

Notice of Public Path Order

Highways Act 1980 Section 119

North Somerset District Council

(Part of Public Footpath LA 20/59, The Downs Preparatory School, Wraxall)

Public Path Diversion Order No. 5 2025

The above Order, made on 10th July 2025, under section 119 of the Highways Act 1980, will divert part of Public Footpath LA 20/59 in the Parish of Wraxall and Failand within the District of North Somerset as described below:

LA 20/59: *from* point A (grid ref. ST 49487 73740) running in a North Easterly direction to point B (grid ref. ST 49556 73873). A total distance of approximately 148 metres.

to a footpath from point C (grid ref. ST 49442 73777) running in an East, North Easterly direction to point D (grid ref. ST 49559 73820) then running in a Northerly direction to point B (grid ref. ST 49556 73873). A total distance of approximately 180 metres.

The existing route is shown with a bold black line and the proposed route is shown with bold broken lines. The proposed route will have a width of 2.5 metres and a natural pasture surface as currently exists. The proposal is shown on the Order Map No. PPO 215. References to lettered points in this notice are references to the 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 Nailsea Post Office at Crown Glass Place, Nailsea, Bristol, BS48 1RA Monday to Friday 09:00- 17:30, Saturday 09:00-12:30.

Any representations about or objections to the Orders may be sent in writing to the Natural Environment Team, North Somerset Council, at the Town Hall address below not later than **20th August 2025** quoting the above appropriate reference PPO 215. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District Council may confirm the Orders as unopposed Orders. If the Orders are 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to the Secretary of State for the Environment for confirmation, any representations and objections which have not been withdrawn will be sent with the Orders.

Dated: 23rd July 2025

John Flannigan, Head of Open Spaces, 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

(PART OF PUBLIC FOOTPATH LA 20/59, THE DOWNS

PREPARATORY SCHOOL, WRAXALL)

PUBLIC PATH DIVERSION ORDER NO. 5 2025

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 Public Right of Way currently goes through the middle of the school playing field and poses a safeguarding risk when children are playing outside. Walkers (and their dogs) are currently able to walk through the middle of the playing field while children are playing at break time. Moving the PROW to the edge of the field will allow us to fence it off and have a physical barrier between the general public and the 4-6 year old pupils.

The applicants believe it is only a matter of time before a safeguarding incident occurs as they feel powerless to stop strangers walking through and interacting with children. This poses a safeguarding risk that can be significantly reduced by moving the PROW and fencing it off. As part of this diversion the stiles would be replaced by pedestrian gates and the applicants would continue to maintain the PROW.

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 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 **20th August 2025** to the Natural Environment Team, Streets and Open Spaces, Town Hall,

Walliscote Grove Road, Weston-super-Mare, BS23 1UJ quoting reference **LEB/PPO 215** 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: 10th July 2025

Highways Act 1980
Section 119

North Somerset District Council

(Part of Public Footpath LA 20/59, The Downs
Preparatory School, Wraxall)

Public Path Diversion Order
No. 5 2025

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 20/59, THE DOWNS
PREPARATORY SCHOOL, WRAXALL
PUBLIC PATH DIVERSION ORDER NO. 5 2025

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 right of way over the land situated at The Downs Preparatory School, Wraxall and shown by a bold continuous line on the Map No. ‘PPO 215’ 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. 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 The Downs Preparatory School, Wraxall, described in Part 2 of the Schedule and shown by bold broken and bold dashed lines respectively on the Map No. ‘PPO 215’ contained in this order.
3. 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

LA 20/59: *from* point A (grid ref. ST 49487 73740) running in a North Easterly direction to point B (grid ref. ST 49556 73873). A total distance of approximately 148 metres.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A footpath from point C (grid ref. ST 49442 73777) running in an East, North Easterly direction to point D (grid ref. ST 49559 73820) then running in a Northerly direction to point B (grid ref. ST 49556 73873). A total distance of approximately 180 metres.

The proposed footpath will have a natural pasture surface as currently exists and be a width of 2.5 metres.

PART 3

LIMITATIONS AND CONDITIONS

Point C (grid ref. ST 49442 73777)	Pedestrian Gate BS 5709:2018
Point D (grid ref. ST 49559 73820)	Pedestrian Gate BS 5709:2018

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).

Map No. PPO 215

This map forms part of Public Path Order No. 5 2025
Sealed by North Somerset District Council July 2025

73900

Sheep Dip

B

Ruin

73800

Coachmans Cottage

A

D

49500

49600

Highways Act 1980 - Section 119

North Somerset District Council

Public Path Diversion Order

Part of Public Footpath LA 20/59, The Downs Preparatory School, Wraxall



Place Directorate

Public Rights of Way
Streets and Open Spaces
North Somerset Council
Town Hall
Wallisote Grove Road
Weston-super-Mare
BS23 1UJ
Tel: 01934 888 802



Scale 1:1100



Date 9th July 2025

Grid Square ST 4973

Drawn by Laura Baber

PATH TO BE DIVERTED

Existing ———
Proposed - - - - -
Connecting - . - . -
Paths

Given under the Common Seal of North Somerset District Council the 10th day of
July 2025 25/26-138

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

A nid

For: Asst Director Legal & Governance