

NOTICE OF MAKING OF AN ORDER

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL
(PARTS OF FOOTPATH LA 23/32 MERLIN PARK, PORTISHEAD)
PUBLIC PATH DIVERSION ORDER NO. 17 2011

The above Order, made on 17th November 2011, under section 119 of the Highways Act 1980, will divert parts of Public Footpath LA 23/32 in the Parish of Portishead within the District of North Somerset as described below:

That part of Public Footpath LA 23/32 in the Parish of Portishead from point A (Grid Ref ST 44866 75193) running in a northerly direction for a distance of approximately 20 metres to point B (Grid Ref ST 44867 75211) to a footpath from point C (Grid Ref ST 44850 75193), running in a north easterly direction for approximately 20 metres to point B (Grid Ref ST 44867 75211).

That part of Public Footpath LA 23/32 in the Parish of Portishead from point D (Grid Ref ST 44984 75313) running in a generally north easterly direction through a field gate at point E (Grid Ref ST 45082 75383) for a distance of approximately 284 metres to point F (Grid Ref: ST 45218 75463) to a footpath from point D (Grid Ref ST 44984 75313) proceeding around the field edge in a generally south easterly direction for approximately 116 metres, then east north easterly direction for approximately 135 metres to point H (Grid Ref ST 45167 75259), then continuing in a south easterly direction for approximately 75 metres, then east north easterly direction for approximately 149 metres to point G (Grid Ref ST 45376 75244).

All references above are illustrated on the Order Map No PPO 147.

The width of the new route between point C and point B will be 3 metres and a width of 2 metres between point D, point H and point G.

New kissing gates (to BS5709.2006) will be provided at points C and H as illustrated on the Order Map No. PPO 137.

A copy of the Order and Order map has been placed and may be seen free of charge at the Reception Desk, Council Offices, Castlewood, Tickenham Road, Clevedon (opposite Clevedon Garages) from 9.00am to 4.30pm Monday to Thursday (4.00pm Friday) or may be viewed on the Council's Web site ([www.n-somerset.gov.uk / Your Council / Local Democracy / Public and Legal Notices](http://www.n-somerset.gov.uk/Your_Council/Local_Democracy/Public_and_Legal_Notices)). A copy is also available for inspection at Portishead Library, Horatio House, 24 Harbour Road, Portishead, BS20 7AL during the following opening hours (9.30am to 6.00pm Tuesday, Wednesday and Friday, 9.30am to 8.00pm on Thursdays, 9.30am to 2.30pm Saturdays and 10.30am to 2.30pm on Sundays).

Any representations about or objections to the Order may be sent in writing to the Director of Development and Environment, Natural Environment Team, Streets and Open Spaces, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ not later than **23 January 2012** (quoting reference **EB/PPO 147**). Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation, any representations and objections which have not been withdrawn will be sent with the Order.

Dated: 14th December 2011

North Somerset Council
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

N P Brain
Head of Legal and Democratic Services



Additional Note

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. If you objected at the pre-order (informal) stage and still wish to object now that the order has been made you will need to re-submit your objection by the deadline specified above. Only objections received during the statutory period will be forwarded to the Secretary of State.

Date: 17th November 2011

**This is a copy of the Order that was sealed by North Somerset Council on
17 November 2011**

Highways Act 1980
Section 119

North Somerset District Council

(Parts of Footpath LA 23/32 Merlin Park, Portishead)

Public Path Diversion Order
No. 17 2011

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

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL

(PARTS OF FOOTPATH LA 23/32 MERLIN PARK, PORTISHEAD)

PUBLIC PATH DIVERSION ORDER No. 17 2011

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 footpaths described in paragraph 1 of the order it is expedient that the line of the paths should be diverted.

The applicants have 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 paths into a fit condition for use by the public.

BY THIS ORDER:

1. The public rights of way over the land situated next to Merlin Park, Portishead and shown by a bold continuous line on the Map No. PPO 147 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 footpaths mentioned in Part 2 of the Schedule into a fit condition for use by the public.
2. Notwithstanding this order Open Reach BT and Western Power Distribution 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 public footpaths over the land situated next to Merlin Park, Portishead described in Part 2 of the Schedule and shown by a bold broken line on the Map No. PPO 147 attached to this order.
4. 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

That part of Public Footpath LA 23/32 in the Parish of Portishead from point A (Grid Ref ST 44866 75193) running in a northerly direction for a distance of approximately 20 metres to point B (Grid Ref ST 44867 75211) as shown by a bold continuous line on Map No. PPO 147.

That part of Public Footpath LA 23/32 in the Parish of Portishead from point D (Grid Ref ST 44984 75313) running in a generally north easterly direction through a field gate at point E (Grid Ref ST 45082 75383) for a distance of approximately 284 metres to point F (Grid Ref: ST 45218 75463) as shown by a bold continuous line on Map No. PPO 147.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A footpath to be known as Footpath LA 23/32 in the Parish of Portishead will commence from point C (Grid Ref ST 44850 75193), running in a north easterly direction for approximately 20 metres to point B (Grid Ref ST 44867 75211) as shown by a bold broken line on Map No. PPO 147.

A footpath also to be known as Footpath LA 23/32 in the Parish of Portishead will commence from point D (Grid Ref ST 44984 75313) proceeding around the field edge in a generally south easterly direction for approximately 116 metres, then east north easterly direction for approximately 135 metres to point H (Grid Ref ST 45167 75259), then continuing in a south easterly direction for approximately 75 metres, then east north easterly direction for approximately 149 metres to point G (Grid Ref ST 45376 75244) as shown by a bold broken line on map No. PPO 147.

The width of the new route between point C and point B will be 3 metres and a width of 2 metres between point D, point H and point G.

PART 3

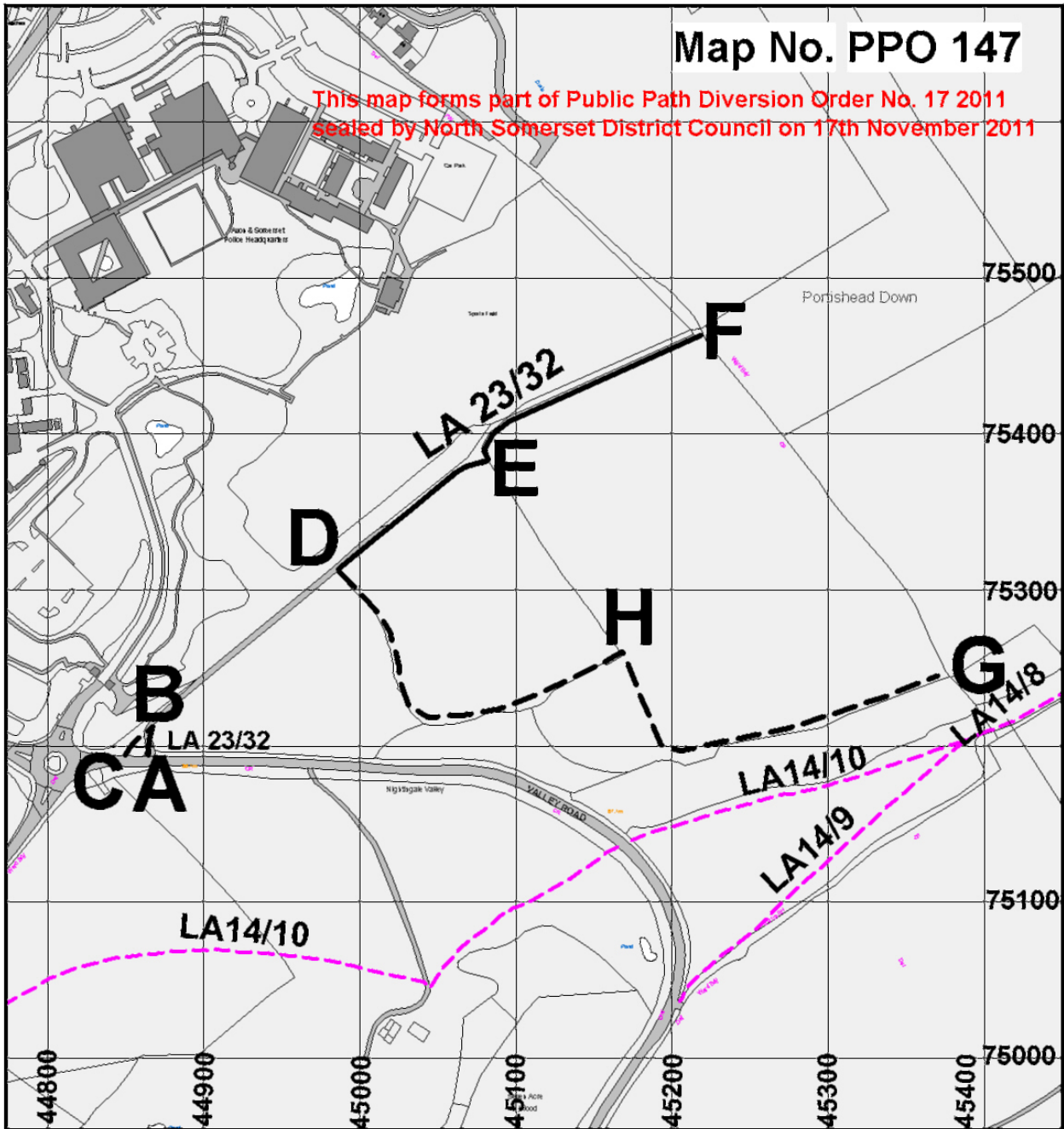
LIMITATIONS AND CONDITIONS

Point C (Grid Reference ST 44850 75193)	Kissing Gate
Point H (Grid Reference ST 45167 75259)	Kissing Gate

The 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.

Map No. PPO 147

This map forms part of Public Path Diversion Order No. 17 2011
sealed by North Somerset District Council on 17th November 2011



Highways Act 1980 - Section 119 North Somerset District Council

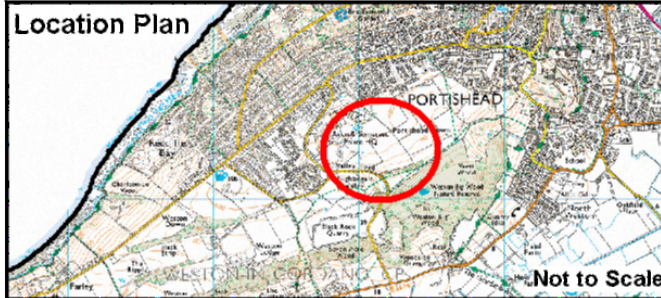
Public Path Diversion Order No 17 2011

Footpath LA 23/32 Merlin Park Portishead



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 1:3500



Date 11 November 2011

Grid Square ST 4575

Drawn by E Bowman

PATH TO BE DIVERTED

Existing
A-B & D-E-F
Proposed
C-B & D-H-G
Connecting Paths

Given under the Common Seal of North Somerset District Council the 17th day of November 2011.

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

**NORTH SOMERSET COUNCIL
SEAL 011233 WAS AFFIXED HERE**

HEAD OF LEGAL AND DEMOCRATIC SERVICES