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1. Wales & West Utilities

---

**From:** Dig (Shared Mailbox) <[Dig2@wwutilities.co.uk](mailto:Dig2@wwutilities.co.uk)>  
**Sent:** 26 April 2021 09:33  
**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Subject:** RE: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Good morning,  
Wales & West Utilities plans should now be obtained from LSBUD (<https://www.linesearchbeforeudig.co.uk/>).  
If you are working on behalf of a utility company, local authority or contractor working on behalf of a local authority and would still like to continue receiving asset information directly from WWU's Plant Protection Team, an administration fee of £45.00 + VAT will now be applicable.  
If you would like to proceed with your request, please let us know whether you will be paying by card or cheque and we will process your request.  
**Please note that your request will not be processed until we receive payment.**

Regards  
Scott Johnson  
Plant Protection  
Wales & West Utilities Ltd  
Wales & West House  
Spooner Close  
Coedkernew  
Newport  
NP10 8FZ  
Telephone – 02920 278912  
E-mail – [scott.johnson@wwutilities.co.uk](mailto:scott.johnson@wwutilities.co.uk)  
Our privacy notice can be found on our website (<http://www.wwutilities.co.uk/legal/>) or a paper copy can be provided to you on your request. This sets out how we will collect and use information about you.

**From:** Wendy Robbins  
**Sent:** 27 April 2021 08:37  
**To:** [Scott.Johnson@wwutilities.co.uk](mailto:Scott.Johnson@wwutilities.co.uk)  
**Subject:** FW: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Dear Scott

Thank you for your reply to the attached correspondence. The Bath and North East Somerset Council are not looking to dig but are fulfilling a statutory requirement for the making of a public path order under the Highways Act 1980 regarding a proposed change to a public right of way. If you have any comments regarding the above proposals, please ensure that they are received by the Public Rights of Way team no later than **22/5/21**, as outlined in the notice. If, however, you require any additional time or for further information please contact me on 01225 394161."

Regards  
**Wendy Robbins**  
**Technical Officer: Public Rights of Way**  
Environmental Services

Bath and North East Somerset Council  
Telephone: 01225 394161 or 07866 989388  
Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)  
[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](http://www.twitter.com/bathnes)

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My working days are Tuesday, Wednesday and Friday

2. National Grid/Cadent

**From:** Cadent EAGLES System <[noreply.eagles@dnvgl.com](mailto:noreply.eagles@dnvgl.com)>  
**Sent:** 26 April 2021 14:00  
**To:** .box.PPRSTeam <[PPRSTeam@cadentgas.com](mailto:PPRSTeam@cadentgas.com)>  
**Subject:** [EXT] Cadent and National Grid Plant Enquiry Response - Your Ref: FP BA19/22 (JP) Our Ref: XX\_XX\_3FWP\_059396

**Formal Enquiry - Your Ref: FP BA19/22 (JP) Our Ref: XX\_XX\_3FWP\_059396**

Thank you for your enquiry which was received on 23/04/2021.

Please refer to the attached documentation for Cadent and National Grid's response.

**Self-service for Plant Enquiries:** [www.beforeyoudig.cadentgas.com](http://www.beforeyoudig.cadentgas.com)

If you need to contact the Plant Protection Team regarding your enquiry, please use the following details:

Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)  
Address: Plant Protection  
Cadent  
Block 1; Floor 1;  
Brick Kiln Street  
Hinckley  
LE10 0NA  
Telephone: +44 (0)800 688 588

**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.

\*\*\*\*\*  
This e-mail and any attachments thereto may contain confidential information and/or information protected by intellectual property rights for the exclusive attention of the intended addressees named above. If you have received this transmission in error, please immediately notify the sender by return e-mail and delete this message and its attachments. Unauthorized use, copying or further full or partial distribution of this e-mail or its contents is prohibited.  
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3. Cadent Gas

---

**From:** .box.plantprotection <plantprotection@cadentgas.com>  
**Sent:** 23 April 2021 15:19  
**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>  
**Subject:** Automatic reply: [EXT] Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL  
Thank you for your email. We usually respond within seven working days.

If you're contacting us because **you want to dig**, we won't be able to make a full assessment without the following, so please send if you haven't already:

- Full site address including nearest postcode or grid references
- Site plan highlighting where you plan to dig
- Full description of what you're planning to do (drainage, fencing, piling etc).
- Your company correspondence address and contact number
- Works start date (if applicable)

**Please do not commence with any works until you have received authorisation and guidance.**

If you **don't want to wait**, visit [www.beforeyoudig.cadentgas.com](http://www.beforeyoudig.cadentgas.com) for an **instant response**  
If you want to speak to one of the team, you can call us on **0800 688 588** between 8am and 4:30pm Monday to Friday.

Kind Regards,

**Dial Before you Dig and Plant Protection Team**

If you've hit a pipeline (even if no gas is leaking) call the National Gas Emergency Service 24 hours a day on 0800 111 999 (calls are recorded and may be monitored).

This e-mail, and any attachments are strictly confidential and intended for the addressee(s) only. The content may also contain legal, professional or other privileged information. If you are not the intended recipient, please notify the sender immediately and then delete the e-mail and any attachments. You should not disclose, copy or take any action in reliance on this transmission.

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---

Wendy Robbins  
BATH AND NORTH EAST SOMERSET COUNCIL  
Lewis House  
Manvers Street  
Bath  
BA1 1JG

Plant Protection  
Cadent  
Block 1; Floor 1  
Brick Kiln Street  
Hinckley  
LE10 0NA  
E-mail: [plantprotection@cadentgas.com](mailto: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](http://www.cadentgas.com)

**Date:** 26/04/2021

**Our Ref:** XX\_XX\_3FWP\_059396

**Your Ref:** FP BA19/22 (JP)

**RE: Formal Enquiry, BA2 8NL Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John**

Thank you for your enquiry which was received on 23/04/2021.  
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 Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission 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 Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) 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 either the [National Grid](#) or [Cadent](#) website.

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 Limited, NGGT 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



# GUIDANCE

## Standard Guidance

**Essential Guidance document:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

**General Guidance document:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

**Excavating Safely in the vicinity of gas pipes guidance (Credit card):**

<http://www.nationalgrid.com/NR/rdonlyres/A3D37677-6641-476C-9DDA-E89949052829/44257/ExcavatingSafelyCreditCard.pdf>

**Excavating Safely in the vicinity of electricity cables guidance (Credit card):**

<http://www.nationalgrid.com/NR/rdonlyres/35DDEC6D-D754-4BA5-AF3C-D607D05A25C2/44858/ExcavatingSafelyCreditCardelectricitycables.pdf>

Copies of all the Guidance Documents can also be downloaded from the [National Grid](#) and [Cadent](#) websites.

# ENQUIRY SUMMARY

## Received Date

23/04/2021

## Your Reference

FP BA19/22 (JP)

## Location

Centre Point: 370560, 155902

X Extent: 92

Y Extent: 328

Postcode: BA2 8NL

Location Description: BA2 8NL Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John

## Map Options

Paper Size: A4

Orientation: LANDSCAPE

Requested Scale: 2500

Actual Scale: N/A

Real World Extents: N/A

## Recipients

pprsteam@cadentgas.com

## Enquirer Details

Organisation Name: BATH AND NORTH EAST SOMERSET COUNCIL

Contact Name: Wendy Robbins

Email Address: Wendy\_Robbins@bathnes.gov.uk

Telephone: 01225394161

Address: Lewis House, Manvers Street, Bath, BA1 1JG

## Description of Works

SUO Highways Act, Section 119 - Diversion of footpaths and bridleways SP

## Enquiry Type

Formal Enquiry

## Activity Type

Highways

## Notice Types

Notice Type: Section Notice (Highways Act, Section 119 - Diversion of footpaths and bridleways)

4. Openreach

---

**From:** Infrastructure.solutions@openreach.co.uk <Infrastructure.solutions@openreach.co.uk>  
**Sent:** 26 April 2021 10:24  
**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>  
**Subject:** Repayments Order raised - Ref 854253



Hello Wendy Robbins,

Thank you for your enquiry, this has now been registered on our systems with a reference of 854253 with regards to Skylark Farm, in the Parish of Peasedown St John. A local Repayments engineer will contact you within 20 working days regarding your scheme.

If you have not heard from a repayments engineer after 20 working days please do not hesitate to contact us again at [Networkalterationsuk@openreach.co.uk](mailto:Networkalterationsuk@openreach.co.uk)

Please quote the reference we have supplied and we will escalate to the appropriate office.

Thank you,

**Infrastructure Solutions**

Web: [www.openreach.co.uk](http://www.openreach.co.uk)

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**Openreach Limited**

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP  
Registered in England and Wales no. 10690039

**From:** [harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk) <[harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk)>  
**Sent:** 04 May 2021 13:38  
**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Subject:** Openreach 854253 BA19/22 Skylark FarmFootpath Diversion

Dear Wendy,

Please see the attached document relating to the diversion of public footpath BA19/22 Skylark Farm, in the Parish of Peasedown St John BA2 8LL.

Please feel free to contact me to discuss this further if required.

Kind Regards,

**Harry Wright**

Network Rearrangement Complex Engineer

Openreach

**Mobile:** 07484015060

**Web:** [openreach.co.uk](http://openreach.co.uk)

**Address:** Weston-Super-Mare TE, 52-70 The Boulevard, Weston-Super-Mare, Bristol, AVON BS23 1PQ

We build and maintain the digital network that enables more than 600 providers to deliver broadband to homes, hospitals, schools and businesses large and small. Our engineers work in every community, every day, because we believe everyone deserves decent and reliable broadband.

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**Openreach Limited**

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP  
Registered in England and Wales no. 10690039

BATH AND NORTH EAST SOMERSET COUNCIL  
Public Rights of Way Team  
Lewis House  
Manvers Street  
Bath

BA1 1JG

Harry Wright  
Weston-Super-Mare TE  
52-70 The Boulevard  
Weston-s-Mare  
BS23 1PQ

Mob: 07484015060  
Email: [harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk)

Our Ref. BQRA91/854253/HW  
Your Ref BA19/22 Skylark Farm  
Date: 04th May 2021

**FAO: Ms Wendy Robbins**

Dear Ms Robbins,

**Town and Country Planning Act 1990, Proposed Public Footpath Diversion Order of Public Right of Way: BA19/22, at Skylark Farm**

Thank you for the copy of your proposals and location map.

Openreach does appear to have apparatus in the area of your proposals.

Openreach will not object to these proposals, however, we will insist on maintaining our rights under the appropriate legislation. If our plant has to be resited then charges will be raised to recover these costs.

If you have any queries regarding this matter please do not hesitate to contact me.

Yours sincerely,



Harry Wright  
Network Rearrangement Complex Engineer

# Legend

## CAUTION AREA

 BT.CAUTION\_AREA

## EQUIPMENT

 FIBRE, TCODE


 COPPER, CABINET

 COPPER, DP

## DUCT


 AERIAL

 TUNNEL


 DUCT

## PROPOSED


 AERIAL


 DUCT

## STRUCTURE

 YCODE

 CABINET SHELL

 SPLIT COUPLING


 POLE

 KIOSKS

 MANHOLE

 JOINTBOX

 CHANGE OF STATE

 DUCT TEE

## PROPOSED

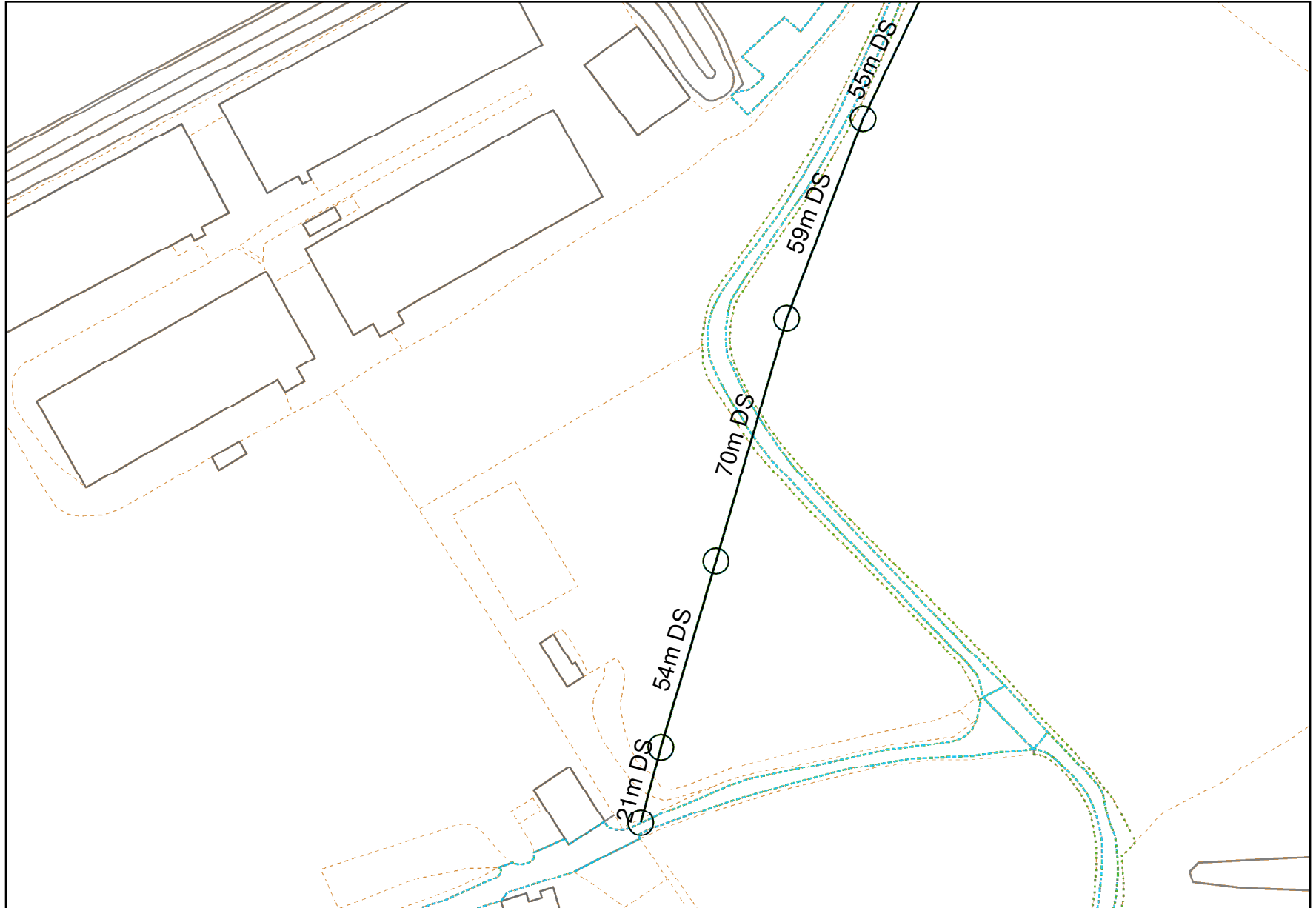
 MANHOLE

 JOINTBOX

 DUCT TEE

Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.



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Existing BT plant may not be recorded.  
Information valid at time of preparation.

**CLICK BEFORE YOU DIG**  
FOR PROFESSIONAL FREE ON SITE ASSISTANCE: PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE  
email [cbvd@openreach.co.uk](mailto:cbvd@openreach.co.uk)

ADVANCE NOTICE REQUIRED  
(Office hours: Monday - Friday 08.00 to 17.00)



### PLANT INFORMATION REPLY

BQRA91/854253/HW

Proposed Public Footpath Diversion Order of Public Right of Way:

BA19/22, at Skylark Farm

**openreach**

**From:** Wendy Robbins [[mailto:Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)]  
**Sent:** 18 May 2021 11:55  
**To:** Wright,HAR,Harry,BQRA91 R  
**Subject:** RE: Openreach 854253 BA19/22 Skylark FarmFootpath Diversion

Dear Harry

Thank you for your email with attachments. I note your letter states you have apparatus in the vicinity of the proposed public footpath and that you wish rights to be preserved. However, I would be grateful if you would reconsider the plan and note that the proposed footpath is within the field, not on the highway. I have drawn a red line on the plan you sent (reattached here with my modification), which shows that the route of the proposed footpath is unaffected by your apparatus (this is route A-C on the consultation plan).

Highway rights are created by the new footpath in any case – it would be the existing footpath (points A-B on the consultation plan) where rights would need to be preserved under the diversion order. The existing route is not shown on your plan, so I assume that there is no apparatus near the existing route. I attach our proposal plan again, for your information.

Please could you look at the two plans attached and then confirm if any rights need to be preserved for the route shown as A-B.

Thank you for your time in this matter

Yours sincerely

Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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My working days are Tuesday, Wednesday and Friday

# Legend

## CAUTION AREA

 BT.CAUTION\_AREA


## EQUIPMENT

 FIBRE, TCODE


 COPPER, CABINET

 COPPER, DP

## DUCT

 AERIAL

 TUNNEL


 DUCT

## PROPOSED


 AERIAL


 DUCT

## STRUCTURE

 YCODE

 CABINET SHELL

 SPLIT COUPLING

 POLE

 KIOSKS

 MANHOLE

 JOINTBOX

 CHANGE OF STATE

 DUCT TEE

## PROPOSED

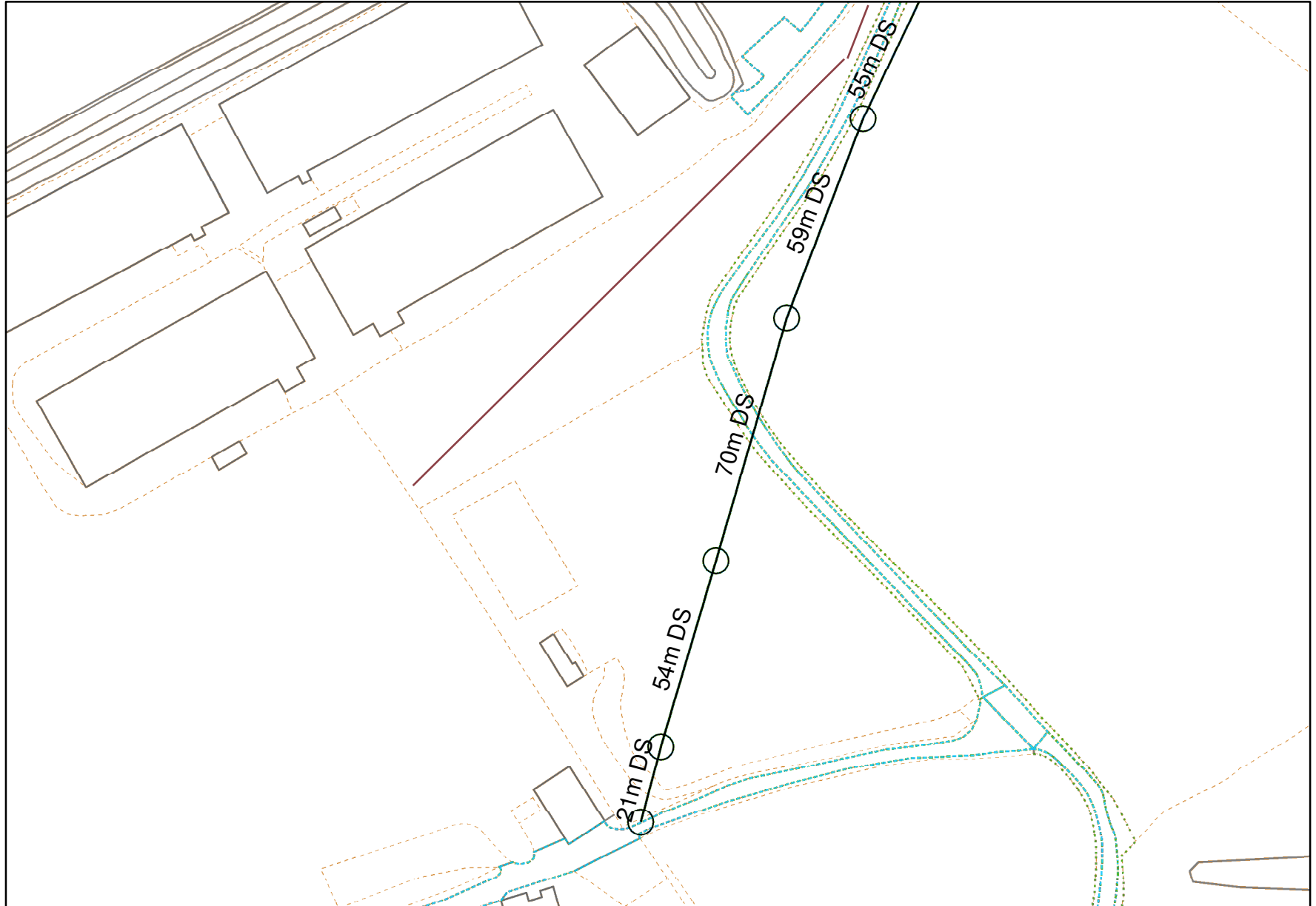
 MANHOLE

 JOINTBOX

 DUCT TEE

Other proposed plant is shown using dashed lines.

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Existing BT plant may not be recorded.  
Information valid at time of preparation.

**CLICK BEFORE YOU DIG**  
FOR PROFESSIONAL FREE ON SITE ASSISTANCE: PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE  
email [cbvd@openreach.co.uk](mailto:cbvd@openreach.co.uk)

ADVANCE NOTICE REQUIRED  
(Office hours: Monday - Friday 08.00 to 17.00)



## PLANT INFORMATION REPLY

BQRA91/854253/HW

Proposed Public Footpath Diversion Order of Public Right of Way:

BA19/22, at Skylark Farm

openreach



**BA19/22 Skylark Farm,  
Peasedown St John  
Consultation Plan**

Public footpath to be created

A  C

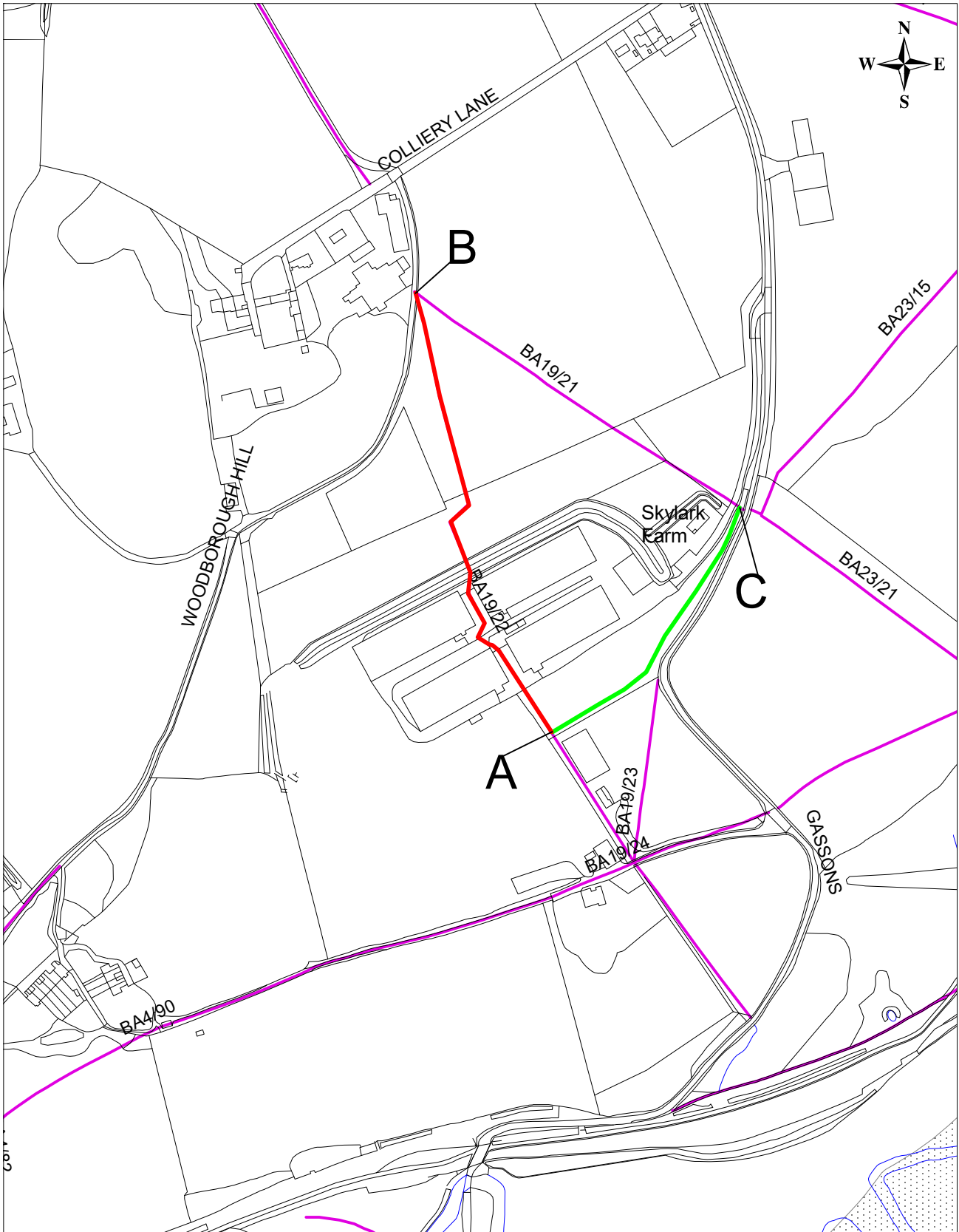
Unaffected public footpath



Public footpath to be deleted

A  B

Scale: 1:4,000



**From:** [harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk) <[harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk)>

**Sent:** 18 May 2021 13:30

**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Subject:** RE: Openreach 854253 BA19/22 Skylark FarmFootpath Diversion

Hi Wendy,

Please see attached plans amended to include all of footpath route  
The top end of the footpath doesn't show any apparatus

Kind Regards,

**Harry Wright**

Network Rearrangement Complex Engineer  
Openreach

**Mobile:** 07484015060

**Web:** [openreach.co.uk](http://openreach.co.uk)

**Address:** Weston-Super-Mare TE, 52-70 The Boulevard, Weston-Super-Mare, Bristol, AVON BS23 1PQ

We build and maintain the digital network that enables more than 600 providers to deliver broadband to homes, hospitals, schools and businesses large and small. Our engineers work in every community, every day, because we believe everyone deserves decent and reliable broadband.

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**Openreach Limited**

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP  
Registered in England and Wales no. 10690039

# Legend

## CAUTION AREA

 BT.CAUTION\_AREA


## EQUIPMENT

 FIBRE, TCODE


 COPPER, CABINET

 COPPER, DP

## DUCT


 AERIAL

 TUNNEL


 DUCT

## PROPOSED


 AERIAL

 DUCT

## STRUCTURE

 YCODE

 CABINET SHELL

 SPLIT COUPLING

 POLE

 KIOSKS

 MANHOLE

 JOINTBOX

 CHANGE OF STATE

 DUCT TEE

## PROPOSED

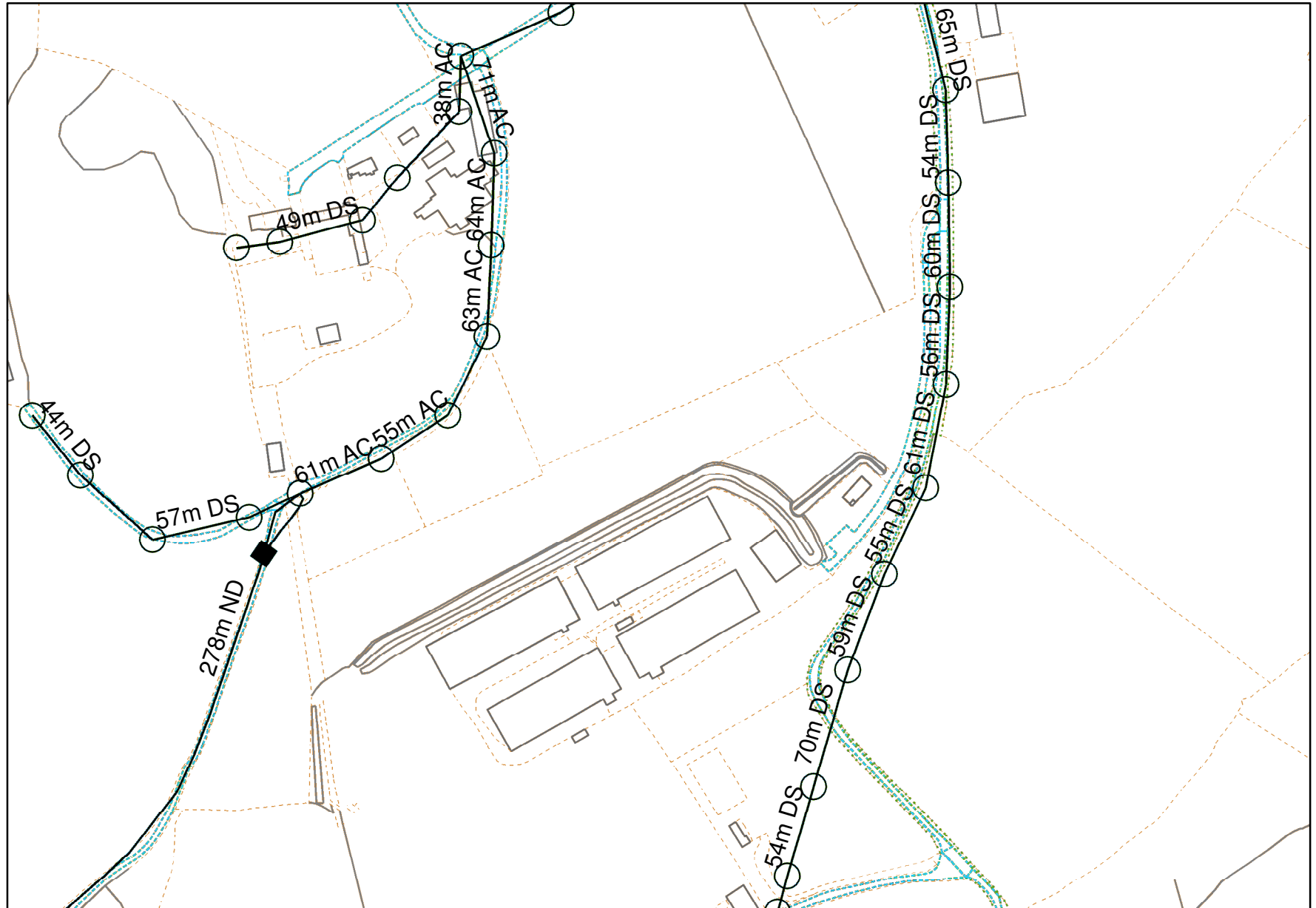
 MANHOLE

 JOINTBOX

 DUCT TEE

Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.



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Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the event of excavations or other works being made near to BT apparatus, which may exist at various depths and may deviate from the marked route.

Existing BT plant may not be recorded.  
Information valid at time of preparation.

**CLICK BEFORE YOU DIG**  
FOR PROFESSIONAL FREE ON SITE ASSISTANCE: PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE  
email [cbvd@openreach.co.uk](mailto:cbvd@openreach.co.uk)

ADVANCE NOTICE REQUIRED  
(Office hours: Monday - Friday 08.00 to 17.00)



### PLANT INFORMATION REPLY

BQRA91/854253/HW

Public Footpath Diversion Order Of Public Right of Way: BA19/22 at Skylark Farm

**openreach**

**From:** Wendy Robbins  
**Sent:** 19 May 2021 08:53  
**To:** [harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk)  
**Subject:** RE: Openreach 854253 BA19/22 Skylark FarmFootpath Diversion

Dear Harry  
Thank you for your reply and revised plan. Please confirm whether you require any rights to be preserved in the footpath diversion order, for the original route A-B or are you content that the proposal won't affect your apparatus?

Regards

Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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My working days are Tuesday, Wednesday and Friday

**From:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Sent:** 07 September 2021 11:25  
**To:** Wright,HAR,Harry,BQRA91 R <[harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk)>  
**Subject:** RE: Openreach 854253 BA19/22 Skylark FarmFootpath Diversion

Dear Harry  
Further to my email of 19<sup>th</sup> May, please can you advise whether you require any rights to be preserved in the proposed footpath diversion order, for the original route A-B (shown in red on the consultation plan) or are you content that the proposal won't affect your apparatus? The proposal plan and your map are attached for your convenience.

Regards

Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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**From:** [harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk) <[harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk)>  
**Sent:** 07 September 2021 11:55  
**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Subject:** RE: Openreach 854253 BA19/22 Skylark FarmFootpath Diversion

Hi Wendy,  
The footpath diversion orders come under section 118 and 119 which falls under short form of protection, and are current rights will be automatically preserved.

Kind Regards,

**Harry Wright**

Network Rearrangement Complex Engineer

Openreach

**Mobile:** 07484015060

**Web:** [openreach.co.uk](http://openreach.co.uk)

**Address:** Weston-Super-Mare TE, 52-70 The Boulevard, Weston-Super-Mare, Bristol, AVON BS23 1PQ

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**Openreach Limited**

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP

Registered in England and Wales no. 10690039

**From:** Wendy Robbins  
**Sent:** 07 September 2021 12:01  
**To:** [harry.ar.wright@openreach.co.uk](mailto:harry.ar.wright@openreach.co.uk)  
**Subject:** RE: Openreach 854253 BA19/22 Skylark FarmFootpath Diversion

Dear Harry  
Thank you for your response. I will not mention any special rights for Openreach in the diversion order.

Regards

Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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5. Sky

---

**From:** NRSWA <nrswa.nrswa@sky.uk>

**Sent:** 23 April 2021 16:45

**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

**Subject:** Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL



Thank you for your enquiry.

Please be advised that Sky Telecommunications Services Ltd will not be affected by your proposal.

Best endeavours have been made to ensure accuracy, however if you require further information, please contact us by email at [nrswa@sky.uk](mailto:nrswa@sky.uk).

Regards



NRSWA Department  
Sky UK - Technology - Operations



[nrswa@sky.uk](mailto:nrswa@sky.uk)



+44 2070323234

6. Wessex Water

---

**From:** AutoSplit\_e56249a952b4be37dec8461185962a46  
<AutoSplit\_e56249a952b4be37dec8461185962a46\_fe47933d@WessexWater.onmicrosoft.com>

**Sent:** 23 April 2021 15:18

**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

**Subject:** Wessex Water Planning Liaison Auto Reply

This is an automated reply from Wessex Water. We will let you know within 7 days if we require any additional details, otherwise we aim to respond within 21 days.

For general guidance on new development and online asset maps, please refer to the developer pages on our website.

---

This email is confidential. If you are not the intended recipient, you must not copy, distribute, disclose or use the information contained in it. If you have received this communication in error, please tell us immediately by return email and then delete the email and any copies of it from your computer system. Thank you.

Wessex Water Services Limited, Registered in England No 2366648. Registered Office –  
Wessex Water Operations Centre, Claverton Down Road, Claverton Down, Bath, BA2 7WW

7. Atkins/Vodafone

**From:** Shivakumar, Gokila <Gokila.Shivakumar@atkinsglobal.com>  
**Sent:** 30 April 2021 04:08  
**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>  
**Subject:** No OBJection: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Dear Sirs,

New Roads and Street Works Act 1991  
**Stopping Up Order / Footpath Diversion / Extinguishment / Gating Order**

**No Objection**

**We refer to the below or attached order and confirm that we have no objections**

**Please email Stopping Ups to [osm.enquiries@atkinsglobal.com](mailto:osm.enquiries@atkinsglobal.com)**

**To enable us to process your application as quickly as possible, please ensure you include Grid References.**

A copy of the Cable and Wireless process 4461 'Special Requirements relating to the external plant network of Cable and Wireless UK Services Ltd' is available on request. The process provides guidance on working in the vicinity of Cable and Wireless's apparatus.

**IMPORTANT - PLEASE READ = Your Next Step?**

Where apparatus is affected and requires diversion, please send all the scheme related proposals that affects the Vodafone Network to [c3requests@vodafone.com](mailto:c3requests@vodafone.com) with a request for a 'C3 Budget Estimate'. Please ensure you include a plan showing proposed works. (A location plan is insufficient for Vodafone to provide a costing). These estimates will be provided by Vodafone directly, 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). Diversionary works may be necessary if the existing line of the highway/railway or its levels are altered.

Plant Enquiries Team  
T: +44 (0)1454 662881  
E: [osm.enquiries@atkinsglobal.com](mailto: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 Limited 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.

Please consider the environment before printing this e-mail



**From:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Sent:** 28 April 2021 13:51  
**To:** National Plant Enquiries <[OSM.enquiries@atkinsglobal.com](mailto:OSM.enquiries@atkinsglobal.com)>  
**Subject:** RE: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Please see correspondence below.

A = ST 370,608 155,745  
B = ST 370,510 156,060  
C = ST 370,746 155,904

Regards  
Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**  
Environmental Services  
Bath and North East Somerset Council  
Telephone: 01225 394161 or 07866 989388  
Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)  
[www.bathnes.gov.uk](http://www.bathnes.gov.uk)  
Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)  
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**From:** National Plant Enquiries <[OSM.enquiries@atkinsglobal.com](mailto:OSM.enquiries@atkinsglobal.com)>  
**Sent:** 28 April 2021 08:37  
**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Subject:** RE: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Please can you **resubmit** this and all future requests to include:

- the site location address (including postcode if possible) within the subject heading,
- send separate emails for each separate site location,
- **12-digit grid references within the body of the email,**
- a site location plan.
- Grid coordinates and location plan are identical.

If you sent attachments in your original email then you will need to attach them again.

Please re-send to [osm.enquiries@atkinsglobal.com](mailto:osm.enquiries@atkinsglobal.com)

Many thanks

Plant Enquiries Team  
T: 01454 662881

This response is made only in respect to electronic communications apparatus forming part of the Vodafone Limited 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.



ATKINS working on behalf of Vodafone: Fixed

**From:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Sent:** 23 April 2021 19:48

**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Subject:** Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Dear Sir/Madam

Bath and North East Somerset Council are proposing to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John.

The general effect of the proposal is shown on the attached Plan. Public Footpath (FP) BA19/22 currently runs between the poultry buildings and over numerous steps at Skylark Farm. The proposal re-routes this section of FP to the southeast of the poultry farm through woodland to join FP BA19/21 at a point further southeast. The section of FP BA19/22 to be stopped up runs from point A on the Plan at grid reference **ST 7060 5574** to point B at grid reference **ST 7051 5606** and is shown as a continuous red line on the Plan. The proposed FP runs from point A to point C at grid reference **ST 7074 5590** and is shown as a continuous green line on the Plan.

The changes would be achieved by way of a diversion order made under section 119 of the Highways Act 1980 ('the Act') and are proposed in the interests of the landowner in order to improve farm management and provide a more pleasant and accessible route for public use away from farm buildings. Full details of the case can be viewed at <https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-way/prov-legal-order-case-documents/public>. If you have any comments regarding the above proposals please send them to **Public Rights of Way Team, Lewis House, Manvers Street, Bath, BA1 1JG** or email [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk) no later than **22<sup>nd</sup> May 2021**.

If you would like further information please email or tel 01225 394161.

Yours faithfully

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](http://www.twitter.com/bathnes)

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## 8. Civil Aviation Authority

---

From: donotreply@caa.co.uk <donotreply@caa.co.uk>  
Sent: 23 April 2021 15:18  
To: Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>  
Subject: Thank you for your enquiry to the CAA

Thank you for contacting the CAA.

To allow us to assist you more effectively, this mailbox has been retired.

If you're making a general enquiry, please visit our website and complete a general enquiry form (<https://www.caa.co.uk/Our-work/Information-requests/Make-an-enquiry/>) and one of the team will respond to you as soon as possible. It is important to note, we do on occasion need to check with subject matter experts so please allow us up to 20 working days to respond.

If you would like to make a complaint, please visit our complaints page (<https://www.caa.co.uk/Our-work/Make-a-report-or-complaint/CAA-complaints-policy/>) to find information about what we can and can't review as part of our complaints procedure.

For assistance with airline complaints, our Passenger Advice and Complaints Team (PACT) have a wealth of information available online (<https://www.caa.co.uk/Passengers/Resolving-travel-problems/How-the-CAA-can-help/Alternative-dispute-resolution/>).

For Freedom of Information requests, our website contains a request form (<https://www.caa.co.uk/Our-work/Information-requests/Freedom-of-Information/>).

Our General Privacy Notice can be viewed at [www.caa.co.uk/Our-work/About-us/General-privacy-notice/](http://www.caa.co.uk/Our-work/About-us/General-privacy-notice/).

You have a right to request information we hold about you which you can find more about at [www.caa.co.uk/Our-work/Information-requests/Personal-data/](http://www.caa.co.uk/Our-work/Information-requests/Personal-data/). We are also subject to the Freedom of Information Act, which means we may be required to release information you provide us into the public domain. We would always take into account your right to privacy.

9. Virgin Media

---

**From:** >Plant Enquiries Team <PlantEnquiriesTeam@virginmedia.co.uk>

**Sent:** 23 April 2021 15:19

**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

**Subject:** Automatic reply: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Thank you for your email.

Plant enquiry requests should no longer be sent to

[PlantEnquiriesTeam@virginmedia.co.uk](mailto:PlantEnquiriesTeam@virginmedia.co.uk) and should be obtained direct from digdat. To request access to digdat please go to

<https://utilities.digdat.co.uk/Account/register.aspx> and request access. A support guide can be found at

<https://utilities.digdat.co.uk/digdat%20website%20user%20guides.pdf>

If you are working on the direct behalf of a Local Authority or registered utility please request statutory access in digdat providing any supporting documentation.

If your enquiry is in relation to a demolition / diversion / new development, please ensure that you complete the above process first in order that your enquiry can be processed efficiently.

Please send any C3 requests to [divworks@virginmedia.co.uk](mailto:divworks@virginmedia.co.uk)

Need to alter our network? Upon completion of a Preliminary Enquiry, where it is necessary for our network to be altered, you need to contact our Diversionary Team on 0800 4008 0088 option 1. These details will be provided to you on our return correspondence.

New Development - Upon completion of a Preliminary Enquiry, if you have a New Development in an area where Virgin Media equipment is not located, you need to contact our New Developments Team on 0800 408 0088 option2. These details will be provided to you on our return correspondence.

Where you suspect that Virgin Media network has been damaged, you need to contact the Virgin Media Damage Hotline on 0870 888 3113

10. Open Spaces Society

---

**From:** Christine Hunter <christinehunter@oss.org.uk>

**Sent:** 23 April 2021 15:18

**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

**Subject:** Automatic reply: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Thank you for contacting the Open Spaces Society. I am back at work on Monday 26 April and will respond as possible to your email.

Christine Hunter

[www.oss.org.uk](http://www.oss.org.uk)

11. Auto Cycle Union

---

**From:** Reception <reception@acu.org.uk>

**Sent:** 23 April 2021 15:18

**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

**Subject:** Automatic reply: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Please note our offices are closed every Monday and Friday until further notice.

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## 12. Byways and Bridleways Trust

---

From: notices@bywaysandbridlewaystrust.org.uk  
<notices@bywaysandbridlewaystrust.org.uk>

Sent: 23 April 2021 15:18

To: Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

Subject: Thank you for your email [Re: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL]

Thank you for your notice.

Due to the number of notices received, we will not necessarily respond.



13. Ramblers Area Footpath Secretary, Mr Brian Wilson

---

**From:** Brian Wilson <[wilsonbrian350@gmail.com](mailto:wilsonbrian350@gmail.com)>  
**Sent:** 19 May 2021 14:44  
**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Subject:** Re: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Dear Wendy

I have no objections in principle to the diversion proposed in the application subject to the following comments -

1. At point A is a metal gate which needs some attention/ refurbishment. Will there be a gate sited still at this point?
2. The proposed path between A and C on the plan runs quite close to the boundary line shown. The ground level south of the proposed path and boundary line ( up to where footpath BA19/23 meets up with the lane) runs downhill. This could be hazardous for a walker especially if there is slippage of the ground near that boundary line. To safeguard against this I would prefer that the new path runs NE through the trees from point A.
3. It is noted that the applicants in their application agree to clear the proposed path through the woodland (and ensure that the new route will be clearly shown).

I look forward to hearing further in response to the comments.

Regards

Brian Wilson

Ramblers Area Footpath Secretary

**From:** Wendy Robbins  
**Sent:** 21 May 2021 11:02  
**To:** Brian Wilson <[wilsonbrian350@gmail.com](mailto:wilsonbrian350@gmail.com)>  
**Subject:** RE: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Dear Brian

Thank you for your email and your comments. I have noted that the gate you refer to is difficult to open and this will be addressed. The gate is outside of the proposals and is to remain in situ.

I have also noted that the proposed route is too close to the boundary and this is being considered before we finalise the route, after consideration of any other comments received during the consultation.

I will be in touch again before a decision is made about how we intend to proceed

Regards

Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council  
Telephone: 01225 394161 or 07866 989388  
Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)  
[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](http://www.twitter.com/bathnes)

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## 14. Cllr Karen Walker

---

**From:** Karen Walker (Cllr) <Karen\_Walker@BATHNES.GOV.UK>  
**Sent:** 25 April 2021 09:16  
**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>  
**Cc:** Sarah Bevan (Cllr) <Sarah\_Bevan@Bathnes.Gov.UK>  
**Subject:** Re: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Hello Wendy, I have no objection to the proposed change of the Public Footpath, if it helps improve the farm management and provide a more pleasant route for all to enjoy.

Cllr Karen Walker Independent Peasedown St John  
Spokesperson for The Independent group.  
Chair of Scrutiny Climate Emergency and Sustainability Panel  
<http://www.bathnes.gov.uk/services/your-council-and-democracy/councillors-and-how-council-works/councillor-privacy-notice>  
First point of call if you need to report a problem <https://www.bathnes.gov.uk/reportit>

## 15. Cllr Sarah Bevan

---

**From:** Sarah Bevan (Cllr) <Sarah\_Bevan@Bathnes.Gov.UK>

**Sent:** 26 April 2021 11:59

**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

**Cc:** Karen Walker (Cllr) <Karen\_Walker@BATHNES.GOV.UK>

**Subject:** RE: Proposal to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John BA2 8LL

Dear Wendy

Thank you for sharing the details of this proposal with us, and the applicant's reasons for the change, which sound beneficial for the public and the applicant alike.

kindest regards

Councillor Sarah Frances Bevan B A Hons French (Durham University 1980)

Elected member for Peasedown St John ward (Independent),

Bath and North East Somerset Council.

## 16. Mr David Burrows

---

**From:** David Burrows <[dav1dburrows@msn.com](mailto:dav1dburrows@msn.com)>  
**Sent:** 14 May 2021 08:36  
**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Subject:** Footpath from Braysdown to Withlington

Dear Wendy Robbins,

My son has shown me a proposed plan of a diversion to his walk home from school.

Since the path has been cleared of brambles, we have made our son walk to school down this public footpath to Withlington, as this is a safer way to walk away from the busy roads.

The proposed plan adds an extra distance and time to his walk. I'm afraid he would then use the road, which is a rat run to bypass radstock and as there is no pavement it is very dangerous.

Kindest Regards

David Burrows

**From:** Wendy Robbins  
**Sent:** 14 May 2021 09:48  
**To:** David Burrows <[dav1dburrows@msn.com](mailto:dav1dburrows@msn.com)>  
**Subject:** RE: Footpath from Braysdown to Withlington

Dear Mr Burrows

Thank you for your email, raising concerns regarding the proposal to divert a public footpath at Braysdown. I assume you are referring to footpath BA19/22 at Skylark Farm, and I attach a copy of the consultation proposal plan for your information.

I am a little confused by your concerns as the proposal does not include any need to walk on roads, nor are there any brambles on the existing route that I am aware of. It is my view that the proposed walk will be more pleasant for the public to walk. The problems with the existing footpath are:

1. Accessibility – it takes in 4 flights of steps through the chicken farm. The steps make it difficult for some walkers
2. Air quality – the smell from the chicken farm can be overpowering on occasions
3. Farm machinery – there is a necessity for the farm to use large vehicles in the vicinity of the footpath for farming purposes. This creates a hazard for the walking public
4. The health and safety protocol for the farm is breached with the public walking between the farm buildings without Personal Protective Equipment.

The proposed route addresses all of these issues by creating a flatter route with pleasing views; improved air quality; avoidance of all vehicles and avoidance of entering the farm environment. It is correct that the walk will be slightly longer, but it is felt that the above reasons outweigh this point. The majority of people walking the country footpaths are not trying to get from A to B by the fastest route but the most pleasant and accessible route. The proposed route is inside of a partly wooded/partly grassed area which is separated from the road by a hedge.

It may be that as a result of this consultation there is a possibility of amending the proposed route slightly. If, after having considered the above, you still feel that the proposed route does not improve the walking experience perhaps we could discuss the issue? It would assist me in planning the most appropriate route to know why you think someone will use the roads rather than the proposed route.

If you wish to discuss the matter further, please give me a call on 07866 989388. I would be happy to call you if you provide a phone number. As you have shown an interest in the proposal, would you like me to keep you informed of progress by adding your email address to the mailing list?

Yours sincerely

Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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**FOR THE ATTENTION OF ALL PUBLIC FOOTPATH USERS**

**Bath and North East Somerset Council are proposing to change the Public Rights of Way network in respect of Public Footpath BA19/22, at Skylark Farm, in the Parish of Peasedown St John.**

The general effect of the proposal is shown on the attached Plan. Public Footpath (FP) BA19/22 currently runs between the poultry buildings and over numerous steps at Skylark Farm. The proposal re-routes this section of FP to the southeast of the poultry farm through woodland to join FP BA19/21 at a point further southeast. The section of FP BA19/22 to be stopped up runs from point A on the Plan at grid reference ST 7060 5574 to point B at grid reference ST 7051 5606 and is shown as a continuous red line on the Plan. The proposed FP runs from point A to point C at grid reference ST 7074 5590 and is shown as a continuous green line on the Plan.

The changes would be achieved by way of a diversion order made under section 119 of the Highways Act 1980 ('the Act') and are proposed in the interests of the landowner in order to improve farm management and provide a more pleasant and accessible route for public use away from farm buildings.

Full details of the case can be viewed at <https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-way/prow-legal-order-case-documents/public> .If you have any comments regarding the above proposals please send them to **Public Rights of Way Team, Lewis House, Manvers Street, Bath, BA1 1JG** or email [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk) no later than **22<sup>nd</sup> May 2021**.

If you would like further information please email or tel 01225 394161.

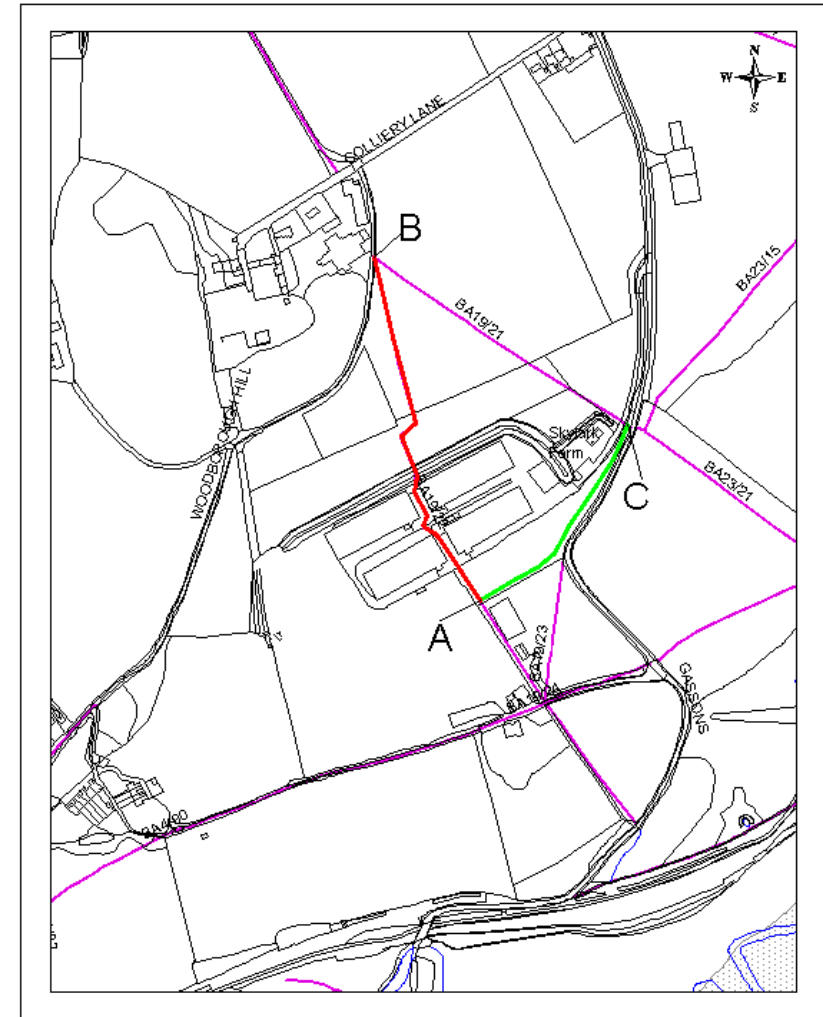
**BA19/22 Skylark Farm,  
Peasedown St John  
Consultation Plan**

Public footpath to be created — A — C

Unaffected public footpath —

Public footpath to be deleted — A — B

Not to scale



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Wendy Robbins Technical Officer:  
Bath and North East Somerset Council

Public Rights of Way  
Date: 24<sup>th</sup> April 2021

On 26 May 2021 14:53, Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)> wrote:

Dear Mr Burrows

I am now writing to let you know that the initial consultation on the proposal to divert the public footpath at Skylark Farm is now finished. We received a couple of comments, mainly supportive, but with one issue raised that we would like to address; namely that the proposed route is too close to the boundary in the wooded area close to a change of ground levels. We are therefore considering moving the proposed route slightly further north to accommodate these concerns.

I am writing to see if you still have concerns regarding the proposals, after consideration of my email of 14<sup>th</sup> May? If you do, it would be helpful to me to have a better understanding of your concern, before the decision is made how to progress the proposal.

Please clarify any concerns you still have and let me know how you think they might be addressed at this stage, either by phoning me on 07866 989388 or by emailing. Otherwise, your comments will be referred to in the decision report but possibly not resolved.

I look forward to hearing from you shortly

Yours sincerely

Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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My working days are Tuesday, Wednesday and Friday

**From:** David Burrows <[dav1dburrows@msn.com](mailto:dav1dburrows@msn.com)>

**Sent:** 04 June 2021 16:03

**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Subject:** RE: Footpath from Braysdown to Withlington

To Wendy Robbins,

This is the correct footpath passing through skylark farm on the way to Withlington.



I do not agree with your points please see below;

1. Considering the steep decline further down to braysdown lane, I wouldnt have thought anyone who couldn't navigate a flight of steps would even use the footpath in the first place.
2. The chicken farm has been there for a very long time and is well known that the smell affects the whole area depending on wind direction, we all just have to close our windows on the house when the wind comes our way.
3. Farm machinery should be slower than vehicles on the road. As there are few vehicle movements on site when I have walked through in the past, we have never felt in danger from the machinery.
4. If there is a need to wear full PPE through a farm, then obviously the farm is not following safe working practices. There are mainy footpaths through farms and this is the first time I can see from looking online that this has been an issue. The footpath has always been there and if the farm has made it unsafe then they should change their practices accordingly.

I disagree that a footpath is not used to get from point A to B, as this is exactly what this path has always been used for, to get from braysdown to Withlington! (Which is actually the nearest convenience store to braysdown)

The proposed footpath would be a longer distance, which means walking on the busy lane, which has no pavement, will happen.

The footpath has been a disgrace for the last few years and the belief that skylark farm will keep it clear is beyond belief I'm afraid.

I have spoken with a few of my fellow residents and they agree with my valid points. I think if this goes ahead you'll have a few disgruntled local residents!

Kindest regards

Dave Burrows  
Braysdown

## 17. Mr J Payton

---

**From:** Wendy Robbins  
**Sent:** 20 August 2021 14:34  
**To:** Sheila Petherbridge <Sheila\_Petherbridge@BATHNES.GOV.UK>  
**Subject:** FW: Skylark Farm, Peasedown St John, public path diversion order - progress

Hi Sheila

Please can you pass this on to John Peyton as I don't have an email address for him? If you don't either, please let me know if you have any contact details so that I can contact him. Ideally I would like an email address and his agreement to be added to the mailing list.

Thank you  
Regards  
Wendy

### **Wendy Robbins**

#### **Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

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My working days are Tuesday, Wednesday and Friday

**From:** Wendy Robbins  
**Sent:** 01 September 2021 10:21  
**To:** j.r.payton@bath.ac.uk  
**Subject:** Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Mr Payton

Thank you for your time on the telephone this morning.

I am writing to all interested parties to explain the progress so far with the above diversion proposal, and to explain how we intend to progress the proposal from here.

The proposal to divert the length of public footpath from the boundary of Skylark Farm in the south (point A on the attached plan), to the boundary with public footpath BA19/21 and Woodborough Hill (point B) to the north was consulted on between

24/4/21 and 22/5/21. The proposal was to run the new footpath along the boundary of Skylark Farm to the south, joining public footpath CL19/21 at point C.

Concerns were raised during the consultation regarding the nearness of the footpath to the adjoining parcel of land. There is a difference in ground levels at the beginning of the diversion at point A, with little in the way of fencing or hedging. The local Ramblers representative was concerned for safety of walkers and the adjoining landowner was concerned because a menage was being created on his land, adjacent to the proposed footpath, which would mean walkers would be above the height of horses and their riders. He was concerned that this could spook the horses if they were surprised by walkers unexpectedly.

A concern was also raised by a member of the public (Mr B) suggesting that the proposal would mean 'walking on the road' which would be a safety hazard as there are no footways on the road (Gassons on the map). Further correspondence was held between the Officer and Mr B, as the Officer considered there was a misunderstanding, as no walking on the road was being proposed. However, Mr B reiterated the unsuitability of the proposal. Mr B was invited several times to a site meeting to discuss the issues raised but he was not responsive to this.

Site meetings and conversations were held between the farm manager, the adjoining landowner and the Officers to try to resolve the raised safety issue of the ground level difference/proximity. Various options were considered, giving consideration to safety for walkers, safety for the menage-users and horses, future maintenance and simplicity for walkers to follow.

A consensus was not agreed by all and so a compromise proposal is now being considered. It is the view of the Officers that a route bisecting the land, from point D on the map, rather than on the boundary, will alleviate safety issues for walkers and riders with horses on the land below, whilst creating a simple enough route for the public to follow and being simple enough for future maintenance. Views and a more pleasant walk would still be maintained by the alternative proposal. A route further north was ruled out because it was considered by the Officers that it would not be followed by the public because they would be expected to walk further around the land and it wouldn't be a simple straight line walk because of the terrain, which would be difficult to sign/enforce on open land. It would also encounter terrain difficult to even out initially in order to bring it up to standard fit for use by the public, and would be difficult to maintain in the future.

It is therefore my intention to recommend that the Council makes the diversion order along the alternative route from point D to point C, for the reasons stated above. As explained, all comments received so far have been given consideration during the consultation process.

You will be informed when the decision has been made by the Council, which will be available to view on our website. I will then be in a position to arrange for the diversion order to be made. As an interested party, you will be sent a copy of the order and notice in due course.

If you have any questions regarding the above please do not hesitate to contact me.

As explained on the telephone, I am happy to include anyone on the mailing list who is interested in the proposal. Please feel free to forward my details to anyone wishing to make contact.

You advised that the public are not using the existing public footpath but walking all over the boundary line from your land into Skylark Farm and using a newly mown route once on Skylark Farm land. As explained, this is not something that the Council has any control over. At present, nothing has changed with regard to where the public footpath goes and this is currently adequately signposted. I cannot say whether the 'newly mown route' is on the proposed route as I haven't seen it, but the route the Council proposes to pursue now is almost exactly half way between your boundary where the kissing gate is now, and the top of the steps leading onto Skylark Farm's yards. If a diversion to the footpath is implemented in due course, it will be signposted properly and we will consider whether any other measures are required by us/the landowner to direct the public on the new route.

Yours faithfully

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

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My working days are Tuesday, Wednesday and Friday

**From:** Wendy Robbins

**Sent:** 01 December 2021 14:19

**To:** Beckie Rogers <beckierogersmail@gmail.com>; j.r.payton@bath.ac.uk

**Cc:** Sheila Petherbridge <Sheila\_Petherbridge@BATHNES.GOV.UK>

**Subject:** RE: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Beckie and John

Further to our meeting with you last week, Sheila and I have given your suggestion further consideration and I have discussed it with my line manager.

I am sorry but we are unable to progress your suggestion of taking the proposed footpath from the north east corner of your field to join with public footpath BA19/23 as an alternative proposal, for the following reasons:

1. Neither the existing FP or the proposed FP which has been consulted on run through the field with horses in. It would not be appropriate for us to alter the footpath network so that the public only have the option of going through a field with horses in, or along a road without pavements. Currently the public have the choice of two FPs.
2. Your suggestion would mean a reduction of recorded public footpath by more than 200 metres. This would only be considered if there were compensating public benefits, which is not the case with your suggestion.
3. The decision made by the Authority on 3<sup>rd</sup> November 2021 has taken your comments into consideration and the result is that the Authority considers that the proposed route approximately 20 metres from the boundary is suitable for public use and should not impose on your proposed menage.

We are therefore returning to the position set by our decision on 3<sup>rd</sup> November, and will be sealing a public path diversion order in due course. As interested parties, you will be kept fully informed of the progress. I attach a flow chart which outlines the process.

Yours sincerely  
Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

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Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

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My working days are Tuesday, Wednesday and Friday

**From:** John Payton <[jrp20@bath.ac.uk](mailto:jrp20@bath.ac.uk)>

**Sent:** 06 January 2022 10:59

**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>; Beckie Rogers <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>

**Cc:** Sheila Petherbridge <[Sheila\\_Petherbridge@BATHNES.GOV.UK](mailto:Sheila_Petherbridge@BATHNES.GOV.UK)>

**Subject:** Re: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Wendy

I am writing to ask why I have had no response from you regarding one of the proposed routes, discussed at some length during our last site meeting with Sheila and Becky.

The proposal is to run the path from the NE corner of my property to the SE corner and meet footpath BA 19/24.

I have attached two photographs showing both positions , the NE being your preferred choice. I have also attached photographs of the SW corner looking up the existing path and the NW corner looking down.

The proposed route, as we all agreed at the meeting, gives far better connectivity.

Also ,it is less steep has full view of the valley. It's a pleasant walk away from my farm machinery , wood storage / logging facilities, horsebox, and vehicle parking area. The distance walked is about the same. People walking Gassons hill will be able to choose a safe route inside the field boundary, rather than the narrow lane with no pavements.

This route removes the serious safety issues regarding your preferred route across the back of my menage.

At the site meeting you asked if I was prepared to make a financial contribution . What's it for? .

Regards John Payton.

I

---

**From:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Sent:** 10 January 2022 23:47

**To:** John Payton <[jrp20@bath.ac.uk](mailto:jrp20@bath.ac.uk)>; Beckie Rogers <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>

**Cc:** Sheila Petherbridge <[Sheila\\_Petherbridge@BATHNES.GOV.UK](mailto:Sheila_Petherbridge@BATHNES.GOV.UK)>

**Subject:** RE: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

**CAUTION:** This email came from outside of the University. To keep your account safe, only click on links and open attachments if you know the person who sent the email, or you expected to receive this communication.

Dear John

I am sorry you consider I have not responded to you, as the emails below, setting out our position, are addressed to you and Beckie. The Authority has given consideration to your views but has to take into account many other considerations as well. Although there is merit to having a footpath from the diagonal corner of your field joining up it doesn't fit the criteria of our public path policy or the legislation in relation to the diversion application that the Applicant has put forward, for the reasons set out below (i.e. reduction of length, no alternative to walking in a field with horses as there is now). To view the Authority's policy please see [https://www.bathnes.gov.uk/sites/default/files/siteimages/adopted\\_public\\_path\\_order\\_policy.pdf](https://www.bathnes.gov.uk/sites/default/files/siteimages/adopted_public_path_order_policy.pdf) The Authority has therefore not put your suggestion to the Applicant as a viable alternative in this instance.

This is not to say that the Authority would dismiss your suggestion as a separate addition, once the Applicant's diversion has been completed. As an additional route, this would give the public the choice of walking through a field of horses or not, and could reduce the amount of pedestrian traffic above your menage. I believe the Applicant may support this (they would need to, as it involves their land as well as yours). However, this would mean waiting until this first application has been

completed, and then deciding the best way forward to create this route. Which legal mechanism is used for creating the route (i.e. permissive, creation order etc) will need to be discussed at the time, and the criteria, cost and liability would be different, depending on the choice made. If you wish to view the Authority's information relating to making changes to the public path network, please see <https://www.bathnes.gov.uk/services/streets-and-highway-maintenance/public-rights-way/public-path-orders>

The Authority is therefore going ahead with making the diversion order. A copy will be forwarded to you, along with the legal notice, in due course. Please note that all representations received may be considered in public by the Council and that the substance of any representation together with the name and address of the person making it may become available for public inspection. If no objections are received at this point, or if any objections made are withdrawn, the Council will be able to confirm the Order; otherwise the Council will decide whether or not to send the Order to the Secretary of State for determination as an opposed order. This may involve holding a public inquiry. If the order is sent to the Secretary of State for Environment, Food & Rural Affairs for confirmation any representations or objections which have not been withdrawn will be sent with the order.

I trust this clarifies the situation. I will be in touch again in due course.

Regards  
Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

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**From:** John Payton <jrp20@bath.ac.uk>

**Sent:** 13 January 2022 18:52

**To:** Wendy Robbins <Wendy\_Robbins@BATHNES.GOV.UK>

**Subject:** Re: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Wendy

I do not believe you have given any consideration to the proposal in my latest email. You failed to give any mention of it in email dated 1/12/ 21 .This after a site the meeting. The reasons you give for the footpath not fitting the criteria of your public path policy are unfounded.(alternative route/length of path).

1/Alternative route ?.

Horses will graze over footpaths BA19/22, BA19/23 and BA1924.

There are no other footpaths on my land and therefore no alternative route to walking in a field with horses. This was explained in an email from Beckie dated 8/12/21 as well as verbally at the site meeting.

2/The length of footpath?.

The proposed route from the NE corner to SE Corner is the same walking distance as your proposed route across the rear of my menage therefore no reduction in length. This was also explained in my previous email dated 6/1/22.

3/Can you please answer my question as to why I was asked about giving a financial contribution?

4/Please can you forward the contact details of the person who takes responsibility for refusing to carry out a risk assessment on the effects of your preferred route, across the rear of my menage.

Your reply to Beckie's request for a risk assessment is alarming. I have raised the safety issue caused by walkers spooking the horses from the start.

My property is being made "not fit for purpose" by your insistence to run the path across the rear of my menage.

A risk assessment outcome from spooking horses in a menage is "death".

I feel Beckie's and my concerns have not been listened too.

I look forward to your reply and answers.

Regards John Payton.

---



18. Ms Rebecca Rogers

---

**From:** Beckie Rogers <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>

**Sent:** 08 October 2021 19:07

**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Subject:** Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Wendy,

Your details were passed on to me by John Payton, in order that I could share my concerns over the proposed diversion of the foot path adjacent to our riding/ training ground.

I understand that the path would allow walkers to legally walk close to or in the eye line of the space that I use to school young horses. As I am sure you are aware this activity requires a quiet and secure environment. Which is why the ménage was originally chosen to be in this location.

People walking in the eye line of young horses whilst being ridden and schooled on the ground poses a very real risk to the safety of both the trainer and the animals themselves.

It with this in mind that I strongly appose any decisions to increase traffic along the border of or in the eye line of the ménage. Particularly without a risk assessment by an equine professional. Any such move could render the space useless and subsequently financially impact myself and also the owner of the property in obtaining tenants in the future. I look forward to any updates on the proposal or alternative solutions.

Very best  
Rebecca

**From:** Wendy Robbins

**Sent:** 12 October 2021 13:00

**To:** Beckie Rogers <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>

**Subject:** RE: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

.Dear Rebecca

Thank you for your email and interest in the public path diversion proposals at Skylark Farm. I note that Mr Payton has forwarded the recent proposal map to you but as I am unclear whether he forwarded the detailed email that accompanied it, I have included the content below. I will include you in the mailing list for all future information regarding this proposal if you confirm that you are happy for me to keep your contact details for this purpose.

*"I am writing to all interested parties to explain the progress so far with the above diversion proposal, and to explain how we intend to progress the proposal from here.*

*The proposal to divert the length of public footpath from the boundary of Skylark Farm in the south (point A on the attached plan), to the boundary with public footpath BA19/21 and Woodborough Hill (point B) to the north was consulted on between 24/4/21 and 22/5/21. The proposal was to run the new footpath along the boundary of Skylark Farm to the south, joining public footpath CL19/21 at point C.*

*Concerns were raised during the consultation regarding the nearness of the footpath to the adjoining parcel of land. There is a difference in ground levels at the beginning of the diversion at point A, with little in the way of fencing or hedging. The local Ramblers representative was concerned for safety of walkers and the adjoining landowner was concerned because a menage was being created on his land, adjacent to the proposed footpath, which would mean walkers would be above the height of horses and their riders. He was concerned that this could spook the horses if they were surprised by walkers unexpectedly.*

*A concern was also raised by a member of the public (Mr B) suggesting that the proposal would mean 'walking on the road' which would be a safety hazard as there are no footways on the road (Gassons on the map). Further correspondence was held between the Officer and Mr B, as the Officer considered there was a misunderstanding, as no walking on the road was being proposed. However, Mr B reiterated the unsuitability of the proposal. Mr B was invited several times to a site meeting to discuss the issues raised but he was not responsive to this.*

*Site meetings and conversations were held between the farm manager, the adjoining landowner and the Officers to try to resolve the raised safety issue of the ground level difference/proximity. Various options were considered, giving consideration to safety for walkers, safety for the menage-users and horses, future maintenance and simplicity for walkers to follow.*

*A consensus was not agreed by all and so a compromise proposal is now being considered. It is the view of the Officers that a route bisecting the land, from point D on the map, rather than on the boundary, will alleviate safety issues for walkers and riders with horses on the land below, whilst creating a simple enough route for the public to follow and being simple enough for future maintenance. Views and a more pleasant walk would still be maintained by the alternative proposal. A route further north was ruled out because it was considered by the Officers that it would not be followed by the public because they would be expected to walk further around the land and it wouldn't be a simple straight line walk because of the terrain, which would be difficult to sign/enforce on open land. It would also encounter terrain difficult to even out initially in order to bring it up to standard fit for use by the public, and would be difficult to maintain in the future.*

*It is therefore my intention to recommend that the Council makes the diversion order along the alternative route from point D to point C, for the reasons stated above. As explained, all comments received so far have been given consideration during the consultation process."*

You will note from the above that the proposal from point D to C takes the route approximately 18 metres further north of the boundary between Skylark Farm and the menage. There will be a lot more space between walkers and the menage on the proposed route than there is between walkers on the existing (and remaining) footpath BA19/22 leading up to point A on Mr Payton's land. There will still be trees and space between the proposed footpath and the boundary and if it was considered appropriate for any party to install a more robust hedge or fence along the boundary the proposed footpath would not interfere with this. In our opinion this will be

sufficient to allay the concerns raised regarding walkers being in the sight-line of users of the menage.

I hope this explanation addresses your concerns sufficiently. However, if you would like to meet on site to discuss the proposal please let me know.

Regards  
Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

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Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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**From:** Beckie Rogers <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>

**Sent:** 04 November 2021 18:09

**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Subject:** Re: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Hi Wendy,

Thank you for your email, please do include me in future emails and yes it would be good to meet at the site. When is convenient?

Warmest  
Beckie

**From:** Wendy Robbins

**Sent:** 10 November 2021 08:39

**To:** Beckie Rogers <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>

**Subject:** RE: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Beckie

Thank you for your email.

Further to previous correspondence, the decision has now been made by the Council to make the diversion order for the public footpath at Skylark Farm, Peasedown St John. The decision report can be found at [https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Streets-and-Highway-Maintenance/FootpathsandPublicrightsofway/06\\_skylark\\_fm\\_psj\\_delegated\\_officer\\_report\\_-\\_redacted.pdf](https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Streets-and-Highway-Maintenance/FootpathsandPublicrightsofway/06_skylark_fm_psj_delegated_officer_report_-_redacted.pdf)

I will shortly be in a position to arrange for the diversion order to be made. The notices will be put up on each end of the affected footpath for 4 weeks.

A copy of the order and notice will be forwarded to you in due course.

If you have any questions regarding this, please let me know. If you wish to meet after considering the report, I could meet you on site on Friday 12<sup>th</sup>, Tuesday 16<sup>th</sup> after 1pm, any time Wednesday 17<sup>th</sup> or Thursday 18<sup>th</sup>?

If you wish to meet, please let me know when it would be convenient.

Regards  
Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

[www.bathnes.gov.uk](http://www.bathnes.gov.uk)

Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)

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My working days are Tuesday, Wednesday and Friday

**From:** Wendy Robbins

**Sent:** 16 November 2021 14:31

**To:** 'Beckie Rogers' <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>; 'j.r.payton@bath.ac.uk' <[j.r.payton@bath.ac.uk](mailto:j.r.payton@bath.ac.uk)>

**Cc:** Sheila Petherbridge <[Sheila\\_Petherbridge@BATHNES.GOV.UK](mailto:Sheila_Petherbridge@BATHNES.GOV.UK)>

**Subject:** RE: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Rebecca and John

Further to my conversation last week with John, I have now had the opportunity to discuss your suggestion (of joining up the diagonal footpath with the proposed footpath) with Sheila Petherbridge, the PROW Inspector. Sheila considers this may have some merit, so initially we would like to meet you on site to discuss it and to look at the possibilities/practicalities.

Please can you suggest a couple of times/days when it would be convenient to yourselves, and we will try and set something up from your reply.

Yours sincerely

Wendy

**Wendy Robbins****Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)[www.bathnes.gov.uk](http://www.bathnes.gov.uk)Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)Bath & North East Somerset - *The place to live, work and visit.***Please consider the environment before printing this email**

My working days are Tuesday, Wednesday and Friday

**From:** Wendy Robbins**Sent:** 01 December 2021 14:19**To:** Beckie Rogers <beckierogersmail@gmail.com>; j.r.payton@bath.ac.uk**Cc:** Sheila Petherbridge <Sheila\_Petherbridge@BATHNES.GOV.UK>**Subject:** RE: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Dear Beckie and John

Further to our meeting with you last week, Sheila and I have given your suggestion further consideration and I have discussed it with my line manager.

I am sorry but we are unable to progress your suggestion of taking the proposed footpath from the north east corner of your field to join with public footpath BA19/23 as an alternative proposal, for the following reasons:

4. Neither the existing FP or the proposed FP which has been consulted on run through the field with horses in. It would not be appropriate for us to alter the footpath network so that the public only have the option of going through a field with horses in, or along a road without pavements. Currently the public have the choice of two FPs.
5. Your suggestion would mean a reduction of recorded public footpath by more than 200 metres. This would only be considered if there were compensating public benefits, which is not the case with your suggestion.
6. The decision made by the Authority on 3<sup>rd</sup> November 2021 has taken your comments into consideration and the result is that the Authority considers that the proposed route approximately 20 metres from the boundary is suitable for public use and should not impose on your proposed menage.

We are therefore returning to the position set by our decision on 3<sup>rd</sup> November, and will be sealing a public path diversion order in due course. As interested parties, you will be kept fully informed of the progress. I attach a flow chart which outlines the process.

Yours sincerely  
Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

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My working days are Tuesday, Wednesday and Friday

**From:** Beckie Rogers <[beckierogersmail@gmail.com](mailto:beckierogersmail@gmail.com)>

**Sent:** 08 December 2021 14:06

**To:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>

**Cc:** [j.r.payton@bath.ac.uk](mailto:j.r.payton@bath.ac.uk); Sheila Petherbridge <[Sheila\\_Petherbridge@BATHNES.GOV.UK](mailto:Sheila_Petherbridge@BATHNES.GOV.UK)>

**Subject:** Re: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

Hi Wendy,

Thank you for your email, I think that some of the below assumptions are incorrect which I would like to get your feedback on before any further steps are taken.

Please see my comments below in green .

I am sorry but we are unable to progress your suggestion of taking the proposed footpath from the north east corner of your field to join with public footpath BA19/23 as an alternative proposal, for the following reasons:

1. Neither the existing FP or the proposed FP which has been consulted on run through the field with horses in. It would not be appropriate for us to alter the footpath network so that the public only have the option of going through a field with horses in, or along a road without pavements. Currently the public have the choice of two FPs.

Both the suggested and proposed footpaths will be grazed intermittently by horses. I am not aware that horses are grazed in the woods above the menage, which is the proposed route Your proposed route has just been cleared, graded and reseeded to increase the grazing area. If anything this area would put the walkers in closer proximity to the horses as it is a far narrower strip. With this in mind I do not think that grazing can be considered a reason to forgo our suggestion. In fact given the proximity I feel our suggestion would offer a preferable route? The proposed footpath will be 2 metres wide wherever it is, unless it is enclosed in which case it would be wider (however, this is not part of the proposal here).

2. Your suggestion would mean a reduction of recorded public footpaths by more than 200 metres. This would only be considered if there were compensating public benefits, which is not the case with your suggestion.

Can you clarify these measurements? On my calculations it would not be a reduction of much less? Would you be able to provide a diagram with measurements so that we can be sure that this information is correct? The proposed footpath is to be approximately 212 metres, plus the existing FP BA19/22 to the side of your menage is approximately 124 metres, plus BA19/23 (diagonal) is approximately 135 metres. = 471 metres. Your suggested route is approximately 275 metres long. The difference is approximately 200 metres.

Would you be able to send through a guide to what is considered a compensatory benefit? A compensatory benefit would be an improved view, less gradient, improved connectivity as opposed to flights of steps, close proximity to farm machinery etc.

3. The decision made by the Authority on 3<sup>rd</sup> November 2021 has taken your comments into consideration and the result is that the Authority considers that the proposed route approximately 20 metres from the boundary is suitable for public use and should not impose on your proposed menage.

It is important to note at this stage that It is not a proposed menage it has been in existence since 2004. At present it is being resurfaced. I apologise as I did not know this. However, this does not affect the decision.

With the risk to life and serious injury that I put in my initial email I wondered if a considered risk assessment for the riders / trainers had been done and if so could that also be shared with us? No specific risk assessment for riders/trainers on the adjoining land has been carried out although this was given consideration along with other risks and benefits before the decision to make the order was made. Does this risk assessment state that whilst the proposed path is 20m from the horse it is directly in their eyeline which would leave the matter of distance irrelevant? I note that you say there has been a menage in place since 2004 and I am not aware of any issue with the sightline from the existing public footpath which runs alongside the menage at a closer proximity to your menage than the proposed footpath will be. The existing footpath rises up to the sightline level. The public already walk adjacent to and above the menage. There is still the option of fencing the boundary to alleviate a sight line, but this is outside of the remit of the Authority. Do you have any other such example of this disregard for safety, I would be keen to understand the Council's standpoint in regards to distance/ danger / perception etc. The Authority has considered the safety of the public and considers that public safety will be improved by the proposal. The Authority also considers that the amended proposal has taken into account the issues raised regarding horseriders.

We are therefore returning to the position set by our decision on 3<sup>rd</sup> November, and will be sealing a public path diversion order in due course. As interested parties, you will be kept fully informed of the progress. I attach a flow chart which outlines the process.

Warmest

Beckie

**From:** Wendy Robbins <[Wendy\\_Robbins@BATHNES.GOV.UK](mailto:Wendy_Robbins@BATHNES.GOV.UK)>  
**Sent:** Tuesday, 21 December 2021, 14:38  
**To:** Beckie Rogers  
**Cc:** John Payton; Sheila Petherbridge  
**Subject:** RE: Proposal to divert public footpath BA19/22, Skylark Farm, Peasedown St John

**CAUTION:** This email came from outside of the University. To keep your account safe, only click on links and open attachments if you know the person who sent the email, or you expected to receive this communication.

Dear Beckie

Thank you for your email. I have responded to your comments by replying in red. I trust this clarifies our position and explains that the Authority has given consideration to your views but has to take into account many other considerations as well, i.e. legislation, policy, application, public comments.

You will be kept fully informed as we go through the legislative procedure for the public footpath diversion process

Regards  
Wendy

**Wendy Robbins**

**Technical Officer: Public Rights of Way**

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

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## 19. Wendy Robbins emails to all interested parties

Skylark Farm, Peasedown St John, public path diversion order - progress



Wendy Robbins  
to: Wendy Robbins  
Re: Emma Parton; David Barrow; wilsonbian150@gmail.com

You forwarded this message on 20/06/2021 14:33.



Reply Reply All Forward

Fri, 20/06/2021 14:39

Dear Sir/Madam

I am writing to all interested parties to explain the progress so far with the above diversion proposal, and to explain how we intend to progress the proposal from here.

The proposal to divert the length of public footpath from the boundary of Skylark Farm in the south (point A on the attached plan), to the boundary with public footpath BA19/21 and Woodborough Hill (point B) to the north was consulted on between 24/4/21 and 22/5/21. The proposal was to run the new footpath along the boundary of Skylark Farm to the south, joining public footpath CL19/21 at point C.

Concerns were raised during the consultation regarding the nearness of the footpath to the adjoining parcel of land. There is a difference in ground levels at the beginning of the diversion at point A, with little in the way of fencing or hedging. The local Ramblers representative was concerned for safety of walkers and the adjoining landowner was concerned because a menage was being created on his land, adjacent to the proposed footpath, which would mean walkers would be above the height of horses and their riders. He was concerned that this could spook the horses if they were surprised by walkers unexpectedly.

A concern was also raised by a member of the public (Mr B) suggesting that the proposal would mean 'walking on the road' which would be a safety hazard as there are no footways on the road (Gassons on the map). Further correspondence was held between the Officer and Mr B, as the Officer considered there was a misunderstanding, as no walking on the road was being proposed. However, Mr B reiterated the unsuitability of the proposal. Mr B was invited several times to a site meeting to discuss the issues raised but he was not responsive to this.

Site meetings and conversations were held between the farm manager, the adjoining landowner and the Officers to try to resolve the raised safety issue of the ground level difference/proximity. Various options were considered, giving consideration to safety for walkers, safety for the menage-users and horses, future maintenance and simplicity for walkers to follow.

A consensus was not agreed by all and so a compromise proposal is now being considered. It is the view of the Officers that a route bisecting the land, from point D on the map, rather than on the boundary, will alleviate safety issues for walkers and riders with horses on the land below, whilst creating a simple enough route for the public to follow and being simple enough for future maintenance. Views and a more pleasant walk would still be maintained by the alternative proposal. A route further north was ruled out because it was considered by the Officers that it would not be followed by the public because they would be expected to walk further around the land and it wouldn't be a simple straight line walk because of the terrain, which would be difficult to sign/enforce on open land. It would also encounter terrain difficult to even out initially in order to bring it up to standard fit for use by the public, and would be difficult to maintain in the future.

It is therefore my intention to recommend that the Council makes the diversion order along the alternative route from point D to point C, for the reasons stated above. As explained, all comments received so far have been given consideration during the consultation process.

You will be informed when the decision has been made by the Council, which will be available to view on our website. I will then be in a position to arrange for the diversion order to be made. As an interested party, you will be sent a copy of the order and notice in due course.

If you have any questions regarding the above please do not hesitate to contact me.

Yours faithfully

Wendy Robbins  
Technical Officer: Public Rights of Way

Environmental Services

Bath and North East Somerset Council

Telephone: 01225 394161 or 07866 989388

Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)

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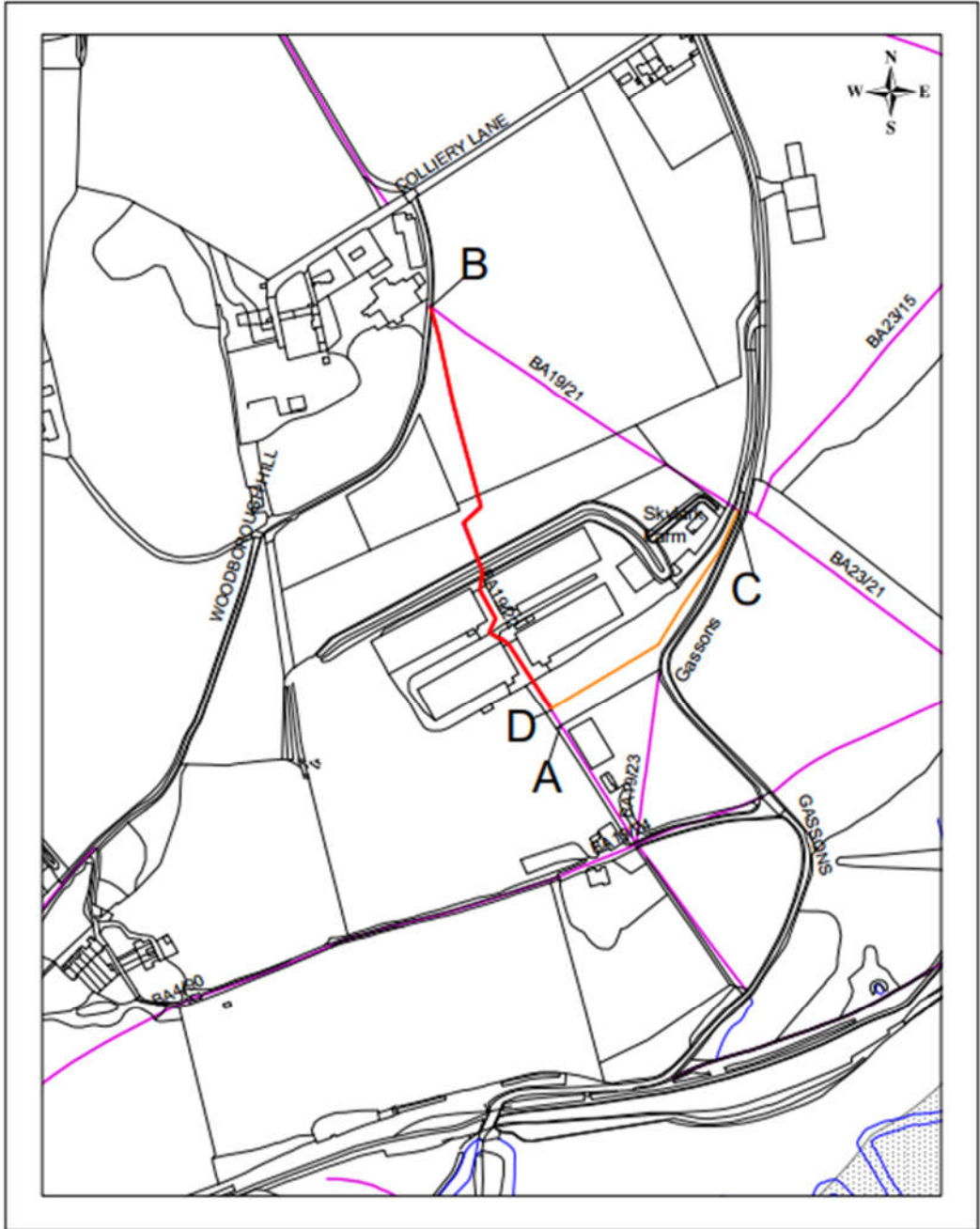
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**BA19/22 Skylark Farm,  
Peasedown St John  
Amended proposal**

Scale: 1:4,000

Public Footpath to be created	D	C
Unaffected public footpath	—	
Public footpath to be deleted	D	B
Original point for diversion	A	



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proposed diversion of Public Footpath BA19/22, at Skylark Farm, Peasedown St John

 Wendy Robbins  
To: Wendy Robbins  
Cc: David Burrows, jr.payton@bath.ac.uk, wendrobbins35@gmail.com, rodneymowlam@yahoo.co.uk

Reply Reply All Forward

Wed 10/11/2021 08:58

Dear Sir/Madam

Further to previous correspondence, I am writing to inform you that the decision has now been made by the Council to make the diversion order for the public footpath at Skylark Farm, Peasedown St John. The decision report can be found at [https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Streets-and-Highway-Maintenance/FootpathsandPublicrightsofway/06\\_skyark\\_fm\\_psl\\_delegated\\_officer\\_report\\_-\\_redacted.pdf](https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Streets-and-Highway-Maintenance/FootpathsandPublicrightsofway/06_skyark_fm_psl_delegated_officer_report_-_redacted.pdf)

I will shortly be in a position to arrange for the diversion order to be made. The notices will be put up on each end of the affected footpath for 4 weeks.

A copy of the order and notice will be forwarded to you in due course.

Yours faithfully  
Wendy

**Wendy Robbins**  
Technical Officer: Public Rights of Way  
Environmental Services  
Bath and North East Somerset Council  
Telephone: 01225 394161 or 07866 989388  
Email: [Wendy\\_Robbins@bathnes.gov.uk](mailto:Wendy_Robbins@bathnes.gov.uk)  
[www.bathnes.gov.uk](http://www.bathnes.gov.uk)  
Twitter: [www.twitter.com/bathnes](https://www.twitter.com/bathnes)  
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