

# NOTICE OF ORDER

## WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Bath & North East Somerset Council  
(City of Bath Definitive Map and Statement Modification Order) (No. 9 - River Path and  
Towpath) 2011

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. Following an earlier exchange of written representations, the Inspector appointed to determine the Order issued a letter in which she proposed to make modifications to the Order as drafted. Following advertisement of those proposals objections/representations have been received.

The **start date** for the above Order is **2 September 2016**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case which contain evidence in respect of the Inspector's proposed modifications.

The effect of the Order, if confirmed without modifications, will modify the definitive map and statement for the area by adding to them the following:

### AQ27

A footpath running from point A on Part 3 of the Order Map at Grid Reference ST 7635 6590 on the towpath (footpath AQ92d) and crossing a footbridge for a distance of approximately 16m in a south-south-easterly direction to a kissing gate at point B at Grid Reference ST 7636 6589. The footpath continues for a distance of approximately 147m to where it finishes at a kissing gate on Warminster Road at point C at Grid Reference ST 7642 6579 as shown on the Order Map, the number of this footpath to be known as BC65/2. Width: 1m between Grid Reference ST 7635 6590 and Grid Reference ST 7642 6579.

### AQ33

A footpath running from point A on Part 4 of the Order Map at Grid Reference ST 7565 6471 on Pulteney Road and continuing in an easterly direction for a distance of approximately 78m to posts at point B at Grid Reference ST 7573 6471. The footpath continues for a distance of approximately 10m to a barrier and steps at point C at Grid Reference ST 7544 6471. The footpath continues for a distance of approximately 4m up the steps to point D at Grid Reference ST 7545 6471. The footpath continues for a distance of approximately 26m to steps at point E at Grid Reference ST 7577 6471 and continues up the steps for a distance of approximately 8m to where the steps end at point F at Grid Reference ST 7578 6471. The footpath continues for a distance of approximately 8m to where it finishes on the towpath (footpath AQ92c) at point G at Grid Reference ST 7579 6471 as shown on the Order Map, the number of this footpath to be known as BC54/26. Width: 2.2m - 9.3m between Grid Reference ST 7565 6471 and Grid Reference ST 7579 6471.

### AQ34a

A footpath running from point A on Part 5 of the Order Map at Grid Reference ST 7579 6463 on the towpath (footpath AQ92c) and continuing in an east-north-easterly direction for a distance of approximately 6m to a footbridge at point B at Grid Reference ST 7580 6463. The footpath continues across the footbridge for a distance of approximately 4m to point C at Grid Reference ST 7580 6463. The footpath continues for a distance of approximately 39m to where it finishes up a step on Sydney Buildings at point D at Grid Reference ST 7584 6465 as shown on the Order Map, the number of this

footpath to be known as BC54/27. Width: 1.1m – 3.3m between Grid Reference ST 7579 6463 and Grid Reference ST 7584 6465.

#### AQ91a

A footpath running from point A on Part 6 of the Order Map on footpath AQ13c at Grid Reference ST 7170 6580 and following the northern bank of the river Avon in a south-easterly direction for a distance of approximately 67m to point B at Grid Reference ST 7172 6573 at footpath AQ91b which continues for a distance of approximately 35m to point C at Grid Reference ST 7174 6570 to where footpath AQ91a resumes again. The footpath continues for a distance of approximately 1648m to point D at Grid Reference ST 7300 6481 to where the direction changes to north-easterly. The footpath continues for a distance of approximately 815m to point E at Grid Reference ST 7372 6514 where the direction changes to south-easterly. The footpath continues for a distance of approximately 1531m through points F and G to where it finishes on Broad Quay at point H at Grid Reference ST 7493 6438 as shown on the Order Map, the number of this footpath to be known as BCRIV/1. Width: 1.0m – 6.5m between Grid Reference ST 7170 6580 and Grid Reference ST 7493 6438.

#### AQ91c

A footpath running from point A on Part 7 of the Order Map on Lower Bristol Road at Grid Reference ST 7506 6431 and following the southern bank of the river Avon down steps in a north-easterly direction for a distance of approximately 3m to where the steps finish at point B at Grid Reference ST 7506 6431. The footpath continues for a distance of approximately 2m to point C at Grid Reference ST 7506 6431 where the direction changes to east-south-easterly. The footpath continues for a distance of approximately 331m to bollards at point D at Grid Reference ST 7538 6428 where it changes direction to northerly. The footpath continues for a distance of approximately 198m to where it finishes on Spring Gardens Road at point E at Grid Reference ST 7541 6447 as shown on the Order Map, the number of this footpath to be known as BCRIV/2. Width: 1.7m – 6.7m between Grid Reference ST 7506 6431 and Grid Reference ST 7541 6447.

#### AQ91d

A footpath running from point A on Part 8 of the Order Map on Spring Gardens Road at a bollard at Grid Reference ST 7541 6458 and following the eastern bank of the river Avon in a northerly direction for a distance of approximately 135m to where it finishes on public footpath BC54/11 at point B at Grid Reference ST 7538 6471 as shown on the Order Map, the number of this footpath to be known as BCRIV/3. Width: 2.4m – 3.3m between Grid Reference ST 7541 6458 and Grid Reference ST 7538 6471.

#### AQ92a

A footpath running from point A on Part 9 of the Order Map on the river path (AQ91c) at Grid Reference ST 7538 6428 and following the southern bank of the Kennet and Avon Canal in an easterly direction for a distance of approximately 166m through points B and C to steps at point D at Grid Reference ST 7554 6426. The footpath continues for a distance of approximately 10m to where the steps finish at point E at Grid Reference ST 7555 6426. The footpath continues in a northerly direction for a distance of approximately 3m to point F at a footbridge across a lock gate at Grid Reference ST 7555 6426. The footpath crosses the lock gate for a distance of approximately 9m to where it ends at point G at Grid Reference ST 7555 6427. The footpath continues for a distance of approximately 5m to where it finishes on the towpath (footpath AQ92b) at point H at Grid Reference ST 7555 6427 as shown on the Order Map, the number of this footpath to be known as BCTOW/1. Width: 0.76m – 7.1m between Grid Reference ST 7538 6428 and Grid Reference ST 7555 6427.

#### AQ92b

A footpath running from point A on Part 10 of the Order Map on Pulteney Road at Grid Reference ST 7555 6427 and following the northern bank of the Kennet and Avon Canal in an east-south-easterly direction for a distance of approximately 35m to where the direction changes to north-easterly at point B at Grid Reference ST 7559 6427. The footpath continues for a distance of approximately 279m to where it finishes on Pulteney Gardens at point C at Grid Reference ST 7576 6447 as shown on the Order Map, the

number of this footpath to be known as BCTOW/2. Width: 1.2m – 3.9m between Grid Reference ST 7555 6427 and Grid Reference ST 7576 6447.

#### AQ92c

A footpath running from point A on Part 11 of the Order Map on Pulteney Gardens at Grid Reference ST 7577 6448 and following the western bank of the Kennet and Avon Canal in a northerly direction for a distance of approximately 437m through point B to steps at point C at Grid Reference ST 7581 6490. The footpath continues in a westerly direction for a distance of approximately 3m up the steps to where it finishes on Bathwick Hill at point D at Grid Reference ST 7580 6490 as shown on the Order Map, the number of this footpath to be known as BCTOW/3. Width: 1.2m – 5.0m between Grid Reference ST 7577 6448 and Grid Reference ST 7580 6490.

#### AQ92d & BQ44

A footpath running from point A on Part 12 of the Order Map on Bathwick Hill at Grid Reference ST 7583 6492 and following the eastern bank of the Kennet and Avon Canal in a northerly direction for a distance of approximately 315m to point B at Grid Reference ST 7589 6521 to where the direction changes to south-westerly. The footpath continues for a distance of approximately 18m to point C at Grid Reference ST 7582 6520 where the direction changes to southerly. The footpath continues for a distance of approximately 25m to point D at Grid Reference ST 7588 6518 where the direction changes to northerly. The footpath continues along the western bank of the Kennet and Avon Canal for a distance of approximately 669m through points E, F G and H to point I at Grid Reference ST 7606 6578 where it changes direction. The footpath continues for a distance of approximately 319m in a north-easterly direction to where it finishes on public footpath BA1/5 at point J at Grid Reference ST 7635 6590 as shown on the Order Map, the number of this footpath to be known as BCTOW/4. Width: 1.1m – 3.9m between Grid Reference ST 7583 6492 and Grid Reference ST 7635 6590.

#### AQ193

A restricted byway running from point A on Part 13 of the Order Map on the towpath (footpath AQ92d) at Grid Reference ST 7610 6580 and continuing in a north-easterly direction for a distance of approximately 288m to where it finishes on public footpath BA1/1 at point B at Grid Reference ST 7633 6596 as shown on the Order Map, the number of this restricted byway to be known as BC65/3. Width: 1.3m – 7.8m between Grid Reference ST 7610 6580 and Grid Reference ST 7633 6596.

#### AQ362

A footpath running from point A on Part 14 of the Order Map on footpath BQ43 at Grid Reference ST 7586 6546 and continuing in a north-easterly direction for a distance of approximately 108m to staggered barriers at point B at Grid Reference ST 7595 6551. The footpath continues for a distance of approximately 5m to where it finishes on Darlington Road at point C at Grid Reference ST 7596 6552 as shown on the Order Map, the number of this footpath to be known as BC55/12. Width: 1.7m – 15.8m between Grid Reference ST 7586 6546 and Grid Reference ST 7596 6552.

#### BQ43

A footpath running from point A on Part 16 of the Order Map on Beckford Road at Grid Reference ST 7585 6545 and continuing in a north-north-easterly direction for a distance of approximately 44m to where it finishes on the towpath (footpath AQ92d) at point B at Grid Reference ST 7588 6549 as shown on the Order Map, the number of this footpath to be known as BC55/13. Width: 2.4m – 4.6m between Grid Reference ST 7585 6545 and Grid Reference ST 7588 6549.

#### CQ114

A footpath running from point A on Part 19 of the Order Map on the towpath (footpath AQ92a) at Grid Reference ST 7549 6427 and continuing in a south-easterly direction for a distance of approximately 43m to where it finishes on Pulteney Road at point B at Grid Reference ST 7553 6426 as shown on the Order Map, the number of this footpath to be known as BC54/28. Width: 1.4m – 6.5m between Grid Reference ST 7549 6427 and Grid Reference ST 7553 6426.

## T1

A footpath running from point A on Part 20 of the Order Map on Sydney Road at Grid Reference ST 7589 6524 and continuing in a southerly direction for a distance of approximately 27m to where it finishes on the towpath (footpath AQ92d) at point B at Grid Reference ST 7589 6521 as shown on the Order Map, the number of this footpath to be known as BC55/14. Width: 3.3m – 4.3m between Grid Reference ST 7589 6524 and Grid Reference ST 7589 6521.

The Inspector proposes to confirm the Order subject to the following modifications:

- for **'AQ92a'**:
  - replace "...The footpath continues in a northerly direction for a distance of approximately 3 m to point F at a footbridge across a lock gate at Grid Reference ST 7555 6426. The footpath crosses the lock gate for a distance of approximately 9 m to where it ends at point G at Grid Reference ST 7555 6427. The footpath continues for a distance of approximately 5m to where it finishes on the towpath (footpath AQ92b) at point H at Grid Reference ST 7555 6427 and shown by a broken black line with short intervals marked A-B-C-D-E-F-G-H on the map numbered Part 9 annexed to this order, the number of this footpath to be known as BCTOW/1. Width 0.76m – 7.1m between Grid Reference ST 7538 6428 and Grid Reference ST 7555 6427." with "...The footpath continues south and then west for a distance of approx. 12 m (on the southern side of the steps) to finish on the footway of Pulteney Road at point X at Grid Reference ST 7555 6427 and shown by a broken black line with short intervals marked A-B-C-D-E-X on the map numbered Part 9 annexed to this order, the number of this footpath to be known as BCTOW/1. Width 1.5m – 7.1m between Grid Reference ST 7538 6428 and Grid Reference ST 7555 6427";
- for **'AQ193'**:
  - replace "Restricted Byway" with "Footpath" throughout;
  - after text "...shown by a..." replace "...bold broken line and small arrowheads..." with "...broken black line with short intervals...";
- Within Part II of the Schedule:
  - for **'Path Number: AQ92a'**:
    - for **'Length'** replace "193 m" with "188m";
    - for **'Width'** replace "...0.76m..." with "...1.5m";
    - for **'Description of Route, To'** replace "Footpath AQ92b" with "Pulteney Road";
    - for **'General Description'** replace "...The footpath continues in a N direction for a distance of approx. 3 m to a footbridge across a lock gate at Grid Reference ST 7555 6426. The footpath crosses the lock gate for a distance of approx. 9 m to where it ends at Grid Reference ST 7555 6427. The footpath continues for a distance of approx. 5m to where it finishes on the towpath (footpath AQ92b) at Grid Reference ST 7555 6427." with "...The footpath continues south and then west for a distance of approx. 12 m (on the southern side of the steps) to finish on the footway of Pulteney Road at Grid Reference ST 7555 6427";
    - for **'Conclusive Evidential Provisions'** remove all text and add "None";
  - for **'Path Number: AQ193'** replace "Restricted Byway" with "Footpath" throughout;
- On the Order plan:
  - for **'Part 9'** (AQ92a);

- alter key to refer to route A – D – X;
- for '*The width of the footpath to be recorded varies between...*' replace "*...0.76m...*" with "*...1.5m...*";
- remove text relating to widths between points E, F, G and H;
- add text "*Between Point E and Point X the width of the footpath is 2.0m'*";
- add point X on Pulteney Road footway;
- delete section E – F – G;
- add route from E – X;
- for '**Part 13**' (AQ193);
  - replace text "*...Restricted Byway...*" with "*...Footpath...*" throughout;
  - show Order route and key as broken black lines.

Any queries relating to this Order should be referred to Helen Sparks 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 5646. Email: [helen.sparks@pins.gsi.gov.uk](mailto:helen.sparks@pins.gsi.gov.uk) Please quote reference number FPS/F0114/7/20M 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 & North East Somerset Council, Keynsham Civic Centre, Market Walk, Keynsham, Bristol, BS31 1FS during normal working hours by appointment, by calling 01225 477532.

### **Timetable for sending in statements of case and comments**

#### **Within 8 weeks of the start date [by 28 October 2016]**

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modifications or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after receiving it 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 following the proposed modifications, the applicant and any other person who has previously written to us in respect of the Order.

#### **Within 14 weeks of the start date [by 9 December 2016]**

Everyone who has made an objection or representation following the proposed modifications, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the above date, the Secretary of State will send copies of the comments received to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time.

**All parties must keep to the timetable set out above and ensure that statements of case 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 w/r mods