

Notice of Public Path Order

Highways Act 1980 Section 119

North Somerset District Council

(Part of Footpath AX 16/12, King George V Jubilee Playing Fields, Stonewell Drive, Congresbury)

Public Path Diversion Order No. 3 2024

The above Order, made on 6th March 2024, under section 119 of the Highways Act 1980, will divert part of Public Footpath LA 21/31 in the Parish of Congresbury within the district of North Somerset as described below:

from point A (grid ref. ST 43751 63555) running in a South, South Westerly direction to point B (grid ref. ST 43747 63486) through to point C (grid ref ST43764 63467 to point D (grid ref. ST 43749 63446). The existing footpath is 125 metres in length.

to footpath from point A (grid ref. ST ST43751 63555), running in a South Easterly direction to point E (grid reference ST 43772 63515), through point F (grid reference ST 43755 63479) to point G (grid ref. ST 43736 63458) to point D (grid ref. ST 43749 63446).). The proposed new footpath will be approximately 133 metres in length, with a width of 90cm as it currently exists. The proposed path has a concrete, concrete slab surface as already exists at the playing field perimeter.

The proposal is shown on the Order Map No. PPO 206: the existing route is shown with a bold black line and the proposed route shown by bold black dashes.

References to lettered points in this notice are references to points marked on the Order Map.

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 Laura.Baber@n-somerset.gov.uk or phoning 01934 427312. Alternatively, visit Congresbury Post Office, Monday-Friday 09:00-17:30 or Saturday 09:00-12:30.

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 no later than **17th April 2024**, quoting ref. **LEB/PPO 206**. 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If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District Council may itself confirm the Order as an unopposed Order.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to the Secretary of State for the Environment for confirmation, any representations or objections which have not been withdrawn will be sent with the Order.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: 20th March 2024

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

Date: 8th February 2024

Highways Act 1980
Section 119

North Somerset District Council

(Part of Footpath AX 16/12, King George V Jubilee
Playing Fields, Stonewell Drive, Congresbury)

Public Path Diversion Order
No. 3 2024

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

PPO 206

NORTH SOMERSET DISTRICT COUNCIL

**(PART OF FOOTPATH AX 16/12, KING GEORGE V JUBILEE PLAYING FIELDS,
STONEWELL DRIVE, CONGRESBURY)
PUBLIC PATH DIVERSION ORDER NO. 3 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 interests of the owner of the land crossed by the footpath described in paragraph 1 of this order and of the public it is expedient that the line of the path 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 site of the path into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situated at King George V Jubilee Playing Fields, Stonewell Drive, Congresbury, and shown by a bold continuous line on the map ‘PPO 206’ 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. There shall at the end of 28 days from the date of confirmation of this order be a public footpath over the land situated at King George V Jubilee Playing Fields, Stonewell Drive, Congresbury, described in Part 2 of the Schedule and shown by a bold broken line on the map ‘PPO 206’ contained in this order.

SCHEDULE

PART 1

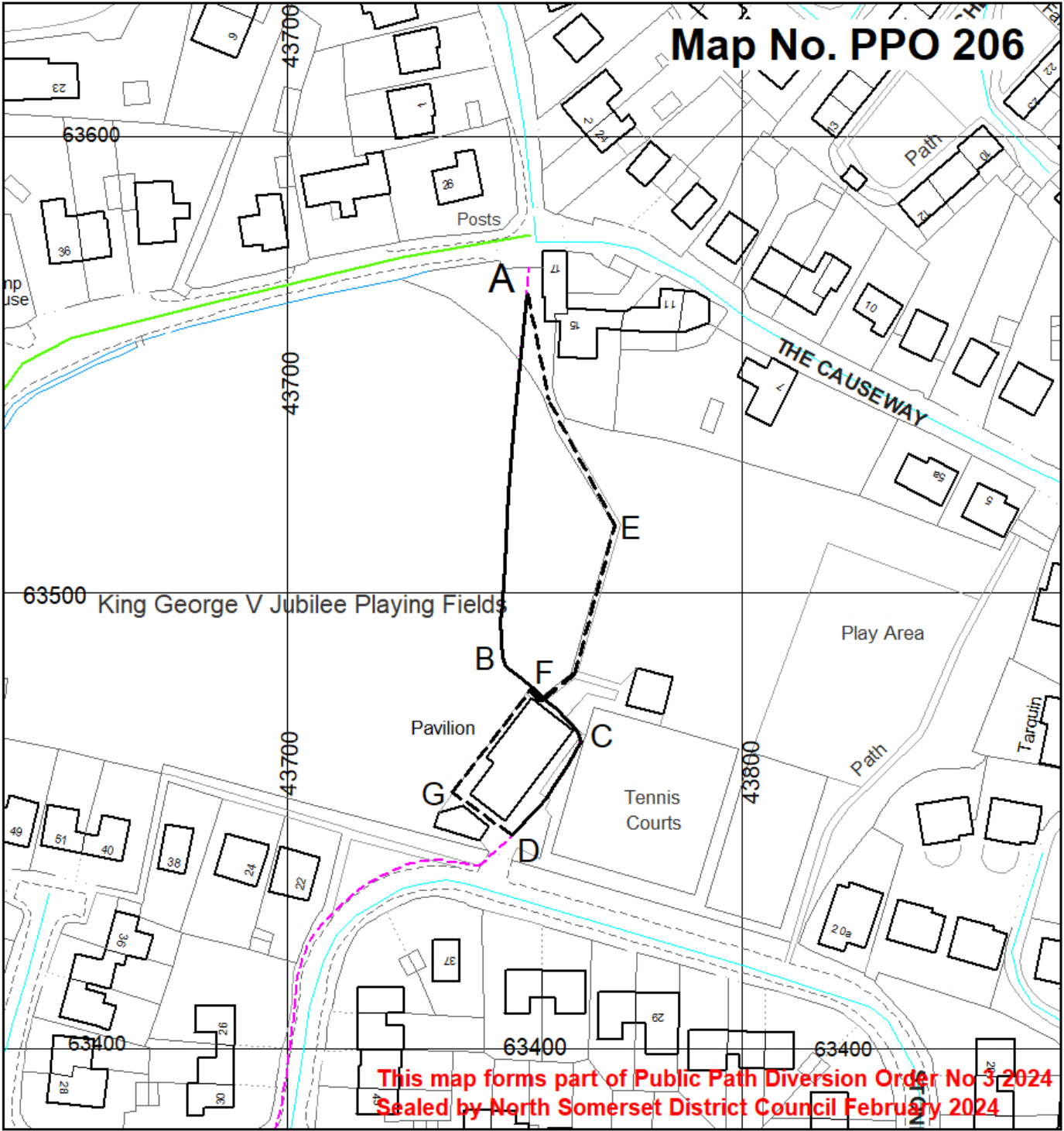
DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Part of footpath AX 16/12 in the Parish of Congresbury, from point A (grid ref. ST 43751 63555) running in a South South Westerly direction to point B (grid ref. ST 43747 63486) through to point C (grid ref ST43764 63467 to point D (grid ref. ST 43749 63446). The existing footpath is 125 metres in length.


PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

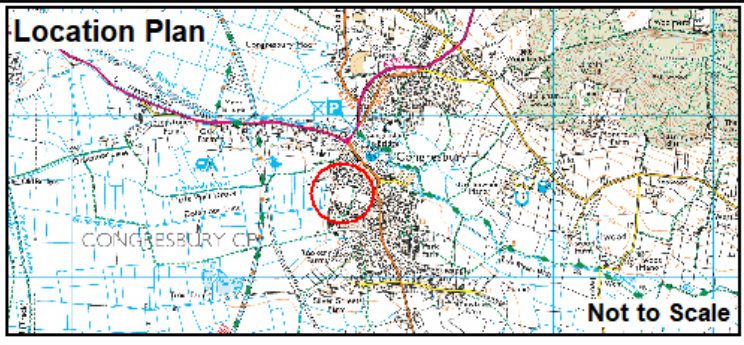
A footpath from point A (grid ref. ST ST43751 63555), running in a South Easterly direction to point E (grid reference ST 43772 63515), through point F (grid reference ST 43755 63479) to point G (grid ref. ST 43736 63458) to point D (grid ref. ST 43749 63446). The proposed new footpath will be approximately 133 metres in length, with a width of 90cm as it currently exists. The proposed path has a concrete, concrete slab surface as already exists at the playing field perimeter.




Highways Act 1980 - Section 119 North Somerset District Council
Public Path Diversion Order No. 3 2024
Footpath AX 16/12 King George V Jubilee Playing Fields



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 1:1200 


Date 24th January 2024


Grid Square ST4363

Drawn by Laura Baber

PATH TO BE DIVERTED

Existing 

Proposed 

Connecting Paths 

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Given under the Common Seal of North Somerset District Council the 8th day of February 2024.

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

23/24-755

A Red

for

Asst Director Legal & Governance

EXPLANATORY STATEMENT

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL **(PART OF FOOTPATH AX 16/12, KING GEORGE V JUBILEE** **PLAYING FIELDS, STONEWELL DRIVE, CONGRESBURY)** **PUBLIC PATH DIVERSION ORDER NO 3 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 owner of the land crossed by the footpath and of the public it is expedient that the line of the path should be diverted.

The application has been submitted for the following reasons:

The existing route of the footpath cuts directly across the cricket ground to a narrow path at the rear of the Recreation Club building. There is a paved path around the perimeter of the cricket field which members of the public use instead, with pedestrians also walking to the front of the Recreation Club rather than the back.

Diverting the path from the outfield will reflect actual use, improve safety and protect the amenity of the field. Additionally, it will allow for security and future expansion or redevelopment of the club building.

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 diversion.

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 **17th April 2024**. to the Director of Development and Environment, Natural Environment Team, Streets and Open Spaces, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ quoting reference **LEB/PPO 206** 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 Orders 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. 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.

