

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*
We : Mr Jeffrey Bruton & Mrs Denise Bruton
of : 3 Dryleaze Keynsham Bristol BS31 2DA

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 # ST65366905 to # ST65316916
~~*bridleway~~
*restricted byway
~~*byway open to all traffic~~

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

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

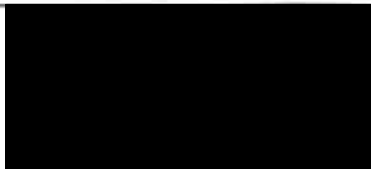
* varying /adding to *footpath from # _____ to # _____
the particulars *bridleway
relating to the *restricted byway
*byway open to all traffic

by providing that _____

and shown on the map accompanying this application.

We attach copies of the following evidence in support of this application;

1. Photographic evidence of the new suggested PROW prior to clearing away the foliage, and again after the clearing work was carried out. The work done by the above mentioned persons with assistance from other local residents.
2. Maps of the area from the 1800's and maps of present day.
3. User Evidence Forms. 12 +



3rd June 2021

Keynsham

Keynsham

Somerset

Gazetteer Precision: Exact

*Suggested
New
P.R.O.W*



OS Grid Reference: ST650680

Parent place: [Keynsham \(/big/eng/SOM/Keynsham\)](#)

Primary entry for place node: ✓

Place code: SOMKeynsham

Last updated Sat, 24/10/2020 - 15:35 - maintained by No Maintainer

NOTICE OF APPLICATION FOR A MODIFICATION ORDER

Section 53(5) and Schedule 14 to the Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
in Bath and North East Somerset**

To : The owner & occupier.
of : The path between Public Footpath BA27/5 and the Railway Arch
at grid reference ST65239614

Notice is hereby given that on the 15th day of May 20 21

We : Mr Jeffrey Bruton & Mrs Denise Bruton
of : 3 Dryleaze, Keynsham, Bristol. BS31 2DA

made application to the Public Rights of Way Team, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG that the Definitive Map and Statement for the area be modified by;

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

*adding the *footpath from# BA27/5 to# ST65239614

Dated 14.5.2021 Signed [Redacted]

Notice laminated and posted clearly on the railings at the Top & Bottom of route *

NOTICE OF APPLICATION FOR A MODIFICATION ORDER

Section 53(5) and Schedule 14 to the Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
in Bath and North East Somerset**

To : Taylor Wimpey UK Limited (Co. Regn. No. 1392762)
of : Gate House, Turnpike Road, High Wycombe HP12 3NR

Notice is hereby given that on 29th day of MAY 20 21
the _____

We : Mr Jeffrey Bruton & Mrs Denise Bruton
of : 3 Dryleaze Keynsham Bristol BS31 2DA

made application to the Public Rights of Way Team, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG that the Definitive Map and Statement for the area be modified by;

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

*adding the footpath from# ST65366905 to# ST65316915
~~*bridleway~~
~~*restricted byway~~
~~*byway open to all traffic~~

*upgrading/downgrading the route currently shown as a footpath from# _____ to# _____
~~*bridleway~~
~~*restricted byway~~
~~*byway open to all traffic~~
to be shown as a footpath
~~*bridleway~~
~~*restricted byway~~
~~*byway open to all traffic~~

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

*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 notice.

Dated 18.5.2021 Signed 

Taylor Wimpey UK Limited
(Co.Regn.N. 1392762)
Gate House
Turnpike Rd
High Wycombe
HP12 3NR

Mr & Mrs Bruton
3 Dryleaze
Keynsham
BRISTOL
BS31 2DA
Tel: 01173828051

20th May 2021

Dear Sirs,

Please find attached Notice of Application for a Modification Order to the Definitive Map and Statement, of Public Rights of Way in Bath & North East Somerset.

This application refers the the section of path which runs from the end of the road known as "The Avenue" down a slight slope, turning left then under the Railway Bridge which leads into a stile and Footpath recently built by yourself, which then leads onto Dryleaze Rd Keynsham.

The land in question is marked on the map provided, in pink.

Please contact the B&NES Public Rights of Way Team. Lewis House, Manvers Syteet, BA1 1JG or myself, if you would like further information.

Yours sincerely

Mrs D Bruton

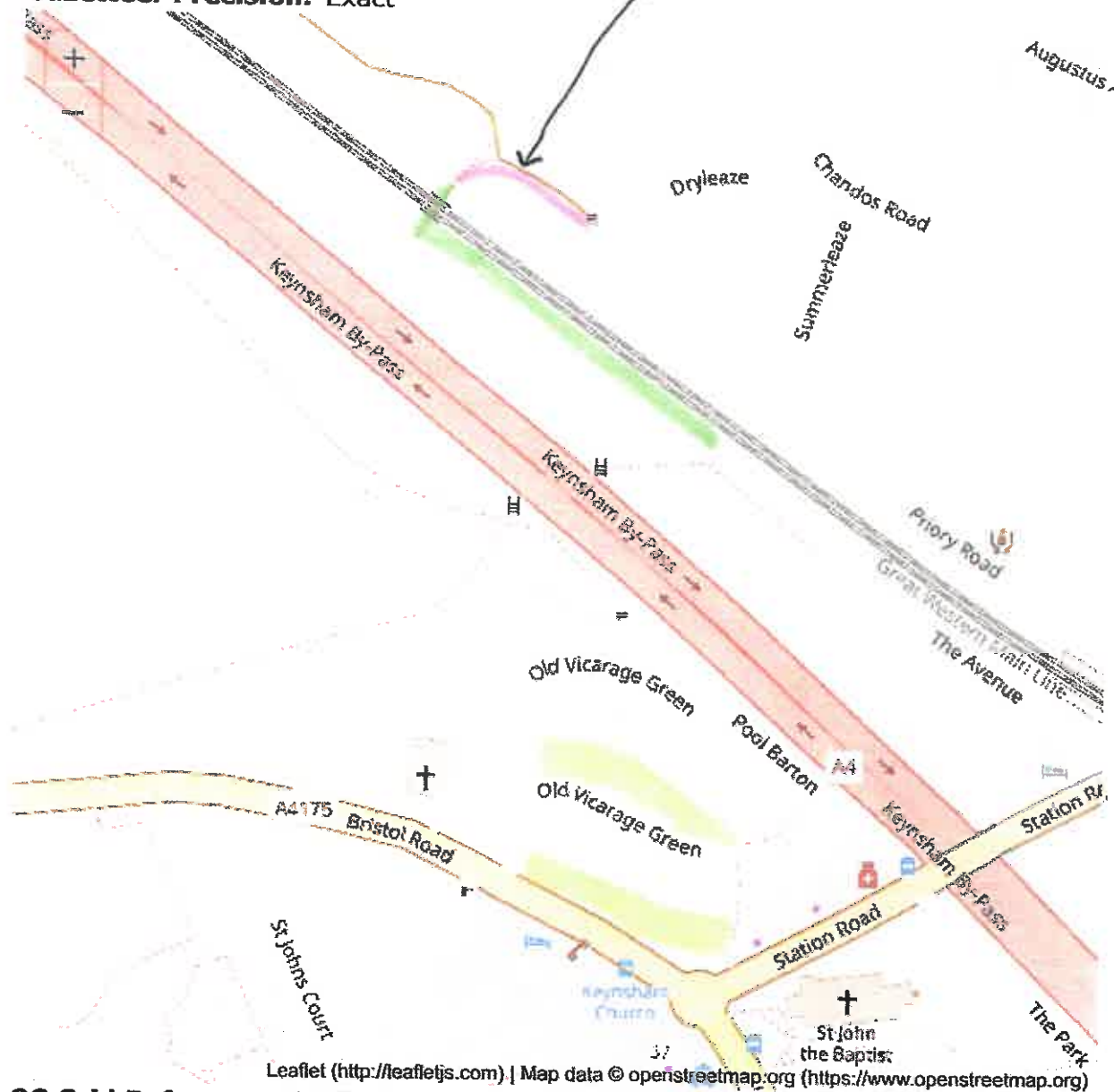


Keynsham (boundary)

Keynsham
Somerset

Location Type: Parish Boundary (K&O)

Gazetteer Precision: Exact



Leaflet (<http://leafletjs.com>) | Map data © [openstreetmap.org](https://www.openstreetmap.org) (<https://www.openstreetmap.org>)

OS Grid Reference: ST650680

Parent place: Keynsham (/big/eng/SOM/Keynsham)

Primary entry for place node: x

Parish: Keynsham

Notes

- AREA : 17321918
- PERIMETER : 29263.932
- PAR1851_ : 18565

NOTICE OF APPLICATION FOR A MODIFICATION ORDER

Section 53(5) and Schedule 14 to the Wildlife and Countryside Act 1981
**The Definitive Map and Statement of Public Rights of Way
in Bath and North East Somerset**

To : Network Rail
of : 1 Eversholt Street. London. NW1 2DN

Notice is hereby given that on **29th** day of **MAY** 20 **21**
the _____

We : Mr Jeffrey Bruton & Mrs Denise Bruton
of : 3 Dryleaze Keynsham Bristol BS31 2DA

made application to the Public Rights of Way Team, Bath and North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG that the Definitive Map and Statement for the area be modified by;

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

*adding the footpath from# ST65366905 to # ST65316915
~~*bridleway~~
~~*restricted byway~~
~~*byway open to all traffic~~

*upgrading/downgrading the route currently shown as a footpath from# _____ to # _____
~~*bridleway~~
~~*restricted byway~~
~~*byway open to all traffic~~
to be shown as a footpath
~~*bridleway~~
~~*restricted byway~~
~~*byway open to all traffic~~

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

*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 notice.

Dated 18.5.2021 Signed _____



Network Rail.
1 Eversholt Street
London
NW1 2DN

Mr & Mrs Bruton
3 Dryleaze
Keynsham
BRISTOL
BS31 2DA
Tel: 01173828051

20th May 2021

Dear Sirs.

Please find attached Notice of Application for a Modification Order to the Definitive Map and Statement, of Public Rights of Way in Bath & North East Somerset.

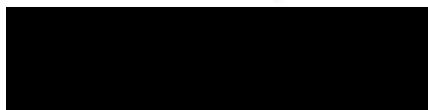
This application refers the the section of path which runs from the end of the road known as "The Avenue" down a slight slope then under the Railway Bridge which leads into a stile and Footpath recently built by Taylor Wimpy, which then leads onto Dryleaze Rd Keynsham.

The land in question for Network Rail is marked on the map provided, in yellow

Please contact the B&NES Public Rights of Way Team, Lewis House, Manvers Street, Bath BA1 1JG or myself if you would like further information.

Yours sincerely

Mrs D Bruton



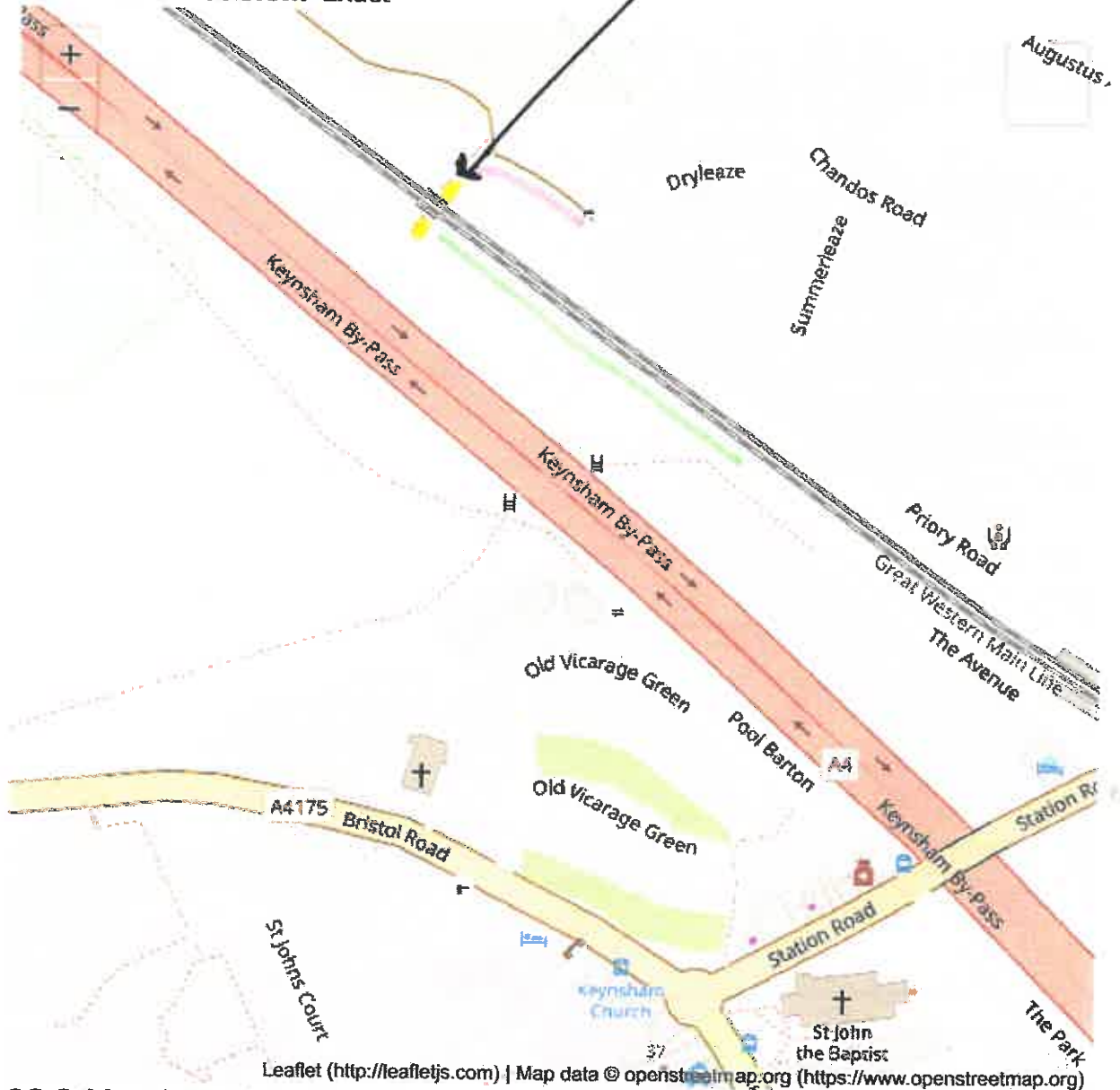
Keynsham (boundary)

Keynsham

Somerset

Location Type: Parish Boundary (K&O)

Gazetteer Precision: Exact



Leaflet (<http://leafletjs.com>) | Map data © openstreetmap.org (<https://www.openstreetmap.org>)

OS Grid Reference: ST650680

Parent place: Keynsham (/big/eng/SOM/Keynsham)

Primary entry for place node: ✕

Parish: Keynsham

Notes

- AREA : 17321918
- PERIMETER : 29263.932
- PAR1851_ : 18565

C

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*

We : Mr Jeffrey Bruton & Mrs Denise Bruton
of : 3 Dryleaze Keynsham Bristol BS31 2DA

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 3rd June 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”

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 Mr Jeffrey Bruton & Mrs Denise Bruton
3 Dryleaze, Keynsham, Bristol. BS31 2DA

Date of Application 29th May 2021

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.

The suggested new Route/Path in question for Modification of the Definitive Map and Statement has been on maps of Keynsham for several hundreds of years.

The suggested new Route/Path was originally the bottom of what was, Pool Barton Lane, which ran beside a Public House on Station Road, Keynsham, Bristol. Down a slope and under the railway arch into the fields the other side of the railway.

Pool Barton Lane was cut in half when the Keynsham By Pass was built in the 1960's. Though the lane was clearly visible on many maps, even before the building of the Railway Line in 1830's.

It's believed the Pool Barton Lane was the main entrance to a large farm that was on the, now Somerdale Site.

An Arch was included in the building of the Railway line, so the farmer could gain access to the farmland either side of the track.

The land in question was originally owned many years ago by the Duke of Buckingham and Chandos, ownership of this land now is unknown.

The new suggested Route/Path for consideration for a PROW. =

A The start is at the West end of the road called "The Avenue" which is off Station Rd Keynsham Bristol.,

B and The End is at the bottom of Dryleaze Rd Keynsham Bristol.

At the start of the suggested new Route/Path there is already a P.R.O.W, which leads the walker south west towards, and over the Keynsham By Pass.

The suggested new Route/Path would lead the walker 175.yds west, down a slight slope, keeping the Bypass on the left, and the Railway on the right.

There is an Ancient Dry Stone Wall clearly visible either side of the suggested new Route/Path.

In the last 15 years the Railway Company has constructed a metal fence in front of the dry stone wall on the right hand side of the path, to keep people off the embankment and railway track.

At the bottom of the slope on the right is an Arch, which leads the walker under the railway line for 50.yds. At the end of the path the walker will find an old wooden stile which leads the walker onto the newly constructed Tarmac Pathway/Cycle track which runs around the Somerdale site. This has been built by Taylor Wimpy.

This stile still has a footpath sign on its original post .

We understand it is the intention of Taylor Wimpy to hand the new path, and its maintenance over to B&NES Council when it is completed.

At this stile the walker would then turn right in a southerly direction and walk for 59.yds Where the walker will find another old wooden stile, and a new opening which leads directly onto Dryleaze Rd, which is the end of the new Route/Path suggested for consideration.

Pictures from both 40 years ago and present day are included.

When the Fry's Factory was built in the 1920's the Somerdale houses were built for the senior management and essential workers to move into, so they could be close to their place of work. At that time Keynsham was just a small village.

It was at that time when Frys built the stiles and put up clear signage to encourage the new residents of the estate to use the path as quick and easy access to the High Street.

Photos for proof of this are enclosed.

The use of the path by residence of the estate was also encouraged by Cadburys when they took over the site.

Proof of use of the path by residence for many years is in the user evidence forms included.

Until recently one of our local resident used to maintain the path by just clearing the weeds brambles and sting nettles a couple of times a year during the summer growing season. Unfortunately he passed away some years ago, which is why the path became overgrown and unusable for a while.

During the COVID restrictions my husband and I cleared the pathway to make it usable again and it connects nicely with the new Taylor Wimpy Tarmac path.

We, like many others had the impression that it was already P.R.O.W as we were encouraged to use it, and the signage from many years ago stated, Public Footpath. So we were very disappointed / shocked to discover that it was NOT on the Register as a Public Right of Way. Several of the estates original residents, now in their 70's and 80's years old have always known the path as usable.

Hence this request for its consideration to become Officially A Public Right Of Way.

The New usable path already has up to a dozen users on a daily basis (more weekends) for pleasure, walking, jogging and exercising their dogs, as it gives quick and easy access to the New Somerdale Community Tarmac and gravel pathways, provided by Taylor Wimpy.

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.

- From the end of the Avenue to the bottom of the slope and the Arch is 173yds and approx 2 yds wide. *Owner unknown*
- The path under the Arch from one end to the old stile is 50yds long and 3yds wide. *Owner Network Rail*
- The path from the old Stile to Dryleaze Rd is 59 yds long and 3yds wide.
- *Owner Taylor Wimpey*

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 :
- From the end of the Avenue to the bottom of the slope and the Arch is 173yds long and approx 2 yds wide. *Owner unknown*
 - The path under the Arch from one end to the old stile is 50yds long and 3yds wide. *Owner Network Rail*
 - The path from the old Stile to Dryleaze Rd is 59 yds long and 3yds wide. *Owner Taylor Wimpey*

Width now : The width varies from 2 - 3 meters, between the dry stone walls and the stone walls of the railway arch.

Nature of surface

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

At present the path is dry soil and dead foledge, but in the past it was stone and gravel.

The pathway originally ran between 2 dry stone walls. Built in the 1800's possibly older.

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	SCBG
Stile	ST65316915 By the Arch at water pumping station. : <i>Taylor Wimpy land</i>	trtr
Stile	ST65316915 Bottom of Dryleaze Rd.	-----
Fallen Tree	ST65366905 ½ way down the path. <i>Owner of land unknown</i> The fallen Tree is stable and safe, as well as being easy to walk under. Though could be removed with correct equipment. The hight clearance inder the fallen tree is about 6 feet.	-----