

NOTICE OF ORDER

HIGHWAYS ACT 1980 SECTION 119

North Somerset District Council
(Part of Footpath AX 29/14, over land west of A371 Banwell Road,
Winscombe and Sandford) Public Path Diversion Order No. 1 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 **27 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 that part of Public Footpath AX 29/14 in the Parish of Winscombe and Sandford within the District of North Somerset as described below:

from the western side of the A371 Banwell Road at point D (grid reference ST 41142 57986) running in a westerly direction for approximately 186 metres to a stone slab stile at point C (grid reference ST 40955 57993) then running in a westerly direction for approximately 11 metres to point B (grid reference ST 40944 57993) and then running in a north, north westerly direction for approximately 5 metres to point A (grid reference ST 40942 57998), as shown by a bold continuous line on the Order Map No. PPO 167.

to a footpath running from a pedestrian gate at point E (grid reference ST 41143 57982), at the western side of the A371 Banwell Road, in a west, south westerly direction for approximately 81 metres to point F (grid reference ST 41069 57948), then running in a west, north westerly direction for approximately 36 metres to point G (grid reference ST 41037 57964), then running in a west, south westerly direction for approximately 66 metres, to cross a piped culvert bridge over the ditch at point H (grid reference ST 40972 57958) and running in a westerly direction for approximately 2 metres to point I (grid reference ST 40970 57958). The proposed route then turns to run in a generally north, north westerly direction for approximately 50 metres to point A (grid reference ST 40942 57998), as shown by a bold broken line on the Order map No. PPO 167.

The proposed diverted route will have a stone track surface and a width of 2.5 metres between points E to H, with the remainder, on the west side of the ditch between points H to A, being on a pasture surface with a width of 2 metres. References to the lettered points above are references to the points on the Order Map No. PPO 167.

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 Please quote reference number ROW/3189557 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 the 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. To arrange a viewing, please contact Mrs Penny Price on Telephone Number 01934 427467.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 13 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 24 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 5 June 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

(Part of Footpath AX 29/14,
over land west of A371 Banwell Road,
Winscombe and Sandford)

Public Path Diversion Order
No. 1 2017

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

Ref: PPO 167

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL

**(PART OF FOOTPATH AX 29/14,
OVER LAND WEST OF A371 BANWELL ROAD,
WINSCOMBE AND SANDFORD)**

PUBLIC PATH DIVERSION ORDER NO. 1 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 owner of the land crossed by the footpath described in paragraph 1 of the order and of the public it is expedient that the line of the path should be diverted.

The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

BY THIS ORDER:

- 1 The public right of way over the land situated west of A371 Banwell Road, Winscombe and Sandford and shown by a bold continuous line on the Map No. PPO 167 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 highway mentioned in Part 2 of the Schedule into a fit condition for use by the public.
2. Notwithstanding this order British Telecommunications plc 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 footpath is diverted.
3. There shall at the end of 28 days from the date of confirmation of this order be a public footpath over the land situated west of A371 Banwell Road, Winscombe and Sandford described in Part 2 of the Schedule and shown by a bold broken line on the Map No. PPO 167 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 PATH OR WAY

That part of footpath AX 29/14 in the Parish of Winscombe and Sandford from the western side of the A371 Banwell Road at point D (grid reference ST 41142 57986) running in a westerly direction for approximately 186 metres to a stone slab stile at point C (grid reference ST 40955 57993) then running in a westerly direction for approximately 11 metres to point B (grid reference ST 40944 57993) and then running in a north, north westerly direction for approximately 5 metres to point A (grid reference ST 40942 57998), as shown by a bold continuous line on the attached Map No. PPO 167.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

To a footpath running from a pedestrian gate at point E (grid reference ST 41143 57982), at the western side of the A371 Banwell Road, in a west, south westerly direction for approximately 81 metres to point F (grid reference ST 41069 57948), then running in a west, north westerly direction for approximately 36 metres to point G (grid reference ST41037 57964), then running in a west, south westerly direction for approximately 66 metres, to cross a piped culvert bridge over the ditch at point H (grid reference ST 40972 57958) and running in a westerly direction for approximately 2 metres to point I (grid reference ST 40970 57958). The proposed route then turns to run in a generally north, north westerly direction for approximately 50 metres to point A (grid reference ST 40942 57998), as shown by a bold broken line on the attached map No. PPO 167.

The proposed diverted route will have a stone track surface and a width of 2.5 metres between points E to H, with the remainder, on the west side of the ditch between points H to A, being on a pasture surface with a width of 2 metres.

PART 3

LIMITATIONS AND CONDITIONS

Point E (Grid Reference ST 41143 57982)	Pedestrian gate
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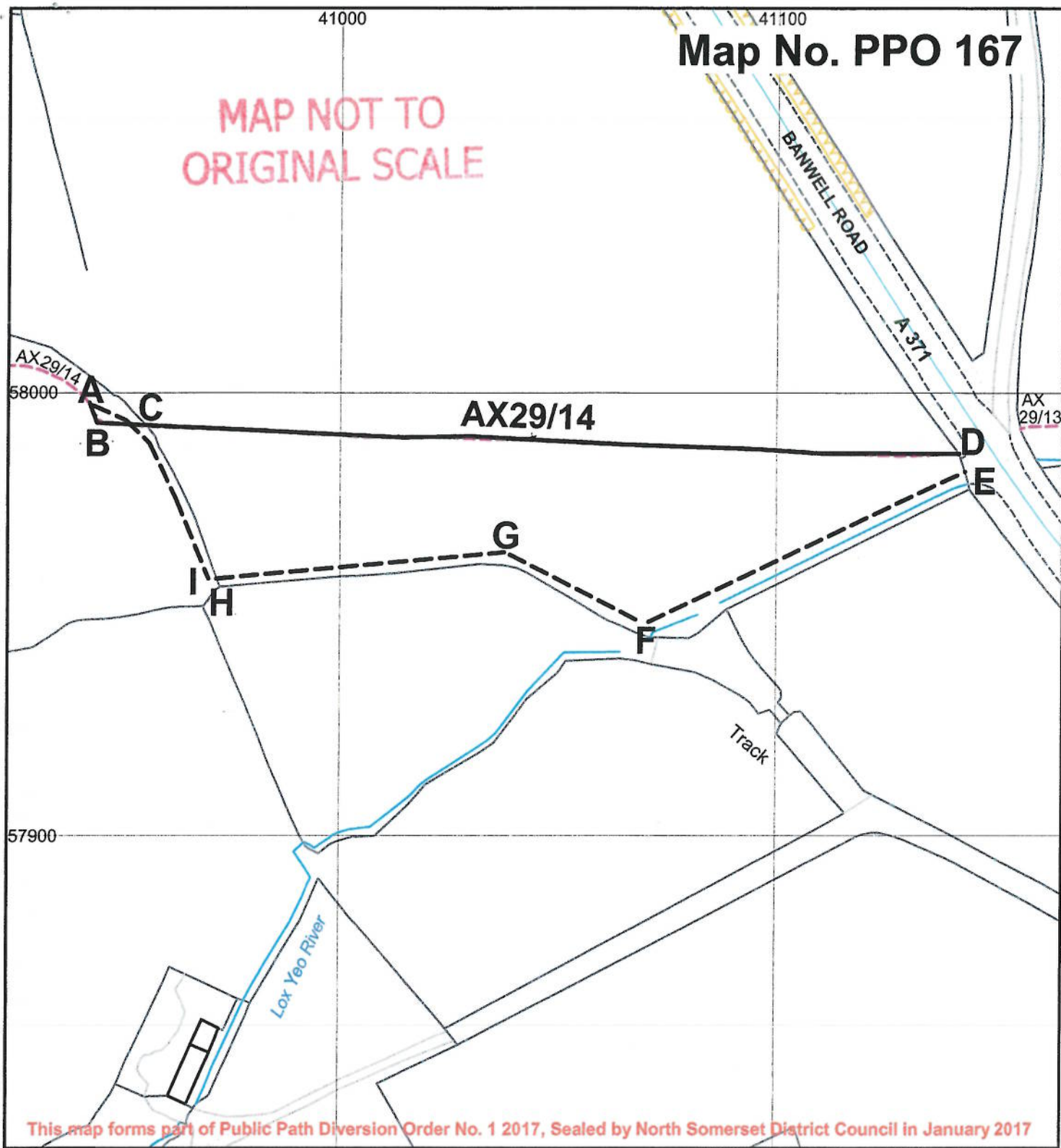
The pedestrian gate specified above is to be provided to comply with BS 5709:2006 and should be considered for removal in the event that it is no longer required to prevent the ingress or egress of animals or if the land is no longer used for agricultural purposes (including forestry and the keeping of horses).

41000

41100

Map No. PPO 167

MAP NOT TO ORIGINAL SCALE



This map forms part of Public Path Diversion Order No. 1 2017, Sealed by North Somerset District Council in January 2017

Highways Act 1980 - Section 119 North Somerset District Council

Public Path Diversion Order No. 1 2017

Part of Public Footpath AX 29/14,
over land west of A371 Banwell Road, Winscombe and Sandford Parish

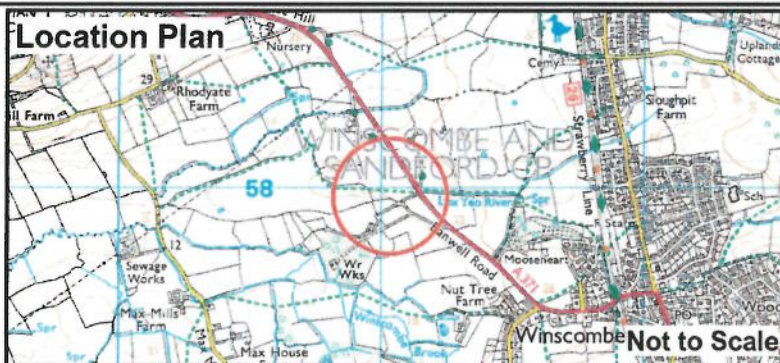
MS.



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 1:1250



Date January 2017

Grid Squares
ST4057 & ST4157

Drawn by Penny Price

PATH TO BE DIVERTED

Existing (D-C-B-A)

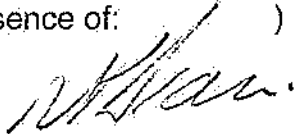
Proposed (E-F-G-H-I-A)

Connecting Paths

Given under the Common Seal of North Somerset District Council the 27th day of January 2017.

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

17093

A handwritten signature in black ink, appearing to read 'N. Han', is written over the closing parenthesis of the text block.

HEAD OF LEGAL AND DEMOCRATIC SERVICES