

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

The Somerset Council FR 10/5 (Part), FR 10/4 and FR 10/6 (Part) in the Parish of Mells Public Path Diversion Order, 2024

This Order is made by 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 owner of the land crossed by the footpaths described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

The applicant has 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 paths into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situate at Mells and shown by a bold continuous line on the map contained in this order (H04-2023) and described in Part 1 of the Schedule to this order shall be stopped up when Somerset Council certify that work has been carried out to bring the site of the new highway mentioned in Part 2 of the Schedule into a fit condition for use by the public.
2. Notwithstanding this order statutory undertakers shall have the following rights over the land referred to in paragraph 1 namely: the same rights, in respect to their apparatus under, in, upon, over, along, or across the said land as they had immediately before the confirmation of this Order.
3. There shall at the date of confirmation of this order be a public footpath over the land situate at Mells 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

DATE: 12 April 2024

THE COMMON SEAL of the
COUNCIL OF SOMERSET
Was hereunto affixed in
The presence of:


Authorised Officer,



Number in Register *CH2680*

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

- i) Part of public footpath FR 10/5 starting from OS Grid Ref ST 70290 49237 (point B on the order map) and running in a generally westerly direction for approximately 259 metres to the Leigh-On-Mendip parish boundary on the Highbury - Lower Vobster Road (point A on the order map)
- ii) Public footpath FR 10/4 starting from OS Grid Ref ST 70218, 49190 (point C on the order plan) and running in a generally north easterly direction for approximately 130 metres to the junction with footpaths FR 10/5 and FR 10/6 (point D on the order map)
- iii) Part of public footpath FR 10/6 starting from the junction with footpaths FR 10/4 and FR 10/5 (point D on the order map) and running in a generally south easterly direction for 75 metres to a bridge (point H on the order map) then in a generally north easterly direction for approximately 30 metres to OS Grid Ref ST 70436 49190 (point F on the order map).

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

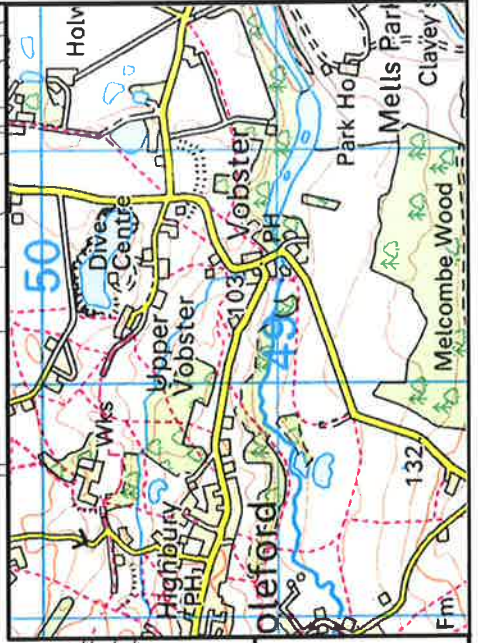
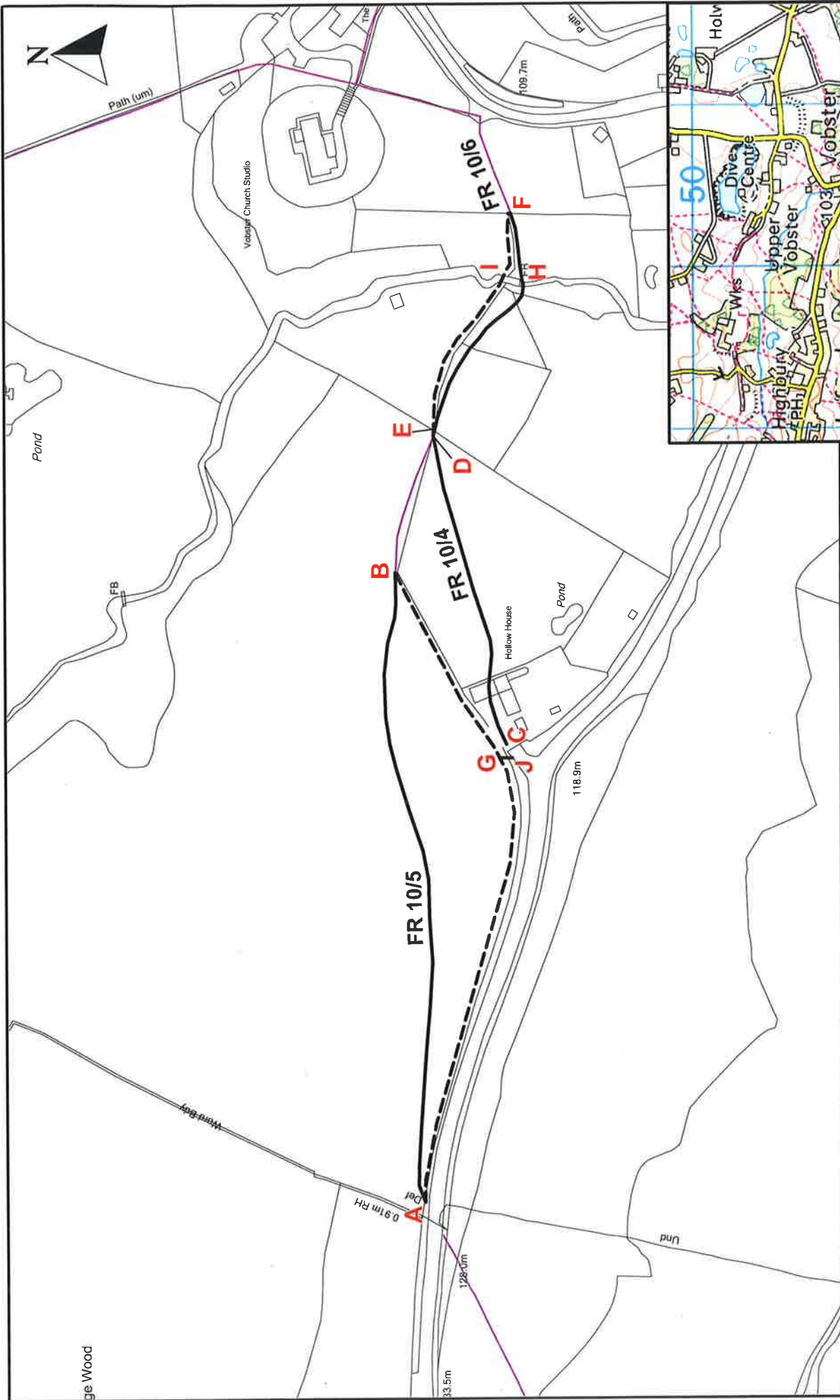
- i) A public footpath starts from OS Grid Ref ST 70290 49237 (point B on the order map) and runs south west through OS Grid Ref ST 70214 49196 (point G on the order map) and then west north west for approximately 263 metres to join the Highbury - Lower Vobster Road at point A on the order map. The path is two metres wide and the centreline of the footpath is set back 3 metres from the field boundary
- ii) A public footpath starts from OS Grid Ref ST 70215 49189 (point J on the order plan) and runs north up a flight of nine steps for approximately 7 metres to OS Grid Ref ST 70214 49196 (point G on the order plan). The width is 59.6 centimetres.
- iii) A public footpath starts at OS Grid Ref ST 70346 49221 (point D on the order map) and runs in a generally south easterly direction for approximately 70 metres to cross the stream (point I on the order plan). There is a bridge over the stream at this point. The footpath then runs in a generally easterly direction for 27 metres to OS Grid Ref ST 70436 49190 (point F on the order map). The width is 2 metres.

PART 3




LIMITATIONS AND CONDITIONS

The new sections of path described in Part 2 of the Schedule to this order are subject to limitations, which are:

Points A, E, G, H - 1.2m wide pedestrian gate to BS5709:19 with the following exceptions: Paragraphs 4.5.2 6.3.1, 6.3.1, 5.10 6.3.1, 6.3.5, 8.1 8.2 8.3.



The County Council can accept no responsibility for any error or inaccuracy which may arise from the transposition of the Rights of Way Definitive Map to a different scale. - For reference purposes only. No further copies to be made © Crown copyright and database rights 2023 Ordnance Survey AC0000861332. Additional Information © Somerset Council

	Definitive Footpath
	Proposed Stopping Up (shown A-B & C-D-H-F)
	Alternative Route (shown A-G-B & G-J & D-E-I-F)

Parish:	Mells
District:	Mendip
Date:	24/05/2023
Drawing No:	H04-2023
Drawn By:	MHardwill
Centre Grid Ref:	370280 149128
Scale:	1:2000

