

NOTICE OF ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

SECTION 53

Bath & North East Somerset Council
(Public Footpath BC52/8, Former Fox Hill Site, Bath)
Definitive Map Modification Order 2016

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is 15 June 2016.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Aix en Provence, The Guildhall, High Street, Bath, Bath & North East Somerset, BA1 5AW** on **Tuesday 29 November 2016** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by adding to them the footpath commencing from a junction with Bradford Road at grid reference ST 7558 6241 (Point A on the Order Map) and continuing in a generally northerly direction over Bramble way for approximately 140 metres to grid reference ST 7556 6254 (Point C on the Order Map) and continuing in a generally northerly direction adjacent to Combe Down Rugby Club for approximately 165 metres to grid reference ST 7556 6271 (Point E on the Order Map) and continuing in a generally northerly direction to the rear of 35-38 Stonehouse Lane for approximately 65 metres to grid reference ST 7557 6278 (Point F on the Order Map) and turning in a generally east-north-easterly direction for approximately 295 metres to a junction with Pope's Walk at grid reference ST 7584 6285 (Point G on the Order Map).

Any queries relating to this Order should be referred to Jean McEntee at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number FPS/F0114/7/21 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at Bath and North East Somerset Council, Civic Centre, Market Walk, Keynsham BS31 1FS during normal working hours. Telephone: 01225 477650.

As Bath & North East Somerset Council have indicated that they will not be supporting the Order at the Inquiry, the case for the Order will be presented by Mr N Coates. Mr Coates will be expected to adhere to the following timetable as if he were the Council.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 10 August 2016]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 21 September 2016]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 1 November 2016]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

WILDLIFE AND COUNTRYSIDE ACT 1981

1601

City of Bath Definitive Map and Statement

Bath and North East Somerset Council (Public Footpath BC52/8, Former Fox Hill Site, Bath) Definitive Map Modification Order 2016

This Order is made by Bath and North East Somerset Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ('the Act') because it appears to the Secretary of State for Environment, Food and Rural Affairs that the City of Bath Definitive Map and Statement require modification in consequence of the occurrence 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 subsists 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.

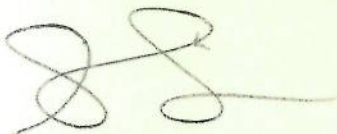
The authority has consulted with every local authority whose area includes the land to which the order relates. The Bath and North East Somerset Council hereby order that:

1. For the purposes of this order the relevant date is 10th November 2015.
2. The City of Bath Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the maps attached to the Order.
3. This order shall take effect on the date it is confirmed and may be cited as the Bath and North East Somerset Council (Public Footpath BC52/8, Former Fox Hill Site, Bath) Definitive Map Modification Order 2016.

Given under the Common Seal of the Bath and North East Somerset Council the 6th day of January 2016.

The COMMON SEAL of the
BATH AND NORTH EAST SOMERSET
COUNCIL

was hereunto affixed
in the presence of:-



Shaine Lewis -
Principal Solicitor

Authorised signatory



JK 6508



SCHEDULE

Part I

Modification of Definitive Map

Description of path or way to be added

A public footpath commencing from a junction with Bradford Road at grid reference ST 7558 6241 (Point A on the Order Map) and continuing in a generally northerly direction over Bramble Way for approximately 140 metres to grid reference ST 7556 6254 (Point C on the Order Map) and continuing in a generally northerly direction adjacent to Combe Down Rugby Club for approximately 165 metres to grid reference ST 7556 6271 (Point E on the Order Map) and continuing in a generally northerly direction to the rear of 35-38 Stonehouse Lane for approximately 65 metres to grid reference ST 7557 6278 (Point F on the Order Map) and turning in a generally east-north-easterly direction for approximately 295 metres to a junction with Pope's Walk at grid reference ST 7584 6285 (Point G on the Order Map).



Part II

Modification of Definitive Statement

Variation of particulars of path or way

A new statement for BC52/8 shall be recorded as follows:

Path Number: BC52/8

Status: Footpath

Length: Approximately 665 metres

Ward: Combe Down

Width: 4 metres between grid references ST 7558 6241 and ST 7556 6245
3.5 metres between grid references ST 7556 6245 and ST 7556 6254
1.8 metres grid references ST 7556 6254 and ST 7556 6256
1 metre between grid references ST 7556 6256 and ST 7584 6285

Limitations: None

Description of Route				
From		General Direction	To	
County Road or Right of Way	Grid Reference		County Road or Right of Way	Grid Reference
Bradford Road	ST 7558 6241	NE	Pope's Walk	ST 7584 6285

General Description:

A public footpath commencing from a junction with Bradford Road at grid reference ST 7558 6241 and continuing in a generally northerly direction over Bramble Way for approximately 140 metres to grid reference ST 7556 6254 and continuing in a generally northerly direction adjacent to Combe Down Rugby Club for approximately 165 metres to grid reference ST 7556 6271 and continuing in a generally northerly direction to the rear of 35-38 Stonehouse Lane for approximately 65 metres to grid reference ST 7557 6278 and turning in a generally east-north-easterly direction for approximately 295 metres to a junction with Pope's Walk at grid reference ST 7584 6285.



**THIS MAP FORMS PART OF
THE BATH AND NORTH EAST
SOMERSET COUNCIL (PUBLIC
FOOTPATH BC52/8, FORMER
FOX HILL SITE, BATH) DEFINITIVE
MAP MODIFICATION ORDER 2016**

Public footpath to be added A B C D E F G
 Unaffected public footpath
 Unaffected public bridleway

Scale: 1:2500

