

**Wildlife and Countryside Act 1981
Section 53**

North Somerset District Council

**Footpath LA13/52 Tetbury Gardens Nailsea
Definitive Map and Statement Modification Order No 2 2025**

**N P Brain
Assistant Director (Governance and Monitoring Officer)
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ**

File ref: Mod 119

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE COUNTY OF SOMERSET DEFINITIVE MAP AND STATEMENT
LONG ASHTON DISTRICT**

**NORTH SOMERSET DISTRICT COUNCIL
FOOTPATH LA13/52 TETBURY GARDENS NAILSEA
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER NO 2 2025**

This Order is made by North Somerset District Council ("The Council") under Section 53(2) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the County of Somerset Definitive Map and Statement Long Ashton District requires modification in consequence of an event specified in section 53(3)(c)(i) namely that a right of way which is not shown on the map and statement subsist or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A, a byway open to all traffic.

The Council have consulted with every local authority whose area includes the land to which the Order relates. The Council hereby orders that:

1. For the purpose of this Order the relevant date is 1st October 2025.
2. The County of Somerset Definitive Map and Statement Long Ashton Rural District shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the North Somerset District Council Footpath LA13/52 Tetbury Gardens Nailsea Definitive Map and Statement Modification Order No 2 2025

Given under the Common Seal of North Somerset District Council on the 30th day of October
~~November~~ 2025

25/26-419

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

A rich

For ASSISTANCE DIRECTOR (GOVERNANCE AND MONITORING OFFICER)

SCHEDULE

PART I

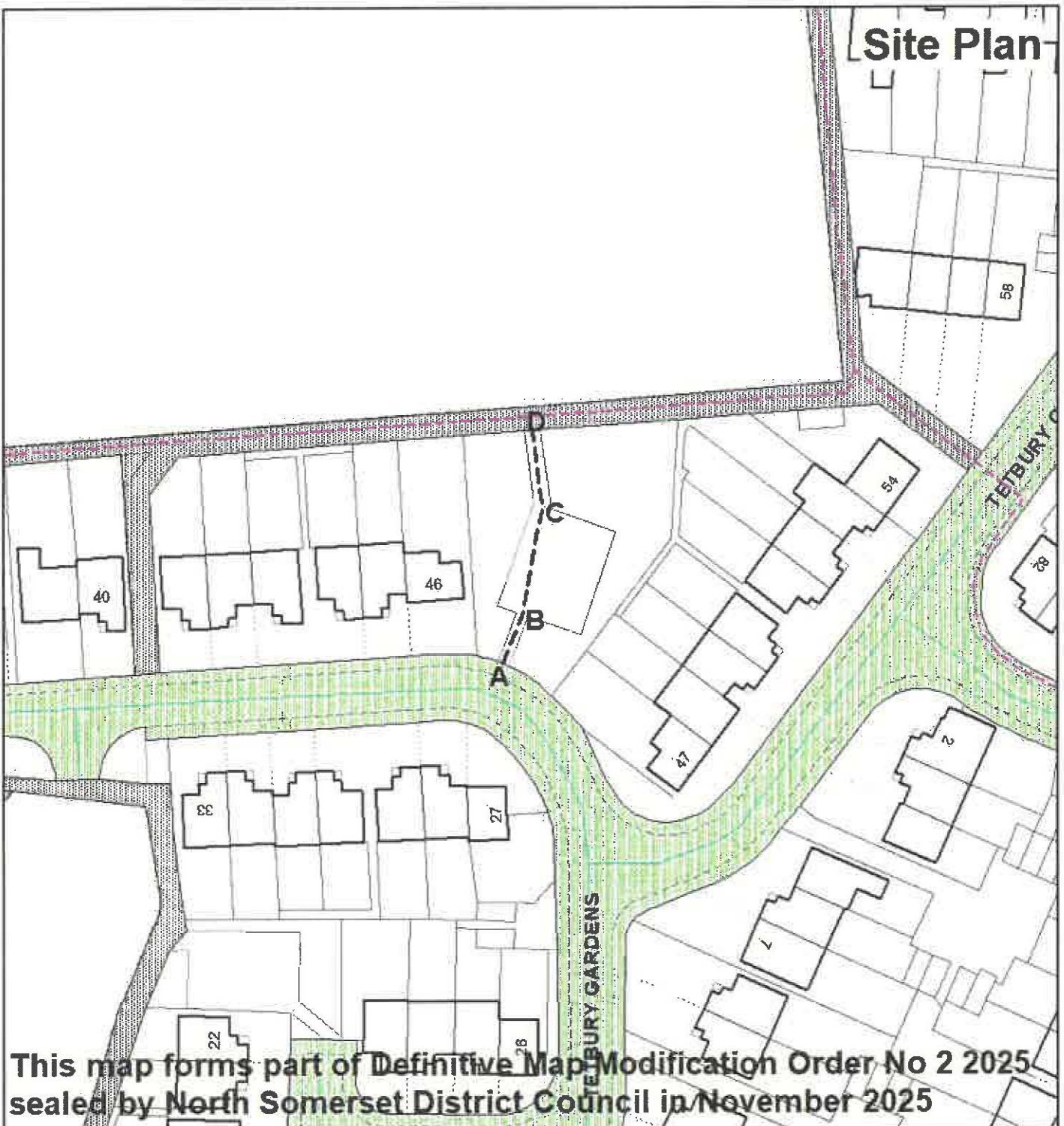
Modification of Definitive Map

Addition of Footpath LA13/52

Footpath LA13/52 commences at its junction with Tetbury Gardens, Point A (Grid Ref ST48102 70303) and proceeds in a north easterly direction for approximately 8 metres to Point B (Grid Ref ST48105 70310), where it continues in a north north easterly direction for approximately 15 metres to Point C (Grid Ref ST48108 70325), then in a northerly direction for approximately 11 metres to Point D (Grid Ref ST48106 70336) to its junction with Footpath LA13/35.

This Footpath is approximately 34 metres in length and will have a recorded width of 2 metres.

Site Plan



Wildlife & Countryside Act 1981 - Section 53 North Somerset District Council

MOD 119 Footpath LA13/52 Tetbury Gardens Nailsea Definitive Map Modification Order No. 2 2025



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 1:750



Date 28 October 2025

Grid Ref. ST4870

Map No. EB/Mod 119

Claimed route
A-B-C-D



PART II

Modification of Definitive Map and Statement

Map No.	Class & Right of Way	Description of Route					Particulars as to position, width, limitations or conditions as in the opinion of the Authority it is expedient to record	
		From		General Direction	To		General Description of Route	Reason for inclusion
		County Road or Right of Way	Location (with bounding property Nos.)		County Road or Right of Way	Location (with bounding property Nos.)		
EB/Mod 119	Addition of Footpath LA13/52	Tetbury Gardens USRN 47804187	ST48102 70303	North Easterly, then northerly	Footpath LA13/35	ST48106 70336	Footpath LA13/52 commences at its junction with Tetbury Gardens and proceeds in a north easterly direction for approximately 8 metres where it continues in a north north easterly direction for approximately 15 metres then in a northerly direction for approximately 11 metres to its junction with Footpath LA13/35.	Wildlife and Countryside Act 1981 Addition of Footpath LA13/52. This Footpath is approximately 34 metres in length and will have a recorded width of 2 metres.

Notice of Making of a Definitive Map Order

Section 53 of the Wildlife and Countryside Act 1981

The County of Somerset Definitive Map and Statement, Long Ashton Rural District

North Somerset District Council, Footpath LA13/52 Tetbury Gardens Nailsea, Definitive Map and Statement Modification Order No 2 2025

The above Order made on 30th October 2025, if confirmed as made, will modify the definitive map and statement for the area by adding a section footpath to the Definitive Map.

Addition of Footpath LA13/52

Footpath LA13/52 commences at its junction with Tetbury Gardens, Point A (Grid Ref ST48102 70303) and proceeds in a north easterly direction for approximately 8 metres to Point B (Grid Ref ST48105 70310), where it continues in a north north easterly direction for approximately 15 metres to Point C (Grid Ref ST48108 70325), then in a northerly direction for approximately 11 metres to Point D (Grid Ref ST48106 70336) to its junction with Footpath LA13/35.

This Footpath is approximately 34 metres in length and will have a recorded width of 2 metres.

A copy of the Order and the Order Map, together with the explanatory statement can be viewed online at www.n-somerset.gov.uk/notices or a free copy can be obtained by emailing elaine.bowman@n-somerset.gov.uk or phoning 01934 427406.

Any representation or objection relating to the Order must be sent in writing addressed to Natural Environment Team, North Somerset Council at the Town Hall address below not later than **12th January 2026**, quoting the reference **Mod 119**. Please state the grounds on which it is made.

If no representations or objections are duly made to the Order, or to any part of it, or if any so made are withdrawn, North Somerset Council, instead of submitting the Order to the Secretary of State (or part of it if the authority has by notice to the Secretary of State so elected under paragraph 5 of Schedule 15 to the Wildlife and Countryside Act 1981) may itself confirm the Order (or that part of the Order). If the Order is submitted to the Secretary of State for the Environment, in whole or in part, any representations or objections which have been duly made and not withdrawn will be sent with it.

Dated 26th November 2025

John Flannigan Head of Open Spaces, Natural Environment and Leisure

North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ



WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53

NORTH SOMERSET DISTRICT COUNCIL, FOOTPATH LA13/52 TETBURY GARDENS NAILSEA DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER NO 2 2025

EXPLANATORY STATEMENT

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Public footpaths, bridleways and byways open to all traffic are recorded on Definitive Maps and Statements. These maps and statements provide conclusive legal evidence of the existence of public rights. North Somerset District Council is responsible for the Definitive Map and Statement and has a duty to amend them when evidence suggests that they are inaccurate or incomplete. Such amendments are made by means of modification orders made under Section 53 of the Wildlife and Countryside Act 1981. These orders do not come into effect until confirmed; if there are any objections the Council must refer the order and objections to the Secretary of State for the Environment, Food and Rural Affairs, who will decide whether or not to confirm the order.

Definition of a Footpath

A highway over which the public have a right of way on foot.

This route to be known as Footpath LA13/52 is the subject of investigation following the submission of an application dated 23 June 2025. That application claims that a route running through an area of open space in the parish of Nailsea should be recorded as a Footpath.

North Somerset Council's Rights of Way Sub Committee considered this application on the 3rd September 2025 and formally

Resolved: (i) That the Public Rights of Way Sub Committee authorised the application listed as Mod 119 be taken out of sequence and that a Definitive Map Modification Order be made without investigation.

(ii) that such authority is given and that if no objections were received the Order would be confirmed and

(iii) that if objections were received, a further report would be brought back to the Committee to establish what stance would be taken when the Order was referred to the Secretary of State for determination.

The report that was considered by the Committee is available on the Council's website as **Report PRW 6.**

<https://n-somerset.moderngov.co.uk/documents/s7742/Mod%20119%20Tetbury%20Gardens%20Committee%20Report%20NSC.pdf>

Footpath LA13/52 commences at its junction with Tetbury Gardens, Point A (Grid Ref ST48102 70303) and proceeds in a north easterly direction for approximately 8 metres to Point B (Grid Ref ST48105 70310), where it continues in a north north easterly direction for approximately 15 metres to Point C (Grid Ref ST48108 70325), then in a northerly direction for approximately 11 metres to Point D (Grid Ref ST48106 70336) to its junction with Footpath LA13/35.

This Footpath is approximately 34 metres in length and will have a recorded width of 2 metres.

To be relevant, objections or representations should relate to the question as to whether this is a historically used route; other objections or representations (e.g. relating to privacy, security, suitability, desirability or amenity) may be held to be irrelevant.

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. **It should be noted that all comments received will form part of the case for this Order and will be forwarded to the Planning Inspectorate and interested parties.**

If there are no objections to the order, or if any made are duly withdrawn, the authority may confirm the order, and the Definitive Map and Statement will then be modified. If there are any objections which are not withdrawn, then North Somerset District Council must refer the order and objections to the Planning Inspectorate acting for the Secretary of State for the Environment, Food and Rural Affairs. The Department will appoint an independent Inspector to consider the order and hear the objections, normally by holding a local Public Inquiry. The Inspector may confirm the order, with or without modifications, or may decide that the order should not be confirmed.

North Somerset Council
Development and Environment,
Streets and Open Spaces
Natural Environment Team,
Town Hall
Walliscote Grove Road
Weston super Mare,
BS22 1UJ

Tel: 01934 427406