

Notice of making of an Order

Highways Act 1980

North Somerset District Council

(Parts of footpaths AX 28/13 and AX 28/22 and entire length of footpath AX 28/22a, over land north of Ebdon Lane, Wick St. Lawrence)

Public Path Diversion Order No. 6 2024

The above Order, made on 1 February 2024, under section 119 of the Highways Act 1980, will divert the above Public Footpaths in the Parish of Wick St. Lawrence within the District of North Somerset as described below:

Public Footpath AX 28/13 *from* a pedestrian gate and footpath bridge at point A (grid reference ST 36838 64899) running in a generally east, south easterly direction through point B (grid reference ST 36848 64899), to the junction with Public Footpath AX 28/19 and AX 28/22 at point C (grid reference ST37033 64861), a total distance of approximately 200 metres;

to a path from point D (grid reference ST 37026 64858), running in a west, south westerly then south westerly direction for approximately 100 metres, through Point E (grid reference ST 36942 64815), to Point J (grid reference ST 36937 64812). Points E and J will have pedestrian gates, with a footpath bridge between these two points.

Public Footpath AX 28/22a *from* a pedestrian gate at point B, running in a generally south easterly direction through point F (grid reference ST 36950 64800), to point G (grid reference ST 36977 64705), a total distance of approximately 245 metres;

to a path from point A, running in a south easterly direction to point I (grid reference ST 36894 64816) and then in a easterly direction to a pedestrian gate at point J, a total distance of approximately 144 metres.

Public Footpath AX 28/22 (entire length) *from* point D, running in a generally south, south westerly direction through point G, to a footbridge with pedestrian gates at either end, at Point H (grid reference ST 36966 64501), a total distance of approximately 371 metres;

to a path from a pedestrian gate at Point J, running in a generally south, south easterly direction to a footbridge with pedestrian gates at either end, at point K (grid reference ST 36991 64713), then a generally south, south westerly direction to a footbridge with pedestrian gates at either end at Point H, a total distance of approximately 328 metres.

The proposed routes will have a width of 2 metres and will have pasture surfaces.

The Order and Order Map can be viewed online at www.n-somerset.gov.uk/notices or a free copy can be obtained by emailing paul.hayward1@n-somerset.gov.uk or phoning 07584607213. Alternatively, visit Queensway Post Office to view the Order

and Order Map, at North Worle Shopping Centre, Worle, Weston-super-Mare BS22 6BT 9.00am to 1pm Mondays, or 2.00pm to 4.30pm 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 **21 March 24**, quoting the reference PGH/PPO 183. 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 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 22 February 2024

John Flannigan, Head of Open Space, Natural Environment and Leisure
North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare
BS23 1UJ

EXPLANATORY STATEMENT

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL (PARTS OF FOOTPATHS AX 28/13 AND AX 28/22 AND ENTIRE LENGTH OF FOOTPATH AX 28/22a, OVER LAND NORTH OF EBDON LANE, WICK ST. LAWRENCE) PUBLIC PATH DIVERSION ORDER NO. 6 2024

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 owners of the land crossed by the footpaths and of the public it is expedient that the lines of the paths should be diverted.

Reasons for application:

These footpaths are routed across low-lying agricultural land with historical drainage ditches at each field boundary. The definitive lines of the paths come together in a haphazard and potentially confusing fashion. The routes cross deep, wide historical drainage ditches at Points A, D, F, G and near point E, each requiring footpath accommodation bridges with a span of at least 5 metres. Footpath AX 28/22 also shares an agricultural culvert near Point K, which can become muddy. Bridges are currently missing from Points D, F and near point E and the bridge at Point K is not strictly upon the legal line, therefore those seeking to walk the paths are using routes which do not follow the legal lines.

The proposed diversions seek to rationalise the Public Footpaths, providing clearer, safer routes and, by moving the current aluminium bridge from Point A to E, will reduce the number of publicly maintainable ditch crossings from five to two.

The proposed route, Point A through to Point K, will be alongside the watercourse, a potentially more attractive path than the current definitive line. Whilst the proposed new routes would be of public benefit, the landowners would also benefit as the paths will be in more manageable locations and away from the agricultural culvert and field gate near Point K.

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 diversions.

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

Any representations about or objections to the order must be made in writing by **21 March 2024** to the Natural Environment Team, Streets and Open Spaces, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ quoting reference **PGH/PPO 183** 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. 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.



Date: ~~1st~~ February 2024

Highways Act 1980
Section 119

North Somerset District Council

(Parts of Footpaths
AX 28/13 and AX 28/22
and entire length of Footpath AX 28/22a,
over land north of Ebdon Lane,
Wick St. Lawrence)

Public Path Diversion Order
No.6 2024

N P Brain
Asst Director Legal & Governance
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

Ref: PPO 183

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL

PUBLIC PATH DIVERSION ORDER NO 6 2024

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

The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of the Order and pay to North Somerset Council £1,000 being a contribution towards the cost of processing the order.

BY THIS ORDER:

1. The public rights of way over the land situated north of Ebdon Lane, Wick St. Lawrence and shown by bold continuous lines on the Map No. PPO 183 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 Wessex Water and 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 north of Ebdon Lane, Wick St. Lawrence described in Part 2 of the Schedule and shown by bold broken lines on the Map No. PPO 183 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 28/13

That part of footpath AX 28/13 in the Parish of Wick St. Lawrence, from a footbridge with pedestrian gates at either end at point A (grid reference ST 36838 64899), running in a generally easterly direction for approximately 11 metres to point B (grid reference ST 36848 64899) and then running in an east, south easterly direction for approximately 189 metres to the junction with Public Footpaths AX 28/19 and AX 28/22 at point C (grid reference ST 37033 64861) as shown by a bold continuous line on the attached Map No. PPO 183.

Public Footpath AX 28/22

That part of footpath AX 28/22, in the Parish of Wick St. Lawrence, from point D (grid reference ST 37026 64858) running in a generally south, south westerly direction for approximately 168 metres to point G (grid reference ST 36977 64705) and then running in a southerly direction for approximately 205 metres to a footbridge with pedestrian gates at either end at point H (grid reference ST 36966 64501), as shown by a bold continuous line on the attached Map No. PPO 183.

Public Footpath AX 28/22a

The entire length of footpath AX 28/22a, in the Parish of Wick St. Lawrence, from point B (grid reference ST 36848 64899), running in a south easterly direction for approximately 146 metres to point F (grid reference ST 36950 64800) and then running in a south, south easterly direction for approximately 99 metres to point G (grid reference ST 36977 64705), as shown by a bold continuous line on the attached Map No. PPO 183.

PART 2

DESCRIPTION OF SITE OF NEW PATHS OR WAYS

Public Footpath AX 28/13

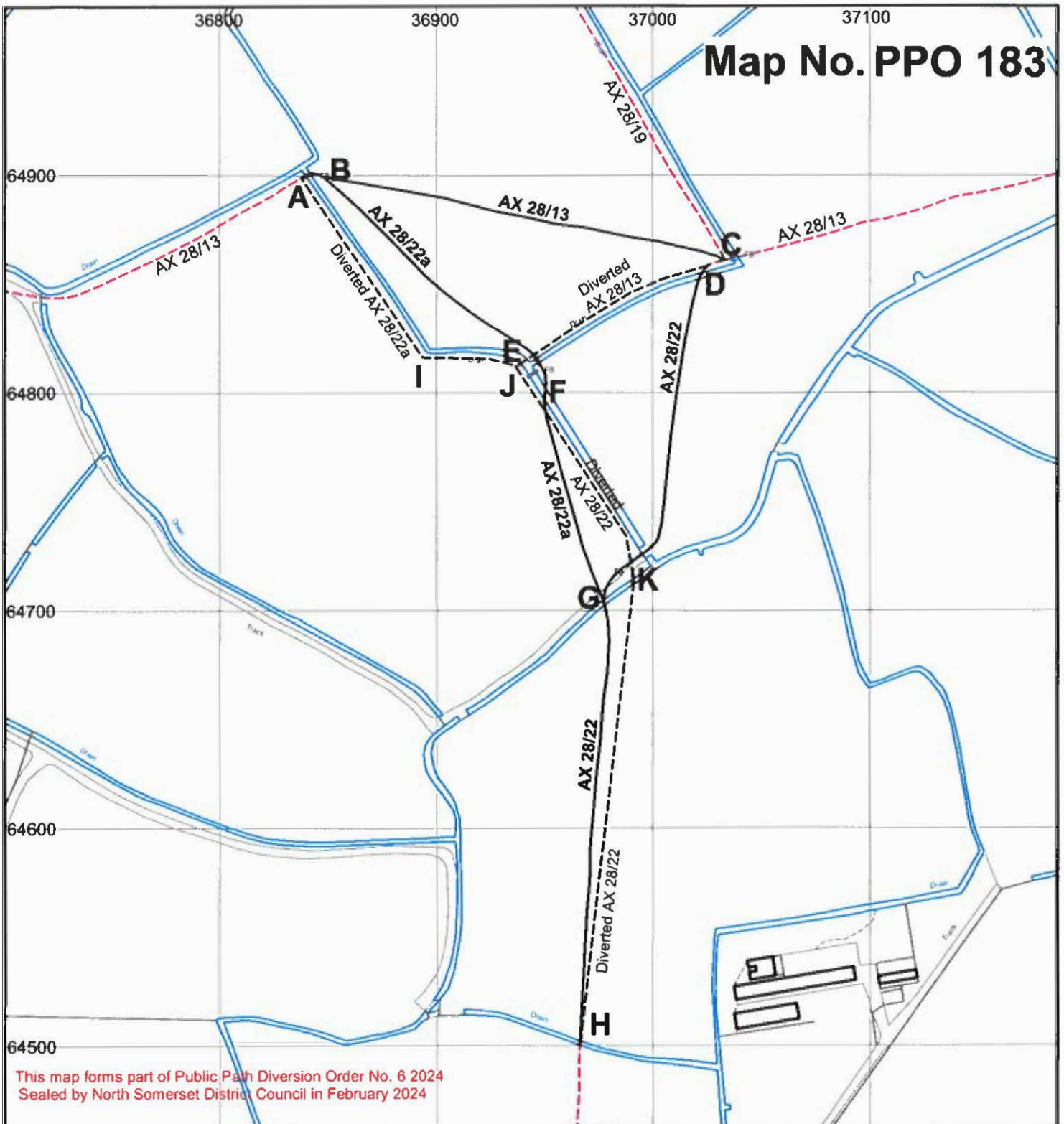
A footpath from point D (grid reference ST 37026 64858), running in a generally west, south westerly direction for approximately 96 metres to a footbridge with pedestrian gates at either end at point E (grid reference ST 36941 64814) and then running in a south westerly direction for approximately 5 metres to point J (grid reference ST 36937 64812) as shown by bold broken lines on the attached Map No. PPO 183. The path will have a grassed surface and a width of 2 metres.

Public Footpath AX 28/22

A footpath from point J (grid reference ST 36937 64812), running in a generally south, south easterly direction for approximately 114 metres to a footbridge with pedestrian gates at either end, at point K (grid reference ST 36991 64713) and then running in a south, south-westerly direction for approximately 214 metres to a footbridge with pedestrian gates at either end at point H (grid reference ST 36966 64501), as shown by bold broken lines on the attached Map No. PPO 183. The path will have a grassed surface and a width of 2 metres.

Public Footpath AX 28/22a

A footpath from Point A (grid reference ST 36838 64899) running in a south easterly direction for approximately 99 metres to point I (grid reference ST 36894 64816) and then running in an easterly direction for approximately 44 metres to point J (grid reference ST 36937 64812), as shown by bold broken lines on the attached Map No. PPO 183. The path will have a grassed surface and a width of 2 metres.



This map forms part of Public Path Diversion Order No. 6 2024
Sealed by North Somerset District Council in February 2024

Highways Act 1980 - Section 119 North Somerset District Council

Public Path Diversion Order No. 6 2024

Parts of footpaths AX 28/13 and AX 28/22 and entire length of footpath AX 28/22a, north of Ebdon Lane, Wick St. Lawrence



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



Not to Scale

Scale 1:2500 08/01/2024

Grid Squares
ST3664 & ST3764

Drawn by Paul Hayward
PATHS TO BE DIVERTED

Existing ———
(A-B-C, B-F-G & D-G-H)

Proposed - - - - -
(D-E-J, A-I-J & J-K-H)

Connecting paths - - - - -

PART 3

LIMITATION AND CONDITIONS

Point E (grid reference ST 36941 64814)	Footbridge with pedestrian gates at either end
Point K (grid reference ST 36991 64713)	Footbridge with pedestrian gates at either end
Point H (grid reference ST 36966 64501)	Footbridge with pedestrian gates at either end

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).

Given under the Common Seal of North Somerset District Council the 1st day of February 2024.

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

A Mccl
For:

23124-734

Asst Director Legal & Governance.