

# **NOTICE OF ORDER**

## **HIGHWAYS ACT 1980 - SECTION 119**

North Somerset Council

(Footpath LA 19/50 and part of Footpath LA 19/48 over land between Kingston Lane and Market Place, Winford); Public Path Diversion Order No. 2 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 **21 February 2018**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert Public Footpath LA 19/50 and part of Public Footpath LA 19/48 in the Parish of Winford within the District of North Somerset as described below:

### **Public Footpath LA 19/50**

**from:** the southern side of Kingston Lane at point A (grid reference ST 53560 65537) running in an east, south easterly direction for approximately 55 metres and crossing through the Parish Council's composting centre to point B (grid reference ST 53609 65512) and then running in a generally east, south easterly direction for approximately 194 metres passing through a redundant tennis court, to point C (grid reference ST 53763 65397);

**to:** a footpath running from a pedestrian gate at point F (grid reference ST 53734 65555) in Walton Crescent, in a generally east, south easterly then generally south, south easterly direction for approximately 35 metres to a kissing gate at point G (grid reference ST 53762 65537) and then running in a generally southerly direction for approximately 12 metres to point H (grid reference ST 53763 65524);

### **and part of Public Footpath LA 19/48**

**from:** point C (grid reference ST 53763 65397), running in a generally south, south westerly direction for approximately 126 metres to point D (grid reference ST 53744 65273);

**to:** a footpath running from point C (grid reference ST 53763 65397) in a generally east, south easterly then generally south, south easterly, then generally south, south westerly direction for approximately 161 metres to point E (grid reference ST 53800 65257).

The proposal is shown on Order Map No. PPO 168, with the existing routes indicated by bold continuous lines and the proposed routes indicated by bold broken lines. The two diverted sections will use the existing stone/dust path surface and have a width of 2.5 metres.

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 ROW/3187431 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 North Somerset Council Offices situated at Castlewood, Tickenham Road, Clevedon, BS21 6FW from 9.00am to 4.30pm, Monday to Thursday and 9.00am to 4.00pm on Friday.

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

#### **Within 2 weeks of the start date [by 7 March 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, the applicant and any other person who has written to us in respect of the Order.

#### **Within 8 weeks of the start date [by 18 April 2018]**

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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.

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, 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 30 May 2018]**

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

Highways Act 1980  
Section 119

North Somerset District Council

(Footpath LA 19/50  
and part of Footpath LA 19/48,  
over land between Kingston Lane  
and Market Place, Winford)

Public Path Diversion Order  
No. 2 2017

N.P Brain  
Head of Legal and Democratic Services  
Town Hall  
Walliscote Grove Road  
Weston-super-Mare  
BS23 1UJ

Ref: PPO 168

**HIGHWAYS ACT 1980**

**NORTH SOMERSET DISTRICT COUNCIL**

**(FOOTPATH LA 19/50 AND PART OF FOOTPATH LA 19/48,  
OVER LAND BETWEEN KINGSTON LANE AND MARKET PLACE, WINFORD)**

**PUBLIC PATH DIVERSION ORDER NO. 2 2017**

This Order is made by North Somerset District Council ("the authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owners of the land crossed by the footpaths described in paragraph 1 of the order and of the public it is expedient that the line of the paths should be diverted.

**BY THIS ORDER:**

1. The public rights of way over the land situated between Kingston Lane and Market Place, Winford and shown by bold continuous lines on the Map No. PPO 168 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. Notwithstanding this order Wales and West Utilities shall have the following rights over the land referred to in paragraph 1 namely: they shall for the purpose of carrying out their undertaking continue to have the same rights in respect of their apparatus as they had immediately before the date on which the footpaths are diverted.
3. There shall at the end of 28 days from the date of confirmation of this order be public footpaths over the land situated between Kingston Lane and Market Place, Winford described in Part 2 of the Schedule and shown by bold broken lines on the Map No. PPO 168 attached to 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 PATHS OR WAYS

##### Public Footpath LA 19/50

Footpath LA 19/50 in the parish of Winford, from the southern side of Kingston Lane at point A (grid reference ST 53560 65537) running in an east, south easterly direction for approximately 55 metres and crossing through the Parish Council's composting centre to point B (grid reference ST 53609 65512) and then running in a generally east, south easterly direction for approximately 194 metres passing through a redundant tennis court, to point C (grid reference ST 53763 65397) as shown by a bold continuous line on the attached Map No. PPO 168.

##### Public Footpath LA 19/48

That part of footpath LA 19/48 in the parish of Winford, from point C (grid reference ST 53763 65397), running in a generally south, south westerly direction for approximately 126 metres to point D (grid reference ST 53744 65273) as shown by a bold continuous line on the attached Map No. PPO 168.

### PART 2

#### DESCRIPTION OF SITE OF NEW PATHS OR WAYS

##### Public Footpath LA 19/50

A footpath running from a pedestrian gate at point F (grid reference ST 53734 65555) in Walton Crescent, in a generally east, south easterly then generally south, south easterly direction for approximately 35 metres to a kissing gate at point G (grid reference ST 53762 65537) and then running in a generally southerly direction for approximately 12 metres to point H (grid reference ST 53763 65524), as shown by a bold broken line on the attached Map No. PPO 168. The path will have a stone/dust surface and a width of 2.5 metres.

##### Public Footpath LA 19/48

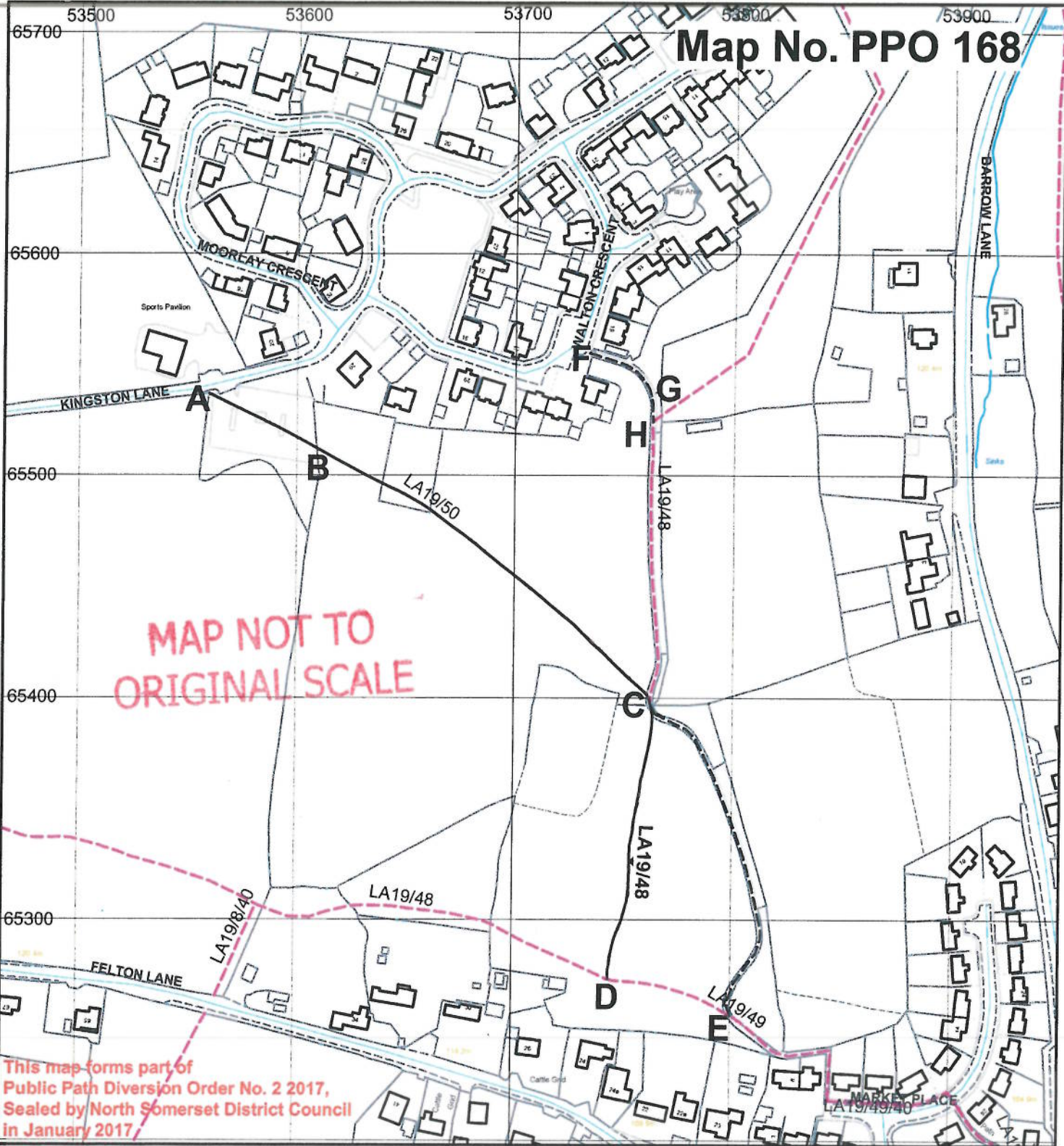
A footpath running from point C (grid reference ST 53763 65397) in a generally east, south easterly then generally south, south easterly, then generally south, south westerly direction for approximately 161 metres to point E (grid reference ST 53800 65257), as shown by a bold broken line on the attached Map No. PPO 168. The path will have a stone/dust surface and a width of 2.5 metres.

**PART 3**

**LIMITATIONS AND CONDITIONS**

Point F (Grid Reference ST 53734 65555)	Pedestrian gate
Point G (Grid Reference ST 53762 65537)	Kissing gate

The pedestrian and kissing gates specified above are to be provided to comply with BS 5709:2006 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).



This map forms part of  
**Public Path Diversion Order No. 2 2017,**  
 Sealed by North Somerset District Council  
 in January 2017

Highways Act 1980 - Section 119 North Somerset District Council

**Public Path Diversion Order No. 2 2017**

Public Footpath LA 19/50 and part of Public Footpath LA 19/48,  
 over land between Kingston Lane and Market Place, Winford



Development & Environment  
 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 1:2500

Date January 2017

Grid Square ST5365

Drawn by Penny Price

**PATH TO BE DIVERTED**

Existing (A-B-C and C-D)

Proposed (F-G-H and C-E)

Connecting Paths

Not to Scale

Given under the Common Seal of North Somerset District Council the 27<sup>th</sup> day of January 2017,

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

17095

A handwritten signature in cursive script, appearing to read 'W. Han'.

HEAD OF LEGAL AND DEMOCRATIC SERVICES