

**OPPOSED PUBLIC PATH DIVERSION ORDER
AFFECTING PUBLIC FOOTPATH BC16/1 IN
NEWBRIDGE, BATH**

1. The Issue

- 1.1 An application has been made to Bath and North East Somerset Council ("the Authority") to divert Public Footpath BC16/1 in Newbridge, Bath away from a dangerous road crossing, a field used by minors for camping and an area in which horses graze.
- 1.2 A pre-order consultation was held between 22nd October 2020 and 23rd November 2020. Two written objections were received during this consultation; these were considered carefully prior to the subsequent making of the order and written responses, explaining the Authority's decision, was then sent to these objectors, also addressing specifically the particular objections they had made. No such objector then repeated their objections during the statutory consultation which followed subsequently (see paragraph 1.3 below).
- 1.3 The public path diversion order was made under section 119 of the Highways Act on 7th July 2022. The making of this order was then advertised between 14th July 2022 and 11th August 2022. Only one written objection was received during this statutory consultation period; this was from a person who had not responded during the pre-order consultation. This new member of the public ("the Objector") raised no objection to the parts of the diversion avoiding the dangerous crossing and the camping field, but did object to the part of the diversion which runs through the horse field.
- 1.4 Following the conclusion of the statutory consultation, the Authority engaged in e-mail correspondence with the objector, seeing to address certain misunderstandings; explaining the background to the application in more detail and setting out their reasons for making the order. Despite this however, the Objector has continued to maintain his objections.
- 1.5 The Order must therefore be referred back to the Team Manager – Highways Maintenance and Drainage to consider the matter in light of those objections. In order to proceed with the Order it must be referred to the Secretary of State for Environment, Food & Rural Affairs for determination. The Authority must therefore decide whether to proceed with the Order.

2. Recommendation

- 2.1 That the Team Manager - Highways Maintenance and Drainage grants authorisation to forward the Public Path Diversion Order to the Secretary of State for Environment, Food & Rural Affairs on the understanding that the Authority will support the confirmation of the order due to the public safety and safeguarding issues contained within the application.

3. Financial Implications

- 3.1 The Applicant has paid the cost for processing the Order and the cost of any required notices in a local newspaper. Should the Order be confirmed, the Proposed Footpath will become maintainable at public expense.
- 3.2 Should the Team Manager - Highways Maintenance and Drainage 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. The Secretary of State may choose to deal with the order by holding a public inquiry, by arranging a hearing or by considering written representations.

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 owner, lessee or occupier crossed by the path (or in the interests of the public);
- 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 relevant provisions for compensation in the Act.

5.5 The Authority must also have regard to:

- the needs of agriculture (including the breeding or keeping of horses) and forestry;
- the desirability of conserving flora, fauna and geological and physiological features;
- the effect the path would have on members of the public with protected characteristics under the Equality Act 2010; and
- any material provision of any rights of way improvement plan relating to the land affected by the diversion.

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:

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|----------------------|-------------------------|
| • Connectivity, | • Safety, |
| • Equalities Impact, | • Status, |
| • Gaps and Gates, | • Width, |
| • Gradients, | • Features of Interest. |
| • Maintenance, | |

5.8 The Authority will also consider the effect on Climate Change.

6. Background and Application

6.1 Public footpath BC16/1 was added to the Definitive Map and Statement by the Bath and North East Somerset Council (City of Bath Definitive Map and Statement Modification Order) (No.4 – Newbridge) 2006 which took effect on 25 April 2007. The legal alignment has remained unchanged ever since.

6.2 The Existing Footpath runs from a junction from the busy Kelston Road, through a field used by the Bath Scouts for camping and then diagonally

across a field in which horses are kept. The applicant (the principal leaseholder who currently occupies the land under a 99-year lease) wishes to divert the public to a safer crossing point of the Kelston Road; away from the camping field for safeguarding reasons; and along a fenced line in the horse field in order to keep horses and walkers separate, for safety reasons.

6.3 The Authority has been advised by the applicant that in September 2019, an incident occurred when a walker's dog chased one of the horses in the latter field. The horse in question bolted and ran into the barbed wire fence surrounding the enclosure. Tragically the injuries suffered by the horse were so serious that it had to be euthanised.

6.4 **Description of the Existing Footpath**

The proposal is to divert the full width of the section of Public Footpath BC16/1 commencing from grid reference ST 7151 6628 (point A on the Order Map), proceeding in a generally easterly direction for approximately 181 metres to grid reference ST 7169 6629 (point B on the Order Map), and then turning in a generally east south-easterly direction for approximately 217 metres to grid reference ST 7190 6625 (point C on the Order Map). This route is referred to as the "Existing Footpath".

6.5 **Description of the Proposed Footpath**

The proposed new route commences from grid reference ST 7153 6624 (point D on the Order Map) and proceeds in a generally northerly direction for approximately 43 metres to grid reference ST 7153 6628 (point E on the Order Map), and then turns in a generally north-easterly direction for approximately 18 metres to a bridge at grid reference 7154 6629 (point F on the Order Map) and then continues in a generally north-easterly direction for approximately 12 metres to grid reference ST 7155 6631 (point G on the Order Map) and then turns in a generally easterly direction for approximately 55 metres to grid reference ST 7160 6630 (point H on the Order Map) and then turns in a generally north north-easterly direction for approximately 40 metres to grid reference ST 7162 6633 (point J on the Order Map) and then turns in a generally east south-easterly direction for approximately 283 metres to grid reference ST 7188 6621 (point K on the Order Map) and then turns in a generally north-easterly direction for approximately 42 metres to grid reference ST 7190 6625 (point C on the Order Map).

The width of this new route would be two metres between grid references ST 7153 6624 (point D on the Order Map) and ST 7174 6628 (point L on the Order Map), and three metres between grid references ST 7174 6628 (point L on the Order Map) and ST 7190 6625 (point C on the Order Map). This route is referred to as the "Proposed Footpath".

6.6 **Limitations and Conditions**

No limitations or conditions are proposed. The Proposed Footpath crosses a new field boundary (point D on the Order Map) and the authorisation of a pedestrian gate is proposed at this boundary under section 66(3) of the Act (and set back from the road within a two-metre by two-metre fenced area), to safeguard walkers from the adjacent, busy, Kelston Road. The applicant will also be installing a bridge crossing the stream at point F on the Order Map. The wooden stile currently situated at point L will be replaced with a metal

kissing gate which will be authorised for stock control under section 147 of the Act.

7. Pre-Order Consultation

- 7.1 Affected landowners, Kelston Parish Council, national and local user groups, the Ward Councillors and statutory consultees were all consulted about the proposed diversion for a period of four weeks between 22nd October 2020 and 23rd November 2020. Additionally site notices were erected at both ends of the proposed diversion to seek the views of members of the public.
- 7.2 Two e-mails were received from members of the public objecting to the proposals. After these objections had been considered fully¹, the Authority decided to make the diversion order for the following reasons:

8. Officer Comments Regarding Making the Order

- 8.1 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 Existing Footpath runs through a field which the lessees, the Bath Scouts, use for camping. Further east (between points L & C) the path then runs through a field which the Scouts' sub-tenant uses to graze horses.

The Proposed Footpath will divert walkers around the camping field and therefore away from the minors which use it; this is therefore in the lessee's interests for safeguarding reasons.

Further east, the fenced footpath described in paragraph 6.2 above will keep walkers (and where applicable their dogs) separate from the horses; this is therefore in the lessee's interests from the point of view of the horses' welfare (particularly in view of the recent incident outlined in paragraph 6.3 above).

The diversion of the footpath would therefore be expedient in the interests of the lessees of the land and 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:** The Proposed Footpath starts approximately 50 metres further down the Kelston Road than the Existing Footpath (the termination point at the footpath's other end remains unchanged). The new starting point lies directly opposite the northern entrance to public footpath BC16/2. Consequently the starting point of the Proposed Footpath is actually considered more convenient to the public than the starting point of the

¹ This consideration is set out in the Authority's earlier Decision Report dated 10th February 2022.

Existing Footpath, and this test should therefore be considered to have been met.

- 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. The overall length of the diverted route will be 95 metres longer than the length of the existing route. However it is likely that the path will form part of a longer route for walkers so this 95-metre increase is unlikely to be significant in the context of whole walks which people will undertake. Neither is it considered that the difficulty of the walking will change substantially: walkers will pass through/over one less gate/stile than they do currently (with the elimination of the field boundary crossing at point B); the new road crossing at point D will be safer and easier than the current one at point A; and the incline of the horse field along the 42-metre long section between points K & C, although steeper than the incline of the present 169-metre long cross-field section between points L & C, with the proposed 157-metre long L to K section being a level stretch and the K to C slope certainly not being so steep as to make the construction of steps a consideration, this is not considered a substantial overall increase in steepness. It therefore follows that the Proposed Footpath is not considered substantially less convenient to the public. Consequently this test should be considered to have been met.
- 8.5 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 relevant provisions for compensation in the Act:**
- 8.6 Public enjoyment of the Path as a whole:** The Proposed Footpath will run through a small area of woodland and cross a small stream (at point F) The equivalent section of the Existing Footpath which simply traverses fields so this section of the proposed diversion could be viewed as creating a more varied route compared with the current one. The effect on public enjoyment of the Proposed Footpath as a whole is therefore arguably, one of improvement. This test should therefore be considered to have been met.
- 8.7 Effect on other land served by the existing footpath and land affected by the proposed footpath:** The land occupied by the applicant will benefit from the removal of the Existing Footpath from its camping field and the Proposed Footpath will instead enter a wooded area, crossing a small stream (point F) before following the boundary of the two fields to the north. The applicant has agreed to clear a two-metre-wide path through the wooded area where the stream is situated, and to put in a 3.6-metre-wide vehicular bridge at the stream crossing (for use predominantly by walkers and only occasional vehicular use).

At its eastern end, the Proposed Footpath will run along the southern and eastern field boundaries in contrast to the Existing Footpath which runs across the middle of the field. Immediately south of this field is a yard in which horses are stabled, the gated entrance to which lies in the field's south-eastern corner (point K). In the absence of any groundworks in this corner, it is likely that a combination of walkers' footfall and the passage of horses

passing between the yard and the grazing field would result in the footpath surface becoming badly poached and difficult/unpleasant to traverse. The applicant however has agreed to lay a 4m x 4m area of porous DOE Type 2 in this corner, reinforced with geotextile, to prevent the ground from deteriorating in this way.

With the aforementioned clearance, bridge and surface works carried out to the Authority's satisfaction, it is not considered that the proposed diversion will have an adverse effect either on land served by the Existing Footpath, or on land affected by the Proposed Footpath; this test should therefore be considered to have been met.

8.8 Effect on land affected by any proposed new path, taking into account the relevant provisions for compensation in the Act: There will be no compensation payable as a result of the Proposed Footpath coming into existence because all of the land which it runs across is occupied/owned by the same parties that the Existing Footpath runs across.

8.9 The Authority must also have regard to the effect the diversion will have on the needs of agriculture (including the breeding or keeping of horses) and forestry; the desirability of conserving flora, fauna and geological and physiographical features; and on members of the public with protected characteristics under the Equality Act 2010: In separating the public from the horses that graze in the eastern field, the Proposed Footpath would have a positive effect on agriculture, and on members of the public with visual disabilities.

In terms of the conserving of flora and fauna, the diversion will include a limited amount of vegetation clearance in the vicinity of point F (see paragraph 8.7 above); however, as the area in question has no specific diversity designation it is considered that the effect of this clearance on biodiversity will be negligible.

There will be no effect on any geographical or physiographical features.

The diversion will have a negative effect on forestry in so far as a clump of hazel trees will be cleared at point F to allow the bridge to be sited in that location. However the Applicant advises that over the course of the past year they have planted 75 new trees within the site as a whole and are set to plant 550 further trees before the coming Spring – a project they consider will more than redress the ecological balance affected by the removal of the hazel trees.

8.10 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:

8.11 The Proposed Footpath starts approximately 50 metres further along Kelston Road as the Existing Footpath but directly opposite the northern entrance to public footpath BC16/2 (see paragraph 8.3 above). This will therefore improve the connectivity of the public rights of way network.

- 8.12 As the Proposed Footpath will separate walkers from horses it will have a positive impact on people with visual impairments. In both removing one kissing gate from the network (point B) and replacing a stile with a gate (point L) it will also have a positive impact on people with mobility impairments. The proposed diversion will have a neutral effect on those with other impairments.
- 8.13 As the Proposed Footpath would contain one less gate and one less stile than the Existing Footpath (see paragraph 8.4 above), it is in keeping with the principles of 'Least Restrictive Access'.
- 8.14 There is an increase in gradient along the 42-metre section between points K & C on the Proposed Footpath compared with the 169-metre cross-field section between points L & C on the Existing Footpath. However, the Proposed Footpath also has a 157-long flat section immediately preceding the 42-metre steeper section (see paragraph 8.4 above) which it is considered mitigates this.
- 8.15 Maintenance of the Proposed Footpath will be similar to maintenance of the Existing Footpath. The vehicular footbridge on the Proposed Footpath at point F will be the maintenance responsibility of the occupiers primarily (to be established by way of a Maintenance Deed), but with the Authority retaining a statutory duty to provide and maintain a bridge in that location.
- 8.16 Similarly, the Proposed Footpath will improve walkers' safety, as the fenced line L-K-C will keep them separate from the horses that graze in the field in question.
- 8.17 The Proposed Footpath will have a neutral impact on Status.
- 8.18 As regards width, the Existing Footpath is two metres wide along its entire length; the Proposed Footpath will be two metres wide between points D & L and then three metres wide between points L & C.
- 8.19 The Proposed Footpath will not remove public access from any feature of interest or place of resort, nor will it diminish the quality or diversity of any views. It is considered that the stream crossing at point F and the wooded area in the same vicinity will be added features of interest.
- 8.20 It is considered that on balance the proposed diversion is in accordance 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 therefore contribute towards helping to tackle the Climate Emergency.

10. Objection to the Order

- 10.1 The Public Path Diversion Order was sealed on 7th July 2022. The making of the order was then advertised between 14th July 2022 and 11th August 2022. One written objection was received during this statutory consultation period.
- 10.2 The Objector raised no objection to the parts of the diversion changing the road crossing and avoiding the camping field but did object to the part of the diversion running through the horse field. He appeared to believe the horse field part of the diversion was being sought for safeguarding reasons and commented that the horses in that field "seem quite comfortable with walkers". He also expressed concern about the diverted footpath being fenced on either side and becoming a "narrow strip".
- 10.3 The Authority replied to the Objector at the conclusion of the statutory consultation period, explaining that that part of the diversion had been sought to keep walkers (and particularly their dogs) separate from the horses following an incident in which a walker's dog had chased a horse into a barbed wire fence causing the horse to suffer injuries of a severity that had necessitated its euthanasia. In response to the concerns about a "narrow fenced strip" being created, it was explained that the new section of footpath would have a three-metre legal width and an actual physical width of at least five metres between the fences on either side of it.
- 10.4 Further correspondence then followed. The Objector expressed the view that, notwithstanding the incident resulting in the death of the horse, diverting the footpath around the perimeter of the field was disproportionate to the risk to horses posed by dogs. When then advised of the statutory tests that would be considered by the Planning Inspector, were the case to be referred to the Secretary of State, the Objector expressed the view that diverting the footpath through the horse paddock (i.e. between points L and C) was "substantially less convenient".
- 10.5 The Authority however, does not consider the proposed diversion between points L and C to be substantially less convenient. As outlined in paragraph 8.4 above, the incline of the horse field along the 42-metre long section between points K & C, although steeper than the overall incline of the present 169-metre long cross-field section between points L & C, is not considered a substantial increase in steepness, particularly when one takes into account the fact that the proposed 157-metre long L to K section would be a level stretch. Even if one takes the 42-metre long K to C slope in isolation, this is certainly not so steep as to make the construction of steps a consideration (let alone a recommendation). If this part of diversion would be less convenient to the public at all then the Authority is firmly of the view that would, at the very most, be a slight decrease in convenience, rather than a substantial one.

11. Officer Comments regarding Confirming the Order

- 11.1 The diversion must be expedient in the interests of the owner, lessee or occupier crossed by the path (or in the interests of the public): Test satisfied. See paragraph 8.2 above.**
- 11.2 The path will not be substantially less convenient to the public as a consequence of the diversion: Test satisfied. See comments at paragraphs 8.4 & 10.5 above.**
- 11.3 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 relevant provisions for compensation in the Act: Test satisfied. See comments at paragraphs 8.6 to 8.8 above.**
- 11.4 The Authority must also have regard to:**
- 11.5 The effect the diversion will have on the needs of agriculture (including the breeding or keeping of horses) and forestry; the desirability of conserving flora, fauna and geological and physiographical features; and on members of the public with protected characteristics under the Equality Act 2010:**

See comments at paragraph 8.9 above.

- 11.6 Any material provision of any rights of way improvement plan relating to the land affected by the diversion:**

Allowing the proposal will contribute towards the Authority achieving the following actions identified in its Rights of Way Improvement Plan's Statement of Actions (Theme 4):

- **Action 4.2 – “Identify and carry out improvements for people with mobility difficulties and visual impairments”.** Changing the road crossing from point A to point D, and separating the public from horses between points L and C, will both improve safety for people with mobility difficulties and visual impairments;
- **Action 4.3 – “Identify low maintenance gaps in the wider recreational network that will improve accessibility and connectivity”:** Replacing the wooden stile at point L with a metal kissing gate will improve accessibility. Changing the road crossing point from point A to point D will improve connectivity. The metal kissing gate will be longer lasting than the wooden stile currently in situ and will require less maintenance. A low-maintenance metal kissing gate will similarly be installed in the two-metre by two-metre safe area at point D, described in paragraph 6.6 above;
- **Action 4.4 – “Seek improvements of the network associated with development and funded by third parties”:** The aforementioned two-metre by two-metre safe area will be funded by Bath Scouts, as will the vehicular bridge crossing the stream at point F (through the new wooded section of the

Proposed Footpath which will in itself provide new features of interest to the route walked).

12. Other Options Considered

- 12.1 It is an option not to go forward with confirming the Diversion Order. However this option would not deliver any improvements to the route for either the public or the Applicant. There are continuing risks to the public crossing the road from the southern side of Kelston Road to point A; continuing safeguarding issues for Scouts camping in the field between points A and B; and continuing safety risks in the field between points L and C in which horses, the public and their dogs all currently mix. Consequently there are benefits both to the public and the Applicant if the decision is confirmed. The Authority has considered the grounds of objection but regards them as unfounded. The option not to refer the case to the Secretary of State for determination is therefore not recommended.

13. Risk Management

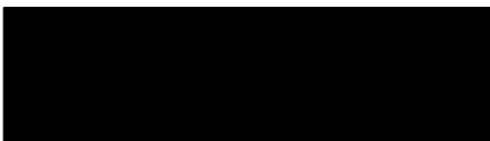
- 13.1 A decision risk assessment related to the issue and recommendations has been undertaken, in compliance with the Authority's decision-making risk management guidance. No high risks were identified.

14. Conclusion

- 14.1 An Order has been made to divert Public Footpath BC16/1 at Kelston Road, Newbridge as described in the Order and shown on the Order Map at Appendix 1.
- 14.2 It is considered that the relevant statutory tests for making the Diversion Order have been met and that the proposal is in compliance with the Authority's Public Path Order Policy.
- 14.3 As it has been opposed, the Public Path Diversion Order must, if it is to be confirmed, be forwarded to the Secretary of State for Environment, Food & Rural Affairs for determination of the case..

AUTHORISATION

Under the authorisation granted by the Council on 21 July 2022, the Public Path Diversion Order attached at Appendix 1 is to be forwarded to the Secretary of State for Environment, Food & Rural Affairs for determination as to whether it can be confirmed.



Dated: 21/10/2022

Craig Jackson

Team Manager - Highways Maintenance and Drainage

APPENDIX 1

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

BATH AND NORTH EAST SOMERSET COUNCIL

BATH AND NORTH EAST SOMERSET COUNCIL (PUBLIC FOOTPATH BC16/1, KELSTON ROAD, NEWBRIDGE) PUBLIC PATH DIVERSION ORDER 2022

This order is made by Bath and North East Somerset Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the lessee of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

City of Bath District Scout Council of 7 Grove Street, Bathwick, Bath BA2 6PJ have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situate at Kelston Road, Newbridge and shown by a bold continuous line on the map contained in this order and described in Part 1 of the Schedule to this order shall be stopped up from the date that the authority certifies that work has been carried out to bring the site of the new path described in Article 3 into a fit condition for use by the public.
2. No statutory undertakers' rights are affected by this order.
3. There shall on the date that the authority certifies that the works to bring the site of the path described in Part 2 of the Schedule into a fit condition for use by the public have been completed to the reasonable satisfaction of the authority be a public footpath over the land situate at Kelston Road, Newbridge described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this order.
4. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

Given under the Common Seal of the Bath and North East Somerset Council on the 7th day of July 2022.

The COMMON SEAL of the
BATH AND NORTH EAST SOMERSET
COUNCIL

was hereunto affixed
in the presence of:-


Authorised signatory



12877

In pursuance of its powers conferred by Schedule 6 to the Highways Act 1980, the authority hereby confirms the foregoing order

The **COMMON SEAL** of the
BATH AND NORTH EAST SOMERSET
COUNCIL

was hereunto affixed
this day of 20
in the presence of:-

I hereby certify that the provisions of Article 3 of the foregoing order have been complied with:

.....

Dated:.....

Craig Jackson

Team Manager - Highways Maintenance and Drainage

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The full width of that section of Public Footpath BC16/1 commencing from grid reference ST 7151 6628 (point A on the Order Map) and proceeding in a generally easterly direction for approximately 181 metres to grid reference ST 7169 6629 (point B on the Order Map), and then turning in a generally east south-easterly direction for approximately 217 metres to grid reference ST 7190 6625 (point C on the Order Map).

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A public footpath commencing from grid reference ST 7153 6624 (point D on the Order Map) and proceeding in a generally northerly direction for approximately 43 metres to grid reference ST 7153 6628 (point E on the Order Map) and then turning in a generally north-easterly direction for approximately 18 metres to a bridge at grid reference ST 7154 6629 (point F on the Order Map) and then continuing in a generally north-easterly direction for approximately 12 metres to grid reference ST 7155 6631 (point G on the Order Map) and then turning in a generally easterly direction for approximately 55 metres to grid reference ST 7160 6630 (point H on the Order Map) and then turning in a generally north north-easterly direction for approximately 40 metres to grid reference ST 7162 6633 (point J on the Order Map) and then turning in a generally east south-easterly direction for approximately 283 metres to grid reference ST 7188 6621 (point K on the Order Map) and then turning in a generally north-easterly direction for approximately 42 metres to grid reference ST 7190 6625 (point C on the Order Map).

Width: 2 metres between grid references ST 7153 6624 (point D on the Order Map) and ST 7174 6628 (point L on the Order Map). 3 metres between grid references ST 7174 6628 (point L on the Order Map) and ST 7190 6625 (point C on the Order Map).

PART 3

LIMITATIONS AND CONDITIONS

None.

This map forms part of the
 Bath and North East Somerset
 Council (Public Footpath BC16/1,
 Kelston Road, Newbridge) Public
 Path Diversion Order 2022

Public footpath to be added
 Unaffected public footpath
 Public footpath to be stopped up



Scale 1:2500

