

# **North Somerset Council**

## **REPORT TO THE PUBLIC RIGHTS OF WAY SUB-COMMITTEE**

**DATE OF MEETING: 24 JANUARY 2018**

**SUBJECT OF REPORT:**

**PROPOSED PUBLIC PATH DIVERSION ORDERS  
UNDER TOWN AND COUNTRY PLANNING ACT 1990  
AND HIGHWAYS ACT 1980,  
LAND NORTH OF STATION ROAD/WEST OF NYE ROAD  
AND NORTH OF SANDMEAD ROAD/EAST OF NYE ROAD, SANDFORD.  
PUBLIC FOOTPATHS AX 29/76, AX 29/50 AND AX 29/49**

**TOWN OR PARISH: WINSCOMBE AND SANDFORD**

**OFFICER/MEMBER PRESENTING: PENNY PRICE**

**KEY DECISION: NO**

### **RECOMMENDATIONS**

- i) That the Committee approve the making of a Public Path Diversion Order under section 257 of the Town and Country Planning Act 1990 for Footpaths AX 29/76 and AX 29/50 and two Public Path Diversion Orders under section 119 of the Highways Act 1980 for Footpaths AX 29/49 and AX 29/76; and
- ii) to arrange the subsequent confirmation of the Orders if no objections are received when the Orders are published; or
- iii) if objections are received and sustained to any of the Orders, to forward those Orders to the Secretary of State for determination and promote those Orders in any subsequent proceedings.

### **1. SUMMARY OF REPORT**

North Somerset Council received Public Path Diversion Order applications in July 2017, looking to divert Public Footpaths at the main Thatchers Cider site in Sandford; to accommodate proposed development works for which two planning permissions have now been granted and also seeking to make access improvements in the wider area.

The proposals were consulted upon and, as there is one outstanding objection, it is necessary to report the matter to Committee, to seek approval to make the Public Path Diversion Orders.

A copy of the current proposal map, 'Map No. PPO 170' is attached to this Report as Appendix 1. The existing and proposed parts of Public Footpaths AX 29/76 and AX 29/50 to be diverted to allow development at the Thatchers Cider site are shown in red, diverting from:

points G-H1-H-I-J1-J (shown with a bold continuous line on the map)

to points A-B-C-D-E-F and points E-E1-E2-H1-I1 (shown with broken lines).

The relevant planning permissions are as follows:

16/P/2171/F, granted on 21<sup>st</sup> December 2016, for:

Erection of new warehouse building with ancillary facilities including a new access road, warehouse yard and car parking, lighting scheme, landscaping and surface water attenuation pond.

and 17/P/2115/F, granted on 17<sup>th</sup> November 2017, for:

Erection of a single storey extension to the side elevation of the Jubilee packaging building (the transfer building).

The wider proposals to improve access in the area are shown in black on the proposal map and they propose diversion orders under the Highways Act 1980, namely:

1. diverting part of AX 29/49 between points K-L (shown by a bold continuous line), to a route between points K-N-M (shown by bold black dashes);

and 2. diverting part of AX 29/76 between points O-O1-P (shown by a bold continuous line), to a route between points P-Q-R-S (shown by bold black dashes).

In addition to the proposed diverted Public Footpaths, the applicants propose to give permissive cycle use for these diverted paths and also for the existing section of AX 29/50 and AX 29/49 between points I-K and the section of AX 29/76 between points P and P1.

The reasons given for the submitted applications, together with the submitted schedule of works are attached as Appendix 2. Please note that, since the time these were submitted, the proposed diversion from points I-J1-J to E-F has been amended to be dealt with under the Town and Country Planning Act, due to the granting of planning permission 17/P/2115/F.

## **2. POLICY**

The maintenance of the Definitive Map should be considered as part of the management of the public right of way network and so contributes to the corporate plan “Health and Wellbeing” and “Quality Places”.

## **3. DETAILS**

### **i) Legal context – Town and Country Planning Act 1990, section 257**

The proposal complies with the provisions of Section 257 of the Town and Country Planning Act and the relevant sections are extracted below:

“(1) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath or bridleway if they are satisfied that it is necessary to do so in order to enable development to be carried out--

- (a) in accordance with planning permission granted under Part III [or section 293A],  
or
- (b) by a government department.

(2) An order under this section may, if the competent authority are satisfied that it should do so, provide--

- (a) for the creation of an alternative highway for use as a replacement for the one authorised by the order to be stopped up or diverted, or for the improvement of an existing highway for such use;
- (b) for authorising or requiring works to be carried out in relation to any footpath or bridleway for whose stopping up or diversion, creation or improvement provision is made by the order;
- (c) for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs which immediately before the date of the order is under, in, on, over, along or across any such footpath or bridleway;
- (d) for requiring any person named in the order to pay, or make contributions in respect of, the cost of carrying out any such works."

This legislation therefore allows a local authority to make an order, in this case to divert Public Footpaths, if it is satisfied that it is necessary to do so in order to enable development to be carried out.

This proposal further complies with legislation under Section 257 because the developments for which the planning permissions relate have not been completed and are not substantially complete. As legislation provides for an order to be made to enable development to be carried-out, an order cannot be made or confirmed if development has already been completed or is substantially complete.

Before confirming an opposed Order (if it has received objection), the Secretary of State must be satisfied that the criteria under Section 257, for an order to be made to enable development to be carried out, has been met.

## **ii) Legal contact – Highways Act 1980, section 119**

The proposals comply with the various provisions of Section 119 of the Highways Act 1980 and the relevant sections are extracted below:

### Section 119 (1)

This deals with the making of the Order and states that:

"Where it appears to the council as respects a footpath, bridleway or restricted byway in their area (other than one that is a trunk road or special road) that, in the interests of the owner, lessee or occupier of the land crossed by the path or way or of the public, it is expedient that the line of the path or way, or part of that line should be diverted (whether on to land of the same or of another owner, lessee or occupier) the council may" divert the path.

### Section 119 (6)

This deals with the confirmation of the Order and states that:

“The Secretary of State shall not confirm a public path diversion order, and a Council shall not confirm such an order as an unopposed order, unless he or, as the case may be, they are satisfied that the diversion to be effected by it is expedient as mentioned in subsection (1) above, and further that the path or way will not be substantially less convenient to the public in consequence of the diversion and that it is expedient to confirm the order having regard to the effect which:

- a) the diversion would have on public enjoyment of the path or way as a whole;
- b) the coming into operation of the order would have as respects other land served by the existing right of way; and
- c) any new public right of way created by the order would have as respects the land over which the right is so created and any land held with it ...“

### iii) **Support for and objection to the proposals**

In addition to advice from utility companies and the council’s biodiversity officer, the initial pre-order consultation responses comprised the following:

1. **Support** from two parties including Winscombe and Sandford Parish Council;
2. Mendip Society representative commenting and advising that, on balance, although they have some reservations regarding the overall scheme, they do not wish to object to the proposals;
3. **Objections** from two parties however, following Officers seeking resolution of objection points/representations and clarifying matters, one objection has been withdrawn. As one party still objects, Committee authority is now sought to proceed with the proposals.
4. It should be noted that Sandmead Drove is also the subject of a Definitive Map Modification Order (‘DMMO’) application, which is currently programmed to come to this Committee in March 2018. The DMMO application claims that this route should be a Byway Open to All Traffic (‘BOAT’). It should not prevent Committee making a resolution on the proposed diversion application/route at this time, however the processing of the diversion matter may need to be deferred depending on the outcome of the DMMO application.

#### **1.a. Comments made supporting the proposals:**

1.	<b>Winscombe and Sandford Parish Council:</b> “Having considered the diversion proposals at their meeting last night, the Parish Council voted unanimously to support approval of the Order. Members were pleased to note a number of positive changes that improved safety for walkers such as a better crossing point on Nye Road as well as removing the potential conflict between vehicles and pedestrians when crossing through Thatchers Yard. Changes were considered to be part of a long-term project for the company and safeguarded the future of a number of paths by changing these from permissive to protected public rights of way.”
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2.	<p><b>Summary of further supporting consultee response:</b>  Expression of how pleased consultees are to finally see Public Footpath AX 29/76 at points G to H1 being closed and elaboration in consultation response, of effect of current footpath use.</p> <p>Also, concern that, with rerouted Thatchers delivery entrance now crossing the footpath, it would only be a matter of time before an animal or human is injured due to speed which vehicles enter/exit new road/their unawareness of the footpath.</p>
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**3.a. Outstanding objection points from one remaining party, summarised below:**

1.	<p><b>Objection at loss of pedestrian-only footpaths</b></p> <p>Consultee is totally against diversions of Public Footpaths AX 29/76 and AX 29/50, feeling these are currently a few of the last remaining paths where you can actually <b>walk</b> unhindered and safely away from fast moving and inconsiderate cyclists. They are used by older people with less mobility. Another footpath-only route AX 29/49 will be lost, becoming a rat run to the Railway Inn, so it will be impossible to get a round walk in this area on just a footpath without interference from cyclists.</p> <p>It is a matter of principle for the protection of footpaths in Sandford and the ability of walkers to be able to enjoy safe walks around the village without hassle from cyclists.</p> <p>The village is being asked to accommodate the expansion of Thatcher's business to the detriment of being able to enjoy a quiet walk in the countryside. With other proposals already in for diverting the path at the end of Roman Road and it possibly becoming a BOAT, local people will potentially have even fewer walkways to peacefully enjoy around Sandford.</p>
2.	<p><b>Safety – permissive cycle use</b></p> <p>The Objector feels the Strawberry Line is now too dangerous for many to use for a quiet walk as cyclists have taken over and show no respect whatsoever to people on foot.</p> <p>Concern that, before long someone walking will get badly injured by a cyclist using these upgraded to permissive cycleway paths in this area due to the speed at which they use the routes.</p>
3.	<p><b>Safety across Thatchers site – proposals will be no different safety-wise</b></p> <p>Objector has walked the paths for over 40 years and has never had an issue going through the cider business yard and if the new building is supposed to be the warehousing area, the fork lift trucks that do work controlled by the existing footpath barriers should not even be in the area to cause an issue.</p>

	<p>Objector observed from standing on the Strawberry Line, that hardly any of the Thatchers site traffic flow around the new road into the main site was observing what the applicant stated would be a 10 mph speed limit.</p> <p>Objector cannot see how the diversion to the Railway Inn will be less dangerous for people, as suggested in the mitigation notes. Whichever way you go, you will have to cross the new access road for the latest Thatchers development to get to the Railway Inn, being no different to going across the yard as now. Objector also notes that the trailer park is to be located to the east of the building which will necessitate coming around the access road over the proposed crossing to get into the warehouse yard so they feel the proposals are no different, safety-wise, than as now.</p>
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*Please also see point 3.b., below*

**3.b Comments from Applicant's Agent, when advised of outstanding objection points/comments:**

1.	<p>In attempting to overcome the outstanding objection, the applicant's agent has enquired whether keeping the proposed route from points E-M as just Public Footpath, with no permissive cycle use, would alleviate matters?</p> <p><i>Objector advised in response that, whilst making E to M just a Public Footpath would help matters from a walker's point of view, it does not address their other concerns regarding the closure of AX29/76 and AX29/50. All their objections still stand.</i></p> <p>The agent's further advise that the closure of AX29/76 and AX29/50 is fundamental to the application and there is nothing they can do on this matter.</p>
2.	<p><i>Objector had commented that the proposed Public Footpath AX 29/49 exit at point M on to Station Road is prone to flooding.</i></p> <p>The applicant's agent advises that the proposed footway/pavement running on the northern edge of Station Road from point M to the Railway Inn may improve matters, since pedestrians using the new path will be higher than road level and therefore unlikely to be walking within any surface water running along the side of the Road.</p>

**Officer comments:**

1.	<p>Whilst discussing the plans for the proposed developments with representatives of the applicants, Thatchers Cider, the council has looked at the paths in the wider area, with the aim of achieving benefits for both the public and the applicants.</p>
2.	<p>The proposed Public Path Diversion Order for the diversions from points G-J to points A-F, west of Nye Road, meet the requirements of the Section 257 of the Town and Country Planning Act as outlined at section 3.i of this report, including that the diversion is necessary to enable development to be carried out. The diversion will also address the obstruction of the existing AX 29/50 route by a building.</p>

3.	<p>The diversion of AX 29/76 and AX 29/50 is fundamental in accommodating development for which planning permissions have been granted. Although the council and the applicants/their agent cannot therefore offer alleviation measures for the loss of the paths along these specific lines, diversion routes are proposed and nearby existing Public Footpaths also offer alternative routes.</p>
4.	<p>The proposed Public Path Diversion Orders for the diversions from points K-L to points K-M and from points O-P to points S-P meet the requirements of Section 119 of the Highways Act 1980 as outlined at section 3.ii of this report, including that the diversions are not substantially less convenient to the public.</p> <p>Points K-M will be approximately 23 metres longer than the existing K-L but will come out at a better position along Station Road, with better sight lines for users.</p> <p>Although the proposed route east of Nye Road between points S-P will be approximately 137 metres longer than the existing O-P route, the proposed route will be considerably easier for walkers. Point O does not have a good sight line onto Nye Road and has an old stone slab stile, with the existing easterly definitive route then obstructed. The path available on the ground is a narrow/enclosed section adjacent Drove House, often overgrown. Walkers and their animals could then be in conflict with horses in the following paddock, before having to walk along a muddy drove which is often blocked by vegetation.</p> <p>The proposed point S at Nye Road gives a safer crossing point, with the route then going along the boundary of an orchard, before turning to go along Sandmead Drove. Points S-P1 will be along a grass track, so should be much easier for path users, whilst addressing a long-standing anomaly.</p>
5.	<p>In addressing objection to the proposed diversions on the grounds of cycle use, it is hoped that diverting the paths onto Katy Way will give legal Public Footpath status and protection to this route, which is currently only permissive. Permissive cycle use will remain so, apart from the route being protected for the public to use, this route will have the same use on the ground as it has now.</p> <p>AX 29/76 between point A to Station Road will remain as just a Public Footpath, giving a quiet footpath link away from the Strawberry Line. After the crossing point between E1 to E2 on the proposed route, users will not encounter any further crossing points or barriers, until they reach the one-way gate at point M.</p> <p>On the east side of Nye Road, path users should see an improvement if the existing route is diverted, as there is currently a stone slab stile to get over from Nye Road and the route is initially narrow, with the actual legal line obstructed. As there is not a further off-road route for cyclists after they cycle the proposed points S-R-Q-P (and P1) link (they can only follow the roads after point P1), it is anticipated there would be less cycle traffic on this route than the Strawberry Line.</p>
6.	<p>Proposals will make clear provision for the diversion route through the main Thatchers site, much clearer than if walking the existing paths through site, one of which is obstructed by a building.</p>

7.	<p>Paragraph 7.15 of 'DEFRA Rights of Way Circular 1/09 – Guidance for Local Authorities' includes:</p> <p>“...That planning permission has been granted does not mean that the public right of way will therefore automatically be diverted or stopped up. Having granted planning permission for a development affecting a right of way however, an authority must have good reasons to justify a decision either not to make or not to confirm an order. The disadvantages or loss likely to arise as a result of the stopping up or diversion of the way to members of the public generally or to persons whose properties adjoin or are near the existing highway should be weighed against the advantages of the proposed order.”</p> <p>In assessing any disadvantages or loss likely to arise as a result of the Town and Country Planning Act 1990 diversion to members of the public, it is considered that the benefit to the local economy and employment in the area, outweighs any disadvantage to the public of loss of specific lines of the existing routes, considering the proposed diversions offered by the applicants and remaining existing routes for use in the vicinity.</p>
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#### **4. CONSULTATION**

Although not part of the statutory diversion order process, the council chooses to carry-out pre-order/'informal' consultations before an order is made, to gauge the level of support or objection for proposals. Such consultation for this proposal included landowners, adjoining neighbouring landowners/properties, local user groups (such as the Ramblers Forum and Mendip Society representatives), utility companies, the Parish Council and the local ward councillors.

On this occasion, Public Notice and proposal map copies were also affixed at points O and P1, purely to bring the proposed diversions to the attention of anyone who may have a landowning interest in the land at this specific location (who had not already been consulted by the council); to ascertain land ownership. However, ownership of the land between points Q-P remains unknown. Therefore, if Committee resolve to make a Public Path Diversion Order including the proposed new section between points Q-P, the council will first need to apply to the Secretary of State for Environment, Food and Rural Affairs, for their dispensation to make the Order.

Following this consultation period, there is one outstanding objection and this is summarised at section '3. Details' of this Report, above.

#### **5. FINANCIAL IMPLICATIONS**

The applicants have agreed to pay the council's Public Path Diversion Order applications costs and those of bringing the new routes into a fit condition for use by the public. If the Orders are submitted to the Secretary of State for confirmation, none of the associated and subsequent costs can be recovered, so these would be borne by the Council

##### **Costs**

Existing revenue budget



## **Funding**

Existing revenue budget

## **6. LEGAL POWERS AND IMPLICATIONS**

Committee authority is sought to make Public Path Diversion Orders under section 257 of the Town and Country Planning Act 1990 and section 119 of the Highways Act 1980, as shown at section '3. DETAILS' of this report.

## **7. RISK MANAGEMENT**

If Orders are made and objections are received at the formal consultation stage which cannot be resolved by the council, the Orders will be submitted to the Secretary of State for confirmation. There are three methods which an Inspector can use to determine the matter: Written Representations; a Hearing or a Public Inquiry. The Objectors are invited to state which method they wish to be followed, the Council have no say in deciding.

If Town and Country Planning Act Orders are not made and confirmed, the developments for which planning permission has been granted cannot go ahead in accordance with their approved plans and alternative provision to either accommodate or divert the Public Footpaths will have to be made.

## **8. EQUALITY IMPLICATIONS**

Have you undertaken an Equality Impact Assessment? No

Public rights of way are available for the population as a whole to use and enjoy irrespective of gender, ethnic background or ability and are free at point of use.

## **9. CORPORATE IMPLICATIONS**

Any changes to the network will be reflected on the GIS system which forms the basis of the relevant corporate records.

## **10. OPTIONS CONSIDERED**

The options to be considered by this Committee are:

- i) to approve the making of a Public Path Diversion Order under section 257 of the Town and Country Planning Act 1990 for Footpaths AX 29/76 and AX 29/50;
- ii) to approve the making of a Public Path Diversion Order under section 119 of the Highways Act 1980 for Footpath AX 29/49;
- iii) to approve the making of a Public Path Diversion Order under section 119 of the Highways Act 1980 for Footpath AX 29/76

and

- iv) if/where an Order(s) is made as options i), ii) and iii) above, to arrange the subsequent confirmation of the Order(s) if no objections are received when the Order(s) are published;
- v) if/where an Order(s) is made as options i), ii) and iii) above and objections are received and sustained to any of the Orders, to forward those Orders to the Secretary of State for determination and promote those Orders in any subsequent proceedings.

OR

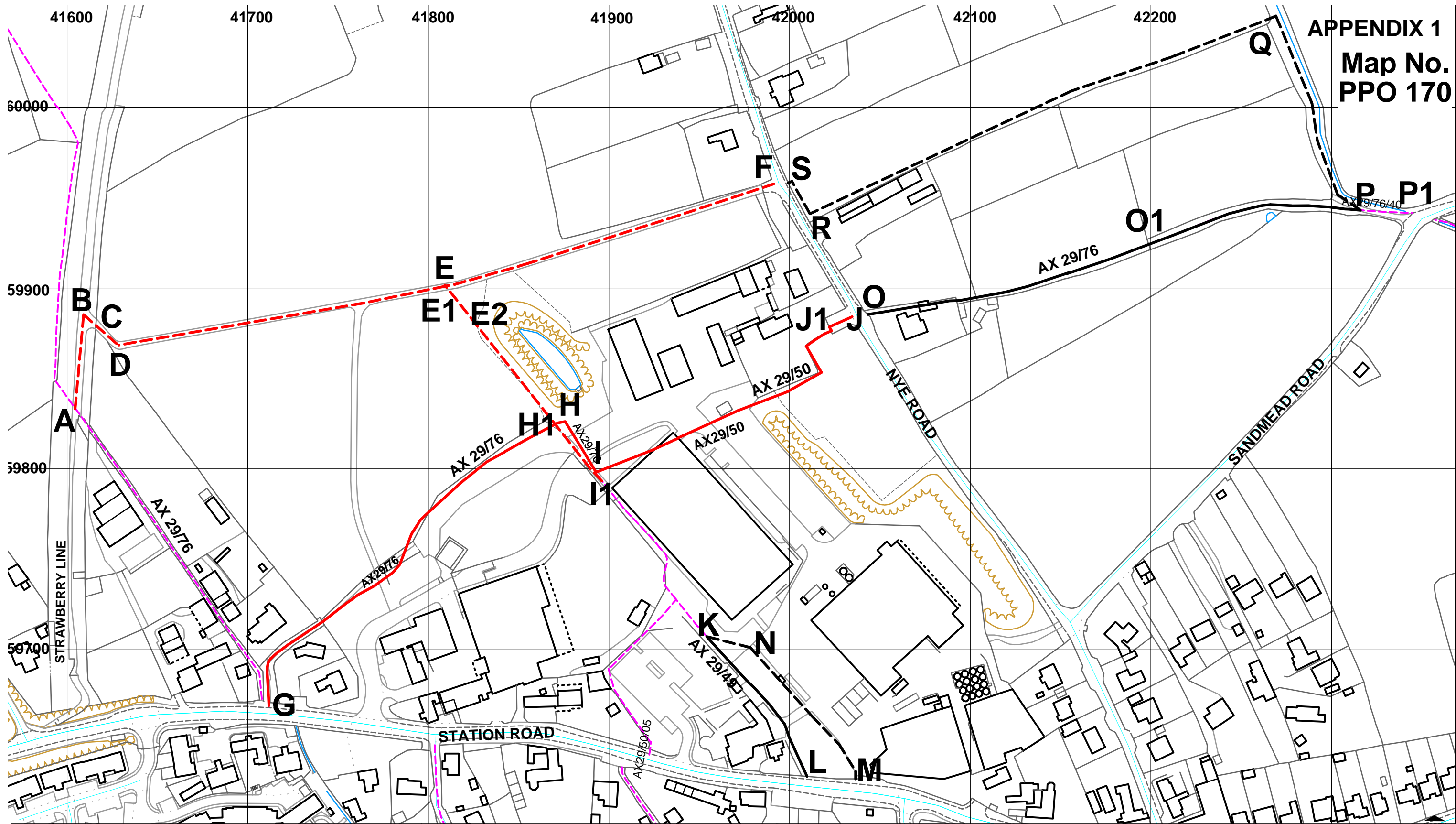
- vi) to abandon the proposed Public Path Diversion Order under section 257 of the Town and Country Planning Act 1990 for Footpaths AX 29/76 and AX 29/50 and advise the applicant's agent, having regard to the risk management factors at section 7, above:
- vii) to abandon the proposed Public Path Diversion Order under section 119 of the Highways Act 1980 for Footpath AX 29/49, having regard to the risk management factors at section 7, above:
- viii) to abandon the proposed Public Path Diversion Order under section 119 of the Highways Act 1980 for Footpath AX 29/76; having regard to the risk management factors at section 7, above;

## **AUTHOR**

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## **BACKGROUND PAPERS**

Public Rights of Way Section File PPO 170



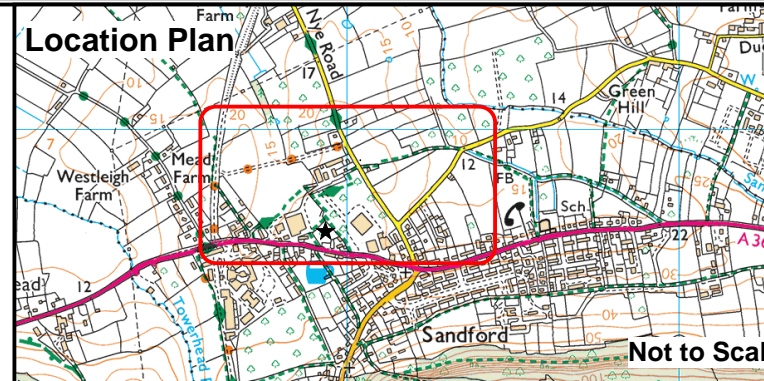
# North Somerset Council Proposed Public Path Diversion Orders

Highways Act 1980, Section 119  
over land north of Station Road (AX 29/49); and north of Sandmead Road  
and east of Nye Road (AX 29/76), Sandford

AND Town and Country Planning Act 1990, Section 257  
over land north of Station Road, Sandford (AX 29/76 and AX 29/50)



Development & Environment  
Public Rights of Way  
Streets and Open Spaces  
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Tel: 01934 888 802



Date 5 January 2018 Scale 1:2000  
Grid Squares ST4159, ST4259, ST4160 & ST 4260  
Drawn by Penny Price, Public Rights of Way Team

## PATHS TO BE DIVERTED

Highways Act 1980 existing paths ———  
Highways Act 1980 proposed paths - - - - -  
T&CPA 1990 existing path ———  
T&CPA 1990 proposed path - - - - -  
Connecting Public Footpaths - - - - -

**STATEMENT OF REASONS FOR THE PROPOSAL**

Thatchers Cider wish to expand the storage and distribution facilities at their Myrtle Farm site in Sandford and obtained planning permission on 21<sup>st</sup> December 2016 (under application 16/P/2171/F) to build a modern Warehousing structure adjacent to their existing packaging facility.

A substantial proportion of the proposed new structure would be positioned upon the line of footpath AX29/76/10 and a diversion of this route is required for which a separate application under the Town and Country Planning Act 1990 is being submitted.

The business is keen to expand upon the success of the Railway Inn pub, extended and refurbished in 2015, and is proposing a visitor centre, function rooms, overnight accommodation and larger catering facilities. There is no current planning application but, to realise this scheme, the footpath running along the rear of the pub, referenced AX29/49/10, would need to be repositioned.

Recognising the need to apply for the paths to be diverted to facilitate the proposed development, representatives of Thatchers Cider have been in discussions with North Somerset Council Public Right of Way officers and have examined the paths in the wider area with the aim of achieving worthwhile benefits for both the public and the applicant.

**Paths AX29/76 and AX29/50.**

A substantial portion of AX29/76 is effected by the consented development outlined above, therefore section G through to I are the subject of a separate application under Section 257 of the Town and Country Planning Act 1990. Under this application it is proposed to divert Point G through H to Point I, to follow a new route from Point A through B, C, D, E, E1, E2 and H1 to Point I.

Under this Highways Act application it is proposed to divert the section I through J1, J, O, O1 to P so as to follow a new route from Point E through F, S, R and Q to Point P.

A substantial section of AX29/50, from Point I to J, currently passes through Thatchers production facility and parking area bringing walkers into potential conflict with regular vehicular movement. The current route then crosses Nye Road, Points J-O, where the sight lines are poor and then continues east along a narrow, enclosed section beside Drove House. This section often becomes overgrown. The path emerges into paddocks, where walkers and their animals can be in conflict with horses, and thence onto a muddy drove Point O1 to P, which is often blocked by vegetation. As a consequence, this path is not popular with walkers and is infrequently used.

Under this Highways Act application it is proposed to divert the entire section, I to P, to follow a more northerly route. The proposed new route would commence at Point E and follow east on the existing stone/dust shared cycle track to Point F at Nye Road. The route would then cross Nye Road, to Point S where a new grass track would follow along the southern boundary of the mature orchard, via Points R & Q to Sandmead Drove then follow this historic drove, again on a grass track, to Point P to meet Sandmead Road at Point P1.

#### **AX29/49.**

A portion of the southern end of this route is effected by the proposed new visitor centre outlined above therefore a section of this path, Point K though to L, would need to be re-aligned further east to follow from Point K though N to M so as to allow for this development.

Under the Town and Country Planning Act 1990 application it is proposed to create a stone/dust shared foot/cycle track from the existing stone/dust path at Point E through to Point I. Under this application it is proposed to extend this track from Point I through Points K and N to emerge on Station Rd at Point M where the sight lines are much better for persons wishing to cross the road. Whilst this path passes through the centre of the Thatchers facility, it will be passing through areas with less vehicular movement and will be landscaped to provide a safe and enjoyable route for the public.

If the proposed diversion application is successful then it is felt that both the applicant and general public would benefit. The applicant by being better able to manage and develop of their site without the need for further alterations to the public footpath network, this being the third application on the site within 20 years. They would also be better able to safely attract visitors to the proposed new visitor centre alongside The Railway Inn. The general public wishing to visit or pass through the area would have access to enhanced paths, additional widths and limited restrictions. The routes will be safer to use with better highway access/crossing points and be visually more attractive.

**STATEMENT OF REASONS FOR THE PROPOSAL**

Thatchers Cider wish to expand the storage and distribution facilities at their Myrtle Farm site in Sandford and obtained planning permission on 21<sup>st</sup> December 2016 (under application 16/P/2171/F) to build a modern Warehousing structure adjacent to their existing packaging facility.

A substantial proportion of the proposed new structure would be positioned upon the line of footpath AX29/76/10 and a diversion of this route, from Point G via H to I, is required to accommodate the development.

The proposed new route would commence at Point A, where Public Footpath AX29/48 crosses the Strawberry Line, and continue along the existing stone/dust track via B, C, & D to Point E. The route will then turn southeast where it is proposed to create a stone dust track via H1 to Point I. It is proposed that the stone/dust track will continue to the A368 and will have shared cycle access. A separate Highways Act 1980 application outlines these proposals in more detail.

Recognising the need to apply for the paths to be diverted to facilitate the proposed development, representatives of Thatchers Cider have been in discussions with North Somerset Council Public Right of Way officers and have examined the paths in the wider area with the aim of achieving worthwhile benefits for both the applicant and the public. These proposals are the subject of a second application to be submitted under the Highways Act 1980.

## SCHEDULE OF WORKS

Work required	Type	BS Standard	State whether New, replacement, Change existing	Width	Materials to be used, stone, Wood or Metal	Centrewire catalogue number (if applicable)	Location i.e Point on plan	Whom to install
Establishment of Path, incl. Surfacing	Clearance works to establish track suitable for foot use		New	2m	Grass		Points S through to Point P1	Applicant
	Clearance works to establish track suitable for shared foot/cycle use		New	2/3m	Stone/dust path as per attached specification		Points E through to Point M	Applicant
Path furniture	1 way gate		New		Metal	LE F010 2002 01 or similar	Point S	Applicant
	1 way gate		New		Metal	LE F010 2002 01 or similar	Point P1	Applicant
	1 way gate		New		Metal	LE F010 2002 01 or similar	Point M	Applicant
Bridge	Potential culvert required		New	2m	Re-enforced pipe		Near Point Q	Applicant
Way marking	2 x Fingerposts						Points M & S	Applicant
	Discs							NSC
Drainage	Potential works may be required						Point Q to P	Applicant
Vegetation Clearance	Yes						Points S through to P1 & E to M	Applicant
Overhanging vegetation clearance	Yes						Points S through to P1 & E to M	Applicant



## SCHEDULE OF WORKS

Work required	Type	BS Standard	State whether New, replacement, Change existing	Width	Materials to be used, stone, Wood or Metal	Centrewire catalogue number (if applicable)	Location i.e Point on plan	Whom to install
Establishment of Path, incl. Surfacing	Clearance works to establish stone/dust track suitable for shared foot/cycle use		New	3m	Stone/dust path as per attached specification		Points E through to Point I	Applicant
Pair of staggered barriers, fencing & signage		New		Metal	XXF010203510 or similar	Point E1	Applicant	
Road marking		New		Black & White crossing paint		Between E1 & E2	Applicant	
Pair of staggered barriers, fencing & signage		New		Metal	XXF010203510 or similar	Point E2	Applicant	