

Notice of Public Path Order

Highways Act 1980 Section 119
North Somerset District Council
(Public Footpath LA 8/25, Martcombe Road, Eastern-In-Gordano)
Public Path Diversion Order No. 14 2024

The above Order, made on 30th January 2025, under section 119 of the Highways Act 1980, will divert part of Public Footpath LA 8/25 in the Parish of Pill and Eastern-In-Gordano within the district of North Somerset as described below:

LA8/25 from point A (grid ref. ST 51538 75177) running in a South Easterly direction to point B (grid ref. ST 51728 75090) then running in a South Easterly direction to point C (ST 51753 75082). The total length of the footpath to be diverted is approximately 235 metres.

To a footpath from point D (grid ref. ST 51564 75143) running in a South Easterly direction to point E (grid ref. ST 51730 75101), then in a South Easterly direction to point C (grid ref. ST 51753 75082), a total distance of approximately 204 metres.

The proposed new route will have a natural pasture surface as currently exists in the field and be a width of 2 metres between points D and E. The section between points E and C is inside the field and will be enclosed on both sides with a width of 2.5 metres. This is shown by a bold broken line on the attached Map No. PPO 208.

The proposal is shown on the Order Map No. PPO 208: 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 Pill Post Office, 5 Baltic Place, Bristol, BS20 0EJ Monday- Tuesday 8:30-17:30, Wednesday- Friday 09:00- 17:30, Saturday 09:00- 13:30.

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 **26th March 2025** quoting ref. **LEB/PPO 208**. 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If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District Council may itself confirm the Order as an unopposed Order.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to the Secretary of State for the Environment for confirmation, any representations or objections which have not been withdrawn will be sent with the Order.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: 26th February 2025

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

Date: ~~30~~¹⁴ January 2025

Highways Act 1980
Section 119

North Somerset District Council

(Public Footpath LA 8/25, Martcombe Road,
Eastern-In-Gordano)

Public Path Diversion Order
No. 14 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

**(PUBLIC FOOTPATH LA 8/25, MARTCOMBE ROAD,
EASTERN-IN-GORDANO)**
PUBLIC PATH DIVERSION ORDER NO. 14 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 Martcombe Road, Eastern-In-Gordano, and shown by a bold continuous line on the map ‘PPO 208’ 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, Gigaclear Limited, National Grid Group and Bristol Water PLC 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 Martcombe Road, Eastern-In-Gordano described in Part 2 of the Schedule and shown by a bold broken line on the map ‘PPO 208’ contained in this order.
4. The rights conferred on the public under this order shall be subject to the limitation and condition set out in Part 3 of the Schedule.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

LA8/25 from point A (grid ref. ST 51538 75177) running in a South Easterly direction to point B (grid ref. ST 51728 75090) then running in a South Easterly direction to point C (ST 51753 75082).

The total length of the Public Footpath to be diverted is approximately 235 metres and shown by bold black lines on the attached Map No. PPO 208.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

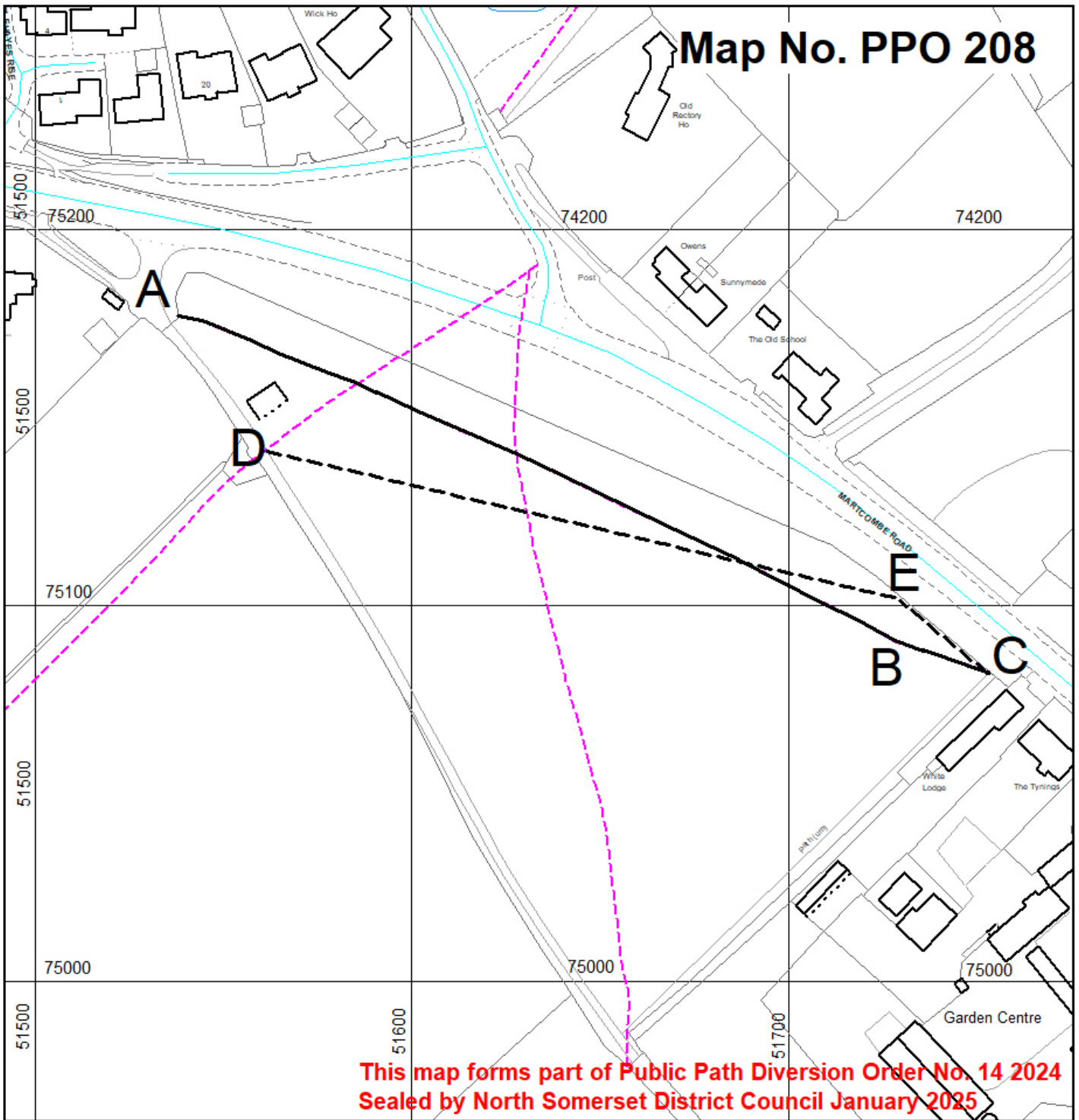
A footpath from point D (grid ref. ST 51564 75143) running in a South Easterly direction to point E (grid ref. ST 51730 75101), then in a South Easterly direction to point C (grid ref. ST 51753 75082), a total distance of approximately 204 metres.

The proposed new route will have a natural pasture surface as currently exists in the field and be a width of 2 metres between points D and E. The section between points E and C is inside the field and will be enclosed on both sides with a width of 2.5 metres. This is shown by a bold broken line on the attached Map No. PPO 208.


PART 3

LIMITATION AND CONDITION

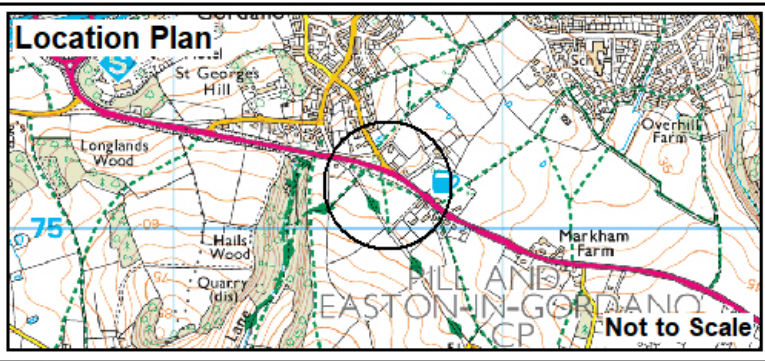
Point C (grid ref. ST 51753 75082)	Pedestrian Gate BS5709:2018
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


Highways Act 1980 - Section 119 North Somerset District Council
Public Path Diversion Order No. 14 2024
Public Footpath LA 8/25, Martcombe Road, Eastern-In-Gordano



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 1:1400 


Date 5th December 2024


Grid Square ST 5175

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 on the th 30 day of January

24/25-536

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

A Rich

EXPLANATORY STATEMENT

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL (PUBLIC FOOTPATH LA 8/25, MARTCOMBE ROAD, EASTERN-IN-GORDANO) PUBLIC PATH DIVERSION ORDER NO. 14 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:

To give a tidier location on Mr Puzey's land to the East of the field and to reflect current usage.

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 **26th March 2025**. 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 208** 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.