

Notice of confirmation 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

On 28th April 2022 North Somerset Council confirmed the above Order. The effect of the Order as confirmed is 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 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. These lettered points are references to points on the Order Map No. PPO 198.

A copy of the confirmed Order and Order Map can be viewed online at www.n-somerset.gov.uk/notices or a free copy can be obtained by emailing penny.price@n-somerset.gov.uk or phoning 01934 427467. Alternatively, the confirmed Order can be viewed on the Parish Council Noticeboard at Tickenham Village Hall, 205 Clevedon Road, Tickenham BS21 6RX.

The order comes into force on the date on which North Somerset Council certify that the terms of Article 2 of the order have been complied with 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 above Act, or on the ground that any requirement of that Act or any regulation made under it has not been complied with in relation to the confirmation of the order, he or she may apply to the High Court for any of these purposes under section 287 of the Town and Country Planning Act 1990 within 6 weeks from the date on which notice is first published as required by paragraph 7 of Schedule 14 to the Act.

Dated: 11th May 2022

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: 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.

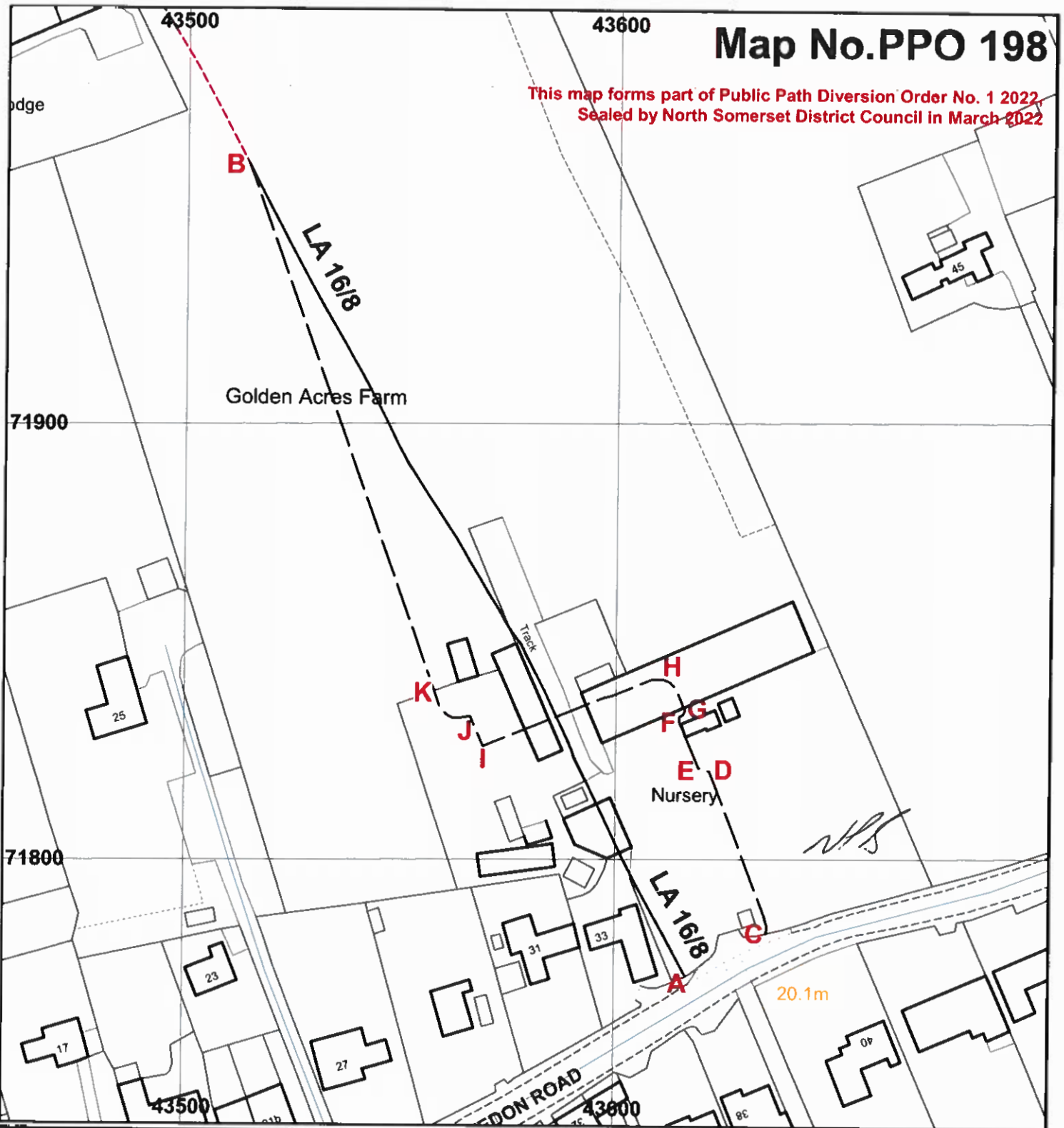
The common seal of North Somerset District Council (no. 21/22 – 574) was hereunto affixed in the presence of NP Brain, Assistant Director Governance and Monitoring Officer

North Somerset District Council hereby confirms the foregoing Order as an unopposed Order this 28th day of April 2022.

The common seal of North Somerset District Council (no. 21/22 – 707) was hereunto affixed in the presence of A Rich, for 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 1 J
Tel: 019 4 8 802



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)

Co et

t to Scale