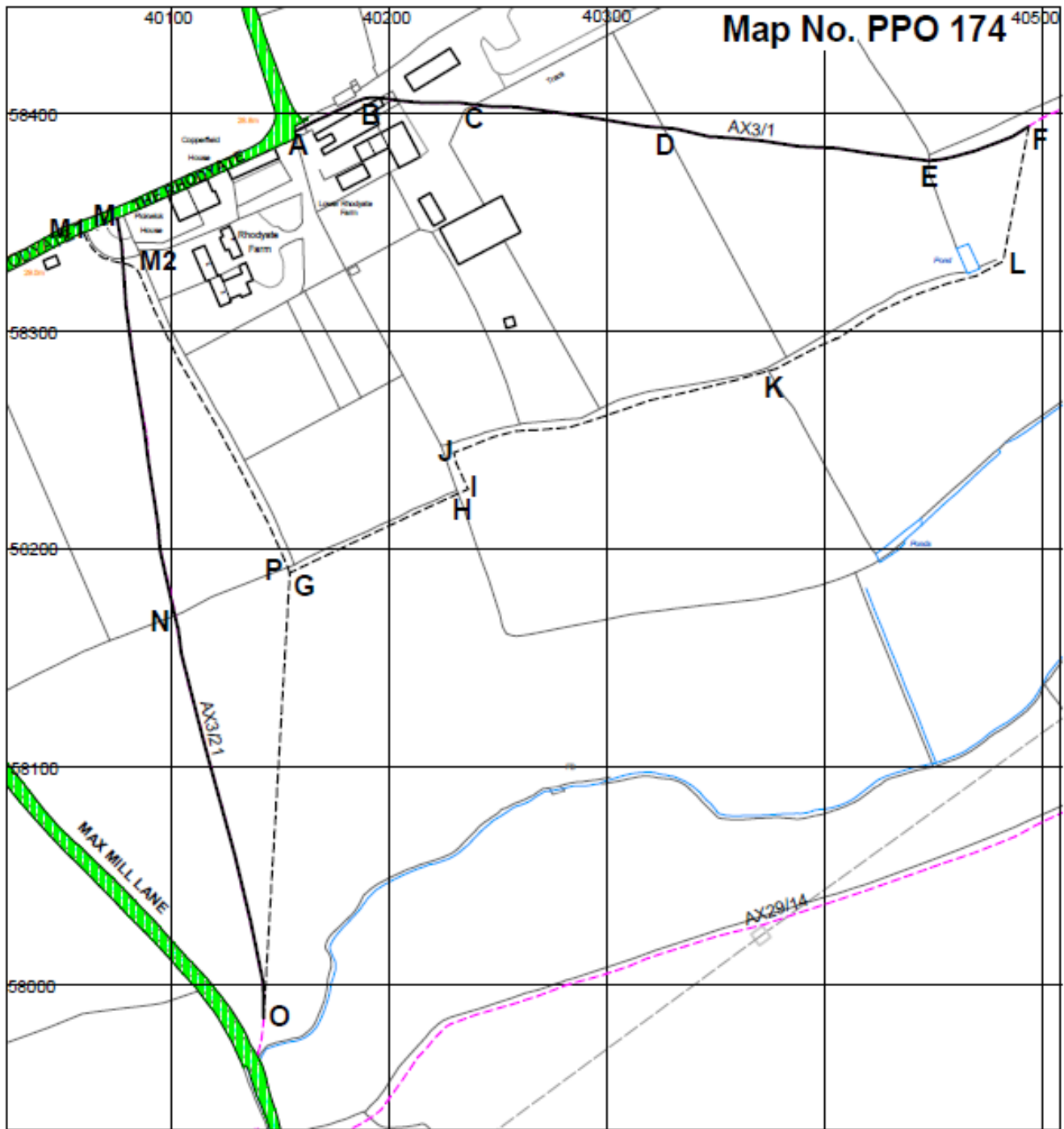
Point H (Grid Reference ST 40232 58226) – Piped/stoned Culvert bridge

Point K (Grid Reference ST 40374 58282) – Pedestrian Gate

Point M1 (Grid Reference ST 40060 58345) – Field Gate

Point P (Grid Reference ST 40153 58192) – Pedestrian Gate

The 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).



Highways Act 1980 - Section 119 North Somerset District Council

Public Path Diversion Order No. 3 2020

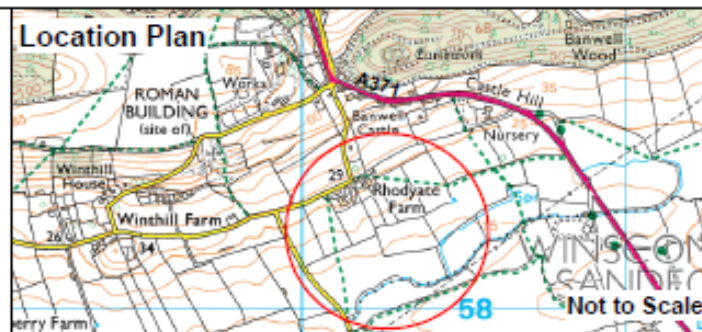
Parts of Footpaths AX 3/1 and AX 3/21, Lower Rhodyate Farm, The Rhodyate, Banwell



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 20 February 2020

Grid Squares ST4057/4058

Drawn by Penny Price

PATHS TO BE DIVERTED

Existing ———
(A-B-C-D-E-F for AX 3/1
& M-N-O for AX 3/21)

Proposed - - - - -
(G-H-I-J-K-L-F for AX 3/1
& M1-M2-P-G-O for AX 3/21)

Connecting Paths - - - - -

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Given under the Common Seal of North Somerset District Council the 5th 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 - 229 was affixed here on March 2020.

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

North Somerset District Council hereby confirms the foregoing Order as an unopposed Order this
14th day of January 2021.

North Somerset District Council Seal No. 20/21 463 was affixed here on 14th January 2021.

SIGNED BY A. RICH, FOR HEAD OF LEGAL AND DEMOCRATIC SERVICES