

# NOTICE OF ORDER

Highways Act 1980 Section 26 & 118  
Bath & North East Somerset Council

1. (Public Footpaths, Bath Racecourse, Charlcombe And North Stoke)  
Public Path Creation Order 2019 &
2. (Public Footpaths, Bath Racecourse, Charlcombe)  
Public Path Extinguishment Order 2019

Notice is hereby given that the above referenced Orders have 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 Orders.

The **start date** for the above Order is **16 February 2021**

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

1. The effect of the Order, if confirmed without modifications, will be to create the public footpaths (FPs): FP BA5/61 From a junction with Lansdown Lane at grid reference ST 7269 6824 (point S on the Order Map) and proceeding in a generally NNW direction for approx 6m to a junction with FP BA5/65 at ST 7269 6825 (point T) and turning in a generally NNE direction for approx 154m to ST 7275 6838 (point U) and turning in a generally NNW direction for approx 100m to a junction with FP BA5/66 at ST 7273 6847 (point V) and turning in a generally WNW direction for approx 151m to a junction with FP BA5/35 at ST 7261 6856 (point G); FP BA5/62 From a junction with FP BA5/36 at ST 7191 6891 (point H) and proceeding in a generally WNW direction for approx 113m to a junction with FP BA5/63 at ST 7181 6897 (point K); FP BA5/63 From a junction with FP BA5/43 at ST 7182 6898 (point J) and proceeding in a generally SW direction for approx 14m to a junction with FP BA5/62 at ST 7181 6897 (point K) and turning in a generally W direction for approx 61m to a junction with FP BA18/29 at ST 7175 6896 (point L); FP BA18/29 From a junction with FP BA5/63 at ST 7175 6896 (point L) and proceeding in a generally WSW direction for approx 149m to a junction with FP BA5/64 at ST 7163 6889 (point M); FP BA5/64 From a junction with FP BA18/29 at ST 7163 6889 (point M) and turning in a generally S direction for approx 31m to ST 7162 6886 (point N) and turning in a generally WSW direction for approx 594m to a junction with FP BA5/54 at ST 7114 6852 (point P); FP BA5/65 From a junction with FP BA5/61 at ST 7269 6824 (point T) and proceeding in a generally NNW direction for approx 294 metres to ST 7254 6850 (point R) and turning in a generally SW direction for approx 86m to ST 7248 6844 (point Q) and turning in a generally WNW direction for approx 730m to a junction with FP BA5/46 at ST 7181 6868 (point E); FP BA5/66 From a junction with FP BA5/61 at ST 7273 6847 (point V) proceeding in a generally NE direction for approx 25m to a junction with Lansdown Road at ST 7275 6849 (point W); as shown on the order map.

2. The effect of the Order, if confirmed without modifications, will be to extinguish the public footpaths (FPs): FP BA5/35 running from grid reference ST 7267 6819 (point F on the Order Map) and proceeding in a generally northerly direction for approximately 385 metres to grid reference ST 7261 6856 (point G on the Order Map); FP BA5/37 running from grid reference ST 7191 6891 (point H on the Order Map) and proceeding in a generally west-northwesterly direction for approximately 139 metres to a junction with FP BA5/43 and FP BA5/45 at grid reference ST 7178 6897 (point A on the Order Map); FP BA5/43 running from grid reference ST 7182 6898 (point J on the Order Map) and proceeding in a generally westerly direction for approximately 41 metres to a junction with FP BA5/45 and FP BA5/37 at grid reference ST 7178 6897 (point A on the Order Map); FP BA5/45 running from a junction with FP BA5/43 and FP BA5/37 at grid reference ST 7178 6897 (point A on the Order Map) and proceeding in a generally westsouthwesterly direction for approximately 137 metres to grid reference ST 7166 6891 (point B on the Order Map) and turning in a generally south-southwesterly

direction for approximately 592 metres to a junction with FP BA5/46 and FP BA5/47 at grid reference ST 7139 6839 (point C on the Order Map); FP BA5/46 running from a junction with FP BA5/36 and FP BA5/37 at grid reference ST 7210 6883 (point D on the Order Map) and proceeding in a generally westsouthwesterly direction for approximately 321 metres to grid reference ST 7181 6868 (point E on the Order Map) as shown on the order map.

Any queries relating to this Orders should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: [clive.richards@planninginspectorate.gov.uk](mailto:clive.richards@planninginspectorate.gov.uk). Please quote reference numbers ROW/3246113 & ROW/3246115 on all correspondence.

Any person wishing to view the statements of case and other documents relating to these Orders may do so by appointment only at The One Stop Shop, 3 to 4 Manvers Street, Bath BA1 1JQ between 10am and 4 pm. Please contact Wendy Robbins at [PROW@bathnes.gov.uk](mailto:PROW@bathnes.gov.uk) 01225 477532. **N.B.** due to Covid-19 restrictions you are advised to contact the Council to make the necessary arrangements or alternatives.

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

#### **Within 2 weeks of the start date [by 02 March 2021]**

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 Orders.

#### **Within 8 weeks of the start date [by 13 April 2021]**

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 Orders.

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 Orders (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 25 May 2021]**

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 Orders 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 Orders 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

**PUBLIC PATH CREATION ORDER****HIGHWAYS ACT 1980****BATH AND NORTH EAST SOMERSET COUNCIL****BATH AND NORTH EAST SOMERSET COUNCIL  
(PUBLIC FOOTPATHS, BATH RACECOURSE, CHARLCOMBE  
AND NORTH STOKE) PUBLIC PATH CREATION ORDER 2019**

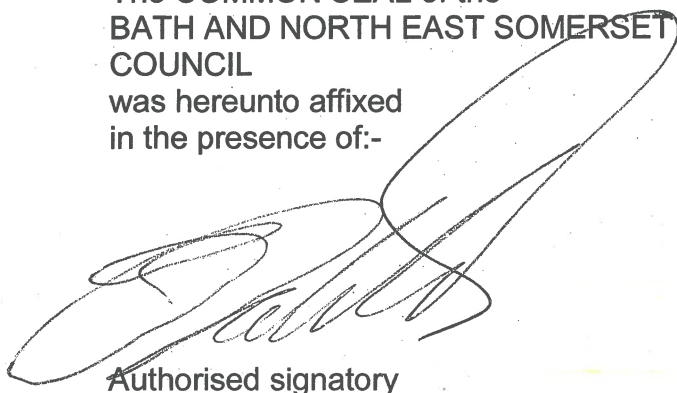
This Order is made by Bath and North East Somerset Council ("the authority") under section 26 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that, having regard to the matters set out in section 26(1), there is a need for public footpaths over the land to which this order relates, and that it is expedient that the paths should be created.

**BY THIS ORDER:**

1. There shall be at the end of 49 days from the date of confirmation of this order public footpaths over the land at Bath Racecourse, Charlcombe and North Stoke, described in Part 1 of the Schedule to this order and shown by bold broken lines on the map attached to this order.
2. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 2 of the Schedule.

Given under the Common Seal of the Bath and North East Somerset Council on the 16<sup>th</sup> day of May 2019.

The COMMON SEAL of the  
BATH AND NORTH EAST SOMERSET  
COUNCIL  
was hereunto affixed  
in the presence of:-



Authorised signatory



In pursuance of its powers conferred by Schedule 6 to the Highways Act 1980, the authority hereby confirms the foregoing order

The COMMON SEAL of the  
BATH AND NORTH EAST SOMERSET  
COUNCIL

was hereunto affixed

this            day of            20

in the presence of:-

## **SCHEDULE**

### **PART 1**

#### **DESCRIPTION OF LAND**

##### **Public Footpath BA5/61**

A public footpath commencing from a junction with Lansdown Lane at grid reference ST 7269 6824 (point S on the Order Map) and proceeding in a generally north-northwesterly direction for approximately 6 metres to a junction with Public Footpath BA5/65 at grid reference ST 7269 6825 (point T on the Order Map) and turning in a generally north-northeasterly direction for approximately 154 metres to grid reference ST 7275 6838 (point U on the Order Map) and turning in a generally north-northwesterly direction for approximately 100 metres to a junction with Public Footpath BA5/66 at grid reference ST 7273 6847 (point V on the Order Map) and turning in a generally west-northwesterly direction for approximately 151 metres to a junction with Public Footpath BA5/35 at grid reference ST 7261 6856 (point G on the Order Map).

Width: 2 metres between grid reference ST 7269 6824 (point S on the Order Map) and grid reference ST 7261 6856 (point G on the Order Map).

##### **Public Footpath BA5/62**

A public footpath commencing from a junction with Public Footpath BA5/36 at grid reference ST 7191 6891 (point H on the Order Map) and proceeding in a generally west-northwesterly direction for approximately 113 metres to a junction with Public Footpath BA5/63 at grid reference ST 7181 6897 (point K on the Order Map).

Width: 2 metres between grid reference ST 7191 6891 (point H on the Order Map) and grid reference ST 7181 6897 (point K on the Order Map).

##### **Public Footpath BA5/63**

A public footpath commencing from a junction with Public Footpath BA5/43 at grid reference ST 7182 6898 (point J on the Order Map) and proceeding in a generally southwesterly direction for approximately 14 metres to a junction with Public Footpath BA5/62 at grid reference ST 7181 6897 (point K on the Order Map) and turning in a generally westerly direction for approximately 61 metres to a junction with Public Footpath BA18/29 at grid reference ST 7175 6896 (point L on the Order Map).

Width: 2 metres between grid reference ST 7182 6898 (point J on the Order Map) and grid reference ST 7175 6896 (point L on the Order Map).

**Public Footpath BA18/29**

A public footpath commencing from a junction with Public Footpath BA5/63 at grid reference ST 7175 6896 (point L on the Order Map) and proceeding in a generally west-southwesterly direction for approximately 149 metres to a junction with public footpath BA5/64 at grid reference ST 7163 6889 (point M on the Order Map).

Width: 2 metres between grid reference ST 7175 6896 (point L on the Order Map) and grid reference ST 7163 6889 (point M on the Order Map).

**Public Footpath BA5/64**

A public footpath commencing from a junction with Public Footpath BA18/29 at grid reference ST 7163 6889 (point M on the Order Map) and turning in a generally southerly direction for approximately 31 metres to grid reference ST 7162 6886 (point N on the Order Map) and turning in a generally west-southwesterly direction for approximately 594 metres to a junction with Public Footpath BA5/54 at grid reference ST 7114 6852 (point P on the Order Map).

Width: 2 metres between grid reference ST 7163 6889 (point M on the Order Map) and grid reference ST 7114 6852 (point P on the Order Map).

**Public Footpath BA5/65**

A public footpath commencing from a junction with Public Footpath BA5/61 at grid reference ST 7269 6824 (point T on the Order Map) and proceeding in a generally north-northwesterly direction for approximately 294 metres to grid reference ST 7254 6850 (point R on the Order Map) and turning in a generally southwesterly direction for approximately 86 metres to grid reference ST 7248 6844 (point Q on the Order Map) and turning in a generally west-northwesterly direction for approximately 730 metres to a junction with Public Footpath BA5/46 at grid reference ST 7181 6868 (point E on the Order Map).

Width: 2 metres between grid reference ST 7269 6824 (point T on the Order Map) and grid reference ST 7181 6868 (point E on the Order Map).

**Public Footpath BA5/66**

A public footpath commencing from a junction with Public Footpath BA5/61 at grid reference ST 7273 6847 (point V on the Order Map) proceeding in a generally northeasterly direction for approximately 25 metres to a junction with Lansdown Road at grid reference ST 7275 6849 (point W on the Order Map).

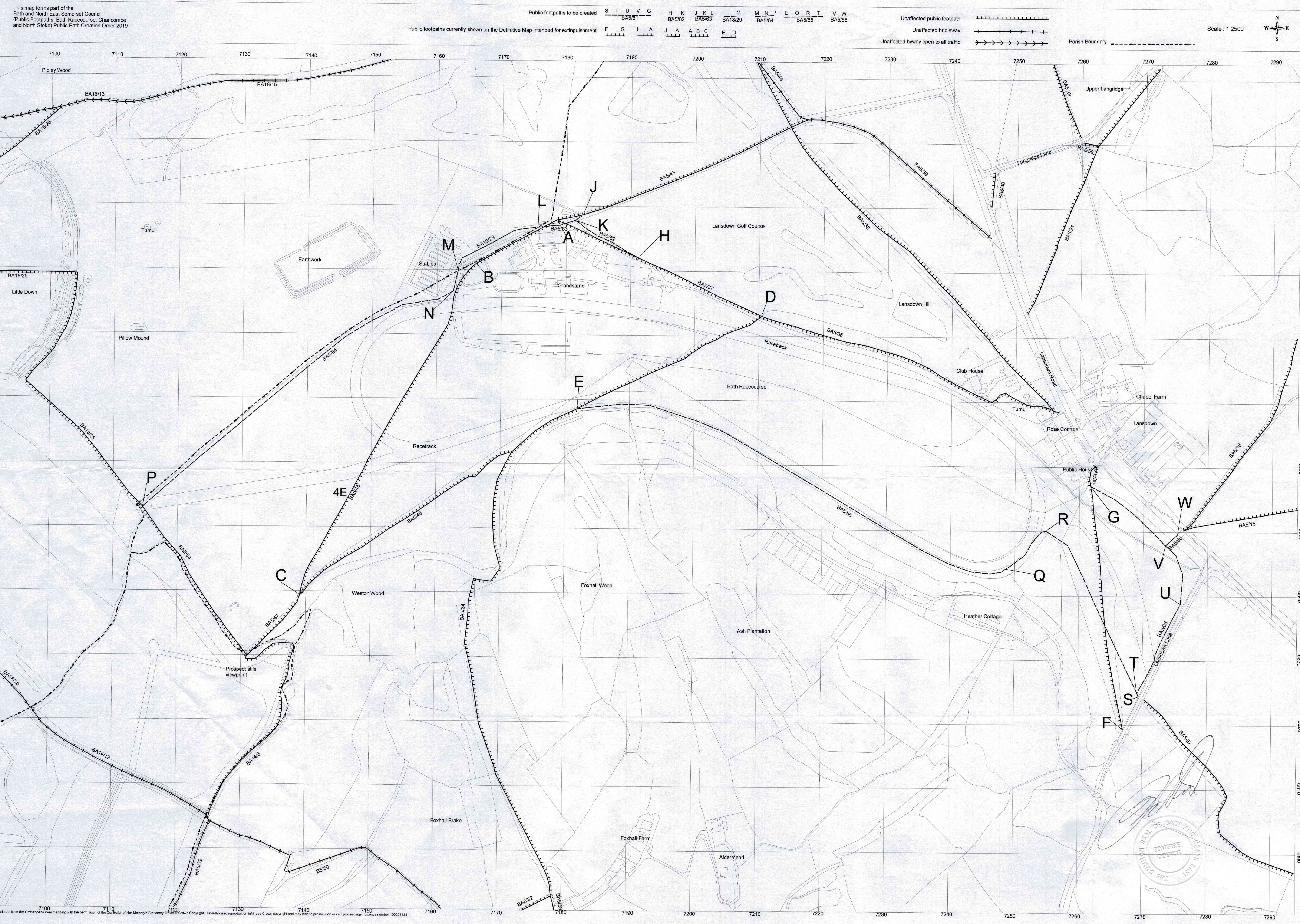
Width: 2 metres between grid reference ST 7273 6847 (point V on the Order Map) and grid reference ST 7275 6849 (point W on the Order Map).

**PART 2**

**LIMITATIONS AND CONDITIONS**

None.





This map forms part of the  
Bath and North East Somerset Council  
(Public Footpaths, Bath Racecourse, Charlcombe  
and North Stoke) Public Path Creation Order 2019

Public footpaths to be created  
S T U V G  
BA5/61  
H K J K L  
BA5/62 BA5/63 BA18/29  
M N P  
BA5/64  
E Q R T  
BA5/65  
V W  
BA5/66  
Public footpaths currently shown on the Definitive Map intended for extinguishment  
F G H A  
J A A B C  
E D

Unaffected public footpath  
Unaffected bridleway  
Unaffected byway open to all traffic  
Parish Boundary  
Scale : 1:2500  
N  
W  
S  
E



**PUBLIC PATH EXTINGUISHMENT ORDER****HIGHWAYS ACT 1980****BATH AND NORTH EAST SOMERSET COUNCIL****BATH AND NORTH EAST SOMERSET COUNCIL  
(PUBLIC FOOTPATHS, BATH RACECOURSE, CHARLCOMBE)  
PUBLIC PATH EXTINGUISHMENT ORDER 2019**

This order is made by Bath and North East Somerset Council ("the authority") under section 118 of the Highways Act 1980 because it appears to the authority that the footpaths described in paragraph 1 below are not needed for public use.

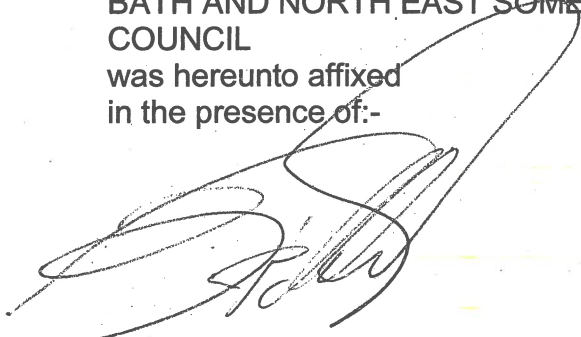
**BY THIS ORDER:**

1. The public rights of way over the land situate at Bath Racecourse, Charlcombe and shown by continuous bold lines on the map attached to this order and described in the Schedule to this order shall be extinguished after 49 days from the date of confirmation of this order.
2. Notwithstanding paragraph 1 of this order British Telecommunications plc shall have the following rights over the land referred to in paragraph 1 namely: where immediately before the date on which the footpaths are extinguished there is apparatus under, in, on, over, along or across it belonging to British Telecommunications plc for the purpose of carrying out their undertaking, British Telecommunications plc shall continue to have the same rights in respect of the apparatus as they then had.

Given under the Common Seal of the Bath and North East Somerset Council on the 16<sup>th</sup> day of May 2019

The COMMON SEAL of the  
BATH AND NORTH EAST SOMERSET  
COUNCIL

was hereunto affixed  
in the presence of:-



Authorised signatory





In pursuance of its powers conferred by Schedule 6 to the Highways Act 1980, the authority hereby confirms the foregoing order

The COMMON SEAL of the  
BATH AND NORTH EAST SOMERSET  
COUNCIL

was hereunto affixed

this            day of            20

in the presence of:-



## **SCHEDULE**

### **Public Footpath BA5/35**

The full width of the section of Public Footpath BA5/35 commencing from a junction with Lansdown Lane at grid reference ST 7267 6819 (point F on the Order Map) and proceeding in a generally northerly direction for approximately 385 metres to grid reference ST 7261 6856 (point G on the Order Map).

### **Public Footpath BA5/37**

The full width of the section of Public Footpath BA5/37 commencing from grid reference ST 7191 6891 (point H on the Order Map) and proceeding in a generally west-northwesterly direction for approximately 139 metres to a junction with Public Footpath BA5/43 and Public Footpath BA5/45 at grid reference ST 7178 6897 (point A on the Order Map).

### **Public Footpath BA5/43**

The full width of the section of Public Footpath BA5/43 commencing from grid reference ST 7182 6898 (point J on the Order Map) and proceeding in a generally westerly direction for approximately 41 metres to a junction with Public Footpath BA5/45 and Public Footpath BA5/37 at grid reference ST 7178 6897 (point A on the Order Map).

### **Public Footpath BA5/45**

The full width of Public Footpath BA5/45 commencing from a junction with Public Footpath BA5/43 and Public Footpath BA5/37 at grid reference ST 7178 6897 (point A on the Order Map) and proceeding in a generally west-southwesterly direction for approximately 137 metres to grid reference ST 7166 6891 (point B on the Order Map) and turning in a generally south-southwesterly direction for approximately 592 metres to a junction with Public Footpath BA5/46 and Public Footpath BA5/47 at grid reference ST 7139 6839 (point C on the Order Map).

### **Public Footpath BA5/46**

The full width of the section of Public Footpath BA5/46 commencing from a junction with Public Footpath BA5/36 and Public Footpath BA5/37 at grid reference ST 7210 6883 (point D on the Order Map) and proceeding in a generally west-southwesterly direction for approximately 321 metres to grid reference ST 7181 6868 (point E on the Order Map).



This map forms part of the  
Bath and North East Somerset Council  
(Public Footpaths, Bath Racecourse, Charlcombe)  
Public Path Extinguishment Order 2019

Proposed footpaths for information only  
Public footpaths to be extinguished

S T U V G  
BA5/61  
F G

H K  
BA5/62  
H A

J K L  
BA5/63  
J A

L M  
BA18/29  
A B C

M N P  
BA5/64  
E D

T R Q E  
BA5/65  
E D

V W  
BA5/66

Unaffected public footpath  
Unaffected bridleway  
Unaffected byway open to all traffic

Parish Boundary

Scale : 1:2500

