

**APPLICATION FOR A PUBLIC PATH DIVERSION
ORDER AFFECTING PUBLIC FOOTPATHS BA2/11
AND BA2/12, BATHEASTON AND BA21/9 AND
BA21/11, ST CATHERINE**

1. The Issue

- 1.1 An application has been made to divert sections of Public Footpaths (FPs) BA2/11 and BA2/12 in the parish of Batheaston and Public Footpaths BA21/9 and BA21/11 in the parish of St Catherine (“the Existing FPs”) in the vicinity of Charmydown Farm House and Charmydown Lodge. The application has been made jointly by two landowners. The proposed footpaths to be created (“the Proposed FPs”) cross the Applicants’ land and also land belonging to a third party (Wessex Water). The Applicants wish to divert the Existing FPs onto the Proposed FPs.

2. Recommendation

- 2.1 That the Team Manager - Highways Maintenance and Drainage does not grant authorisation for a Public Path Diversion Order to be made to divert the sections of Public Footpaths BA2/11, BA2/12, BA21/9 and BA21/11 as detailed on the plan attached at Appendix 1 (“the Decision Plan”) and in the schedule attached at Appendix 2 (“the Decision Schedule”).

3. Financial Implications

- 3.1 The Applicants have agreed to pay the cost for processing an Order and the cost of any required notices in a local newspaper. Should an Order be made and confirmed, the Proposed FPs will become maintainable at public expense.
- 3.2 Should an Order be made and objections received and sustained, then the Order will either be referred back to the Team Manager - Highways Maintenance and Drainage or to the Planning Committee to consider the matter in light of those objections. Should the Team Manager – Highways Maintenance and Drainage or the Committee decide to continue to support the Order, then the Order will be referred to the Secretary of State for the Environment, Food and Rural Affairs for determination. Bath and North East Somerset Council (“the Authority”) would be responsible for meeting the costs incurred in this process, for instance at a Public Inquiry.

4. Human Rights

- 4.1 The Human Rights Act incorporates the rights and freedoms set out in the European Convention on Human Rights into UK law. So far as it is possible all legislation must be interpreted so as to be compatible with the convention.

- 4.2 The Authority is required to consider the application in accordance with the principle of proportionality. The Authority will need to consider the protection of individual rights and the interests of the community at large.
- 4.3 In particular the convention rights which should be taken into account in relation to this application are Article 1 of the First Protocol (Protection of Property), Article 6 (the right to a fair hearing) and Article 8 (Right to Respect for Family and Private Life).

5. The Legal and Policy Background

- 5.1 The Authority has a discretionary power to make Public Path Orders. When considering an application for a Public Path Order, the Authority should first consider whether the proposals meet the requirements set out in the legislation (which are reproduced below). In deciding whether to make an Order or not, it is reasonable to consider both the tests for making the Order and for confirming the Order (*R. (Hargrave) v. Stroud District Council [2002]*). Even if all the tests are met, the Authority may exercise its discretion not to make the Order but it must have reasonable ground for doing so (*R. (Hockerill College) v. Hertfordshire County Council [2008]*).
- 5.2 Before making an Order under section 119 of the Highways Act 1980 ("the Act") it must appear to the Authority that it is expedient to divert the path in the interests of the public and/or of the owner, lessee or occupier of the land crossed by the path.
- 5.3 The Authority must also be satisfied that the Order does not alter any point of termination of the path, other than to another point on the same path, or another highway connected with it, and which is substantially as convenient to the public.
- 5.4 Before confirming an Order, the Authority or the Secretary of State must be satisfied that:
- the diversion is expedient in the interests of the person(s) stated in the Order,
 - the path will not be substantially less convenient to the public as a consequence of the diversion,
 - it is expedient to confirm the Order having regard to the effect it will have on public enjoyment of the path as a whole, on other land served by the existing path and on land affected by any proposed new path, taking into account the provision for compensation and
 - should consider any material provision of the Joint Rights of Way Improvement Plan.

- 5.5 The Authority must also give due regard to the effect the diversion will have on farming and forestry, biodiversity, members of the public with protected characteristics under the Equality Act 2010.
- 5.6 In addition to the legislative tests detailed above, the proposals must also be considered in relation to the Authority's adopted Public Path Order Policy. The Policy sets out the criteria against which the Authority will assess any Public Path Order application and stresses that the Authority will seek to take a balanced view of the proposals against all the criteria as a whole.
- 5.7 The criteria are:
- Connectivity,
 - Equalities Impact,
 - Gaps and Gates,
 - Gradients,
 - Maintenance.
 - Safety,
 - Status,
 - Width,
 - Features of Interest,
- 5.8 The Authority will consider the effect on Climate Change.

6. Background and Application

- 6.1 FP BA2/11, BA2/12, BA21/9 and BA21/11 are recorded on the Definitive Map and Statement which have a relevant date of 26th November 1956. Various changes have been made to the definitive lines of the footpaths (1969/70, 1984/5, 1990, 2003) but no changes have been made in the vicinity of these proposals.
- 6.2 The Applicants have previously been in communication with the Authority as there have been issues with obstruction and development. There is an obstruction of a garden wall and hedge which requires removal and surface made good if the application is unsuccessful. The diversion application has been made to divert the walker away from the obstruction at Charmydown Farm House and the surrounding buildings. The proposal gives the walker a choice of walking to the north, east or south of the residential buildings rather than through the centre of the group of buildings.
- 6.3 Discussion was held between the Applicants, the Authority and Wessex Water before the application was received. However, an ideal proposal was not achieved and the Applicants applied to divert the Existing FPs following their own proposals. The Authority had reservations about the proposals but agreed to consult informally to gauge the reaction of the public and statutory consultees.

6.4 Description of the Footpaths to be Diverted

- 6.5 The full width of the section of FP BA2/11 commencing from grid reference ST 7647 6868 (point K on the Decision Plan) and proceeding in a generally north northeasterly direction for approximately 228 metres to a junction with FP BA2/12 at grid reference ST 7659 6887 (point D) (referred to as “Existing FP 1”).
- 6.6 The full width of the section of FP BA2/12 commencing from a junction with FP BA2/11 at grid reference ST 7659 6887 (point D) and continuing in a generally east northeasterly direction for approximately 41 metres to the parish boundary at grid reference ST 7663 6889 (point C) and continuing as FP BA21/9 in a north easterly direction for approximately 105 metres to a junction with FP BA21/9 at grid reference ST 7671 6896 (point B) (referred to as “Existing FP 2”).
- 6.7 The full width of the section of FP BA21/9 commencing from grid reference ST 7679 6898 (point A) and proceeding in a generally westerly direction for approximately 94 metres to a junction with FP BA21/9 at grid reference ST 7671 6896 (point B) and continuing in a westerly direction for approximately 39 metres to junction with FP BA21/9 at grid reference ST 7667 6897 (point E) (referred to as “Existing FP 3”).
- 6.8 The full width of the section of FP BA21/9 commencing from grid reference ST 7661 6893 (point J) and proceeding in a generally east northeasterly direction for approximately 71 metres to a junction with FP BA21/9 at grid reference ST 7667 6897 (point E) and continuing in a north westerly direction for approximately 15 metres to a junction with FP BA21/11 at grid reference ST 7666 6898 (point F) and continuing in a north northwesterly direction for approximately 30 metres to grid reference ST 7665 6901 (point G) (referred to as “Existing FP 4”).
- 6.9 The full width of the section of FP BA21/11 commencing from a junction with FP BA21/9 at grid reference ST 7666 6898 (point F) and proceeding in a generally north westerly direction for approximately 126 metres to grid reference ST 7674 6908 (point H) (referred to as “Existing FP 5”).

6.10 Description of the Proposed Footpaths

- 6.11 A section of public footpath commencing from grid reference ST 7647 6868 (point K) and proceeding in a generally east northeasterly direction for approximately 176 metres to grid reference ST 7664 6873 (point N) and turning in a north northwesterly direction for approximately 152 metres to a junction with FP BA2/12 at grid

reference ST 7657 6887 (point P) (referred to as “Proposed FP 1”). Width to be 2 metres between grid reference ST 7647 6868 (point K) and grid reference ST 7657 6887 (point P).

- 6.12 A section of public footpath commencing from grid reference ST 7664 6873 (point N) and proceeding in a generally north northeasterly direction for approximately 243 metres to a junction with FP BA21/9 at grid reference ST 7680 6892 (point M) (referred to as “Proposed FP 2”). Width to be 2 metres between grid reference ST 7664 6873 (point N) and grid reference ST 7680 6892 (point M).
- 6.13 A section of public footpath commencing from grid reference ST 7679 6898 (point A) and proceeding in a generally northerly direction for approximately 158 metres to a junction with FP BA21/11 at grid reference ST 7677 6912 (point L) (referred to as “Proposed FP 3”). Width to be 2 metres between grid reference ST 7679 6898 (point A) and grid reference ST 7677 6912 (point L).
- 6.14 A section of public footpath commencing from grid reference ST 7661 6893 (point J) and continuing in a north northeasterly direction for approximately 90 metres to a junction with FP BA21/9 at grid reference ST 7665 6901 (point G) (referred to as “Existing FP 4”). Width to be 2 metres between grid reference ST 7661 6893 (point J) and grid reference ST 7665 6901 (point G).
- 6.15 A section of public footpath commencing from a junction with FP BA21/9 at grid reference ST 7665 6901 (point G) and proceeding in a generally north northeasterly direction for approximately 119 metres to grid reference ST 7674 6908 (point H) (referred to as “Proposed FP 5”). Width to be 2 metres between grid reference ST 7665 6901 (point G) and grid reference ST 7674 6908 (point H).
- 6.16 **Limitations and Conditions** - The Proposed FPs will be diverted without any limitations or conditions. The Proposed FPs which cross field boundaries will require authorisation of kissing gates under section 147 of the Act to prevent the ingress and egress of animals.

7. Consultations

- 7.1 Affected landowners, Batheaston and St Catherine Parish Councils, national and local user groups, the Ward Councillors and statutory undertakers were all consulted about the proposed diversions for a period of four weeks (“the Consultation Period”). Additionally site notices were erected at either end of Existing FPs and at either end of the Proposed FPs and on the Authority’s website to seek the views of members of the public.
- 7.2 Discussions took place with the applicants and Wessex Water towards the end of the objection period as adverse comments had been received. Alternative solutions to the objections were considered. However, further objections were received and the issues still remained.

- 7.3 In response to the consultation, a number of statutory undertakers stated that their plant would not be affected. BT Openreach did not object but do have apparatus in the area. BT Openreach would therefore require their rights to be preserved should an order be made.
- 7.4 A total of seven individuals objected during the Consultation Period. Batheaston Parish Council also objected (unanimously). The objectors concerns are summarised below.
- 7.5
1. Views of the city of Bath from Existing FP1 will be lost. The Existing FP is straightforward, the proposed FP is not. Proposed FP1 creates a significant dog-leg. (4 objectors).
 2. Disturbance of the stream crossed by Proposed FP2 (near point M on the Decision Plan) will create debris which could block sumps and culverts lower on the slope increasing flood risk to a residential property (one objector). However, another objector considers this will make an attractive feature.
 3. No discernible gain on Proposed FPs1 & 2. Unnecessary/ needless, no improvement, decidedly disadvantageous/ very inconvenient/difficult to navigate/hard to traverse. Level gradient only adds length. Anthills and brambles are hazardous. (5 objectors).
 4. Existing FPs 3 & 4 are main arterial route/farmyard should remain nexus of the paths. Proposed FP3 is a major diversion/overly long to go north-south and is hugely inconvenient and not the best alternative (5 objectors).
 5. Generally proposals are not like-for-like (1 objector).
- 7.6 Views were also expressed about what is or isn't currently accessible; suggestions of other alternatives; fees paid for the proposals; planning issues, setting precedence and the history/culture relating to the area. These issues are not part of the decision process as the comparison is between the definitive lines of the Existing FPs and the proposed FPs, rather than other alternatives; proposed routes will need to be upgraded to be suitable for use by the public before certification; the application is one application to be considered as it is presented; this is not part of a planning process; each application is considered on its own merits and there is no known historic or cultural value to the footpaths themselves even if they are in an area with such value.
- 7.7 Views were expressed that Existing FPs 2, 4 and 5 could be stopped up (4 objectors) but Proposed FP2 is not an acceptable alternative.
- 7.8 St Catherine Parish Meeting considered the proposal and reported that significant misgivings were expressed. The opinions differed in respect of detail and the Meeting therefore requested that the Authority give due consideration to the detailed concerns of the individual objections.
- 7.9 The B&NES area Ramblers representative also commented that he had no objections but would prefer Existing FP 1 is retained.

8. Officer Comments

8.1 It is recommended that the various tests outlined in section 5 above are considered in turn.

8.2 **The first test is whether it is expedient to divert the path in the interests of the public and/or of the owner, lessee or occupier of the land crossed by the path:** The diversion is proposed in the interest of the landowners. The Existing FPs will be diverted away from the residential buildings and gardens and the Proposed FPs will be further from the properties and onto a third party's land allowing more privacy for the landowners. This test should therefore be considered to have been met.

8.3 **The Authority must be satisfied that the diversion does not alter any point of termination of the path, other than to another point on the same path, or another highway connected with it, and which is substantially as convenient to the public:** Proposed FP1 starts at the same point on FP BA2/11 as Existing FP1 and finishes at another point on the same FP. Proposed FP2 starts and finishes on FPs connected to the Existing FPs. Proposed FP3 starts at the same point on FP BA21/9 as Existing FP3 and finishes on FPs connected with it. Proposed FP4 starts at the same point on FP BA21/9 as Existing FP4 and finishes on another FP connected with it. Proposed FP5 starts at another point on FP BA21/9 and finishes at the same point on BA21/11. The connections are required to be substantially as convenient to the public. This is considered to be the case for Proposed FPs1, 4 and 5 as the distance is minimal between existing and proposed terminations. However, FP2 termination points N (Proposed) and C (Existing) are approximately 213 metres apart and Point N is reached by a steep slope which is not as convenient as point C. FP3 termination points L (Proposed) and E (Existing) are approximately 167 metres apart which is not as convenient to the public.

8.4 **The path must not be substantially less convenient to the public as a consequence of the diversion:** Matters such as length, difficulty of walking and the purpose of the path pertain to the convenience to the public.

8.5 Length

The following shows the approximate comparative distances between proposed and existing routes;

1. Existing K-D-P. Proposed K-N-P is an additional 80 metres.
2. Existing D-C-B-A-M. Proposed D-P-N-M is an additional 116 metres.
3. Existing A-B-E-F-G. Proposed A-L-H-G is an additional 125 metres.
4. Existing D-J-E-F-H-L and Proposed D-J-G-H-L are similar distances.
5. The routes below are now given consideration rather than individual proposed FPs as this is how the routes are walked. The proposed route K-N-P-D-J-G-H-L takes the walker from south to northeast

instead of Existing route K-D-J-E-F-H-L. The proposed route is approximately 117 metres longer.

6. The proposed route K-N-P-D-J-G takes the walker from south to north instead of Existing route K-D-J-E-F-G. The proposed route is approximately 94 metres longer.
7. The proposed route K-N-P takes the walker from south to west instead of Existing route K-D. The proposed route is approximately 80 metres longer.
8. The proposed route D-J-G-H-L-A-M or D-P-N-M take the walker from west to east instead of Existing route D-C-B-A-M. These proposed routes are approximately 143 and 117 metres longer respectively.
9. The proposed route G-H-L-A takes the walker from north to east instead of G-F-E-B-A. The proposed route is approximately 125 metres longer.
10. The proposed route G-J takes the walker from north to west instead of G-F-E-J. The proposed route is approximately 26 metres shorter.
11. The proposed route A-L takes the walker from east to northeast instead of A-B-E-F-H-L. The proposed route is approximately 142 metres shorter.
12. The proposed route J-G-H takes the walker from west to northeast instead of J-E-F-H. The proposed route is approximately 3 metres shorter.
13. The proposed route G-H takes the walker from north to northeast instead of G-F-H. The proposed route is approximately 37 metres shorter.
14. The proposed route K-N-M takes the walker from south to east instead of Existing route K-D-C-B-A-M. The proposed route is approximately 107 metres shorter.

8.6 The above distances show that for the majority of walkers the distance is increased significantly, particularly those going from east to west.

8.7 Difficulty of walking

1. Proposed FP1 has a steeper incline than Existing FP1.
2. Existing FP2 has a tarmac/hard, level surface whereas Proposed FP2 will be over an uncultivated, uneven field which currently has large anthills and brambles. Although these can be cleared initially there is a possibility that these natural features will return in due course, creating a maintenance issue. A bridge will be required to cross the stream near point M. However, this area is covered by trees creating a damp environment which may cause the bridge to become slippery over time.
3. Proposed FP3 may be easier to walk than Existing FP3 as the length is increased and the gradient reduced.
4. There is no discernible difference in difficulty of walking on Proposed FPs 4 and 5 as all the conditions are similar.

8.8 Overall the difficulty of walking is significantly increased.

8.9 Purpose of the FPs

The area is generally pasture/uncultivated land and has many steep

gradients. However, the Existing FPs going between the buildings provide some respite from the gradients and uneven surfaces.

- 8.10 On balance it is considered that the Proposed FPs are substantially less convenient to the public than the Existing FPs. This part of the test cannot therefore be considered to have been met.
- 8.11 **Consideration must be given to the effect the diversion will have on public enjoyment of the path as a whole, on other land served by the existing path and on land affected by any proposed new path, taking into account the provision for compensation.**
- 8.12 **Public enjoyment of the Paths:** Proposed FP1 does not have as good views of the city of Bath as Existing FP1 and has a steeper gradient. Proposed FP2 is in a more open environment than Existing FP2 which may be considered beneficial. However objections have been raised that walkers prefer to walk near to the residential buildings. This is also the case for Proposed FP3. There is no discernible difference in public enjoyment for Proposed FPs 4 or 5. On balance it is considered that public enjoyment of the Proposed FPs will not be as great as public enjoyment of the Existing FPs. This part of the test cannot therefore be considered to have been met.
- 8.13 **Effect on other land served by the existing footpath and land affected by the proposed path:** The Existing FPs do not provide the means of access to any parcel of land and the Proposed FPs start and finish in the vicinity of the Existing FPs. The landowners are in agreement with the proposals. The proposals will not therefore have a detrimental effect on other land served by the Existing FPs or on land affected by the Proposed FPs; this part of the test is therefore considered to have been met.
- 8.14 **Effect on land affected by any proposed new path, taking into account the provision for compensation:** There is no adverse effect on land affected by the Proposed FPs with regard to compensation as the land affected by the landowners of the Existing and Proposed FPs have been involved in the proposal and it is considered that there is no detriment to the value of the land; this part of the test is therefore considered to have been met.
- 8.15 **The Authority must have regard to the contents of the Rights of Way Improvement Plan.**
- 8.16 The following actions are identified in the Rights of Way Improvement Plan's Statement of Actions:
- Action 4.3 - *"Identify and carry out improvements for people with mobility difficulties and visual impairments"*. The Proposed FPs are over considerably more uneven land with steeper gradients and this would be disadvantageous to members of the public with mobility difficulties or visual impairments.

- Action 4.4 - *“Identify road safety improvements that enable increased use of routes”*. There are no discernible benefits to road safety.
- Action 4.6 - *“Identify gaps in the wider recreational network that will improve accessibility and connectivity”* Connectivity from the south to the east and from east to northeast is improved by the Proposal. However, connectivity from the south to the west, from the west to the east, from the north to the south and from the southeast to the north is not improved. Accessibility is not improved due to the increased gradients and more uneven surface on the Proposed FPs.

- 8.17 It is considered that on balance the proposed diversion does not meet objectives set out in the Rights of Way Improvement Plan.
- 8.18 **The Authority must give due regard to the effect the diversion will have on farming and forestry, biodiversity and members of the public with protected characteristics.**
- 8.19 There is no discernible effect of the Proposal on farming, forestry or biodiversity. The effect on path users with mobility and sight impairments are stated in paragraph 8.22. Those with other protected characteristics are not affected by the proposals.
- 8.20 **The effect of the diversion on the additional criteria identified in the Authority’s Public Path Order Policy; namely, Connectivity, Equalities Impact, Gaps and Gates, Gradients, Maintenance, Safety, Status, Width and Features of Interest.**
- 8.21 Connectivity from the south to the east is improved by the Proposal. However, connectivity from the south to the west, from the west to the east, from the north to the south and from the southeast to the north is not improved.
- 8.22 Proposed FPs 1 and 2 have a more detrimental effect than Existing FPs 1 and 2 on path users with mobility and sight impairments due to the steeper gradient and uneven surface of the uncultivated field with large anthills. Existing FP2 is over a flat surface and runs over a tarmac track and residential garden. The anthills can be flattened but may return. Proposed FPs 3, 4 and 5 are over similar terrain to Existing FPs 3, 4 and 5.
- 8.23 Proposed FP1 would require one gate to be authorised for stock control purposes which is one less gate than Existing FP1. Proposed FPs 2, 3, 4 and 5 have no change to the number of gates required.
- 8.24 Proposed FP1 is significantly steeper than Existing FP1. The other Proposed FPs have similar gradients to their respective Existing FPs.
- 8.25 Maintenance of Proposed 2 will be increased because of the necessity to maintain a wooden footbridge over a stream. This is located in a damp, wooded area and the bridge will need regular

checks and possible cleaning and replacement in due course. The distance of the bridge from a road will add to the difficulty of maintenance/replacement. If anthills recur around Proposed FP2 these will need to be regularly levelled to maintain safety. Maintenance of the other proposed FPs is not affected.

- 8.26 Safety issues already documented relate to the steepness of Proposed FP1 and the maintenance of a level surface of Proposed FP2.
- 8.27 The Proposed FPs do not have any impact on width or status.
- 8.28 Views of the city of Bath available from Existing FP1 are not maintained on Proposed FP1 thus reducing features of interest. Traversing the stream in a wooded area on Proposed FP 2 would increase the features of interest.
- 8.29 It is considered that on balance the proposed diversion does not accord with the Policy.

9. Climate Change

- 9.1 Public rights of way are a key resource for shifting to low-carbon, sustainable means of transport. The proposals are part of the ongoing management of the network and ideally should contribute towards helping to tackle the Climate Emergency. However, the detrimental effect on the enjoyment and convenience of the public may deter walkers from using this section of the network.

10. Risk Management

- 10.1 There are no significant risks associated with diverting the FPs. However, medium impact has been identified regarding increased maintenance, likely objections if the order is made and the removal of an obstruction if the FPs are not diverted.

11. Conclusion

- 11.1 The Authority considers that the proposal does not meet the requirements set out in the legislation. It appears that the relevant statutory tests for making such a diversion Order have not been met with regard to convenience and public enjoyment and the proposals do not accord with the Public Path Order Policy.
- 11.2 The Authority has considered the protection of individual rights and the interests of the community at large and concludes that protection of the individual rights does not outweigh the interests of the public.
- 11.3 The proposal does not enhance the Rights of Way network within the parameters of the Joint Rights of Way Improvement Plan.

11.4 The Authority considers that the Proposed FPs will have an adverse effect on members of the public with protected characteristics under the Equality Act 2010.

11.5 The Order should therefore not be made as proposed.

Decision

The Team Manager - Highways Maintenance and Drainage does not grant authorisation for a Public Path Diversion Order to be made to divert the sections of Public Footpaths BA2/11, BA2/12, BA21/9 and BA21/11 as detailed on the plan attached at Appendix 1 ("the Decision Plan") and in the schedule attached at Appendix 2 ("the Decision Schedule").

A black rectangular redaction box covers the signature of Craig Jackson. A dotted line extends from the right side of the redaction box.

Craig Jackson

Dated: 12/02/20

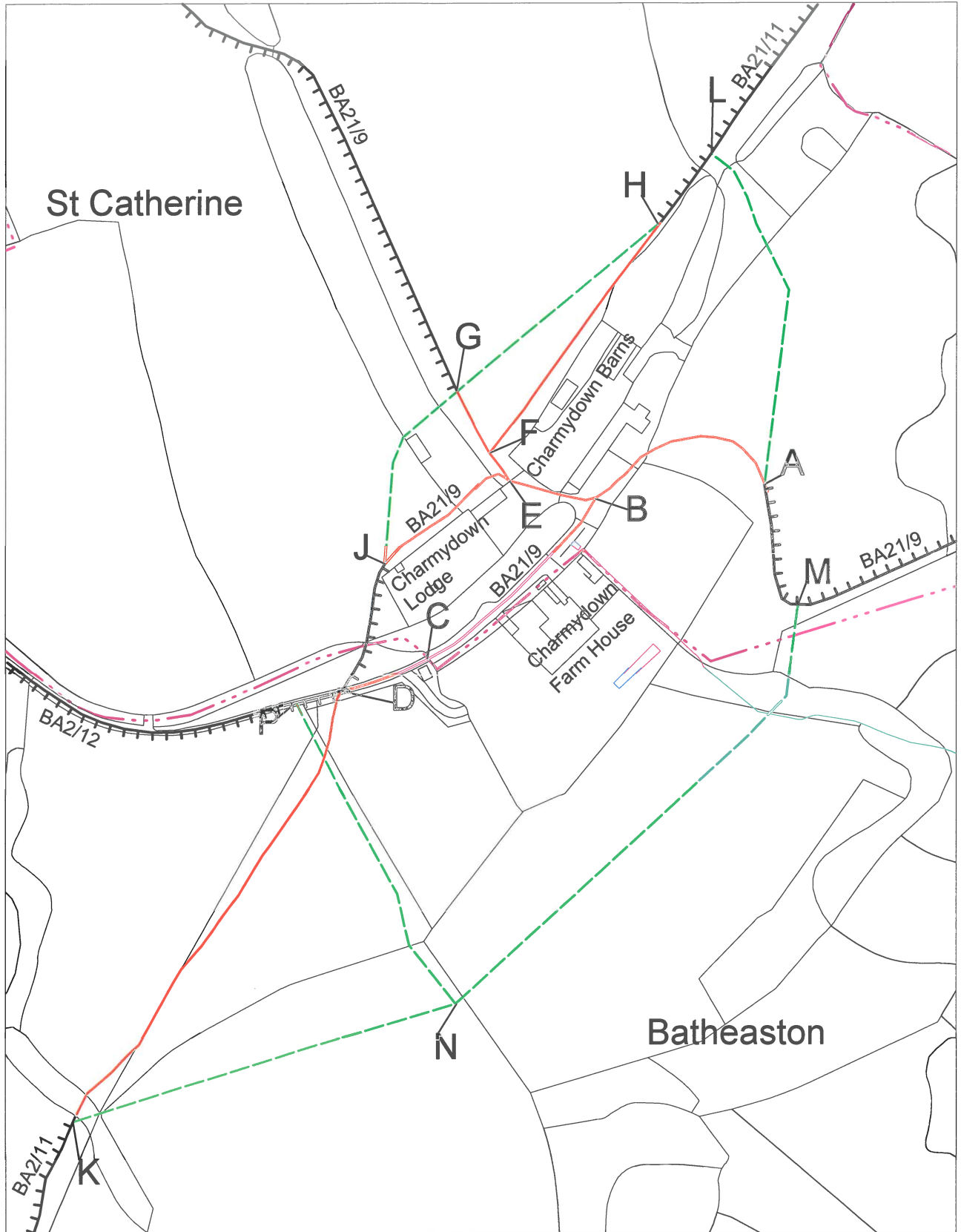
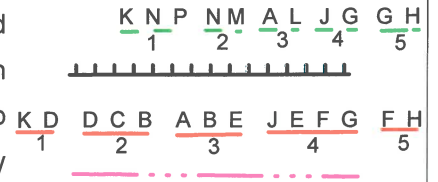
Team Manager - Highways Maintenance and Drainage

Appendix 1
Decision Plan
BA2/11 & BA2/12 Batheaston
BA21/9 & BA21/11 St Catherine

Scale: 1:2,500



Public footpath to be created
 Unaffected public footpath
 Public footpath to be stopped up
 Parish Boundary



DECISION SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The full width of the section of FP BA2/11 commencing from grid reference ST 7647 6868 (point K on the Decision Plan) and proceeding in a generally north northeasterly direction for approximately 228 metres to a junction with FP BA2/12 at grid reference ST 7659 6887 (point D) (referred to as "Existing FP 1").

The full width of the section of FP BA2/12 commencing from a junction with FP BA2/11 at grid reference ST 7659 6887 (point D) and continuing in a generally east northeasterly direction for approximately 41 metres to the parish boundary at grid reference ST 7663 6889 (point C) and continuing as FP BA21/9 in a north easterly direction for approximately 105 metres to a junction with FP BA21/9 at grid reference ST 7671 6896 (point B) (referred to as "Existing FP 2").

The full width of the section of FP BA21/9 commencing from grid reference ST 7679 6898 (point A) and proceeding in a generally westerly direction for approximately 94 metres to a junction with FP BA21/9 at grid reference ST 7671 6896 (point B) and continuing in a westerly direction for approximately 39 metres to junction with FP BA21/9 at grid reference ST 7667 6897 (point E) (referred to as "Existing FP 3").

The full width of the section of FP BA21/9 commencing from grid reference ST 7661 6893 (point J) and proceeding in a generally east northeasterly direction for approximately 71 metres to a junction with FP BA21/9 at grid reference ST 7667 6897 (point E) and continuing in a north westerly direction for approximately 15 metres to a junction with FP BA21/11 at grid reference ST 7666 6898 (point F) and continuing in a north northwesterly direction for approximately 30 metres to grid reference ST 7665 6901 (point G) (referred to as "Existing FP 4").

The full width of the section of FP BA21/11 commencing from a junction with FP BA21/9 at grid reference ST 7666 6898 (point F) and proceeding in a generally north westerly direction for approximately 126 metres to grid reference ST 7674 6908 (point H) (referred to as "Existing FP 5").

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A section of public footpath commencing from grid reference ST 7647 6868 (point K on the Decision Plan) and proceeding in a generally east northeasterly direction for approximately 176 metres to grid reference ST 7664 6873 (point N) and turning in a north northwesterly direction for approximately 152 metres to a junction with FP BA2/12 at grid reference ST 7657 6887 (point P) (referred to as "Proposed FP 1").

Appendix 2

Width: 2 metres between grid reference ST 7647 6868 (point K) and grid reference ST 7657 6887 (point P).

A section of public footpath commencing from grid reference ST 7664 6873 (point N) and proceeding in a generally north northeasterly direction for approximately 243 metres to a junction with FP BA21/9 at grid reference ST 7680 6892 (point M) (referred to as "Proposed FP 2").

Width: 2 metres between grid reference ST 7664 6873 (point N) and grid reference ST 7680 6892 (point M).

A section of public footpath commencing from grid reference ST 7679 6898 (point A) and proceeding in a generally northerly direction for approximately 158 metres to a junction with FP BA21/11 at grid reference ST 7677 6912 (point L) (referred to as "Proposed FP 3").

Width: 2 metres between grid reference ST 7679 6898 (point A) and grid reference ST 7677 6912 (point L).

A section of public footpath commencing from grid reference ST 7661 6893 (point J) and continuing in a north northeasterly direction for approximately 90 metres to a junction with FP BA21/9 at grid reference ST 7665 6901 (point G) (referred to as "Existing FP 4").

Width: 2 metres between grid reference ST 7661 6893 (point J) and grid reference ST 7665 6901 (point G).

A section of public footpath commencing from a junction with FP BA21/9 at grid reference ST 7665 6901 (point G) and proceeding in a generally north northeasterly direction for approximately 119 metres to grid reference ST 7674 6908 (point H) (referred to as "Proposed FP 5").

Width: 2 metres between grid reference ST 7665 6901 (point G) and grid reference ST 7674 6908 (point H).

PART 3

LIMITATIONS AND CONDITIONS

None.