

Notice of Public Path Order

Highways Act 1980 Section 119

North Somerset District Council

(Parts of Public Footpaths AX 24/19 and AX 24/20, Palmer's Elm Paths, Wick Road, Puxton)

Public Path Diversion Order No. 9 2024

The above Order, made on 18th June 2024, under section 119 of the Highways Act 1980, will divert parts of Public Footpaths AX 24/19 and AX 24/20 in the Parish of Puxton within the district of North Somerset as described below:

Public Footpath AX 24/19

Part of AX 24/19 from point A (grid ref. ST 39073 63904), running in a generally Southerly direction through point B (grid ref. ST 39075 63817), then running in a South Easterly direction to point C (grid ref. ST 39145 63649) to point D (grid ref. ST 39149 63638), a distance of approximately 281 metres, as shown by a bold black line on the attached Map No. PPO 205.

To a path from Point O (grid ref. ST 39171 63916) running in a generally Southerly direction to point L (grid ref. ST 39180 63881) then in a South Easterly direction towards point N (grid ref. ST 39264 63717), then in a South Westerly direction towards point G (grid ref. ST 39242 63695) then in a Westerly direction towards point F (grid ref. ST 39152 63686), then in a generally south direction to point E (grid ref. ST 39159 63647) then in a South Westerly direction to point D (grid ref. ST 39149 63638), a distance of approximately 425 metres.

Public Footpath AX 24/20

Part of AX 24/20 from its junction with AX 24/19 from point B (grid ref. ST39075 63817), running in an East then South Easterly direction to point M (grid ref. ST39262 63706), then running in a South Easterly direction to point I (grid ref. ST 39312 63653), a distance of approximately 305 metres.

To a path from point G (grid ref. ST39242 63695) running in a generally Southernly direction towards point H (grid ref. ST39256 63663), then in a South Easterly direction to point I (grid ref. ST39312 63653), a distance of approximately 105 metres.

The proposal is shown on the Order Map No. PPO 205: the existing routes are shown with bold black lines and the proposed routes 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 Queensway Post Office, North Worle Shopping Centre, Worle, Weston-Super-Mare, BS22 6BT, Monday-Saturday 06:00- 20:00, Sunday 07:00- 20:00.

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 **22nd August 2024**, quoting ref. **LEB/PPO 205**. 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: 25th 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

(Parts of Public Footpaths AX 24/19 and AX 24/20,
Palmer's Elm Paths, Wick Road, Puxton)

Public Path Diversion Order
No. 9 2024

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

PPO 205

HIGHWAYS ACT 1980
NORTH SOMERSET DISTRICT COUNCIL
(PARTS OF PUBLIC FOOTPATHS AX 24/19 AND
AX 24/20, PALMER'S ELM PATHS, WICK ROAD, PUXTON)
PUBLIC PATH DIVERSION ORDER NO. 9 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.

BY THIS ORDER:

1. The public rights of way over the land situated at Palmer’s Elm Paths, Wick Road, Puxton and shown by bold continuous lines on the Map No. ‘PPO 205’ 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, BT Group Plc and Wales and West Utilities Limited 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 public footpaths over the land situated at Palmer’s Elm Paths, Wick Road, Puxton, described in Part 2 of the Schedule and shown by bold broken lines on the Map No. ‘PPO 205’ 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 PATHS OR WAYS

Public Footpath AX 24/19

Part of AX 24/19 from point A (grid ref. ST 39073 63904), running in a generally Southerly direction through point B (grid ref. ST 39075 63817), then running in a South Easterly direction to point C (grid ref. ST 39145 63649) to point D (grid ref. ST 39149 63638), a distance of approximately 281 metres, as shown by a bold black line on the attached Map No. PPO 205.

Public Footpath AX 24/20

Part of AX 24/20 from its junction with AX 24/19 from point B (grid ref. ST39075 63817), running in an East then South Easterly direction to point M (grid ref. ST39262 63706), then running in a South Easterly direction to point I (grid ref. ST 39312 63653), a distance of approximately 305 metres.

PART 2

DESCRIPTION OF SITE OF NEW PATHS OR WAYS

Public Footpath AX 24/19

A path from Point O (grid ref. ST 39171 63916) running in a generally Southerly direction to point L (grid ref. ST 39180 63881) then in a South Easterly direction towards point N (grid ref. ST 39264 63717), then in a South Westerly direction towards point G (grid ref. ST 39242 63695) then in a Westerly direction towards point F (grid ref. ST 39152 63686), then in a generally south direction to point E (grid ref. ST 39159 63647) then in a South Westerly direction to point D (grid ref. ST 39149 63638), a distance of approximately 425 metres.

Public Footpath AX 24/20

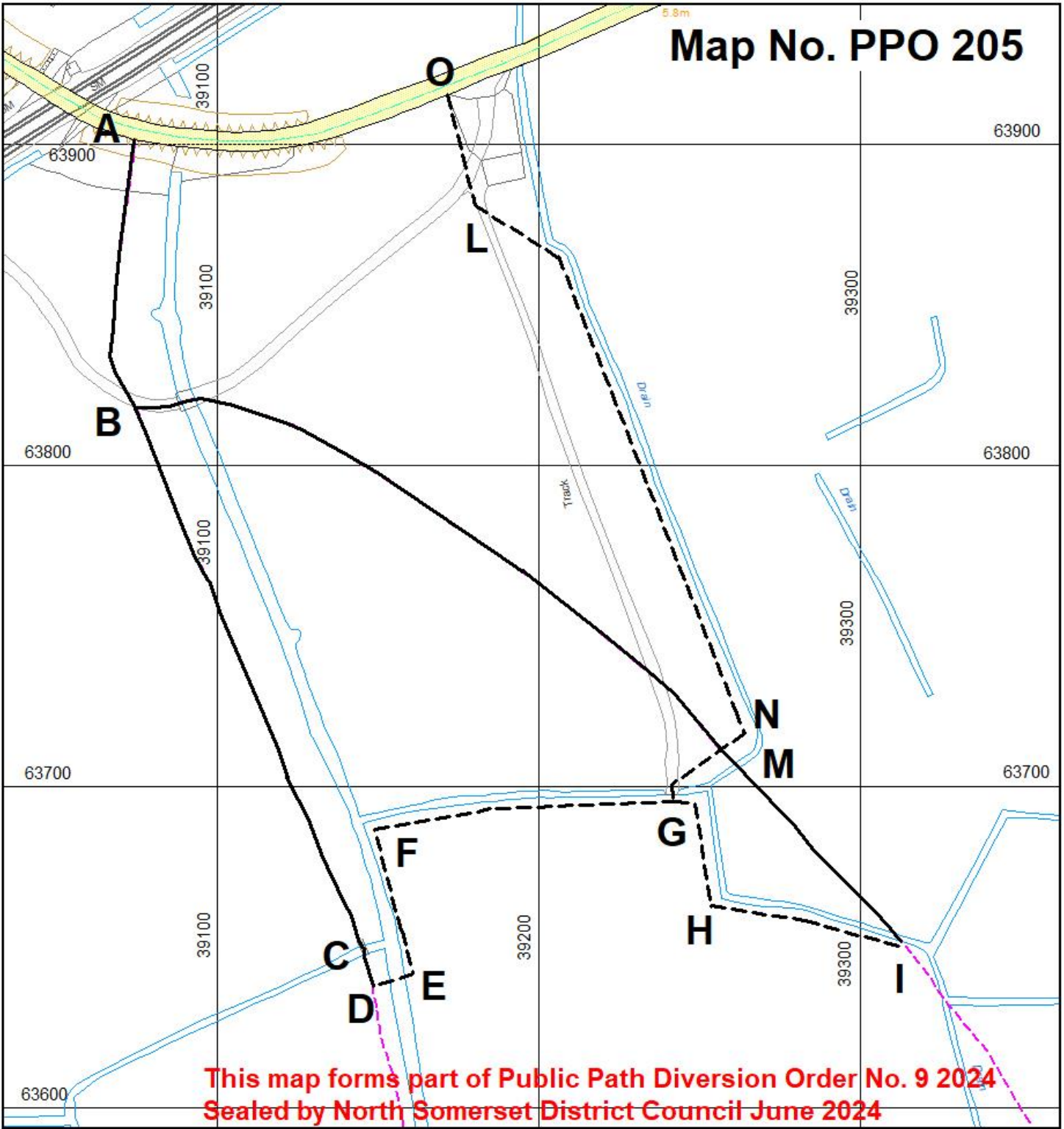
A path from point G (grid ref. ST39242 63695) running in a generally Southernly direction towards point H (grid ref. ST39256 63663), then in a South Easterly direction to point I (grid ref. ST39312 63653), a distance of approximately 105 metres.

PART 3

LIMITATIONS AND CONDITIONS

Point O (grid ref. ST 39171 63916)	Kissing Gate BS 5709:2018
Points D (grid ref. ST 39149 63638) and E (grid ref. ST 39159 63647)	Pedestrian Gate BS 2509:2018
Between points D (grid ref. ST 39149 63638) and E (grid ref. ST 39159 63647)	7m Wooden Bridge
Point G (grid ref. ST 39242 63695)	Field Gate
Point O (grid ref. ST 39171 63916)	Finger post

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).



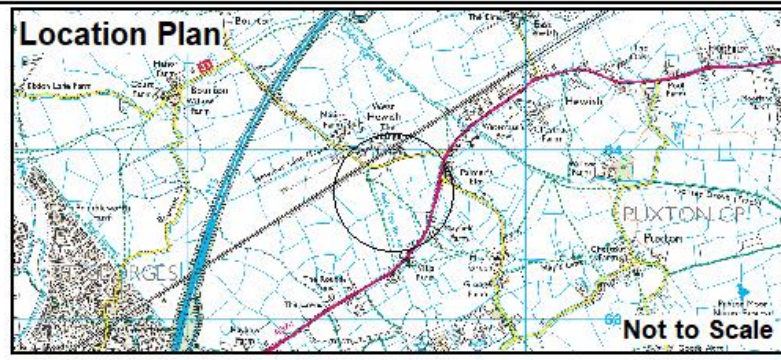
Highways Act 1980 - Section 119 North Somerset District Council

Public Path Diversion Order No. 9 2024

Parts of Footpaths AX 24/19 and AX 24/20, Palmer's Elm Paths



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 1:1700 NORTH

Date 8th May 2024

Grid Square ST3963

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 18th day of June 2024

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

24/25-055.

A rid.

For Asst Director Legal & Governance

EXPLANATORY STATEMENT

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL (PARTS OF PUBLIC FOOTPATHS AX 24/19 AND AX 24/20, PALMERS ELM PATHS, WICK ROAD, PUXTON) PUBLIC PATH DIVERSION ORDER NO. 9 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:

This Public Path Order is initiated in the interests of the Public, as users of the paths and North Somerset Council, as the public body responsible for maintaining the bridges currently on the route. The Public Path Order, and associated works, are therefore being undertaken at North Somerset Council expense.

These two paths are little used, probably due to the poor access off the railway embankment at Point A where a metal safety barrier and steep slope have to be negotiated. There are also currently three wooden Public Right of Way footpath bridges, at Points F, M, and I, maintainable at public expense. The bridges at F and M are in very poor condition and the one at I is missing.

The proposed diversions are intended to improve public access to these paths by moving the access point 100 metres, to the east where the ground is level and sight lines much improved. Access is also intended to be via a metal Kissing Gate thereby negating the need to scale the safety barrier and steep slope.

Should the Public Path Order be approved then the number of bridges maintained at public expense will be reduced from three to one, an immediate saving of around £2500, and more in future maintainable costs.

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 **22nd 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 205** 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.

