

APPLICATION FOR A MODIFICATION ORDER

Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
 in Bath and North East Somerset**

To : *Public Rights of Way, Bath and North East Somerset Council*
 of : *Lewis House, Manvers Street, Bath, BA1 1JG*

I/we : *Therese Tyson*
 of : *2 Old School House, High St., Pewford BS39 4BH*

hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981
 modifying the Definitive Map and Statement for the area by;

N.B. CHOOSE ONE OR MORE OF THE FOUR OPTIONS GIVEN BELOW

✓ * adding the *footpath from # *Church St., Pewford* to # *Footpath Ch 17/38*
*bridleway *Grid Ref: ST618637* *Grid Ref: ST617637*
*restricted byway
*byway open to all traffic

X * upgrading/downgrading the route currently shown as a *footpath from # _____ to # _____
*bridleway
*restricted byway
*byway open to all traffic
 so that it is shown as a *footpath
*bridleway
*restricted byway
*byway open to all traffic

X * deleting the *restricted byway from # _____ to # _____
*byway open to all traffic
*bridleway
*restricted byway
*byway open to all traffic

X * varying /adding to the particulars relating to the *footpath from # _____ to # _____
*bridleway
*restricted byway
*byway open to all traffic
 by providing that _____

and shown on the map accompanying this application.


I/we attach copies of the following evidence in support of this application;
See attached sheet listing evidence

list the evidence which supports your application

Dated *15. 11. 2021* Signed _____

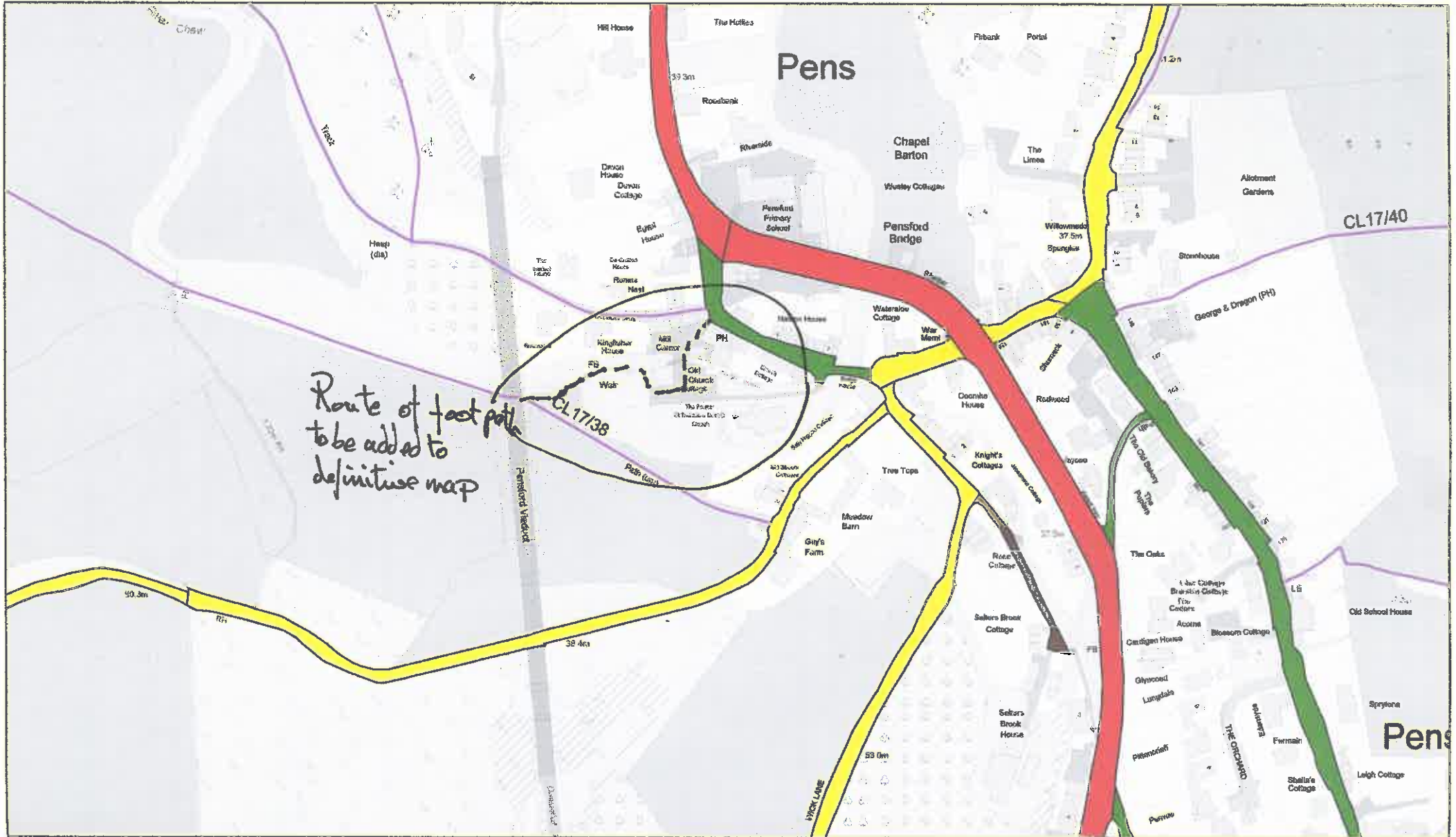
Pensford - path behind Rising Sun, over weir

Pensford

- Public footpath 
- Public Bridleway 
- Restricted byway 
- Byway Open to All Traffic 

Scale 1:2500

Bath & North East Somerset Council



SUMMARY OF MODIFICATION ORDER APPLICATION

Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
 in Bath and North East Somerset**

Name and address of Applicant Therese Tyson
2 The Old School House, High St., Pensford, BS394BH.

Date of Application

Description

Please describe the route starting at one end and working through to the other end.
 Describe any feature of note, roads, landmarks, buildings, hedges etc.
 If the route has a name or nickname please give it here.

Description Attached

.....

.....

.....

.....

.....

Length

Please give the approximate length of the entire path in metres.
 If you are claiming more than one path in the same application please give the length of each path separately.

Approximately 150m

Width

Please give the full width of the path you are claiming.
 Please also give the width of the claimed path as it is now

Width claimed : 1m to 1.5m

Width now :

Nature of surface

Please describe the surface of the path e.g. grass, made up track, ploughed, mud.

Tarmac / stone slabs / grass

.....

Location of structures

Please give details and grid references for any gates, stiles, fences, bollards, barriers etc which are on the route now.
 Do not give details of fences if they run beside the route unless they are encroaching.

Structure	Grid Ref	Structure	Grid Ref	Structure	Grid Ref
<u>gate</u>	<u>ST617876</u>	<u>bridge</u>	<u>ST617386</u>		
<u>bridge</u>	<u>ST617646</u>	<u>obstruction</u>			
<u>obstruction</u>					

Appendix D
Application for Modification Order Application

Description of Footpath Route
Church St.-Mill Corner-Rising Sun car park-River Chew weir/footbridge- Viaduct
Pensford

Description of route:

The footpath begins on Church Street, Pensford at the entrance to Mill Corner and the access to the Rising Sun car park. It runs over a tarmac road at the rear of the Rising Sun pub, crossing the mill stream and through the entrance to the pub car park. It tracks around the back of the old mill building to the stone footbridge over the weir on the river Chew. It continues over the footbridge to the far side of the river continuing WSW until it meets and merges with footpath CL17/38 on the E side of Pensford Viaduct.

Notable features on the route are the Rising Sun pub, Mill Corner, the mill stream where a gate has been erected by the previous pub landlords at the entry to the pub car park. Also notable are the remains of the mill building, the stone footbridge over the river Chew and finally Pensford viaduct.

The route provides one of the most picturesque, unique and historically significant views of the village. The views along the route reveal Pensford's historic past referencing the mills on the river Chew, the railway and mining industries, the listed St Thomas a Becket church, the village's involvement in the medieval wool trade and its significance to the road route between Bristol, Wells and the south coast (the coaching inn and the crossing over the river Chew initially by way of a ford and then a bridge).

The footpath is the shortest route to Byemills, historically a major industrial mill site and source of employment, and the village of Stanton Drew. Until the middle of the 20C the area of Pensford in which the path is located was within the Parish of Stanton Drew and Stanton Drew Church was the 'mother' church of St Thomas a Becket Church.

Since beginning the process of completing this application and compiling evidence, the current owners of the footbridge (St Austell Brewery) have closed it at both ends making it impossible to use the route. They say this has been done for safety reasons.

CERTIFICATE OF SERVICE OF NOTICE
OF
APPLICATION FOR A MODIFICATION ORDER

Wildlife and Countryside Act 1981
The Definitive Map and Statement of Public Rights of Way
in Bath and North East Somerset

To : *Public Rights of Way, Bath and North East Somerset Council*
of : *Lewis House, Manvers Street, Bath, BA1 1JG*

I/we : *Therese Lyson*
of : *2 The Old School House, High Street, Penstford, BS39 4BH.*

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with and attach a copy of each notice served pursuant to that Paragraph.

Dated 15. 11. 2021 Signed 

Paragraph 2 of Schedule 14 to the Wildlife and Countryside Act states that ;

"the applicant shall serve a notice stating that the application has been made on every owner and occupier of any land to which the application relates"

"if, after reasonable inquiry has been made, the authority are satisfied that it is not practicable to ascertain the name or address of an owner or occupier of any land to which the application relates the authority may direct that the notice ... may be served by addressing it to him by the description 'owner' or 'occupier' of the land (describing it) and by affixing it to some conspicuous object or objects on the land"