

## Notice of Public Path Order

Town and Country Planning Act 1990, section 257 and paragraph 1 of schedule 14  
North Somerset District Council  
(Part of footpath LA 16/8, former Golden Acres Nursery, 35 Clevedon Road, Tickenham)  
Public Path Diversion Order No. 1 2022

The above Order was made on 3rd March 2022. The effect of the Order will be to divert that part of Public Footpath LA 16/8 in the Parish of Tickenham within the District of North Somerset, as described below:

From point A (grid ref. ST 43616 71773) at the entrance to the former Golden Acres Nursery site on Clevedon Road, running in a north, north westerly direction for approximately 213 metres, to point B (grid ref. ST 43514 71960);

to a footpath from point C (grid ref. ST 43635 71783) at Clevedon Road, running north, north westerly for approximately 40 metres, along the left-hand footway of the new residential development, to point D (grid reference ST 43622 71820). The route then runs north westerly for approximately 3 metres to point E (grid ref. ST43619 71821), then in a north, north westerly direction for approximately 13 metres to point F (grid ref. ST43615 71833), then in a north easterly direction for approximately 2 metres to point G (grid ref. ST 43616 71834) and then in a north, north westerly direction for approximately 9 metres to point H (grid ref. ST 43611 71841). The route then turns left and runs in a west, south westerly direction for approximately 44 metres to point I (grid ref. ST 43569 71826). The footpath then runs north, north westerly for approximately 7 metres, crossing the highway to point J (grid ref. ST 43566 71833), before running along part of the right-hand footway near a turning head for approximately 12 metres; to a pedestrian gate at point K (grid ref. ST 43558 71839). The route then runs north, north westerly through a field for approximately 129 metres to point B (grid ref. ST 43514 71960).

The proposal is shown on Order Map No. PPO 198: the existing route with a bold black line and the proposed route shown by bold black dashes. References to lettered points in this Notice are references to the points marked on the Order Map. The footpath will have a width of 2 metres. The surface will be tarmac between points C-D-E-F-G-H-I-J-K and grassed between points K-B.

The Order and Order Map can be viewed online at [www.n-somerset.gov.uk/notices](http://www.n-somerset.gov.uk/notices) or a free copy can be obtained by emailing [penny.price@n-somerset.gov.uk](mailto:penny.price@n-somerset.gov.uk) or phoning 01934 427467. Alternatively, visit Tickenham Post Office to view the Order and Order Map, at Tickenham Village Hall, 205 Clevedon Road, Tickenham BS21 6RX, 9.00am to 1pm Mondays, or 1.00pm to 5.30pm Wednesdays.

Any representation about or objection to the Order may be sent or delivered in writing addressed to the Natural Environment Team, North Somerset Council, at the Town Hall address below not later than 7th April 2022, quoting the reference PAP/PPO 198. Please state the grounds on which it is made.

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

Dated: 9th March 2022

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

## Explanatory Statement

Town and Country Planning Act 1990, section 257 and paragraph 1 of schedule 14  
North Somerset District Council  
(Part of footpath LA 16/8, former Golden Acres Nursery, 35 Clevedon Road, Tickenham)  
Public Path Diversion Order No. 1 2022

This Statement is for information only and does not form part of the order

Under the provisions of S.257 of the Town and Country Planning Act 1990 a stopping up or diversion can be authorised if it is necessary in order for development to be carried out. 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 authority”) has made the above-titled Order under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath, to enable development to be carried out in accordance with planning permission 20//P/1260/FUL, granted under Part III of the Town and Country Planning Act 1990, namely:

“Erection of 18no. dwellings, car parking including garages, landscaping, internal access roads and associated infrastructure and engineering works following demolition of the existing garden centre buildings.”

The applicant has undertaken to carry out the following works: establishment of tarmac surface between points C-D-E-F-G-H-I-J-K (on Order Map No. PPO 198); cutting of 2 metre-wide ‘walked line’ in field between points K-B; installation of new pedestrian gate at point K and ‘Public Footpath’ fingerpost signage on posts at points C and K.

The Order will come into effect only on the confirmation/certification of the Order. Making and advertising the Order simply provides an opportunity for objections or representations to be made.

Any Objections or representations relating to the Order must be made in writing by 7<sup>th</sup> April 2022 to the Natural Environment Team, North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ quoting reference PAP/PPO 198 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, to advise that the Order 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 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. Only objections received during this statutory period will be forwarded to the Secretary of State.

This is a copy of the Order

Date: 3rd March 2022

## Public Path Diversion Order

Town and Country Planning Act 1990, Section 257

North Somerset District Council

(Part of Footpath LA 16/8, former Golden Acres Nursery, 35 Clevedon Road, Tickenham

Public Path Diversion Order No. 1 2022

This Order is made by North Somerset District Council (“the authority”) under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission no. 20//P/1260/FUL, granted under Part III of the Town and Country Planning Act 1990, namely:

“Erection of 18no. dwellings, car parking including garages, landscaping, internal access roads and associated infrastructure and engineering works following demolition of the existing garden centre buildings.”

By this order:

1. The footpath over the land shown by a bold black line on the attached map no. PPO 198 and described in Part 1 of the Schedule to this Order (“the Schedule”) shall be diverted as provided below.

2. There shall be created to the reasonable satisfaction of North Somerset District Council an alternative highway for use as replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map no. PPO 198.

3. The diversion of the footpath shall have effect on the date on which North Somerset District Council certify that the terms of Article 2 above have been complied with.

4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule: establishment of tarmac surface between points C-D-E-F-G-H-I-J-K (on Order Map No. PPO 198); cutting of 2 metre-wide ‘walked line’ in field between points K-B; installation of new pedestrian gate at point K and ‘Public Footpath’ fingerpost signage on posts at points C and K.

5. Tickenham Properties Limited is hereby required to pay for the cost of carrying out the said works.

6. Where immediately before the date on which the footpaths are diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

## Schedule

### Part 1

#### Description of site of existing path or way

That part of footpath LA 16/8 in the Parish of Tickenham, from point A (grid ref. ST 43616 71773) at the entrance to the former Golden Acres Nursery site on Clevedon Road, running in a north, north westerly direction for approximately 213 metres, to point B (grid ref. ST 43514 71960), as shown by a bold black line on the attached Map No. PPO 198.

## Part 2

### Description of site of alternative highway

A footpath from point C (grid ref. ST 43635 71783) at Clevedon Road, running north, north westerly for approximately 40 metres, along the left-hand footway of the new residential development, to point D (grid reference ST 43622 71820). The route then runs north westerly for approximately 3 metres to point E (grid ref. ST43619 71821), then in a north, north westerly direction for approximately 13 metres to point F (grid ref. ST43615 71833), then in a north easterly direction for approximately 2 metres to point G (grid ref. ST 43616 71834) and then in a north, north westerly direction for approximately 9 metres to point H (grid ref. ST 43611 71841). The route then turns left and runs in a west, south westerly direction for approximately 44 metres to point I (grid. ref. ST 43569 71826). The footpath then runs north, north westerly for approximately 7 metres, crossing the highway to point J (grid ref. ST 43566 71833), before running along part of the right-hand footway near a turning head for approximately 12 metres; to a pedestrian gate at point K (grid ref. ST 43558 71839). The route then runs north, north westerly through a field for approximately 129 metres to point B (grid ref. ST 43514 71960), as shown by bold black dashes on the attached Map No. PPO 198.

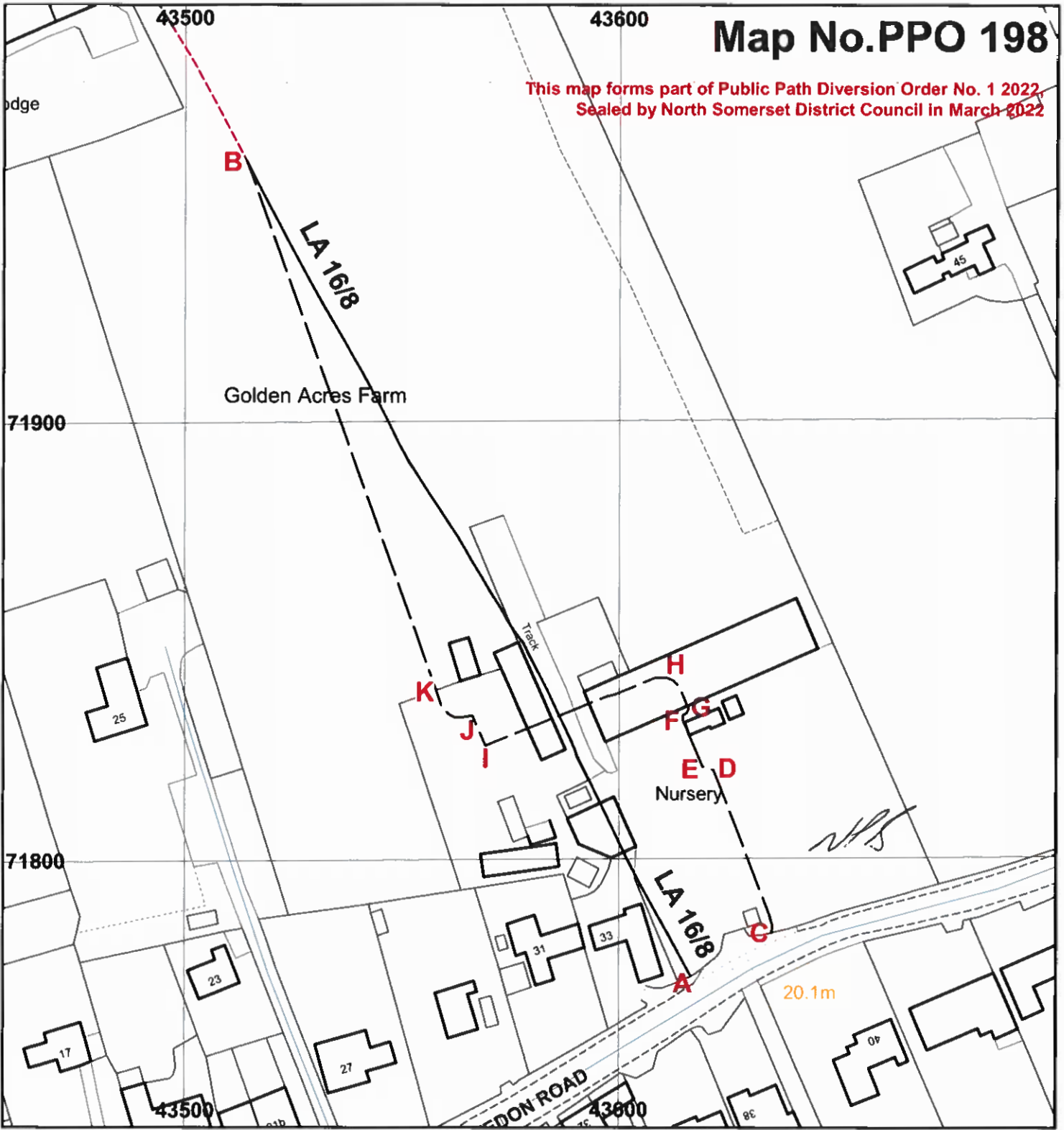
The footpath will have a width of 2 metres. The surface will be tarmac between points C-D-E-F-G-H-I-J-K and grassed between points K-B.

Given under the Common Seal of North Somerset District Council the 3rd day of March 2022.

The common seal of North Somerset District Council (no. 21/22 – 574) was hereunto affixed in the presence of NP Brain, Assistant Director Governance and Monitoring Officer

# Map No.PPO 198

This map forms part of Public Path Diversion Order No. 1 2022,  
Sealed by North Somerset District Council in March 2022



Town and Country Planning Act 1990 - section 257. North Somerset District Council


## Public Path Diversion Order No. 1 2022

Part of Footpath LA 16/8, former Golden Acres Nursery, 35 Clevedon Road, Tickenham



Place Directorate  
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 1:1250   
Date 2 March 2022  
Grid Square ST4371  
Drawn by Penny Price  
**PATH TO BE DIVERTED**  
Existing (A-B) ———  
Proposed (C-D-E-F-G-H-I-J-K-B) - - - -  
Connecting paths - - - - -