

SENT BY EMAIL

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Date: 7th January 2020

Dear Sir/Madam

SECTION 53 & SCHEDULE 15 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981
Bath and North East Somerset Council (City of Bath Definitive Map and Statement Modification Order) (No. 17 – Widcombe) 2019

I am writing, pursuant to Schedule 14(7)(1) of the Wildlife and Countryside Act 1981 (“the Act”) to submit an order for confirmation by the Secretary of State. The original Orders and three copies have been sent by post. The rest of the information has been sent in multiple emails because of the size and quantity of the documents required by the Planning Inspectorate to determine the Order on behalf of the Secretary of State. Document 18 has been split into two parts to enable sending by email.

On 21st March 2019, Bath and North East Somerset Council (“the Authority”) made a Definitive Map Modification Order under Schedule 15 of the Act to add 17 public rights of way to the Definitive Map and Statement for the City of Bath.

The Authority carried out an investigation into the available evidence relating to the Application and consulted with interested parties in 2018 (**see Documents 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 9k, 9l, 9m, 9n**). On 1st March 2019 the Authority’s Team Manager - Highway Maintenance & Drainage formally authorised the making of an order (**see Document 18**) and on 20th March 2019 the Authority made the Bath and North East Somerset Council (City of Bath Definitive Map and Statement Modification Order) (No.17 – Widcombe) 2019 (“the Order”) (**see Documents 1 and 2**). The Order has the effect of adding 17 public rights of way in the Widcombe ward of the city.

On 28th March 2019 the making of the Order was advertised (**see Documents 7, 8 and 10**). In an email dated 8th May 2019, an objection to the recording of a footpath included in the Order (path reference BC64/7) was received (“the Objector 1”) (**see Document 5**), followed by a formal letter. On 27th March 2019, an email of objection was received to the recording of another footpath included in the Order (path reference BC53/5) (“the Objector 2”) (**see Document 5**). This was followed by a formal letter dated 9th May 2019 which also included an objection to the recording of another footpath included in the Order (path reference BC53/6).

The Planning Inspectorate was informed on 16th July 2019 that the Authority would sever the Order and confirm the unopposed part of the Order, comprising of 14 paths (see **Document 15**). The Planning Inspectorate responded on 27th August 2019 (**Document 16**).

Having considered the outstanding objections to the Order, the Authority's Team Manager - Highway Maintenance & Drainage decided on 29th October 2019 that the Order should be submitted to the Secretary of State for determination with a request that the Order be confirmed as made for all three footpaths (BC53/5, BC53/6 and BC64/7) (**see Document 19**).

The Authority is supporting the Order and a statement of the grounds on which it is considered the Order should be confirmed is contained at **Document 03**. If an Inquiry or Hearing is held, the Authority will continue to support the Order.

The Authority is satisfied that all prescribed procedures have been followed (**see Documents 7, 8, 9 and 10**) and undertakes to duly publish and serve notice if the Order is confirmed and duly serve notice if it is decided that the Order should not be confirmed.

The Authority considers that the Objections received do not contain any material that is relevant in determining the existence or not of public rights of way along footpaths BC53/5, BC53/6 and BC64/7 (**Document 5**) and therefore requests that an 'in-house decision' is taken to determine the Order. The Authority is of the opinion that sustaining the Objections has already wasted tax payers money as the footpaths could have been confirmed at the same time as the rest of the Order, avoiding the time spent compiling the bundle of documents for submission to the Planning Inspectorate, a separate advertisement in the newspaper (if the Order is confirmed as made for footpaths BC53/5, BC53/6 and BC64/7) and all other activities such as the posting of and checking of notices for a period of 42 days. If the Secretary of State wishes to determine the matter by a Public Inquiry, the Authority will seek to claim full costs as the Objections appear to be irrelevant.

Documents relating to the Order may be viewed by the public at Bath & North East Somerset Council's Keynsham Civic Centre, Market Walk, Keynsham, Bristol, BS31 1FS during normal working hours by appointment, by calling 01225 394940.

If the Inspector deems a public inquiry or public hearing to be necessary, I am unavailable between the following dates (although with notice, I may be able to arrange childcare as necessary):

Monday 17th February to Monday 24th February 2020, inclusive;
Monday 6th April to Friday 17th April 2020, inclusive;
Monday 25th May to Friday 29th May 2020, inclusive;
Friday 17th July to Monday 31st August 2020, inclusive;
Monday 26th October to Friday 30th October 2020, inclusive.

Permission has been granted from all landowners for an Inspector to visit, at his or her convenience, the sections of footpath on land in their ownership (**Document 12**):

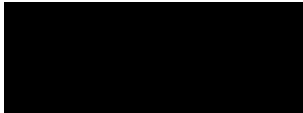
- Sarah Lewis – permission to visit BC64/7.
- The National Trust – permission granted to visit the section of BC64/7 on land in their ownership.

- The Paragon School – permission to visit BC53/5 and BC53/6. Please see the letter at **Document 12**, pages 10 and 11 for more information before visiting the site.
- Mr & Mrs Blacker – permission granted to visit the section of BC53/6 on land in their ownership.
- Mr & Mrs Rhymes – permission granted to visit the section of BC53/6 on land in their ownership.

Additionally, a health and safety assessment is contained at **Document 13**.

I trust this is satisfactory but if I can be of any assistance, please do not hesitate to contact me.

Yours faithfully



Jenny Nobbs (Mrs)
Technical Officer (PROW)
Bath & North East Somerset Council