

Notice of Public Path Order

Highways Act 1980 Section 119

North Somerset District Council

(Part of Public Footpath LA 12/4, Birches Farm, Weston Road, Long Ashton)

Public Path Diversion Order No. 7 2024

The above Order, made on 18th June 2024, under section 119 of the Highways Act 1980, will divert part of Public Footpath LA 12/4 in the Parish of Long Ashton within the district of North Somerset as described below:

From point A (Grid reference ST 52588 69593), running in a South Easterly direction, to point B (ST 52814 69527), to point C (ST 52920 69529) a distance of approximately 350 metres;

to a footpath from Land Yeo at point D (ST 52637 69423), running in a generally Easterly direction to point E (grid ref. ST 52672 69429) and then North Easterly direction to point F (ST 52828 69492) and then continuing in a North Easterly direction to point C (ST 52920 69529) which is a total distance of approximately 306 metres.

The proposal is shown on the Order Map No. PPO 204: 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 footpath will have a width of 2 metres and a natural pasture surface as currently exists in the field.

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 Long Ashton Post Office, Monday-Friday 08:00- 18:00, Saturday 8:00- 14:00, Sunday 08:00- 13:00.

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 **21st August 2024**, quoting ref. **LEB/PPO 204**. 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If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District Council may itself confirm the Order as an unopposed Order.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to the Secretary of State for the Environment for confirmation, any representations or objections which have not been withdrawn will be sent with the Order.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: 24th July 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: 18th June 2024

Highways Act 1980
Section 119

North Somerset District Council

(Part of Public Footpath LA 12/4, Birches Farm,
Weston Road, Long Ashton)

Public Path Diversion Order
No. 7 2024

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

HIGHWAYS ACT 1980
NORTH SOMERSET DISTRICT COUNCIL

(PART OF PUBLIC FOOTPATH LA 12/4, BIRCHES FARM,
WESTON ROAD, LONG ASHTON)
PUBLIC PATH DIVERSION ORDER NO. 7 2024

This Order is made by North Somerset District Council (“the authority”) under Section 119 of the Highways Act 1980 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 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 Birches Farm, Long Ashton and shown by a bold continuous line on the map ‘PPO 204’ 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. Notwithstanding this order, National Grid Group, 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 footpath is diverted.
3. 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 Birches Farm, Long Ashton, described in Part 2 of the Schedule and shown by a bold broken line on the map ‘PPO 204’ contained in 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 PATH OR WAY

Part of footpath LA 12/4 from a gate at Land Yeo at point A (Grid reference ST 52588 69593), running in a South Easterly direction, to point B (ST 52814 69527), to point C (ST 52920 69529) a distance of approximately 350 metres as shown by a bold continuous line on the attached Map No. PPO 204.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A footpath from Land Yeo at point D (ST 52637 69423), running in a generally Easterly direction to point E (grid ref. ST 52672 69429) and then North Easterly direction to point F (ST 52828 69492) and then continuing in a North Easterly direction to point C (ST 52920 69529) which is a total distance of approximately 306 metres as shown by bold broken lines on the attached Map No. PPO 204.

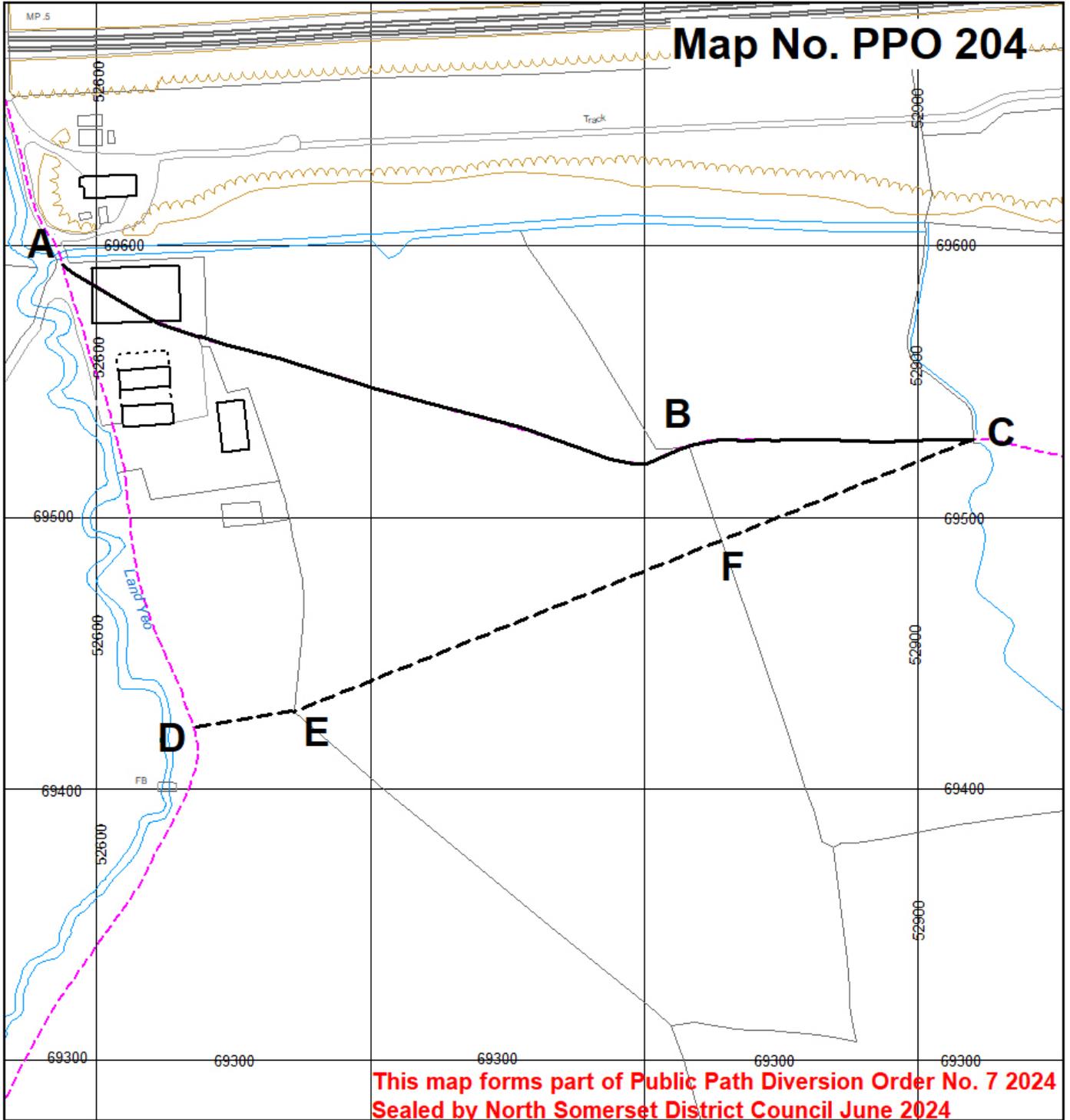
The diverted path will have a width of 2 metres and a natural pasture surface as currently exists in the field.

PART 3

LIMITATIONS AND CONDITIONS

Point E (grid ref. ST 52672 69429)	Pedestrian Gate BS5709:2018
Point F (ST 52828 69492)	Kissing Gate BS5709:2018
Point F (ST 52828 69492)	Culverted Bridge

Map No. PPO 204



**This map forms part of Public Path Diversion Order No. 7 2024
Sealed by North Somerset District Council June 2024**

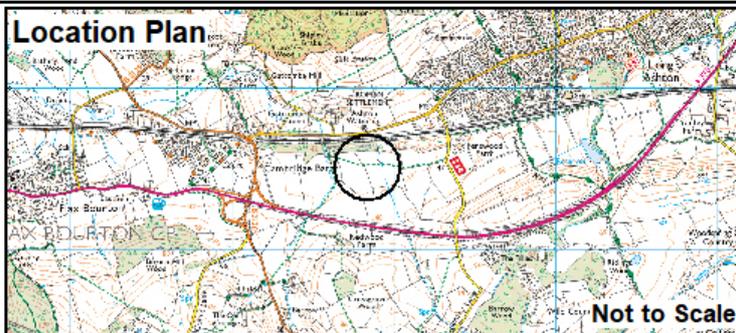
Highways Act 1980 - Section 119 North Somerset District Council

Public Path Diversion Order No. 7 2024

Part of Public Footpath LA 12/4 Birches Farm, Long Ashton



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 1:2000



Date 11th June 2024

Grid Square ST5269

Drawn by Laura Baber

PATH TO BE DIVERTED

- Existing
- Proposed
- Connecting Paths

Not to Scale

Given under the Common Seal of North Somerset District Council the 18th day of June 2024

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

24/25-059

A. Aid

F. A. Asst Director Legal & Governance

EXPLANATORY STATEMENT

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL (PART OF PUBLIC FOOTPATH LA 12/4, BIRCHES FARM, WESTON ROAD, LONG ASHTON PUBLIC PATH DIVERSION ORDER NO. 7 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 current path runs through farm buildings and areas used for cattle handling and feeding. The legal line of the northwest section of this footpath is blocked by an agricultural barn constructed prior to 1991. This diversion will address this historical problem.

There are also numerous agricultural machinery movements undertaken within the area, so the proposed diversion is felt necessary to ensure walkers are well away from these potential dangers.

Access to the current gateway (Point B) is very wet and often muddy on approaching the cattle shed. Moving the path up the grass field will be drier and more accessible.

Footpath walkers' footwear, when they may have been walking near other livestock, may potentially carry disease causing concern for animal welfare and disease control.

The proposed diversion is intended to provide clarity for walkers along a route with a firmer surface safe from most farming operations. The proposed diversion will also enable the applicant to better manage their farming operations, therefore the proposals are thought to benefit both the public and applicant.

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 **21st August 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 204** 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.

