

NOTICE OF PUBLIC PATH ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
AND PARAGRAPH 1 OF SCHEDULE 14

NORTH SOMERSET DISTRICT COUNCIL
(FOOTPATH AX 31/48, RUNNING FROM BOULEVARD TO WOOLER ROAD,
AT FORMER WESTON LIBRARY, WESTON-SUPER-MARE)
PUBLIC PATH DIVERSION ORDER NO. 4 2019

The above Order was made on 4th July 2019. The effect of the Order will be to divert Public Footpath AX 31/48 in Weston-super-Mare within the District of North Somerset, as described below:

from point A (grid ref. ST 32345 61693) at Boulevard, running in a southerly direction for approximately 35 metres, to point B (grid ref. ST 32345 61658), then running in a generally east, south easterly direction for approximately 27 metres to point C (grid ref. ST 32369 61647) at Wooler Road;

to a footpath from point D (grid ref. ST 32366 61695) at Boulevard, running in a generally southerly direction for approximately 45 metres to point E (grid ref. ST 32368 61649) at Wooler Road.

The proposal is shown on Order Map No. PPO 181: the existing route with a bold black line and the proposed route shown by bold black dashes. References to lettered points in this Notice are references to the points marked on the Order Map. The diverted path will have a width of two metres, with a paved surface.

A copy of the Order and Order Map may be seen free of charge at the Reception desk, North Somerset Council Offices, Town Hall, Walliscote Grove Road, Weston-super-Mare BS23 1UJ from 9.00am to 4.30pm Mondays to Thursdays and 9.00am to 4.00pm on Fridays; or may be viewed on the Council's Web site (at the address: www.n-somerset.gov.uk/notices). Copies of the Order and map may be bought from the Council Offices at the price of £6.70 if collected and £8.00 if posted out.

Any representation about or objection to the Order may be sent or delivered in writing addressed to the Natural Environment Team, North Somerset Council, at the Town Hall address below not later than **8th August 2019**, quoting the reference **PAP/PPO 181**. Please state the grounds on which it is made.

If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District Council may itself confirm the Order as an unopposed Order.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to the Secretary of State for the Environment for confirmation, any representations or objections which have not been withdrawn will be sent with the Order.

Dated: 11th July 2019

John Flannigan
Community and Environment Service Manager

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



EXPLANATORY STATEMENT

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
AND PARAGRAPH 1 OF SCHEDULE 14

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(FOOTPATH AX 31/48, RUNNING FROM BOULEVARD TO WOOLER ROAD,
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PUBLIC PATH DIVERSION ORDER NO. 4 2019

THIS STATEMENT IS FOR INFORMATION ONLY AND DOES NOT FORM PART OF THE ORDER

Under the provisions of S.257 of the Town and Country Planning Act 1990 a stopping up or diversion can be authorised if it is necessary in order for development to be carried out. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

North Somerset District Council (“the authority”) has made the above-titled Order under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath, to enable development to be carried out in accordance with planning permission 16/P/0507/F, granted under Part III of the Town and Country Planning Act 1990, namely:

“Conversion of Central Library to 22 no. residential apartments to include demolition of the single storey extensions, blocked windows reinstated, new and extended openings, erection of an extension at third floor level to create a fourth floor, new bay addition to east elevation and new rear façade.”

The applicant has undertaken to carry-out the following works:
establishment of 2 metre wide paved path, new surface water drains and replacement fencing.

The Order will come into effect only on the confirmation/certification of the Order. Making and advertising the Order simply provides an opportunity for objections or representations to be made.

Any Objections or representations relating to the Order must be made in writing by **8th August 2019** to the Director of Development and Environment, Natural Environment Team, Streets and Open Spaces, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ quoting reference **PAP/PPO 181** and stating the grounds on which they are made.

If any objections are made and not withdrawn the matter will be referred to the Council’s Public Rights of Way Sub-Committee, to advise that the Orders will be submitted to the Planning Inspectorate (as agent for the Secretary of State for the Environment, Food and Rural Affairs) for determination. Once submitted, the Planning Inspectorate will then appoint an Inspector who will determine whether to deal with the matter by written representations, a hearing or a public inquiry. The inspector can confirm an Order, confirm it with modifications, or refuse to confirm it. In some cases the Inspectorate may award costs against objectors. If no objections are received the Council will be able to confirm the Order itself but has no powers to modify Orders.

The right of objection to an Order is a statutory right, but it should be exercised in a reasonable manner. Only objections received during this statutory period will be forwarded to the Secretary of State.



Date: 4th July 2019

Town and Country Planning Act 1990
Section 257

North Somerset District Council

(Footpath AX 31/48,
running from Boulevard to Wooler Road,
at former Weston Library,
Weston-super-Mare)

Public Path Diversion Order No. 4 2019

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

Ref: PPO 181

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

**NORTH SOMERSET DISTRICT COUNCIL
(FOOTPATH AX 31/48, RUNNING FROM BOULEVARD TO WOOLER ROAD,
AT FORMER WESTON LIBRARY, WESTON-SUPER-MARE)
PUBLIC PATH DIVERSION ORDER NO. 4 2019**

This Order is made by North Somerset District Council (“the authority”) under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission no. 16/P/0507/F granted under Part III of the Town and Country Planning Act 1990, namely:

Conversion of Central Library to 22 no. residential apartments to include demolition of the single storey extensions, blocked windows reinstated, new and extended openings, erection of an extension at third floor level to create a fourth floor, new bay addition to east elevation and new rear façade.

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map no. PPO 181 and described in Part 1 of the Schedule to this Order (“the Schedule”) shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of North Somerset District Council an alternative highway for use as replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map no. PPO 181.
3. The diversion of the footpath shall have effect on the date on which North Somerset District Council certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule: establishment of 2 metre wide paved path, new surface water drains and replacement fencing.
5. Where immediately before the date on which the footpaths are diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Footpath AX 31/48 in Weston-super-Mare which runs from point A (grid ref. ST 32345 61693) at Boulevard, running in a southerly direction for approximately 35 metres, to point B (grid ref. ST 32345 61658), then running in a generally east, south easterly direction for approximately 27 metres to point C (grid ref. ST 32369 61647) at Wooler Road, as shown by a bold black line on the attached Map No. PPO 181.

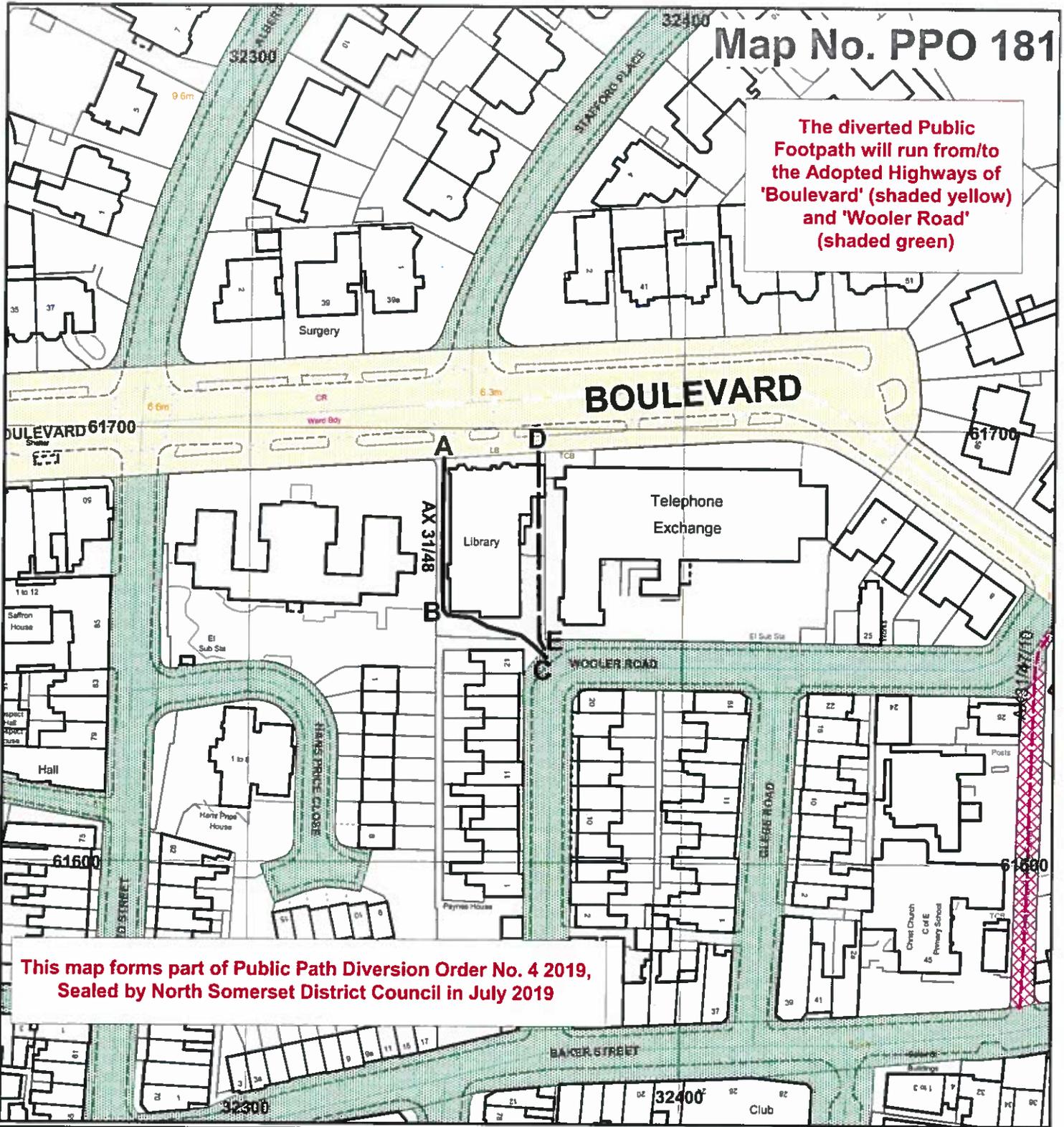
PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

A footpath in Weston-super-Mare from point D (grid ref. ST 32366 61695) at Boulevard, running in a generally southerly direction for approximately 45 metres to point E (grid ref. ST 32368 61649) at Wooler Road, as shown by bold black dashes on the attached Map No. PPO 181.

The diverted path will have a width of two metres, with a paved surface.

The diverted Public Footpath will run from/to the Adopted Highways of 'Boulevard' (shaded yellow) and 'Wooler Road' (shaded green)



This map forms part of Public Path Diversion Order No. 4 2019, Sealed by North Somerset District Council in July 2019

Town and Country Planning Act 1990 - section 257 North Somerset District Council

Public Path Diversion Order No. 4 2019

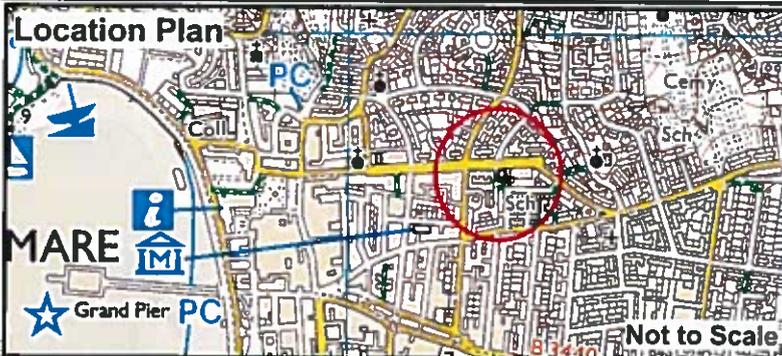
Public Footpath AX 31/48, running from Boulevard to Wooler Road, at former Weston Library, Weston-super-Mare



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 01 July 2019

Grid Square ST 3261

Drawn by Penny Price
PATH TO BE DIVERTED

Existing ————
(A-B-C)
Proposed - - - - -
(D-E)
Other Public Footpaths - - - - -

Not to Scale

Given under the Common Seal of North Somerset District Council the 4th day of July 2019.

13745

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



HEAD OF LEGAL AND DEMOCRATIC SERVICES