

NOTICE OF ORDER

WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 53

Bath and North East Somerset Council
(Restricted Byway BA21/12, Beeks Mill, St Catherine)
Definitive Map Modification Order 2017

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 **06 February 2018**.

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

The Inquiry will be held at Brunswick Room, Guildhall, High Street, Bath BA1 5AW on 07 August 2018 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 Restricted Byway from a junction with St Catherine Lane at grid reference ST 7611 7106 and continuing in a generally northeasterly direction for approximately 200 metres along a track to the County boundary with South Gloucestershire at grid reference ST 7624 7121.

Any queries relating to this Order should be referred to Tara Davies 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 4445779. Email: tara.davies@pins.gsi.gov.uk. Please quote reference number ROW/3186868 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 by appointment, by calling 01225 477650.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 03 April 2018]

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 - 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.

Since the Order Making Authority is taking a Neutral Stance, the Applicant will be promoting confirmation of the Order. Within the same period the applicant should 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 full copy to the Authority. Copies will also be sent to 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 - these will be available to view at the Authority's offices).

Within 14 weeks of the start date [by 15 May 2018]

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 full copies to the Authority. Copies will also be sent to 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 - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 10 July 2018]

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

**Somerset County Council, Bathavon Rural District and
Keynsham Urban District Definitive Map and Statement**

**Bath and North East Somerset Council (Restricted Byway BA21/12,
Beeks Mill, St Catherine) Definitive Map Modification Order 2017**

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 that authority that the Somerset County Council, Bathavon Rural District and Keynsham Urban District Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(c)(i), namely, the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in 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, a restricted byway or, subject to section 54A, a byway open to all traffic.

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 18th July 2017.
2. The Somerset County Council, Bathavon Rural District and Keynsham Urban District Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map 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 (Restricted Byway BA21/12, Beeks Mill, St Catherine) Definitive Map Modification Order 2017.

Given under the Common Seal of the Bath and North East Somerset Council on the 2nd day of August 2017.

The COMMON SEAL of the
BATH AND NORTH EAST SOMERSET
COUNCIL

was hereunto affixed
in the presence of:-

Sian Barnes



8311

Authorised signatory

SCHEDULE

PART I

Modification of Definitive Map

Description of path or way to be added

A restricted byway commencing from a junction with St Catherine Lane at grid reference ST 7611 7106 (Point A on the Order Map) and continuing in a generally northeasterly direction for approximately 200 metres along a track to the county boundary with South Gloucestershire at grid reference ST 7624 7121 (Point B on the Order Map).

PART II

Modification of Definitive Statement

Variation of particulars of path or way

A new statement for BA21/12 shall be recorded as follows:

Path Number: BA21/12

Status: Restricted byway
Length: Approximately 200 metres
Parish: St Catherine
Width: 3.1 metres
Limitations: The right of the landowner to erect and maintain a field gate at grid reference ST 7611 7106


Description of Route				
From		General Direction	To	
County Road or Right of Way	Grid Reference		County Road or Right of Way	Grid Reference
St Catherine Lane	ST 7611 7106	NE	Beeks Mill Lane	ST 7624 7121


General Description:

A restricted byway commencing from a junction with St Catherine Lane at grid reference ST 7611 7106 and continuing in a generally northeasterly direction for approximately 200 metres along a track to the county boundary with South Gloucestershire at grid reference ST 7624 7121.

This map forms part of the Bath and North East Somerset Council (Restricted Byway BA21/12, Beeks Mill, St Catherine) Definitive Map Modification Order 2017



Restricted byway to be added 

Unaffected public footpath 

Scale 1:2500

