

Regulatory (Access) Committee

Date: Monday, 15th January, 2018

Time: 11.30 am

Venue: Council Chamber - Guildhall, Bath

To: All Members of the Regulatory (Access) Committee

Councillor Liz Richardson (Chair), Councillor Douglas Deacon, Councillor David Veale and Councillor Geoff Ward

Chief Executive and other appropriate officers
Press and Public



Marie Todd

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1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points**:- Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

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Regulatory (Access) Committee - Monday, 15th January, 2018

at 11.30 am in the Council Chamber - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will draw attention to the emergency evacuation procedure.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* **an other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

5. ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

At the time of publication, no items had been submitted

6. ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

To deal with any petitions or questions from Councillors and where appropriate co-opted members.

7. MINUTES OF PREVIOUS MEETINGS - 8 OCTOBER 2014 AND 30 JULY 2015
(Pages 5 - 10)

To confirm the minutes of the meetings held on 8 October 2014 and 30 July 2015.

8. CASTLE SCHOOL (BA27/19) BRIDLEWAY CREATION ORDER (Pages 11 - 52)

The Committee is asked to consider whether Bath and North East Somerset Council (“the Authority”) should make a public path creation order under section 26 of the Highways Act 1980 to create a public bridleway running from Newlands Road to Greenfield Road in Keynsham.

The Committee Administrator for this meeting is Marie Todd who can be contacted on 01225 394414.

BATH AND NORTH EAST SOMERSET

REGULATORY (ACCESS) COMMITTEE

Wednesday, 8th October, 2014

Present:—Councillors: Douglas Nicol (Chair), Douglas Deacon, Jeremy Sparks, Peter Edwards and Mathew Blankley

30 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer drew attention to the emergency evacuation procedure as set out on the Agenda.

31 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

32 DECLARATIONS OF INTEREST

There were none.

33 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

34 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

There were none.

35 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There was none.

36 MINUTES OF PREVIOUS MEETING

It was **RESOLVED** that the minutes of the previous meeting be confirmed as a correct record and signed by the Chair.

37 HANDEL ROAD DMMO

The Chair invited Graeme Stark (Senior Officer – Public Rights of Way) to introduce the item.

Graeme Stark informed the Committee that in 2008 Keynsham Town Council had made an application for a public footpath to be recorded on Definitive Map and Statements behind Handel Road in Keynsham. An investigation and consultation had been carried out and substantial number of User Evidence Forms (UEFs) were received from the public.

The UEFs documented significant use of the application route between 1988 and 2008. There was no evidence presented that the landowner took any steps to show that they did not intend to dedicate the route to the public.

Fifteen objections and representations had been submitted by members of the public. Nine of those were objections to the application; however none of these objections were based on legally relevant grounds.

While the Council was sympathetic to local residents’ concerns regarding safety and security, these were not factors which the Council can take into consideration.

Graeme Stark added the evidence demonstrated that the application route had become a public footpath by virtue of Section 31/1 of the Highways Act 1980 and the DMMO should therefore be made to record the application route on the Definitive Map and Statements.

On a motion from Councillor Mathew Blankley, second by Councillor Jeremy Sparks, it was unanimously **RESOLVED** to support officer’s recommendation to make a Definitive Map and Modification Order to record the Application Route, as shown by a broken black line on the plan contained at Appendix 1 (‘the decision plan’) and described in the schedule contained at Appendix 2, on the Definitive Map and Statements.

38 ANNOUNCEMENT FROM THE CHAIR

The Chair asked the Committee to observe a minute of silence in the mark of respect for David Waterstone, who was the Chair of the Joint Local Access Forum and local representative of the Ramblers’ Association.

The meeting ended at 10.35 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET

REGULATORY (ACCESS) COMMITTEE

Thursday, 30th July, 2015

Present:—Councillors: Liz Richardson (Chair), Karen Warrington, Geoff Ward and June Player (substituting for Douglas Deacon).

1 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer drew attention to the emergency evacuation procedure as set out on the Agenda.

2 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillor Douglas Deacon. Councillor June Player substituted for him.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

Note: Councillor Liz Richardson wanted to put on record that issue at Item 9 fell within her ward but she confirmed that she did not live in the immediate area, had no land there and had an open mind on the matter.

4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

5 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

There were none.

6 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

Councillor Geoff Ward asked for an assessment on the authority's archive material and maps.

The Chair stated that the Committee would note Councillor Ward's concerns and refer the issue to the relevant PDS Panel.

7 MINUTES OF PREVIOUS MEETING - 8TH OCTOBER 2014

It was **RESOLVED** that the confirmation of the minutes of the meeting held on 8th October 2014 be referred to the next meeting of this Committee when Councillor Douglas Deacon is present as he was in attendance at the October meeting.

8 ROBIN CANDY'S FIELDS - TOWN OR VILLAGE GREEN REGISTRATION APPLICATION

The Chair invited Graeme Stark (Senior Officer – Public Rights of Way) to introduce the item.

The officer informed the Committee that an Application has been received by Bath and North East Somerset Council in its capacity as Commons Registration Authority to register land known as Robin Candy's Field in High Littleton as a Town or Village Green (TVG). The Application was advertised and an objection was received against registration. He further explained that an independent expert was instructed by the Authority to advise as to whether or not Robin Candy's Fields should be registered as TVG. The inspector recommended that the land not be registered as a TVG as the relevant legal test had not been met. Although Greyfield was deemed to constitute a neighbourhood within a locality, the officer advised that it had not been demonstrated that the Application Land had been used by a significant number of inhabitants over a 20 year period for lawful sports and pastimes.

On a motion from Councillor Liz Richardson, seconded by Councillor Karen Warrington, it was unanimously **RESOLVED** to support the officer's recommendation to refuse the application and not register the land cross hatched in blue on the plan attached at Appendix 1 to the report as a TVG.

9 HOLY TRINITY CHURCH - DEFINITIVE MAP MODIFICATION ORDER INVESTIGATION

The Chair invited Graeme Stark (Senior Officer – Public Rights of Way) to introduce the item.

The officer informed the Committee that the Regulatory Access Committee had previously resolved that officers should investigate whether unrecorded public rights exist over a route to the south of Holy Trinity Church in Norton Malreward. The officer reported that the investigation has been carried out and it now falls to the Committee to determine whether a Definitive Map Modification Order (DMMO) should be made to modify the Definitive Map and Statement (the DM&S). based upon the evidence discovered.

The officer stated that the Investigation Route is shown on some Ordnance Survey maps to have physically existed but that there was insufficient evidence to reasonably allege that a public bridleway, or other unrecorded public rights, exist to the south of Holy Trinity Church.

On a motion from Councillor Liz Richardson, seconded by Councillor Karen Warrington, it was unanimously **RESOLVED** to support the officer's recommendation that a DMMO should not be made to record additional public rights to the south of Holy Trinity Church on the DM&S.

The meeting ended at 10.25 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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Bath & North East Somerset Council	
MEETING:	Regulatory (Access) Committee
MEETING DATE:	15 January 2018
TITLE:	Castle School (BA27/19) Bridleway Creation Order
WARD:	Keynsham South
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 - Decision Plan</p> <p>Appendix 2 - Decision Schedule</p> <p>Appendix 3 – Consultation Responses</p>	

1 THE ISSUE

- 1.1 The issue under consideration is whether Bath and North East Somerset Council (“the Authority”) should make a public path creation order under section 26 of the Highways Act 1980 to create a public bridleway running from Newlands Road to Greenfield Road in Keynsham.

2 RECOMMENDATION

- 2.1 The Regulatory (Access) Committee is asked to grant authorisation for a Public Path Creation Order to be made to create a new public bridleway between Newlands Road and Greenfield Road in Keynsham as detailed on the plan attached at Appendix 1 (“the Decision Plan”) and in the schedule attached at Appendix 2 (“the Decision Schedule”).

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 As part of a Section 106 Agreement dated 24th June 2011, the owners of The Meadows/K2 development site agreed to pay the Authority £40,000 (£42,207.89 including inflationary uplift) *“for or towards the Castle Primary School widening”*. This project has been included in the current Capital Transport Improvement Programme as scheme TC8691. The £3,400 legal costs associated with creating the public bridleway rights has already been drawn down and the scheme includes provision for £1,500 in compensation which may become payable within six months of the coming into effect of the order. The remaining £37,307.89 has been allocated to cover the costs of the associated physical works on site including surfacing, fencing and signage; this work is expected to be carried out during the 2018/19 financial year. Should an Order be made and confirmed, the new bridleway would become maintainable at public expense; the majority of the route is already public footpath maintainable at public expense.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The Authority has a discretionary power to make public path orders. When considering a proposal 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).

4.2 Before making a creation order under section 26 of the Highways Act 1980 (“the Act”) the Authority must be satisfied that there is a *need* for a right of way in the area. In reaching its decision, the Authority must have regard to:

- the extent to which the path or way would add to the convenience or enjoyment of a substantial section of the public, or to the convenience of persons resident in the area,
- the effect which the creation of the path or way would have on the rights of persons interested in the land, account being taken of the provisions to compensation,
- the effect which the creation of the path would have on members of the public with protected characteristics under the Equality Act 2010,
- the contents of the Rights of Way Improvement Plan,
- the needs of agriculture and forestry and the keeping and breeding of horses,
- and the desirability of conserving flora, fauna and geological and physiological features.

4.3 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 (“PPO Policy”). The PPO Policy sets out the criteria against which the Authority will assess any Public Path Order proposal and stresses that the Authority will seek to take a balanced view of the proposal against all the criteria as a whole.

4.4 The criteria are:

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

4.5 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. 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. 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 REPORT

- 5.1 It is proposed that the Authority makes a public path order to create a public bridleway commencing from a junction with Newlands Road at grid reference ST 6486 6751 (Point A on the Decision Plan) and proceeding in a generally south-southeasterly direction for approximately 51 metres to grid reference ST 6487 6746 (Point B on the Decision Plan) and turning in a generally southwesterly direction for approximately 17 metres to grid reference 6487 6745 (Point C on the Decision Plan) and turning in a generally south-southeasterly direction for approximately 87 metres to grid reference ST 6491 6737 (Point D on the Decision Plan) and turning in a generally south-southwesterly direction for approximately 10 metres to a junction with Greenfield Road at grid reference ST 6490 6737 (Point E on the Decision Plan). This route is hereafter referred to as the 'Proposed Bridleway'.
- 5.2 A narrower section of the Proposed Bridleway between Points A and C on the Decision Plan is currently recorded on the List of Streets as Class 6 Highway. This section would be widened, which would involve moving back the fence which currently separates Castle Primary School from the Class 6 Highway and tarmacking this additional width. The section of the Proposed Bridleway between Points C and D on the Decision Plan is currently recorded on the Definitive Map and Statement as a public footpath and there would be no need for any works to this section. The section of the Proposed Bridleway between Points D and E on the Decision Plan crosses a small grassed area of land with currently does not carry any recorded public rights; this section would need to be tarmacked and a drop curb installed at Point E on the Decision Plan.
- 5.3 The public already have the right to use the full linear route of the Proposed Bridleway on foot, with the exception of the section between points D and E on the Decision Plan. However, upgrading the status to that of a public bridleway will give members of the public the right to ride a bicycle on the route by virtue of section 30 of the Countryside Act 1968. Additionally, widening the route as detailed in paragraph 5.2 above will make it physically suitable as a route for both pedestrians and cyclists.
- 5.4 In 2011, planning permission was granted for the construction of 285 dwellings which make up The Meadows/K2 housing development. The Meadows is located immediately to the south of the pre-existing Federated housing developments which includes Newlands Road and The Brambles. However, the only access to The Meadows estate is via Park Road and this requires cyclists to follow a circuitous route. The Proposed Bridleway would provide a significantly more direct route for cyclists between the two communities and this will be of particular benefit to pupils, parents and staff who are seeking to cycle from The Meadows to Castle Primary School, whose entrance is located at Point A on the Decision Plan. The Proposed Bridleway is approximately 165 metres in length, compared with the alternative route using the pre-existing highway network which is approximately 1500 metres to reach the same location; this would require members of the public to cycle on the ordinary road network alongside motor vehicles. The creation of the Proposed Bridleway for cyclists would significantly add to the convenience of persons resident in the area.
- 5.5 None of the parties with a legal interest in the land over which the Proposed Bridleway runs has raised any objection to the proposals. As explained in paragraph 8.2 below, it has not been possible to contact one landowner but all their affected land is already public footpath and they already cannot therefore use the

land for their own purposes. The remainder of the land is owned by the Authority, whose School Assets Project Manager has stated that they support of the proposal, and Taylor Wimpey UK Ltd, who have funded the proposal. The creation of the Proposed Bridleway would not have an adverse effect on the rights of persons interested in the land.

- 5.6 The surface of the Proposed Bridleway will be flat, smooth and surfaced to a standard which will make it easily accessible for members of the public with mobility or visual impairments. The proposals will have a neutral effect on members of the public with other protected characteristics and will be in keeping with the Authority's duties under the Equality Act.
- 5.7 The proposal would contribute towards the Authority achieving a number of actions which are identified in the Rights of Way Improvement Plan's Statement of Actions including:
- Action 4.1 - *"Identify improvements to enable travel for all by foot / on bike to employment, health services, education, leisure & transport nodes"*
 - Action 4.6 - *"Identify gaps in the wider recreational network that will improve accessibility and connectivity"*
 - Action 4.8 - *"Identify improvements needed to the PROW network associated with regeneration & housing/employment growth"*

Paragraph 2.24 of the ROWIP highlights the need for proposals to not unduly benefit one class of user at the expense of another. It is considered that this is achieved by the provision of a sufficient width to allow both cyclists and pedestrians to use the route without conflict.

- 5.8 This is no agriculture, forestry or equiculture in the immediate vicinity of the Proposed Bridleway and the proposals will not have any effect on conserving flora, fauna and geological and physiological features.
- 5.9 As stated above the Proposed Bridleway will improve the connectivity of the network and will have a positive equalities impact. Additionally, the Proposed Bridleway will be flat and created without the need for any furniture such as gates or barriers. The existing route will be widened and the status upgraded to bridleway and the resurfacing of the existing route will mean that it is unlikely to need any significant maintenance in the short or medium term. Safety is also a PPO Policy consideration and this issue is addressed in paragraphs 5.10 to 5.14 below.
- 5.10 The Authority received two objections against the proposals; the first objection is from a local resident that lives adjacent to the Proposed Bridleway (Objector 1) and the second objection is from Cllr Alan Hale, the elected member for the ward of Keynsham South (Cllr Hale).
- 5.11 Objector 1 stated that *"My main concern is who will take advantage of the widened paths i.e. the motor scooter lads from the summer holidays, speed limits, not staying on the cycle path but using the footpaths between our homes to access Newlands Road etc."* The existing route is already physically accessible to illegal, motorised use and this will not alter as a result of the proposals. If the route was upgraded to a public bridleway then it would still be a criminal offence to ride a motorised scooter on the Proposed Bridleway and enforcement would continue to be the responsibility of the police.

- 5.12 Cllr Hale objected on the grounds that widening the route would make it a faster cycle route and increase the risk of personal injury. Both objectors refer to the Proposed Bridleway already being used by cyclists and, in part, the Authority must therefore consider how best to manage the safety of members of the public in this context. The Department of Transport's Local Transport Note 2/08 provides guidance on Cycle Infrastructure Design. The guidance indicates that the most suitable means of avoiding conflict between users is to provide sufficient width to allow users to comfortably pass each other. Paragraph 8.5 states that "*The minimum recommended width for a two-way cycle track is 3 metres*" but that additional allowance should be made where the route is "*bounded by a vertical feature such as a wall, railings or kerb*".
- 5.13 Paragraph 6.9 of the Authority's PPO Policy states that the minimum width for an unenclosed bridleway is 3 metres and that a greater width may be required where the path is likely to be enclosed. The section of the Proposed Bridleway between points A and B on the Decision Plan would be bounded by a fence and hedge and it is therefore proposed that this section is 3.5 metres wide. The section between points B and C on the Decision Plan would be 4.3 metres except immediately south of point B on the Decision Plan where a tree restricts the width to 3 metres; this is still in accordance with Local Transport Note 2/08 which states that "*Narrow stretches should be kept to short lengths.*" The section of the Proposed Bridleway between points C and E on the Decision Plan are not bounded on either side by vertical features and this section would be 3 metres wide.
- 5.14 It has been suggested that pairs of staggered metal barriers should be installed to form a chicane. Paragraph 8.15.1 of the Guidance states that "*Where there is potential for conflict, it may be better to widen the route or address visibility issues rather than install controls. If this is not possible, it may be appropriate to introduce measures to slow cyclists down, such as rumble surfaces, humps, or staggered barrier arrangements (barriers should be considered last).*" Use of the Proposed Bridleway would be monitored and, if control measures were considered necessary, they would be considered in the priority order identified in the guidance.
- 5.15 A balanced assessment of all the additional criteria set out in the PPO Policy and summarised in paragraphs 5.9 to 5.14 above, shows that the proposals would positively impact upon the public rights of way network.

6 RATIONALE

- 6.1 It is proposed that making an order to create a new public bridleway between Newlands Road and Greenfield Road in Keynsham is the preferred recommendation on the grounds that the legislative and policy tests have been met and that the new route will improve connectivity for members of the public on bicycle.

7 OTHER OPTIONS CONSIDERED

- 7.1 The alternative option would be to maintain the status quo, whereby cyclists would continue to use the existing highway network. This option would not deliver any improvements for the public.

8 CONSULTATION

- 8.1 The contactable, affected landowners (the Authority and Taylor Wimpey UK Ltd), adjacent landowners, Castle Primary School, Keynsham Town Council, national and local user groups, the Ward Councillors and statutory undertakers were all consulted about the proposed diversion for a period of six weeks. Additionally site notices were erected at either end of the Proposed Bridleway and on the Authority's website to seek the views of members of the public.
- 8.2 Approximately two-thirds of the width of the section of the Proposed Bridleway between points A and C on the Decision Plan is registered as being owned by Federated Design and Building Group Limited, who built the housing estate which includes The Brambles and Newlands Road. However, Companies House does not have any record of a company by this name still legally existing and there is no record of this company or its potential successors in title at the address registered with Land Registry. It has therefore not been possible to contact this landowner directly.
- 8.3 The Authority's School Assets Project Manager stated that; "*We would support creating the cycle path as shown as it will benefit children's safe routes to school but cannot fund these works and will need the correct consents to transfer the strip of land.*" As stated in paragraph 3.1 above, the cost of the physical works are expected to be covered by the existing Section 106 contribution and the Authority is in the process of seeking the required Secretary of State consent. It should be noted that although these proposals would result in Castle Primary School losing approximately 65m² along its western boundary, the Section 106 which has provided funding for these proposals also provides the School with approximately 6,500m² of additional land immediately to the south of the existing site. The Authority's Property Records Co-ordinator stated that they have no objection to the proposals but that the school land affected will need to be re-appropriated for highway purposes; this re-appropriation would be carried out alongside the making of a creation order. Taylor Wimpey stated that they "*do not have any specific comments*".
- 8.4 The Ramblers' Area Footpath Secretary stated that the proposals '*are in order*' but states that the section of the Proposed Bridleway between points D and E on the Decision Plan does not exist on the ground; this section would be surfaced and a dropped curb installed prior to the Authority certifying that the route is in a fit condition for use by the public. The British Horse Society's local representative stated "*I heartily support the principle of new paths being made all purpose so support this proposal*". Cllr O'Brien sought clarification about the alignment of the Proposed Bridleway and a number of statutory undertakers stated that their plant would not be affected. Two objections were received and the contents of these objections are considered in paragraphs 5.11 to 5.14 above.

9 RISK MANAGEMENT

- 9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

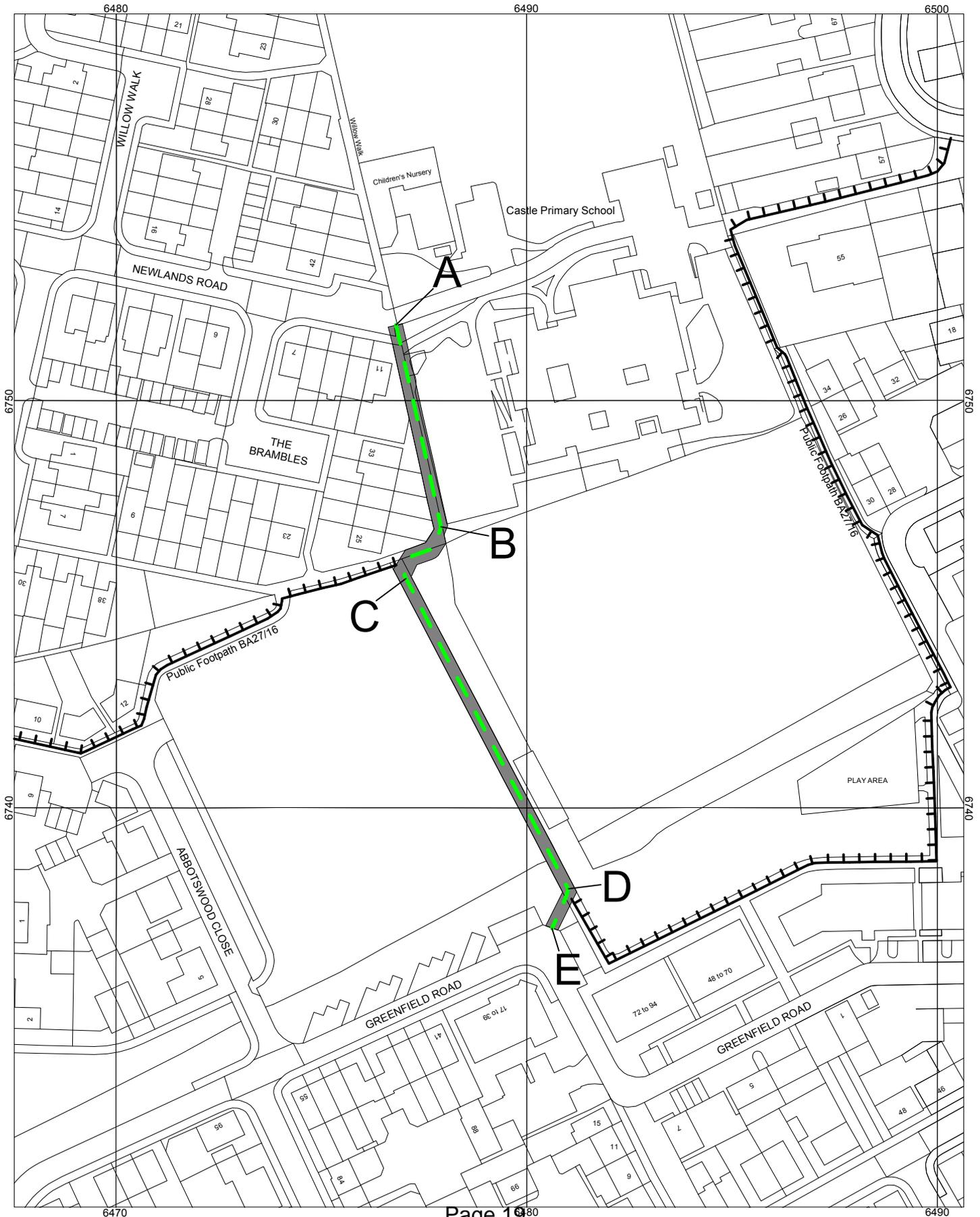
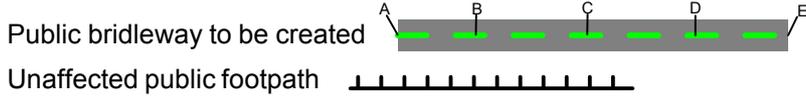
Contact person	Graeme Stark – 01225 477650
Background papers	PPO Policy available on Authority's website
Please contact the report author if you need to access this report in an alternative format	

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APPENDIX 1: Decision Plan



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PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A public bridleway commencing from a junction with Newlands Road at grid reference ST 6486 6751 (Point A on the Order Map) and proceeding in a generally south-southeasterly direction for approximately 51 metres to grid reference ST 6487 6746 (Point B on the Order Map) and turning in a generally southwesterly direction for approximately 17 metres to grid reference 6487 6745 (Point C On the Order Map) and turning in a generally south-southeasterly direction for approximately 87 metres to grid reference ST 6491 6737 (Point D on the Order Map) and turning in a generally south-southwesterly direction for approximately 10 metres to a junction with Greenfield Road at grid reference ST 6490 6737 (Point E on the Order Map).

Width: 3.5 metres between grid references ST 6486 6751 (Point A on the Decision Plan) and ST 6487 6746 (Point B on the Decision Plan).

Varying between 3 metres and 4.3 metres as shown shaded grey on the Order Map between grid references ST 6487 6746 (Point B on the Decision Plan) and ST 6487 6745 (Point C On the Decision Plan).

3 metres between grid references ST 6487 6745 (Point C On the Decision Plan) and ST 6490 6737 (Point E on the Decision Plan).

PART 2

LIMITATIONS AND CONDITIONS

None.

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From: Alan Hale (Cllr)
Sent: 18 September 2017 08:22
To: Graeme Stark; PROW
Cc: Lisa O'Brien (Cllr)
Subject: RE: Proposed changes to the Rights of Way network in the parish of Keynsham

APPENDIX 3
Consultation Responses

Dear Graham and PROW,

I have no issue with the suggestion for St Clements Road/Stoney Lane.

However re the Federated Estate proposals, let me share a comment from one of my constituents who resides at [REDACTED]

My email referred to the footpath from the end of Newlands Road, at the a school gate, along the side of the playground and in front of numbers 25 - 33 The Brambles then round the corner leading to the wide cycle path that comes out by my window. On 9/1/17 this final piece was included in correspondence between yourself and David Morgan of Taylor Wimpey (point 10 widening of existing foot way) and would be a further 10m in length. A copy of the notice was, yesterday afternoon, attached to the support for one of the trees, cannot find a reference number but is signed Graeme Stark and closing date for comments is 25th October.

With this, no doubt, going ahead I will say that my disappointment in living next to The Meadows doesn't abate, even with my fence. Benefits for cyclists in Keynsham and encouragement for us all to become one goes on and on. A few more points - the drug exchange on the cycle path hasn't been seen for a couple of months, thank goodness. We did, however, have problems during the school summer holiday with, I'll call them youths, occupying one of the garages in our block and racing up and down the cycle path on an unlicensed motor scooter. There was abuse when questioned and a neighbour eventually contacted the police. She was told the message would be passed on to Keynsham Police and although one police vehicle was seen leaving the parking area and not when the boys were in the garage she heard no more. Again, they have disappeared off the scene. Younger boys tell us that the kick-about field is too bumpy to play football so they continue to play on the grassed areas this side. I have a great harvest of apples this year but have had to deter passers-by and the garage youths from helping themselves. I'm told I am selfish and should be handing the apples out to the needy on benefits! The walls of the changing room are used quite regularly by both boys and men unable to make it home to use their own toilet. Hopefully this won't continue once children are present in the school extension. Finally, the very large tree in the playground corner was originally growing in the school grounds but after new fencing being erected many years ago after an arson attack on the school it found it was outside so this will come down with the widening of the footpath I expect.

Whilst some of my constituent's comments might seem tangential to the question under consultation you should understand that her house was very much a quiet spot until The Meadows was built and then a playing field was installed and then a connection from The Meadows to the school. I can understand that the school needs to be accessible to the new residents, however I am not sure that a widened and thus faster cycle route needs to be the outcome. It is a primary school after all. I believe that parents from The Meadows are successfully accessing the school and I am sure that some children do the journey on their bikes, so I am not really clear as to why such widening has to take place. I believe that it adds a risk of fast cycling thus a risk of personal injury.

If this is agreed despite what I see as an objection from a directly affected resident then we must put some form of calming in to the route. I do not know what the technical term is but what comes to mind is the pair of staggered metal barriers forming a chicane but one that cannot be ridden through at great speed. This might also deter the use of the route by mini motorcycles.

I believe that we have to act responsibly. If there is a intent to deliver what is being consulted on then such calming must form part of it and not just at one point. Such calming will keep residents from The Meadows safe as well as they make use of the route.

*Yours Sincerely,
Alan*

Alan Hale (Cllr) AMRSGB
Keynsham South Ward.

From: Alan Hale (Cllr)
Sent: 23 September 2017 15:36
To: Wendy Robbins
Cc: Lisa O'Brien (Cllr); Graeme Stark
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Dear Wendy and Graeme,

Thank you for your email (Wendy) and the explanation which I had by time of receipt realised there was a bit of confusion probably not helped by myself.

I believe that Lisa has done a site visit to the Abbotts Wood ROW and is satisfied so I am happy to accept her judgement on that. I am also happy to support the ROW at St Clements Road/Stoney Lane.

However it is the activity around the Brambles where there concern is being raised and the rationale given in your email is that it is 'allowing children to cycle to and from school'. The children are already achieving this on their bikes and their scooters. It is to my mind best left alone and then widening and potential use by mini-motorcycles will be less likely so I am in support of my constituent who has raised serious concerns and objection to this project.

*Yours Sincerely,
Alan*

Alan Hale (Cllr) AMRSGB
Keynsham South Ward.
Chairman of Keynsham Area Forum
Advocate for Road Safety
Avon Fire Authority Member
Tel: 0117 9837923.

From: Graeme Stark
Sent: 05 October 2017 10:46
To: Alan Hale (Cllr)
Cc: Lisa O'Brien (Cllr); 'james.evans@avonandsomerset.police.uk'; 'jacob.reesmogg.mp@parliament.uk'; [REDACTED]

Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Dear Cllr Hale

Thank you for your emails regarding the proposed changes to the footpath near Castle Primary School. Please accept my apologies for the delay in responding; I have been on leave. I wrote to all the adjacent residents at the start of the consultation period so hopefully all interested parties are aware of the proposals.

These changes are being funded through a s106 contribution and the s106 agreement stated that the funds would only be released to the Council once a certain number of houses had been built; consequently, the Council could not progress these proposals during the earlier phase of the development. Additionally, part of the land affected by this proposal is owned by the absentee landowner who previously built The Brambles development; consequently, the current developer did not have the power to progress these proposals themselves. It is for these reasons that the proposals were not progressed at an earlier stage.

Although some people may already be cycling along the route, it is currently a public footpath and cycling is therefore unlawful. The proposals would ensure that people could continue to cycle along the route but without breaking the law. The intention of widening the path is to avoid conflict between cyclists and pedestrians and to ensure that they aren't forced into the same physical space. This is in line with the Department for Transport's guidance on Cycle Infrastructure Design which states that, save for pinch-points, new routes should generally be at least 3 metres wide with an additional allowance where the route is bounded by vertical features such as fencing.

The physical works would be undertaken by the Traffic & Safety Team. I have spoken to them and they have confirmed that they would monitor use of the route and if the speed of cyclists does pose a risk to pedestrians then they will look at staggered barriers or other traffic calming measures. The T&S Team have also stated that it is not their intention to remove the tree near 25 The Brambles and that the path would narrow at this point.

Both your comments and [REDACTED] comments will be taken into consideration when a decision is made regarding the proposals but if either of you would like to meet on site to discuss the matter please do not hesitate to contact me.

Regards,

Graeme.

Graeme Stark
Senior Officer: Public Rights of Way

From: Graeme Stark
Sent: 23 November 2017 16:25
To: Alan Hale (Cllr)
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Dear Cllr Hale

The consultation period relating to the proposed widening and upgrading of the route adjacent to Castle Primary School in Keynsham has now concluded.

I was hoping you could clarify your main concerns about with the proposals, so that these can be addressed. I would of course be very happy to meet you on site to discuss the proposals or your concerns.

Regards,

Graeme.

Graeme Stark
Senior Officer: Public Rights of Way

Environmental Services
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From: Alan Hale (Cllr)
Sent: 29 November 2017 18:55
To: Graeme Stark
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Hi Grahame,

My apologies for not responding sooner but lots has been happening.

I know that at least one of my constituents has responded not supporting the proposal and I believe that the route will cause many pedestrians issues as the widening will of course increase cycle speeds and if we are not to have any form of metal chicane then there is little point in taking up your offer of a site meeting.

I hope that no ill will come to any adult of primary school child as a result.

*Yours Sincerely,
Alan*

*Alan Hale (Cllr) AMRSGB
Keynsham South Ward.
Chairman of Keynsham Area Forum
Advocate for Road Safety
Avon Fire Authority Member
Tel: 0117 9837923.*

From: Graeme Stark
Sent: 06 December 2017 10:18
To: Alan Hale (Cllr)
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Dear Alan

Thank you for your email.

I have spoken to the Senior Engineer: Accessibility & Cycling (who is effectively the applicant/client supporting these proposals) and she has confirmed that, if the proposals went ahead, a metal chicane would not be installed on the route. It was felt that furniture mid-way along the section adjacent to the existing school site would not be in keeping with a route for cyclists and the physical nature of this section means that they would have to slow down at either end in any case. I understand that the route is already used by cyclists and the DfT guidance indicates that widening the route would reduce both risk to path users and conflict between path users. Furthermore, it is likely that signage would be installed to advise all users to use the route with consideration for others.

Please could you let me know whether you would like the proposals determined under delegated authority by the Group Manager: Highways & Traffic or whether you would like the proposals determined by the Regulatory (Access) Committee.

Regards,

Graeme.

Graeme Stark
Principal Officer: Public Rights of Way

Environmental Services
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From: Alan Hale (Cllr)
Sent: 06 December 2017 13:30
To: Graeme Stark
Cc: [REDACTED]
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Hello Graham,

Thanks for your email.

As you are aware some of my constituents who will be affected by this are not happy and the suggestion that signs will be read and acted upon by cyclists does not fill me with comfort I'm afraid.

The committee you offer has never crossed my radar before but yes I think that the decision should go to such a committee whoever they might be?

Will the likes of [REDACTED] be allowed to address the committee as part of their decision making?

Best wishes.

Yours Sincerely,
Alan

Alan Hale (Cllr) AMRSGB
Keynsham South Ward.
Chairman of Council
Advocate for Road Safety
Avon Fire Authority Member
Chairman of Keynsham Area Forum
Tel: 0117 9837923.

From: Graeme Stark
Sent: 07 December 2017 10:23
To: Alan Hale (Cllr)
Cc: [REDACTED]
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Dear Alan

Thank you for your email.

The purpose of the Regulatory (Access) Committee is to determine certain applications for legal orders relating to public rights of way. The Committee only sits to determine cases which receive a large number of objections or an objection from a ward member. Consequently, the Committee has not sat since July 2015 and this may be the reason that it hasn't previously crossed your radar. The Chair is Cllr Liz Richardson and the other members are Cllr Douglas Deacon, Cllr David Veale and Cllr Geoff Ward.

The contents of the consultation responses from yourself and [REDACTED] will be included in full so that the Committee can take them into consideration when determining whether a creation order should be made (any personal information which could identify [REDACTED] will be redacted). I can confirm that we haven't receive any other adverse comments regarding the proposals. Anyone wishing to address the Committee can do so by submitting a written statement, or otherwise notifying Democratic Services of the nature of their representations, two clear working days in advance of the meeting. Once the Committee date has been set, I will inform [REDACTED] and yourself and provide you both with the contact details of the appropriate officer in Democratic Services.

Regards,

Graeme.

Graeme Stark
Principal Officer: Public Rights of Way

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From: [REDACTED]
Sent: 16 September 2017 08:49
To: Alan Hale (Cllr)
Subject: Re: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Alan - thank you for this. Most of the correspondence refers to changes in Abbots Wood. My email referred to the footpath from the end of Newlands Road, at the a school gate, along the side of the playground and in front of numbers 25 - 33 The Brambles then round the corner leading to the wide cycle path that comes out by my window. On 9/1/17 this final piece was included in correspondence between yourself and David Morgan of Taylor Wimpey (point 10 widening of existing foot way) and would be a further 10m in length. A copy of the notice was, yesterday afternoon, attached to the support for one of the trees, cannot find a reference number but is signed Graeme Stark and closing date for comments is 25th October.

With this, no doubt, going ahead I will say that my disappointment in living next to The Meadows doesn't abate, even with my fence. Benefits for cyclists in Keynsham and encouragement for us all to become one goes on and on. A few more points - the drug exchange on the cycle path hasn't been seen for a couple of months, thank goodness. We did, however, have problems during the school summer holiday with, I'll call them youths, occupying one of the garages in our block and racing up and down the cycle path on an unlicensed motor scooter. There was abuse when questioned and a neighbour eventually contacted the police. She was told the message would be passed on to Keynsham Police and although one police vehicle was seen leaving the parking area and not when the boys were in the garage she heard no more. Again, they have disappeared off the scene. Younger boys tell us that the kick-about field is too bumpy to play football so they continue to play on the grassed areas this side. I have a great harvest of apples this year but have had to deter passers-by and the garage youths from helping themselves. I'm told I am selfish and should be handing the apples out to the needy on benefits! The walls of the changing room are used quite regularly by both boys and men unable to make it home to use their own toilet. Hopefully this won't continue once children are present in the school extension. Finally, the very large tree in the playground corner was originally growing in the school grounds but after new fencing being erected many years ago after an arson attack on the school it found it was outside so this will come down with the widening of the footpath I expect.

Sadly, I cannot afford to move.

[REDACTED]

On 05/10/2017 10:45, Graeme Stark wrote:

Dear Cllr Hale

Thank you for your emails regarding the proposed changes to the footpath near Castle Primary School. Please accept my apologies for the delay in responding; I have been on leave. I wrote to all the adjacent residents at the start of the consultation period so hopefully all interested parties are aware of the proposals.

These changes are being funded through a s106 contribution and the s106 agreement stated that the funds would only be released to the Council once a certain number of houses had been built; consequently, the Council could not progress these proposals during the earlier phase of the development. Additionally, part of the land affected by this proposal is owned by the absentee landowner who previously built The Brambles development; consequently, the current developer did not have the power to progress these proposals themselves. It is for these reasons that the proposals were not progressed at an earlier stage.

Although some people may already be cycling along the route, it is currently a public footpath and cycling is therefore unlawful. The proposals would ensure that people could continue to cycle along the route but without breaking the law. The intention of widening the path is to avoid conflict between cyclists and pedestrians and to ensure that they aren't forced into the same physical space. This is in line with the Department for Transport's guidance on Cycle Infrastructure Design which states that, save for pinch-points, new routes should generally be at least 3 metres wide with an additional allowance where the route is bounded by vertical features such as fencing.

The physical works would be undertaken by the Traffic & Safety Team. I have spoken to them and they have confirmed that they would monitor use of the route and if the speed of cyclists does pose a risk to pedestrians then they will look at staggered barriers or other traffic calming measures. The T&S Team have also stated that it is not their intention to remove the tree near 25 The Brambles and that the path would narrow at this point.

Both your comments and [REDACTED] comments will be taken into consideration when a decision is made regarding the proposals but if either of you would like to meet on site to discuss the matter please do not hesitate to contact me.

Regards,

Graeme.

Graeme Stark
Senior Officer: Public Rights of Way

Environmental Services
Bath and North East Somerset Council
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Email: graeme_stark@bathnes.gov.uk
www.bathnes.gov.uk
Twitter: www.twitter.com/bathnes

From: [REDACTED]
Sent: 07 October 2017 19:49
To: Graeme Stark; Alan Hale (Cllr)
Cc: Lisa O'Brien (Cllr); 'james.evans@avonandsomerset.police.uk';
'jacob.reesmogg.mp@parliament.uk'
Subject: Re: Proposed changes to the Rights of Way network in respect of public footpaths
BA27/15 and BA27/16 in the parish of KEYNSHAM

Thank you, Graeme, for this.

The footpath through the Federated Estate down to the school is used by adult cyclists bringing their cycling children to the school and this has gone on for years now. With one father and his two daughters it appears to be a race!

I will wait and see what happens.....

[REDACTED]

On 23/11/2017 16:01, Graeme Stark wrote:

Dear [REDACTED]

I was just wanting to follow up with you regarding the proposals to widen and upgrade the route adjacent to Castle Primary School in Keynsham.

I wasn't sure from your email whether or not you wished your email to be taken as an objection or whether you just wished to be kept informed of progress at this stage. I'd be very grateful if you could let me know and I would of course be very happy to meet you on site if you would like to discuss the proposals or your concerns.

Regards,

Graeme.

Graeme Stark
Senior Officer: Public Rights of Way

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From: [REDACTED]
Sent: 27 November 2017 14:55
To: Graeme Stark; Alan Hale (Cllr)
Subject: Re: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Graeme

Sorry for the delay in replying, I have just returned from holiday on Saturday.

Alan Hale thought my comments on the path widening proposal could be used as an objection. See Alan's email below 15/9/2017.

To be honest, the plans will go ahead no matter what, in my experience. I already have the cycle path from The Meadows to my living room window, no-one in planning bothered to look over the old field fence before making that decision. In my opinion any paths, cycle or foot, should have followed the school extension fence. Too late now to change it. If you are in the area and wish to discuss the proposals I am quite happy to meet you but I am probably the only person along the footpath to have any concerns as to what happens where I live.

Thank you for contacting me again.

[REDACTED]

From: Graeme Stark
Sent: 06 December 2017 10:02
To: [REDACTED]
Cc: Alan Hale (Cllr)
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Dear [REDACTED]

Thank you for your email.

I would be happy to treat your email as an objection to the proposals and it will be taken into consideration by the Council when determining whether to make a legal order to upgrade and widen the route. Please could you let me know what your concerns are with the proposals so that these can be taken into consideration.

Regards,

Graeme.

Graeme Stark
Principal Officer: Public Rights of Way

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www.bathnes.gov.uk
Twitter: www.twitter.com/bathnes

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From: [REDACTED]
Sent: 08 December 2017 09:14
To: Alan Hale (Cllr); Graeme Stark
Subject: Re: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

Graeme and Alan

It does not surprise me that you have received no other comments regarding the widening of the footpath in front of Castle School. Apart from a family renting one of the properties, everyone else is out at work during the school delivery/pick-up times and will therefore not be affected by either the construction work or any outcome. With my house, being the end of the terrace, I have the joys of the already widened path at the side of my garden, the extremely annoying cycle path from The Meadows to my window and with further widening to accommodate school traffic I know I will continue to be annoyed. My comments although 'taken on board' by your Committee are unlikely to make any difference to proposed plans. I note none of the Committee are from Keynsham, however if there should be a site visit I am quite happy to speak to them even though my concerns will sound quite trivial. My main concern is who will take advantage of the widened paths i.e the motor scooter lads from the summer holidays, speed limits, not staying on the cycle path but using the footpaths between our homes to access Newlands Road etc.

it will happen anyway. Signs are not necessarily a deterrent as we have found here! I think it is best to carry on as you intend. I currently have quite a few health problems and have been told to try and not get involved, a difficult thing for me but it has to be done! Thank you, Alan. We always seem to be angry at something here in this corner of the Federated Estate. The Keynsham Forum meeting on anti-social behaviour in the town was very interesting. Hopefully that problem can be solved. I will write to our MP as you suggested. Not getting 'involved' of course.

[REDACTED]

From: Graeme Stark
Sent: 08 December 2017 16:27
To: [REDACTED]; Alan Hale (Cllr)
Subject: RE: Proposed changes to the Rights of Way network in respect of public footpaths BA27/15 and BA27/16 in the parish of KEYNSHAM

■

Dear [REDACTED]

Thank you for your email and for clarifying your concerns. I will keep you updated with any developments but if in the meantime you have any queries please do let me know.

Regards,

Graeme.

Graeme Stark
Principal Officer: Public Rights of Way

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From: Lisa O'Brien (Cllr)

Sent: 15 September 2017 12:27

To: Graeme Stark

Cc: Alan Hale (Cllr)

Subject: Re: Proposed changes to the Rights of Way network in the parish of Keynsham

Graham, good afternoon. Ref first proposal- I notice that what appears to be the garden of number 11 Newlands road would be encroached upon. Had the home owner consented?

Ref the second proposal, which leads off Stoney Lane, Park Road, I think it is an excellent idea as on many occasions the borders at the side substantially encroach onto the path(containing nettles and briars!). However, where would the additional width come from? The existing boundaries and therefore could this adversely impact on the privacy of adjacent properties?

Regards

Lisa

Cllr Lisa O'Brien

B&NES Keynsham South

From: Graeme Stark
Sent: 15 September 2017 13:22
To: Lisa O'Brien (Cllr)
Cc: Alan Hale (Cllr)
Subject: RE: Proposed changes to the Rights of Way network in the parish of Keynsham

Dear Cllr O'Brien

Thank you for your email.

Although it looks like the bridleway would cut across the garden of 11 Newlands Road, I can confirm that their boundary will be unaffected by these proposals. Their garden tapers to the north and what will be the western boundary of the bridleway is already the western boundary of the pre-existing footpath which will be upgraded. It does look rather drastic on a map but fortunately that is just the shape of the garden. Nevertheless, I have written to the owner/occupier of 11 Newlands Road and the other properties which abut the route to consult them on the proposals.

The St Clements Road link will just formalise the route which already physically exists. Although the legal width of the path will be two metres, this is to ensure that if the hedges encroach on the path we have the power to get them cut back to a width of 2 metres as they are at the moment. The surfacing on the ground will stay the same width as at present and the path won't be surfaced over the whole two metres. Consequently, there will be no need to move any boundaries or widen the path.

I hope this helps to clarify the situation but if you've got any queries please do not hesitate to contact me.

Regards,

Graeme.

Graeme Stark
Senior Officer: Public Rights of Way

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From: Anne Leach
Sent: 21 September 2017 16:09
To: Graeme Stark
Subject: RE: Proposed changes to the Rights of Way network in the parish of Keynsham

Dear Graeme

My comments are:

1. The additional land required (points A to B) is currently a school site and will need Secretary of State consent for this strip of land (69m²) to be disposed of out of school/education ownership. I have contacted the Education Funding Agency School Assets Team for advice on how we go about this but until consent is given I cannot confirm that the fence can be moved and the land transferred into Highways asset portfolio.
2. I would need confirmation that the cost of moving the fence will not fall to either the school or the Schools Capital Team budgets and will be met by Highways.
3. There is a pedestrian access gate at point A which will also need to be moved to allow the widening of the path. The pedestrian access gate is next to the vehicle access and any changes to incorporate the cycle path would need to make sure that the pedestrian and vehicle access to the school is acceptable to the school and the Schools Capital Team. There could be a significant cost associated to moving the gates.

We would support creating the cycle path as shown as it will benefit children's safe routes to school but cannot fund these works and will need the correct consents to transfer the strip of land.

Kind regards.
Anne

[Edit: Anne Leach - School Assets Project Manager]

From: Martin Baker
Sent: 26 September 2017 14:50
To: Graeme Stark
Subject: RE: Proposed changes to the Rights of Way network in the parish of Keynsham

Hi Graeme

Thanks for these. I was aware of the first proposal as Alison Sherwin has been in touch about it. We've no objections as long as the school are happy with this but to facilitate I think we will need to put in place an appropriation of the relevant strip of land. Fortunately as this isn't currently open space it shouldn't need advertisement although I will check with SCOT team whether there is any question of needing secretary of state's consent as currently held for Education. Hopefully shouldn't be a problem!

As far as the second proposal is concerned it seems sensible however as no Council property assets appear to be affected I don't think we need to formally comment.

Regards

Martin

Martin Baker, Property Records Co-ordinator
Property & Project Delivery (Asset Management Group)
Bath & North East Somerset Council
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Email: martin_baker@bathnes.gov.uk
www.bathnes.gov.uk
www.twitter.com/bathnes

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From: Philip Court - TW Bristol <Philip.Court@taylorwimpey.com>
Sent: 22 September 2017 15:34
To: Graeme Stark
Subject: Proposed changes to the Rights of Way network in the parish of Keynsham

Dear Graeme,

Thank you for your letter dated 13th September 2017 (Your Ref: GS/) concerning the creation of new public rights of way in Keynsham.

Having reviewed the information provided we do not have any specific comments to make other than please can we continue to be kept informed as this matter progresses so that we can ensure the ongoing delivery of new homes at The Meadows, off Park Road is co-ordinated with the rights of way works. The co-ordination of the various work streams, specifically the adoption of the public highway and transfer of the POS areas to the management company are an important factor for the successful delivery of the new homes.

Thanks in anticipation.

Yours faithfully,
Philip Court

Philip Court BSc (Hons) MCIQB | Technical Director | Chartered Construction Manager | Taylor Wimpey Bristol
Ground Floor, 730 Waterside Drive, Aztec West, Almondsbury, BS32 4UE
t: 01454 628 406 | e: Philip.Court@taylorwimpey.com
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From: [REDACTED]
Sent: 25 October 2017 19:38
To: Graeme Stark
Subject: Re: Proposed changes to the Rights of Way network in the parish of Keynsham

Dear Graeme

I have inspected the routes in the two proposals and agree that they are in order . The only query I have is on the first proposal where the bridleway from C south changes direction SSW to D – that section of bridleway did not link up on the ground. There are car park spaces on both sides of that section but it may well be that the developer has work still to do there.

Regards

[REDACTED]

[Edit: The Ramblers' Area Footpath Secretary]

From: [REDACTED]
Sent: 21 November 2017 18:13
To: Graeme Stark
Subject: Re: Somerdale and South Keynsham

Dear Graeme,

I went to see the proposed new bridleway today. I cannot see it being used as a bridleway but you may know more about the presence of horses in that area.

In any case, I heartily support the principle of new paths being made all purpose so support this proposal.

To get to the route I walked along Parkhouse Lane. It is in an appalling state. Are there plans to improve it. Section 106 money would be well spent to improve this amenity for the residents of the new houses. There is even a grand set of steps leading down to the lane from the estate but nobody in their right mind would walk along there for pleasure. It is almost unwalkable, and unridable by horse or bicycle. It is a pity it is not a bridleway to link up with the track to Chewton. We can but dream.

[REDACTED]

[EDIT: British Horse Society's local representative]

From: Robin Plumley <Robin.Plumley@bristolwater.co.uk>
Sent: 03 October 2017 17:15
To: Graeme Stark
Cc: Development Services
Subject: Proposed changes to the Rights of Way network in the parish of Keynsham
Attachments: Abbotswood, Keynsham.pdf; St Clements Court, Keynsham.pdf

Dear Graeme

Thank you for your email of 14 September.

Please find attached a copy of the ordnance survey sheet upon which we have marked the sizes and approximate positions of our mains, which are normally laid with 900 mm of cover. Should you propose to carry out any excavation in the vicinity of our apparatus please contact our Customer Services Helpline, on telephone number 0345 702 3797, preferably five working days prior to starting work, and ask to speak to a Network Distribution Technical Manager or Network Administrator.

The information given shows the approximate location of our 4" CI diameter main in the footpath at the end of Newlands Road which is affected by your creation of a bridleway between C and D. This main is protected by Section 158 of the Water Act and Section 85 of the NRSWA under which we reserve the right of vehicular access along the length of the pipeline at all times. You should ensure that no reduction in cover or increases in ground levels, more than 200mm over our pipeline, take place nor the introduction of any rigid surfacing.

We confirm that we have no objection to the proposed order of new footpaths between A-B, D-F or G-H. Also from C-D so long as the above requirements are adhered to.

Regards

Development Services

Bristol Water plc

Bridgwater Road | Bristol | BS13 7AT | United Kingdom

Direct 0117 963 8277 | **Email** Development.Services@bristolwater.co.uk | **Web** <http://www.bristolwater.co.uk>

Graeme Stark
Bath & N. E. Somerset Council
Guildhall
High St
Bath
Avon
BA1 5AW

Plant Protection
Cadent
Block 1; Floor 1
Brick Kiln Street
Hinckley
LE10 0NA
E-mail: plantprotection@cadentgas.com
Telephone: +44 (0)800 688588

National Gas Emergency Number:
0800 111 999*

National Grid Electricity Emergency Number:
0800 40 40 90*

* Available 24 hours, 7 days/week.
Calls may be recorded and monitored.

www.cadentgas.com

Date: 07/10/2017

Our Ref: XX_XX_3FWP_037913

Your Ref: parish of Keynsham (jh)

RE: Formal Enquiry, BS31 1LA, hanges to the Rights of Way network in the parish of Keynsham

Thank you for your enquiry which was received on 07/10/2017.

Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Ltd, National Grid Electricity Transmission plc's and National Grid Gas plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is no record of apparatus in the immediate vicinity of your enquiry.

Cadent and National Grid therefore have no objection to these proposed activities.

The contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Ltd, National Grid Electricity Transmission plc (NGET) and National Grid Gas plc (NGG) and apparatus. This assessment does **NOT** include:

- Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- Gas service pipes and related apparatus
- Recently installed apparatus
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on the National Grid Website (<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>).

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Ltd, NGG and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

Plant Protection Team

From: NRSWA <NRSWA@sky.uk>
Sent: 15 September 2017 10:21
To: Graeme Stark
Subject: Sky Telecommunications Services Ltd Plant Enquiry - PEN-17-09-1775 : Bath and North East Somerset Council - Keynsham

Attention: Graeme Stark - Bath and North East Somerset Council

Dear Sir/Madam,

RE: Keynsham

Thank you for your enquiry.

Please be advised that Sky Telecommunications Services Ltd will not be affected by these works.

Best endeavours have been made to ensure accuracy, however if you require further information, please contact us.

If you would like to submit your plant enquiries electronically, please send them to nrswa@sky.uk

Please be advised that our fax number has changed to 0207 032 3252.

Regards

NRSWA Department

Network Infrastructure and Planning
SKY Telecommunications Services Ltd
70 Buckingham Avenue
SLOUGH
SL1 4PN

T +44 (0) 207 032 3234/250

F +44 (0) 207 032 3252

E nrswa@sky.uk

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From: Burgess, Ella <ella.burgess@sse.com> on behalf of Asset Data <Asset.Data@sse.com>
Sent: 15 September 2017 09:59
To: Graeme Stark
Subject: RE: Proposed changes to the Rights of Way network in the parish of Keynsham

Good Morning,

Thank you for your email enquiry

We do not have any network records within the area requested as the site location is out of our distribution area.

Please contact Western Power Distribution on 0800 096 3080 for there records.

Kind Regards



Ella Burgess
Asset Data Team
T: +44(0)1256 337 294
Internal: 23294
E: ella.burgess@sse.com
Asset Data Team, Daneshill Depot, Faraday Road,
Basingstoke, Hampshire, RG24 8QQ
www.ssen.co.uk



From: Ramanikanthan, Jayakanth <Jayakanth.Ramanikanthan@atkinsglobal.com>
Sent: 21 September 2017 04:51
To: Graeme Stark
Subject: RE: Proposed changes to the Rights of Way network in the parish of Keynsham

Please accept this email as confirmation that Vodafone: Fixed **does not** have apparatus within the vicinity of your proposed works detailed below.

Many thanks.

Plant Enquiries Team
T: 01454 662881
E: osm.enquiries@atkinsglobal.com

ATKINS working on behalf of Vodafone: Fixed



This response is made only in respect to electronic communications apparatus forming part of the Vodafone: Fixed electronic communications network formerly being part of the electronic communications networks of Cable & Wireless UK, Energis Communications Limited, Thus Group Holdings Plc and Your Communications Limited.

PLEASE NOTE:

The information given is indicative only. No warranty is made as to its accuracy. This information must not be solely relied upon in the event of excavation or other works carried out in the vicinity of Vodafone plant. No liability of any kind whatsoever is accepted by Vodafone, its servants, or agents, for any error or omission in respect of information contained on this information. The actual position of underground services must be verified and established on site before any mechanical plant is used. Authorities and contractors will be held liable for the full cost of repairs to Vodafone's apparatus and all claims made against them by Third parties as a result of any interference or damage.

IMPORTANT - PLEASE READ:

Diversionary works may be necessary if the existing line of the highway/railway or its levels are altered, where apparatus is affected. Where apparatus is affected and requires diversion, you must submit draft details of the proposed scheme with a request for a 'C3 Budget Estimate' to c3requests@vodafone.com. These estimates should be provided by Vodafone normally within 20 working days from receipt of your request. Please include proof of this C2 response when requesting a C3 (using the 'forward' option).



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