

NOTICE OF MAKING OF AN ORDER

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL **(FOOTPATH LA 20/40 and FOOTPATH LA 20/50 at HAZEL AND ORCHARD** **FARMS, BRISTOL ROAD, WRAXALL AND FAILAND PARISH)** **PUBLIC PATH DIVERSION ORDER NO. 12 2011**

The above Order, made on 4th August 2011, under section 119 of the Highways Act 1980, will divert those parts of Public Footpath LA 20/40 and LA 20/50 in the Parish of Wraxall and Failand within the District of North Somerset as described below:

That part of Public Footpath LA 20/40 from point A (Grid Reference ST 49613 71372) running in a generally southerly direction for approximately 187 metres, then south easterly direction for approximately 365 metres to point B (Grid Reference ST 49811 70907), then south easterly direction for approximately 220 metres to point J (Grid Reference ST 49914 70715), as shown by a continuous bold line on Map No. PPO 138 to a footpath from point C (Grid Reference ST 49341 71057), through the kissing gate and running in a south, south easterly direction across the track for approximately 12 metres to a kissing gate at point D (Grid Reference ST 49345 71043), then in an east south easterly direction across the field for approximately 129 metres to a kissing gate at point E (Grid Reference ST 49469 71007) then in an east south easterly direction across the field for approximately 186 metres to a kissing gate at point F (Grid Reference ST 49636 70923) then in an east south easterly direction across the field for approximately 181 metres to a kissing gate at point G (Grid Reference ST 49793 70848). The route then continues across the track for a distance of approximately 6 metres to another kissing gate at point H (Grid Reference ST 49802 70839) and then in a south easterly direction for approximately 170 metres to a kissing gate at point J (Grid Reference ST 49914 70715) as shown by a bold broken line on Map No. PPO 138.

Also that part of Public Footpath LA 20/50 from point G (Grid Reference ST 49793 70848) running in a south, south westerly direction, then generally westerly, then south westerly direction through the buildings of Orchard Farm for approximately 136 metres to point K (Grid Reference ST 49719 70752), as shown by a continuous bold line on Map No. PPO 138 to a footpath from point G (Grid Reference ST 49793 70848) through the kissing gate and proceeds in a south westerly direction across the corner of the field and around the buildings for approximately 104 metres, then in a southerly direction for approximately 33 metres to point K (Grid Reference ST 49719 70752) as shown by a bold broken line on Map No. PPO 138.

Both the new routes will be provided to a width of 2 metres.

New kissing gates (to BS5709.2006) will be provided at points C,D,E,F,G,H and J as illustrated on the Order Map No. PPO 138.

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). A

copy is also available for inspection at Nailsea Library, Somerset Square, Nailsea, Bristol, BS48 1RQ during the following opening hours (9.30am to 5.00pm Wednesday and Thursday, 9.30am to 7.00pm Tuesday and Friday, 9.30am to 4.00pm Saturdays).

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 **Friday 16 September 2011** (quoting reference **EB/PPO 138**). 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: 17 August 2011

N P Brain

Head of Legal and Democratic Services

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



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 4 August 2011

**This is a copy of the Order which was made
by North Somerset District Council on 4 August 2011**

**Highways Act 1980
Section 119**

**North Somerset District
Council**

**Footpath LA 20/40 and Footpath LA 20/50 at
Hazel and Orchard Farms, Bristol Road, Wraxall
and Failand Parish**

**Public Path Diversion Order
No.12 2011**

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

Ref: PPO 138

HIGHWAYS ACT 1980

NORTH SOMERSET DISTRICT COUNCIL

**(FOOTPATH LA 20/40 AND FOOTPATH LA 20/50 AT
HAZEL AND ORCHARD FARMS, BRISTOL ROAD,
WRAXALL AND FAILAND PARISH)**

PUBLIC PATH DIVERSION ORDER No.12 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 owners it is expedient that the line of the footpaths should be diverted.

The applicants have agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order.

BY THIS ORDER:

1. The public rights of way over the land situate at Hazel Farm and Orchard Farm, Bristol Road, Wraxall and Failand Parish shown by a bold continuous line on the Map No. PPO 138 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 Western Power Distribution and 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 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 at Hazel Farm and Orchard Farm, Bristol Road, Wraxall and Failand Parish as described in Part 2 of the Schedule and shown by a bold broken line on the Map No. PPO 138 contained in 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 PATH OR WAY

That part of Public Footpath LA 20/40 from point A (Grid Reference ST 49613 71372) running in a generally southerly direction for approximately 187 metres, then south easterly direction for approximately 365 metres to point B (Grid Reference ST 49811 70907), then south easterly direction for approximately 220 metres to point J (Grid Reference ST 49914 70715), as shown by a continuous bold line on Map No. PPO 138.

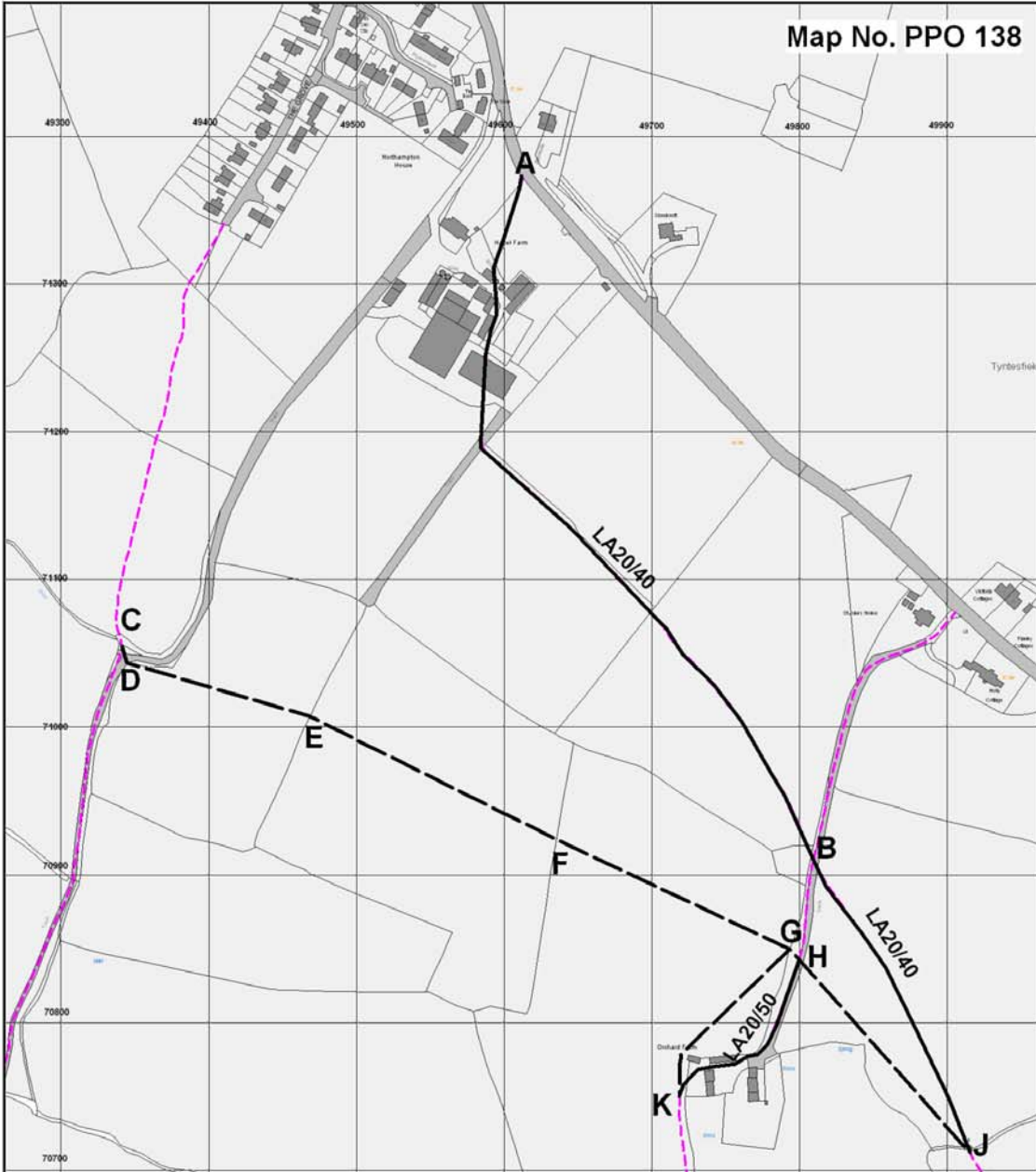
That part of Public Footpath LA 20/50 from point G (Grid Reference ST 49793 70848) running in a south, south westerly direction, then generally westerly, then south westerly direction through the buildings of Orchard Farm for approximately 136 metres to point K (Grid Reference ST 49719 70752), as shown by a continuous bold line on Map No. PPO 138.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A footpath from point C (Grid Reference ST 49341 71057), through the kissing gate and running in a south, south easterly direction across the track for approximately 12 metres to a kissing gate at point D (Grid Reference ST 49345 71043), then in an east south easterly direction across the field for approximately 129 metres to a kissing gate at point E (Grid Reference ST 49469 71007) then in an east south easterly direction across the field for approximately 186 metres to a kissing gate at point F (Grid Reference ST 49636 70923) then in an east south easterly direction across the field for approximately 181 metres to a kissing gate at point G (Grid Reference ST 49793 70848). The route then continues across the track for a distance of approximately 6 metres to another kissing gate at point H (Grid Reference ST 49802 70839) and then in a south easterly direction for approximately 170 metres to a kissing gate at point J (Grid Reference ST 49914 70715) as shown by a bold broken line on Map No. PPO 138. This footpath will have a width of 2 metres and will be known as Footpath LA 20/40.

A footpath from point G (Grid Reference ST 49793 70848) through the kissing gate and proceeds in a south westerly direction across the corner of the field and around the buildings for approximately 104 metres, then in a southerly direction for approximately 33 metres to point K (Grid Reference ST 49719 70752) as shown by a bold broken line on Map No. PPO 138. This footpath will have a width of 2 metres and will be known as Footpath LA 20/50.



Highways Act 1980 - Section 119
 North Somerset District Council
Public Path Diversion Order No 12 2011
 Footpaths LA 20/40 and LA 20/50, Hazel and Orchard Farms Bristol Rd Wraxall and Failand

North Somerset
 COUNCIL
 Development & Environment
 Public Rights of Way
 Streets and Open Spaces
 North Somerset Council
 Town Hall
 Wallscote Grove Road
 Weston-super-Mare
 BS22 1UJ
 Tel: 01275 868 802



Scale 1:2500
 Date 28 July 2011
 Grid Square
 Drawn by E Bowman
PATHS TO BE DIVERTED
 Existing A-B-J and H-K
 Proposed C-D-E-F-G-H-J
 and G-K
 Connecting Paths

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PART 3

LIMITATIONS AND CONDITIONS

Point C (Grid Reference ST 4934171057)	Kissing Gate
Point D (Grid Reference ST 4934571043)	Kissing Gate
Point E (Grid Reference ST 4946971007)	Kissing Gate
Point F (Grid Reference ST 4963670923)	Kissing Gate
Point G (Grid Reference ST 4979370848)	Kissing Gate
Point H (Grid Reference ST 4980270839)	Kissing Gate
Point J (Grid Reference ST 4991470715)	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 stock or if the land is no longer used for agricultural purposes.

Given under the Common Seal of North Somerset District Council the 4th day of August 2011

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

**North Somerset District Council
Seal no. 011100 was affixed here**

HEAD OF LEGAL AND DEMOCRATIC SERVICES