

Appendix 4 – Path Summary

Introduction

To avoid confusion, the paths included in the public consultation were given reference numbers between 1 and 28. It was considered that these numbers would be easier for the public to identify with than the numbering convention used by the Public Rights of Way Team. The numbers given in the consultation are shown in brackets. A list of the original path numbers, consultation numbers and the path numbers to be used on confirmation can be found at Appendix 5.

Initially, the consultation began with 25 paths. Three more paths were added to the list for research and consultation, as requested by the Bath Ramblers.

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

Attempts were made to contact all owners or occupiers of the paths being recommended for addition to the Definitive Map and Statement in this report. Land Registry searches were undertaken for all paths not completely on Authority owned land or land owned by Curo. Landowners were consulted by letter, email or phone between March and October 2020. The Land Registry searches returned as unregistered for the following paths:

Completely Unregistered:

Path 4, Path 24.

Partly Unregistered:

Path 9, Path 20, Path 23, Path 25.

ii) Adjoining Property Holders

All adjoining property holders were sent a letter requesting details on how they perceive the path and how they use the path adjoining their property. The questions asked are as follows:

1. How long have you used the path (during which years)?
2. How frequently you use the path?
3. How you use the path (on foot, by bicycle, by horse, by vehicle)?
4. For what purpose you use the path (for work, access to local amenities or leisure)?
5. Do you see many other people using the path?
6. Do you own the land over which the path crosses?

Sixty-five responses were received. Some responses are given as a series of answers to these questions.

B) Interested Groups

The following groups were consulted: 2 ward councillors, 9 adjoining ward councillors, 1 Parish Council, 4 statutory user groups, 12 statutory undertakers and 6 local user groups.

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i) Ward Councillors: The comments received were general and not about specific paths included in the consultation.

Councillor Paul Crossley, Southdown Ward: “All the paths in Southdown are fine.”

Councillor June Player, Westmoreland Ward: “None of the 25 PROW referred to are in Westmoreland Ward.”

I have no comments on these proposals.

Councillor Jess David, Moorland Ward: “I have no comments on these proposals.”

Councillor Sarah Moore, Twerton Ward: “I am more than happy with these paths.”

Councillor Neil Butters, Bathavon South Ward: “I assume Bathavon South is only affected due to the interface around Barrow Castle? If so I’ll leave it to Cllr McCabe, who lives around there.”

Councillor Matt McCabe, Bathavon South Ward: “Actually, we’re attached to Odd Down Ward”.

ii) Adjoining Parish Council

Englishcombe Parish Council: “Thanks for this and Englishcombe parish council does not wish to make any comments. The parish council would like to pass on thanks for the quality of the work undertaken to date and for consulting them.”

iii) Statutory User Groups (4)

Auto-Cycle Union, The British Horse Society, Byways and Bridleways Trust, The Open Spaces Society.

Byways and Bridleways Trust: “Thank you for your notice. Due to the number of notices received, we will not necessarily respond.”

iv) Statutory Undertakers (12)

British Telecom plc, Cadent Gas Ltd, City Fibre, Civil Aviation Authority, National Rivers Authority, SKY UK Ltd, Virgin Media, Vodafone, Wales & West Utilities, Wessex Water Services Ltd, Western Power Distribution, Royal Mail plc.

British Telecom plc: “Thank you for your letter and drawings dated 28th May 2020, regarding various paths within the Southdown ward. Having checked your location maps, we do have Apparatus present within a number of the pathways, however if your purpose is purely for recording and no physical work is to be carried out, then we have no objections, and are not going to be affected in any way.”

Cadent Gas Ltd: “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.”

City Fibre: Plans produced.

SKY UK Ltd: “EMAIL 1: Path 4 - Limpley Stoke to Aztec West fibre runs along Whiteway Road at the very northern end of the path. EMAIL 2 & EMAIL 3: Please be advised that Sky Telecommunications Services Ltd will not be affected by your proposal.”

Vodafone c/o Atkins: No objection.

v) Local User Groups (6) - Cyclist’s Touring Club, Bath Cycling Club, The Ramblers, British Horse Society, Living Streets Representative (Bath), Bath Ramblers.

Bath Ramblers: “We have walked all of these, and are happy that they should all go into the consultation as proposed footpaths.”

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2. PUBLIC CONSULTATION

The General Public

Notices were placed on all paths included in the public consultation from 22nd September to 16th November 2020. The notices gave members of the public several ways to respond to the consultation – via the online consultation, in writing, by email or by telephone. The online consultation asked specific questions about the use of each path and can be analysed. The other responses received tended to be more anecdotal but are useful in adding to the amount and type of use of each path.

Paths 26, 27 and 28 were added during the consultation. The details of these paths were not included in the online consultation.

Responses to the consultation

Responses quoted in italic are direct quotes from an email or letter. Responses not in italic are summaries of conversations or information extracted from forms submitted.

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AQ496b (Path 1) and AQ469a (Path 3)

AQ469 has been split into 2 parts (AQ469a, and AQ469b) as it is separated by sections of highway which will not be recorded on the Definitive Map and Statement. As both parts of AQ469 have the same history it has been looked at as one path in terms of documentary evidence but as 2 separate paths for the consultation.

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Curo.

- **Response from Carl McMurtry (Operational Lead), Curo:** *“I have no concerns with your proposal.”*

ii) Adjoining Property Holders

AQ469a: 8 letters were sent, and 1 response was received:

- **4A BLAGDON PARK:** The owner has used the path since 1963. She isn't using it at the moment due to lockdown and she is old. It is a very good short cut to the shops, bus stop, friends, church etc. She used it frequently until lockdown and used it on foot. There is always someone else using it when she uses it. There is a very old bin on the path which had a hole in the back of it. People also leave litter on the path. It used to be cleared up but not anymore.

AQ469b: 5 letters were sent, and 2 responses were received:

- **51 HAYCOMBE DRIVE:** *“I have lived here since 2007 but rarely use the path myself, only to occasionally post a letter in the post box situated in Blagdon Park. I use the path on foot. I do see quite a lot of people using the path and I do not own the land that the path crosses. I hope this answers your questions ok. However, I feel I ought to tell you that the path way is often the scene of antisocial behaviour often at night. People arguing or noisy teenagers meeting up! We have had a lot of trouble with people throwing dog faeces over our fence into my back garden and also people have been regularly fly tipping in the alleyway or over the fence into our back garden. This has been going on for years. We have also had parts of our fence destroyed on numerous occasions, resulting in it having to be fixed several times. Even more dangerous is the fact that someone keeps driving a motorcycle through the pathway which is a massive risk to children and families in the vicinity. To be honest I wouldn't be sorry to see the pathway closed though I know that is not likely!”*
- **53 HAYCOMBE DRIVE:** *“This statement relates to the letter I have received regarding Path 1, between Haycombe Drive and Blagdon Park. I live at number 53 right next to the alley way/path since 2007. I very rarely use this path and would prefer to walk a bit further down the road and use the turning by the road from Haycombe in to Blagdon. I tend not to use this path as it is always used as a dumping ground and quite often has rubbish and household items dumped in it. I have on various occasions reported several dumped items down there that appear at night, ovens, household waste, bricks and even a wooden headboard. I particularly do not like to walk through it with my children as there is constantly broken glass down there from teenagers/young adults that we have witnessed drinking alcohol and smashing their bottles and cans down there and on several occasions late at night they have been thrown over into our garden (along with rubbish, cigarette ends and lighters) which is awful, especially when I have young children. During the summer I*

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like to leave the windows open in my house when it's hot in the evening but quite often I end up shutting them as it can get very noisy down there at night and it has kept/woken my children at times. There is constantly damage done to my fence and my neighbours at number 51. On many occasions their side of the fence has been vandalised and has had to be repaired by the council. Once there is obvious damage it seems to attract more attention and is often made worse, this then sometimes causes them to attack our side too and we have had to do several repairs ourselves. Luckily the last fix from Curo on my neighbours side was very good and a large section was fixed which seems to have prevented further damage..... for now. There is also lots of dog excrement down there, although I have never witnessed a dog or owner leaving any there. As you can tell I am not particularly keen on the path myself and very rarely use it, especially with my children as I seem it to unsafe and dirty. I do see a few people use it during the day in the correct way however it's the path at night that causes problems and attracts groups and I for one would not like to walk through there in the dark alone. Please let me know if I can provide anything further."

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

AQ469a: The general public made 10 responses to the consultation, 9 of which were received via the web questionnaire and 1 of which was a phone call.

i) Web Questionnaire

Of the 9 web respondents, all respondents used the path on foot. One respondent used the path daily, 4 monthly and 4 annually.

Length of path usage ranged from 1 year to 40 years. The path was used for social purposes (2) and leisure purposes (8). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

One response was received:

- **15 BLAGDON PARK:** The resident uses the path 2, 4, 6 or sometimes more a day. She has been living in her house since May 2020 and uses the path on foot. She uses the path to go to the High Street for shopping. It has lights on it. It isn't being kept very tidy. People drop litter and use it like a dump. She has filled up a black bag of rubbish but doesn't feel that she should do this very often.

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AQ469b: The general public made 9 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 9 web respondents, all respondents used the path on foot. One respondent used the path daily, 2 monthly, 4 annually and 2 replied “*other*” but did not elaborate. One respondent used the path by bicycle, monthly.

Length of path usage ranged from 1 year to 30 years. The path was used for social purposes (1) and leisure purposes (6). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: The area has been developed and sections of the present-day path network are now in existence.

ST76SW 1973, OS Map: Sections of the present-day path network are in existence.

ST76SW 1983, OS Map: Sections of the present-day path network are in existence.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: 2012 - email from Councillor Paul Crossley advising that sections are very overgrown. PROW forwarded the issue to the Somer Housing Maintenance Team.

4. SURFACE CONDITION

AQ469a - The surface of the path is tarmac. It is in a reasonable condition.

AQ469b - The surface of the path is tarmac. The section leading south from Haycombe Drive and turning eastwards is in poor condition in places. The next section, leading to Blagdon Park is in a good condition.

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5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since the 1960s. The landowner is happy for the paths to be included in a legal order and the Council maintains both paths. The amount of evidence of use by the public gathered during the consultation was not significant. Issues of antisocial behaviour were reported by adjoining property holders, but none of the respondents to the public consultation reported anything which prevented or deterred them from using the paths.

6. OFFICER RECOMMENDATIONS

Although the consultation did not produce substantial evidence of use by the public, the landowner is happy with the paths being included in a legal order. Officers are satisfied that the evidence gathered for AQ469a and AQ469b is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for these paths is to record them as public footpaths and add them to the Definitive Map and Statement for the City of Bath.

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AQ190 (Path 2)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Curo.

- **Response from Carl McMurtry (Operational Lead), Curo:** *“I have no concerns with your proposal.”*

ii) Adjoining Property Holders

13 letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 9 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 9 web respondents, all respondents used the path on foot. One respondent used the path daily, 1 weekly, 3 monthly and 4 annually.

Length of path usage ranged from 1 year to 40 years. The path was used for social purposes (2) and leisure purposes (9). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer’s Survey, 1957: Not included.

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ST76SW 1961, OS Map: The path is now in existence.

ST76SW 1973, OS Map: The path is now in existence.

ST76SW 1983, OS Map: The path is shown.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac. It is generally in a good condition.

5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least since the 1980s. The landowner is happy for the path to be included in a legal order and the Council maintains the path. The amount of evidence of use by the public gathered during the consultation was not significant. However, none of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

Although the consultation did not produce substantial evidence of use by the public, the landowner is happy for the path to be included in a legal order. Officers are satisfied that the evidence gathered for AQ190 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

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AQ70 (Path 4)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is unregistered.

ii) Adjoining Property Holders

7 letters were sent, and 2 responses were received:

- **197 WHITEWAY ROAD:** *“I have lived at 197 Whiteway Road with my family for the last 7 years and use the path regularly to walk down to Englishcombe and surrounding areas for recreation (mainly in the spring and summer months). The path has mainly been used by dog walkers over the years but in recent months due to the Covid-19 lockdown the path has gained massive footfall of people/families going down to the fields and seeing the lambs. It has gone from about 10 people a day to about 300! The path is really only suitable on foot as it is rocky, uneven and narrow in some places. It is overgrown and sadly in recent months has attracted fly tipping and an increase in dogs mess, in and out of black bags. We have also had a problem with motor bikes using the path over the years and this year has been particularly bad. I have confronted some and had strong words due to their speed of travel and suitability for the ground, one of which told me he would continue using it as it was a byway - I have checked various maps and can see it is stated as a footpath. There is a no motor bike sign at the top along with a metal barrier and a sign at the bottom but the path has been eroded so the metal barrier down the bottom isn't effective at preventing motor bikes. This causes another problem with people accessing the path, alongside my property there is an access lane to private residents parking. More people (and all motor bikes) use this to cut through on to the path. In order to do this they need to squeeze between our parked cars - not ideal and has caused scratches and some damage to my wife's car from a motor bike handle bar. I would be interested if this area access could be fenced off ? I understand that the motor bike and people accessing the path situation isn't information you may particularly need but over the years I have spoken to the Police, council and councillors and they haven't batted an eye lid so to have a letter about the path sent to me from BANES is an opportunity for me to try a different angle. If there is someone or department that could help with this situation then my neighbours and I would be greatly appreciative. Likewise, if you would like any additional information then please don't hesitate to contact me.”*
- **205 WHITEWAY ROAD:** The resident uses the path daily, on foot and by bicycle. Too many people use the path and there has been a huge increase in people using it. She would prefer for the section behind her house to be gated off and the public then having access to the path from the vehicular access beside 197 Whiteway Road. This would force people to walk up the path, alongside where the residents park their cars so this would not be the best. Bike scramblers go past her garden, really fast, as did a horse. She fears for her children's safety. There have been posts on social media advising people to visit the brook in Englishcombe and this has increased the number of people parking there and walking down the path with picnics. They leave rubbish and used BBQs. The bottom of the path is used as a dumping ground. The residents are worried that their cars will get scratched by the bike scramblers. Someone from the Council strimmed the path last week. There are

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trees overhanging from the cemetery. A few years ago, someone from the Council said that there were plans to cut the conifers back, but this hasn't happened.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 19 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 19 web respondents, all respondents used the path on foot. Two respondents used the path daily, 1 several times a week, 11 weekly, 2 monthly and 3 annually. Four respondents used the path by bicycle, 2 weekly, 1 monthly and 1 annually.

Length of path usage ranged from 1 year to 40 years. The path was used for accessing local amenities (2), commuting (1), social purposes (1) and leisure purposes (15). In response to the question: *"Has there been any alteration in the route taken of any of the paths in the time you have been using them?"* one respondent wrote: *"Maintenance on some paths is poor (path 4 and path 7). Path 4 and 7 gets very overgrown"*.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The route is shown by one solid line and one dashed line.

1901 – 1905, OS Map: The route is shown by one solid line and one dashed line.

1920 – 1933, OS Map: The route is shown by one solid line and one dashed line.

1933 – 1939, OS Map: The route is shown by one solid line and one dashed line.

Bath City Engineer's Survey, 1957: B.R. Whiteway Road to Inglescombe Nursery. Laneway at edge of cemetery.

ST76SW 1961, OS Map: The path is shown by two solid lines.

ST76SW 1973, OS Map: The path is shown by two solid lines.

ST76SW 1983, OS Map: The path is shown by two solid lines.

List of Streets: Not included.

Previous Orders Made: TCPA 1962. The Stopping Up of Highways (City and County Borough of Bath) (No.4) Order 1969. Made by the Secretary of State on 07/07/1969. A

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section of the width of the path was stopped up: *The highway to be stopped up is in the City and County Borough of Bath. It isa part of the bridleway which leads from Whiteway Road to Haycombe Lane starting at its junction with Whiteway Road and extending south-westwards for about 71 yards and to a width of 14 feet.* The Order referred to the path as a bridleway and the remaining width of the relevant section of the bridleway following the Stopping Up was determined as 6 foot (1.8 metres).

Other Information: February 1988 - A memo from Councillor Bovett who had received a complaint from a resident about motor vehicles using the path between the garages at the rear of Whiteway Road and Haycombe Lane, churning up the surface. A request was made for a barrier at the Haycombe Lane end. **March 1988** - The County Engineer and Surveyor arranged for a barrier to be erected at the Haycombe Lane end. **2004** - A request from Councillor Wood for the path to be cleared of overgrown vegetation and brambles. **2012** - A complaint was received about the use of the path by horse riders. The response was that the path is believed to be a bridleway. The whole length of the path is included in the Public Rights of Way Vegetation Schedule. It has not been possible to find a record of when and why the Authority erected a Public Footpath sign on the Whiteway Road end of the bridleway. It has been removed.

4. SURFACE CONDITION

The surface of the path is natural. It is in a reasonably good condition.

5. ASSESSMENT OF EVIDENCE

The path has been shown on maps at least as early as 1891. It was the subject of a Public Path Stopping Up Order in 1969 when a section of the width of the path was stopped up: The Order refers to the path as a bridleway. A section of approximately 4.27 metres width, leading from Whiteway Road, in a south-westerly direction for approximately 64.9 metres was stopped up leaving a width of approximately 1.8 metres.

The path was included in the 1957 Survey by the Bath City Engineer and the Authority maintains it. A reasonable amount of evidence of use by the public has been gathered during the consultation, the majority of it on foot, although some bicycle use was reported. No reports of use by horse were received.

Issues of antisocial behaviour were reported by adjoining property holders. None of the respondents to the public consultation reported anything which prevented or deterred them from using the path, however one respondent reported that the path becomes difficult to use due to overgrowing vegetation.

6. OFFICER RECOMMENDATIONS

Officers are satisfied that the evidence gathered for AQ70 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public bridleway and add it to the Definitive Map and Statement for the City of Bath.

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AQ546 (Path 5)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

Part of the land is registered to Curo.

- **Response from Carl McMurtry (Operational Lead), Curo:** *“I have no concerns with your proposal.”*

Part of the land is registered to Bath and North East Somerset Council, Environmental Services - Open Spaces. Twerton Roundhill (High Barrow Hill), Whiteway Road.

- **Response from Paul Pearce, Team Leader Parks and Trees**– *“I can’t see any problems with these proposed rights of way.”*

ii) Adjoining Property Holders

2 letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 18 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 18 web respondents, all respondents used the path on foot. Four respondents used the path daily, 1 several times a week, 6 weekly, 4 monthly and 3 annually. One respondent used the path by bicycle, weekly.

Length of path usage ranged from 1 year to 40 years. The path was used for accessing local amenities (4), social purposes (2) and leisure purposes (18). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

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3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer's Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is shown by two solid lines.

ST76SW 1973, OS Map: The path is shown by two solid lines.

ST76SW 1983, OS Map: The path is shown by two solid lines.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac with concrete steps leading down to Whiteway Road. It is generally in a reasonable condition.

5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least since the 1960s. The landowners are happy for the path to be included in a legal order and the Council maintains the path. The amount of evidence of use by the public gathered during the consultation was reasonably significant. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced reasonably significant evidence of use by the public and the landowners are happy for the path to be included in a legal order. Officers are satisfied that the evidence gathered for AQ546 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

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AQ473 (Path 6)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Curo.

- **Response from Carl McMurtry (Operational Lead), Curo:** *“I have no concerns with your proposal.”*

ii) Adjoining Property Holders

6 letters were sent, and 2 responses were received:

- **140 WEDMORE PARK:** The resident sees a lot of people use the path. She uses it a lot to go to the shops and has been using it since the 1960s. It’s a busy path and has always been well used by people going to and from Roundhill, the Garden Centre, shops and bus.
- **146 WEDMORE PARK:** *“1. I have lived in this house for 5 years but also lived here between the years 2006-2008. But I did also use this path when growing up as I lived on the Hollow as a child. 2. Myself and my housemate use this path frequently as this is the easiest route to the local shops on Mount Road. Maybe 3-4 times a week. 3. Using the path on foot. 4. As mentioned, to get to the shops on Mount Road. 5. Rarely do I cross paths with anyone on this path. 6. There is an area of grass on the boundaries of 146 Wedmore Park which I believe to be council owned as the grass is mowed infrequently by the council. But my house and garden are next to this path. 146 is owned by my mother who I rent the property from. This pathway is often used as an area for fly tipping as it is hidden out of view of the roads. There has been a couple of bin bags full of rubbish there for a number of months now.”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 16 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 16 web respondents, all respondents used the path on foot. Four respondents used the path daily, 1 several times a week, 4 weekly, 4 monthly and 3 annually.

Length of path usage ranged from 1 year to 40 years. The path was used for commuting (1), accessing local amenities (4), social purposes (4) and leisure purposes (15). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

Appendix 4 – Path Summary

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer's Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not in existence.

ST76SW 1973, OS Map: Sections of the path are in existence.

ST76SW 1983, OS Map: Sections of the path are in existence.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac with concrete steps leading down to Roundhill Park. It is in a poor condition.

5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1973. The landowner is happy for the path to be included in a legal order and the Council maintains the path. The amount of evidence of use by the public gathered during the consultation was reasonably significant. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced reasonably significant evidence of use by the public and the landowner is happy for the path to be included in a legal order. Officers are satisfied that the evidence gathered for AQ473 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ79 (Path 7)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title number:

ST193821: Being Land lying to the north west of Padley Grove, Englishcombe, Bath (BA2 9DR).

- **Proprietor: Valerie Fenton of Padley Grove, Padleigh, Englishcombe, Bath, BA2 9DR.**
- **Proprietor: Kevin John Fenton of Grove Lodge, Padleigh, Englishcombe, Bath BA2 9DR.** Mr Fenton completed a Landowner Evidence Form in which he stated his belief that the path is a public footpath. The land has been in his ownership for over 80 years and he has believed the path to be a public footpath for over 50 years. He has never prevented or discouraged the public from using the footpath.

ii) Adjoining Property Holders

3 letters were sent, and 1 response was received:

- **LAND LYING TO THE SOUTH WEST OF WHITEWAY ROAD, TWERTON, BATH:** The owner of the land can't see Path 7 from hers or her husband's field, so she doesn't know how many people use it.
- **PADLEIGH BOARDING KENNELS, ENGLISHCOMBE ROAD:** Post returned undeliverable.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 18 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 18 web respondents, all respondents used the path on foot. Three respondents used the path daily, 10 weekly, 4 monthly and 1 annually. One respondent also used the path by bicycle, annually.

Length of path usage ranged from less than 1 year to 48 years. The path was used for commuting (2), accessing local amenities (3), social purposes (3) and leisure purposes (17). Two respondents reported an alteration to the line of the path: "*Maintenance on some paths is poor 4 and 7*" and "*Become more overgrown and less maintained*". Four respondents reported an alteration to the width of the path: "*Path 4 and 7 gets very overgrown*", "*Narrower as they have become more overgrown*", "*hedge cut*" and "*Path 7 can be overgrown at times*". One respondent was unsure whether or not there was an alteration to the width and commented: "*Fence on Path 7 bordering the scrap heap/caravan farm seems far too close to the path making the footpath too narrow.*"

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the

Appendix 4 – Path Summary

respondents had been told not to use the path. None of the respondents were given permission to use the path or had been told not to use the path.

One respondent reported a notice: *“Public footpath sign.”* Five respondents mentioned gates on the path; none of them reported locked gates. None of the respondents reported being told not to use the path. One respondent reported an obstruction: *“Very overgrown in spring this year making it very hard to pass in some places. Deterred us from using it for a while.”*

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is shown by dashed lines, labelled F.P. and is part of the network.

1901 – 1905, OS Map: The path is shown by dashed lines, labelled F.P. and part of the network.

1920 – 1933, OS Map: The path is shown by dashed lines, labelled F.P. and is part of the network.

1933 – 1939, OS Map: The path is shown by dashed lines and is part of the network.

Bath City Engineer’s Survey, 1957: F.P. Boundary to Boundary through Padleigh Woods. Stile at Western boundary - path through woods.

ST76SW 1961, OS Map: The path is shown by two dashed and one dashed and one solid line. It is labelled F.P.

ST76SW 1973, OS Map: The path is shown by two dashed and one dashed and one solid line. It is labelled path.

ST76SW 1983, OS Map: Half of the path is shown by two solid lines and is labelled path. Where it enters woods, it is not shown.

List of Streets: Not included.

Previous Orders Made: None found.

Other Information: August 1969 - The landowner requested suitable signage to be placed on the path to stop people straying on his land. **1999** - A member of the public made an inquiry about the footpath. It has virtually vanished and is impassable at the Padleigh Mill end. Who is responsible for the maintenance? A reply from PROW stated that the path would be cleared by a contractor. **2003** - A message was received from the landowner to say that the field side of the path has been strimmed. **August 2010** - PROW report of barbed wire and overgrown vegetation on a site visit. Letter sent to the landowner regarding the overgrowth, asking them to trim it back to restore the full width of the path. **2010** - Complaint received about the overhanging vegetation. The whole length of the path is included in the Public Rights of Way Vegetation Schedule.

4. SURFACE CONDITION

The surface of the path is natural, passing through woodland and then alongside woodland.

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5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1891. The landowner acknowledges the path as a public footpath. The path was included in the 1957 Survey by the Bath City Engineer. The Authority maintains it and it is included in the Vegetation Schedule. The 1957 Survey reports a stile at the western end of the footpath. The stile has since been replaced by a kissing gate and its inclusion in the 1957 Survey is considered to be sufficient authorisation.

The amount of evidence of use by the public gathered during the consultation was reasonably significant. Several of the respondents reported issues with overgrowing vegetation which narrows the path. One respondent to the public consultation reported that the path becomes difficult to use due to overgrowing vegetation and that this did deter them from using the path for a while.

6. OFFICER RECOMMENDATIONS

The consultation produced reasonably significant evidence of use by the public and the landowner acknowledges that the path is a public footpath. Officers are satisfied that the evidence gathered for AQ79 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ80 (Path 8)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title numbers:

AV26824: Being land lying to the south west of Whiteway Road, Twerton.

- **Proprietor: Richard Graham Wyatt of 6 North Way, Bath, BA2 1PX.** Mr Wyatt telephoned to say he had responded to the letter but his response was never located. He did not respond to a second letter and had left no telephone number.

ST258049: Being land lying to the south west of Whiteway Road, Twerton, Bath.

- **Proprietor: Cheryl Hole of Homestead, Englishcombe Village, Bath BA2 9DT.** Cheryl Hole completed a Landowner Evidence Form in which she stated her belief that the path is a public footpath. The land has been in her ownership for over 20 years and she has always believed the path to be a public footpath. She has never prevented or discouraged the public from using the footpath.

ST264163: Being land on the West Side of Padleigh Hill, Bath.

- **Proprietor: C. J. Securities (Bath) Limited (Co. Regn. No. 00742006) of Ralph Allen's Town House and York Street Chambers, York Street, Bath BA1 1NQ and of 18a Queen Square, Bath BA1 2HR.** PENDING REGISTRATION. A Search dated 07/01/2021 returned Application Progress "Delayed". A landowner evidence form was returned dated 13/01/2021. The respondent stated that the land was not in the ownership of CJ Securities and to phone Mr John Cowley. Mr Cowley was contacted and is the Chairman of CJ Securities and had filled the Landowner Evidence Form in. A conversation with Mr Cowley provided no clarification of the matter.

ii) Adjoining Property Holders

8 letters were sent 1 response was received:

- **HOMELAND, PADLEIGH HILL:** *"We have lived here and used the footpath since 1992 when we first moved here. Myself or member of the family use the footpath several times a week. We use the path on foot, for leisure purposes or dog walking. Others use the path on a daily basis. We have been delighted to see that others have been using it much more frequently during lockdown. Lots of people have recently discovered it. We do not own the land over which the path crosses but we are aware of who the owner is."*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 22 responses to the consultation, all of which were received via the web questionnaire.

Appendix 4 – Path Summary

i) Web Questionnaire

Of the 22 web respondents, all respondents used the path on foot. Three respondents used the path daily, 1 several times a week, 9 weekly, 8 monthly and 1 annually. One respondent used the path by bicycle, annually.

Length of path usage ranged from less than 1 year to over 50 years. The path was used for commuting (1), accessing local amenities (2), social purposes (4) and leisure purposes (21). None of the respondents reported any changes to the line of the path in the years that they had been using it. One respondent reported a change to the width of the path: *“Path 8 was fenced at one time but isn’t now.”*

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

One respondent reported a notice: “Public footpath sign.” Seven respondents mentioned gates on the path, none of them reported locked gates and 1 respondent mentioned a stile. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The majority of the path is shown by dashed lines on the same line as the present-day path, labelled F.P. and part of the network. It is a section of a longer path which extends into Odd Down Ward.

1901 – 1905, OS Map: The majority of the path is shown on the same line as the present-day path by dashed lines, labelled F.P. and part of the network. It is a section of a longer path which extends into Odd Down Ward.

1920 – 1933, OS Map: The path is shown, by one solid and one dashed line and by two dashed lines where houses have been built. It is labelled F.P.

1933 – 1939, OS Map: The path is shown, by one solid and one dashed line and by two dashed lines. It is labelled F.P.

Bath City Engineer’s Survey, 1957: F.P. Rush Hill to Boundary. Footway across field to Padleigh Hill - then to stile at boundary.

ST76SW 1961, OS Map: The path is shown by two dashed lines, and one dashed and one solid line and two solid lines. It is labelled F.P.

ST76SW 1973, OS Map: The path is shown by two dashed and one dashed and one solid line. It is labelled path.

ST76SW 1983, OS Map: The path is shown by two solid lines and one solid line in part. Where it enters Padleigh Wood, it is not shown.

List of Streets: Not included.

Previous Orders Made: HA 1980, s119. County Council of Avon (Footpath across Culverhay Boys' School, Rush Hill, Bath) Public Path Diversion Order 1986. Made 31/07/1986. Confirmed 18/12/1986. The Order does not include any part of the path that falls in the Southdown Ward.

Other Information: 1973 - Contractors working at nearby Barrow Cottage tipped hardcore along the access road. Because of this, spring water was diverted onto the

Appendix 4 – Path Summary

path, causing swampy conditions. The Contractor was contacted to sort it out. **1986** - PPDO made and confirmed unopposed. **1997** - member of the public wrote to say that a stile has been removed and closed to walkers with wire. PROW response - a stile will be replaced, and the blackthorn cleared. **2003** - letter from PROW advising adjacent property holders to trim overhanging vegetation. **May 2003** - letter to PROW. The landowner has flooded the land around the stile and advised the public to use another one, appearing to alter the alignment of the PROW. **November 2004** - home made stile replaced by wooden kissing gate following complaints from the public. **2006** - litter, glass, overflowing rubbish bin reported. **2006** - school asked to tidy up the boundary fence and cut back vegetation. **2007** - overgrown path reported. **2008** - overgrown path reported. **August 2012** - letter to school regarding vegetation obstruction. **Oct 2012** - letter to school regarding vegetation obstruction. **2013** - email from Bath Community College complaining that the public right of way needs to be revoked and secured, at least during school hours.

4. SURFACE CONDITION

The surface of the path is natural, crossing a field and then becomes a metalled track which is in a poor condition in places.

5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1891. One of the landowners acknowledges the path as a public footpath, although it has not been possible to ascertain the views of the other two landowners. The path was included in the 1957 Survey by the Bath City Engineer and the Authority maintains it. The 1957 Survey reports a stile at the western end of the footpath. The stile has since been replaced by a kissing gate and its inclusion in the 1957 Survey is considered to be sufficient authorisation. A Public Path Diversion Order in 1986 diverted a section of the footpath. Although the diversion did not affect any part of the path that falls in the Southdown Ward, the footpath has already been acknowledged as a public right of way.

The amount of evidence of use by the public gathered during the consultation was significant. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public and one of the landowners acknowledges that the path as a public footpath. Officers are satisfied that the evidence gathered for AQ80 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ71 (Path 9)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Bath and North East Somerset Council, Environmental Services - Open Spaces. Twerton Roundhill (High Barrow Hill), Whiteway Road.

- **Response from Paul Pearce, Team Leader Parks and Trees**– *“I can’t see any problems with these proposed rights of way.”*

ii) Adjoining Property Holders

3 letters were sent, and 2 responses were received:

- **49 MOUNT ROAD:** *“Used for 22 years; Once every 1-2 weeks; On foot; Leisure; Constantly; No.”*
- **90 WHITEWAY ROAD:** *“We have lived here 11 years and have used the path since we moved in. We use it daily. The first part of the path is a lane, which we use to access our property, so use it with vehicles and bikes as well as by foot. The path through the park we use by foot and by bicycle or scooter, again on a daily basis. We use it for accessing the park, accessing amenities (shops, school, bus stops, church, community centre, City farm and to get to friends and families houses etc). It was our school route until last September. We see a lot of other people using the path. We do not own the land over which the path crosses.”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 29 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 29 web respondents, all respondents used the path on foot. Five respondents used the path daily, 1 several times a week, 12 weekly, 8 monthly, 1 used it 4 to 5 times a year and 2 annually. Two respondents used the path by bicycle, 1 monthly and 1 annually.

Length of path usage ranged from 1 year to 63 years. The path was used for commuting (1), accessing local amenities (9), social purposes (5) and leisure purposes (27). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path.

Appendix 4 – Path Summary

None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is shown by one solid and one dashed line and labelled F.P.

1933 – 1939, OS Map: The path is shown by one solid and one dashed line and labelled F.P.

Bath City Engineer's Survey, 1957: F.P. Mount Road to Whiteway Road. Over recreation ground.

ST76SW 1961, OS Map: The path is shown by one solid line and one dashed line and marked FP.

ST76SW 1973, OS Map: The path is shown by one solid line and one dashed line.

ST76SW 1983, OS Map: The path is shown by one solid line and one dashed line.

List of Streets: Not included.

Previous Orders Made: None found.

Other Information: March 1986 - Letter from Councillor South about the condition of the footpath. Who has responsibility to maintain it? **March 1986** - Response from the City Engineer to say that "Necessary repair work will be carried out to the footpath... as soon as I can arrange for the necessary labour." **April 1986** - Letter from Councillor South to say that a good job has been done but why has only half of the path been widened and tarmacked? **May 1986** - Response from the City Engineer citing a lack of finance. **2013** - A section of tarmac has sunk, and repairs are arranged.

4. SURFACE CONDITION

The surface of the path is tarmac and is in a poor condition in places. There are three shallow concrete steps leading down to Mount Road.

5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1933. The landowner is happy for the path to be included in a legal order. The path was included in the 1957 Survey by the Bath City Engineer and the Authority maintains it. The amount of evidence of use by the public gathered during the consultation was significant. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public and the landowner is happy for the path to be included in a legal order. Officers are satisfied that the evidence gathered for AQ71 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The

Appendix 4 – Path Summary

recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ168 (Path 10)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title number:

AV73179: Being land and buildings on the East side of The Hollow, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

ii) Adjoining Property Holders

4 letters were sent, and 1 response was received:

- **121 THE HOLLOW:** *“In response to your letter dated 24th March 2020, regarding the local public footpath. Running from The Hollow, Southdown, Bath and Elliston Drive, Southdown, Bath. Between 121 The Hollow, Southdown, Bath and 119 The Hollow, Southdown Bath. In answer to your request for information on its use, by us at 121 The Hollow, Bath. How long have you used the path? Since we moved into the house, thirty years ago. How frequently do you use the path? Quite regularly, an alternate to walking up, down The Hollow. How do you use the path? On foot. Do you see other people using the path? Yes. Do you own the land the path crosses? No it goes parallel to our property line.”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 36 responses to the consultation, 35 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 35 web respondents, all respondents used the path on foot. One respondent used the path twice a day, 10 daily, 16 weekly, 4 monthly, 3 annually and 1 hadn't used the path for over 10 years.

Length of path usage ranged from 1 year to 40 years. The path was used for commuting (9), accessing local amenities (24), social purposes (16) and leisure purposes (28). One of the respondents reported a change to the line of the path in the years that they had been using it: *“Path 10 overgrown hedge rows trees & weeds, constant mess, there has been rubbish burnt of this path previously which at least 1 neighbour reported. The path was melted and or discoloured.”* None of the respondents reported any changes to the width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

Appendix 4 – Path Summary

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

One response:

- **Michael Newbound:** *“How long have you used the path? Since the Lovell homes estate was completed in mid 1980s. How frequently do you use the path? Every year but frequency variable, over the last 5 months - once a week. How do you use the path? On foot. For what purpose do you use the path? Access to shops at Mount Road, exercise. Do you see many other people using the path? On about 50% of the times I use it. Do you own the land over which the path crosses? No.”*

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not yet in existence.

ST76SW 1973, OS Map: The path is not yet in existence.

ST76SW 1983, OS Map: The path is not yet in existence.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: 1997 - Report from a member of the public about rubbish on the path. PROW forwarded it to Cleansing to request action.

4. SURFACE CONDITION

The surface of the path is concrete flagstones with steps leading down to Elliston Drive. It is in a good condition.

5. ASSESSMENT OF EVIDENCE

The path appears to have come into existence in the 1980s and is maintained by the Authority. One respondent reported maintenance issues with the path. The amount of evidence of use by the public gathered during the consultation was very significant. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced very significant evidence of use by the public. Officers are satisfied that the evidence gathered for AQ168 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and

Appendix 4 – Path Summary

Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ169 (Path 11)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title number:

AV73179: Being land and buildings on the East side of The Hollow, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

ii) Adjoining Property Holders

5 letters were sent, and 3 responses were received:

- **1 ELLISTON DRIVE:** *“The path is at the back of the property. I only really use it to check the hedges at the rear of the garden. I occasionally hear other people using the path.”*
- **52 LANGDON ROAD:** *“1] I have used the path very infrequently since moving to 52 Langdon Road in 1993. 2] Very infrequently, perhaps once per month. 3] On foot. 4] To visit a neighbour living in The Hollow. 5] Yes, the path is used several times each day. Although a separate issue, I have experienced problems with teenagers, noisily and late at night, coming down from the Whiteway area. My car, which I used to keep on my drive immediately adjacent to the path, was vandalised twice, until I was able to get it garaged each night. I strongly suspect users of the path for this occurrence...6] No.”*
- **50 LANGDON ROAD:** *“Received letter dated 24th March re path adjoining our property, we have lived in our home for 26 years. We have used the footpath on a regular basis (2/3 times weekly) to access the local shops & before the Covid situation to visit family. The path is used a lot during the day by various age groups. It would be nice if the up keep of the area by the side of foot path was sorted out & the trees cut back so the street lighting was more efficient.”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 31 responses to the consultation, 30 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 30 web respondents, all respondents used the path on foot. Ten respondents used the path daily, 14 weekly, 2 monthly and 4 annually. One respondent used the path by bicycle, monthly.

Length of path usage ranged from 5 years to 35 years. The path was used for commuting (9), accessing local amenities (22), social purposes (17) and leisure purposes (26). One of the respondents reported a change to the line of the path in the years that they had been using it: *“Bottom of path from Elliston Drive to Langdon Road had a change of surface as used to be very slippery.”* Two of the respondents reported a change to the width of the path in the years that they had been using it: *“Path 11 -*

Appendix 4 – Path Summary

Overhanging vegetation behind 1 Elliston Drive has mid-yearly reduced the usable width of the path - my offer to clear the overhang this year has been declined. The landowner agreed the overhang needed trimming back and promised to ask her gardener in August 2020 to prune growth. No action occurred so I called out the Council to assess whether overhanging brambles from behind 1 Elliston were a danger to path users.” “Path 11 overgrown weeds, hedge rows & trees”.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path.

None of the respondents reported being told not to use the path. One of the respondents reported an obstruction which deterred them from using the path: *“Trees on Council land bordering the footpath to Langdon Road need trimming by the Council to prevent obstruction of street/path lighting. Overhanging vegetation from trees and bushes obstructs the light from the lampposts and deters me/others from using the paths in the dark e.g October from 5pm”.*

ii) Additional Responses

One response:

- **Michael Newbound:** *“How long have you used the path? Since the Lovell homes estate was completed in mid 1980s. How frequently do you use the path? Every year but frequency variable, over the last 5 months - once a week. How do you use the path? On foot. For what purpose do you use the path? Access to shops at Mount Road, exercise. Do you see many other people using the path? On about 50% of the times I use it. Do you own the land over which the path crosses? No - As this is part of the estate footpaths which I understand were adopted by the council I assume the council is the owner.”*

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not yet in existence.

ST76SW 1973, OS Map: The path is not yet in existence.

ST76SW 1983, OS Map: The path is not yet in existence.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: 1997 - Report from a member of the public about rubbish on the path. PROW forwarded it to Cleansing to request action.

Appendix 4 – Path Summary

4. SURFACE CONDITION

The surface of the path is concrete flagstones with steps leading down Langdon Road. It is generally in a good condition, although there are some areas where the flagstones are cracked.

5. ASSESSMENT OF EVIDENCE

The path has come into existence since 1983 and is maintained by the Authority. The amount of evidence of use by the public gathered during the consultation was very significant. One respondent reported an issue with the path which deterred their use of it.

6. OFFICER RECOMMENDATIONS

The consultation produced very significant evidence of use by the public. Officers are satisfied that the evidence gathered for AQ169 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ548 (Path 12)

The path consists of several branches and has been included in the consultation as one path. As described in Point 1.9 of the Background Information, Appendix 1, where a path has several distinct branches, a different path number will be allocated to each branch on inclusion in a legal order.

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title numbers:

AV68935: Being land and buildings on the north side of Sladebrook Road, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

AV68936: Being land and buildings on the south east side of The Hollow, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

AV39119: Being land lying on the south east of The Hollow, Twerton.

- **Proprietor: Westbury Homes (Holdings) Limited (Co. Regn. No. 822538) of Persimmon House, Fulford, York YO19 4FE.** At the time of writing, no response has been received.

ii) Adjoining Property Holders

38 letters were sent, and 12 responses were received:

- **21 LANGDON ROAD:** *"I live at 21 Langdon Road which is on a cul de sac off the main road of the same name. There is a small branch of Path 12 off its main route from Langdon Road to Blackmore Drive, indicated respectively as " A " and " B " on the plan at the end of your letter, the end of which connects to the cul de sac on which I live. It is on this branch of Path 12 that I wish to provide information and comment. My privately owned driveway and that of my neighbour also connect to the end of the cul de sac. They are next to but separate from the branch of Path 12. The last paragraph of your letter states that: "We are not seeking to close the paths or to change any private rights which may exist along the paths." Thank you for your confirmation today that the registration of public rights of way and completion of the legal record etc do not in any way change the driveways, our ownership and other rights associated with them. I therefore have no further comment to make."*
- **23 LANGDON ROAD:** *"I live at 23 Langdon Road and the path runs in front of my house. I have been here since 1992 so use the pathway to go down to Morland Road or to visit friends further down, walking. Probably once or twice a week although I do know some people use it every day. It is also used a shortcut from the other side of Langdon Road to go up to the bus stop on Sladebrook Road also from people further up to go down towards town. Quite a few people use this pathway and I actually used it this morning to go down to Morland Road but in places with difficulty due to overgrown hedges and brambles. More serious though is in the winter it becomes treacherous if it is wet and people in the past, including myself, have fallen. If it is icy then it is more or less impassable for the many elderly who live in this area, including me. Fairly recently parts of it had to be repaired with tarmac due to people falling on broken slabs."*

Appendix 4 – Path Summary

- **45 LANGDON ROAD:** The resident bought the property in March 1984 and the path was created then. She has used the path on foot ever since then. Some weeks she uses it 3 or 4 times a week, but when it is wet, she doesn't use it at all because it is too slippery. It depends on the weather. She sees lots of people use the path on foot, a good cross section of people such as families, the old and the young. Some use scooters but there is never any problem. She owns the land up to the edge of the path but doesn't own the land over which the path goes. She uses it for all reasons – she used to use it to go to work but now uses it for going to local amenities, to town, for leisure and for shopping. She uses the path to go right the way down to Lymore Avenue.
- **67 LANGDON ROAD:** *“How long have you used the path (during which years)? For 29 years, since moving to the property in 1991 to the present day. How frequently use the path? Daily. How you use the path (on foot, by bicycle, by horse, by vehicle)? By foot and bicycle (there is no vehicle access as it is a footpath; with the exception of the small bottom section where it joins Blackmore Drive and here there is a locked barrier which could give vehicular access to Parry Close in an emergency). For what purpose you use the path (for work, access to local amenities or leisure)? All of the above, we cannot exit our property without either crossing the path (to the main Langdon Road), walking down the path to access other areas of the city for work or leisure, or to access our garage which for some reason is located in a different road (Parry Close). Do you see many other people using the path? Yes many people, most of the properties in Langdon Road or Parry Close facing the path have to use it to exit their property, there is no choice. Dog walkers from other areas of the estate use the path to gain access to Blackmore Drive and then The Brickfields. People use the path from the Whiteway area, The Hollow, etc., who use the steps down from The Hollow through Elliston Drive, to Langdon Road. Do you own the land over which the path crosses? No. Can I just say that this path is much more than a public right of way, it is the only way that we and many others can exit our property. For many years the path has been in a bad state of repair. The main issue relates to the fact that it is constructed using large paving slabs. These become extremely slippery in wet weather and I have seen several people fall, including myself. Since we have lived here I can recollect the path having been cleaned with a pressure washer no more than twice. There are many old people who use the path, it can only be a matter of time before someone sustains a serious injury. The easiest solution would be to remove the paving stones and replace with tarmac, this would solve the problem and no further cleaning would be necessary. Additionally, there are hedges which are often left to overgrow and hang over the path. These hedges are I believe council owned and more often than not contain large brambles which are impossible to avoid, especially at night.”*
- **113 LANGDON ROAD:** *“I don't think the footpath belongs to us. Yes footpath very popular. Yes they go through Blackmore Drive. All types use it, runners, school children, dog walkers, bicycles being pushed. People from all around Parry Close and Langdon Road.”*
- **115 LANGDON ROAD:** *“I have been using the bath since March 2019 (when I moved to my house). I use that path every day multiple times as access to my home is via the path rather than via the road. I use the path on foot. I use the path for all the reasons listed - have to use it to leave my home. Yes, people are frequently walking up and down the path past my house. I do not own any land that the path crosses.”*
- **117 LANGDON ROAD:** *“In reply to your questions regarding Path 12, we have lived here for more than 25years and have always used this path at least daily. We use it for getting to the local shops/post office and also for starting off for walks. The Path 12 is also used by many other people. For instance, there are a couple of nursing*

Appendix 4 – Path Summary

homes near the route so the path is used by visitors etc. School children to and from school and by dog walkers, and just generally by people that walk through and use it to get from a - b. It is a pedestrian path so I gather cyclists (Nor horse or vehicle) are not to use it. We do not own the land over which the path crosses. Also, a safer walking surface would be much appreciated as the path can get extremely slippery in icy weather conditions.”

- **44 PARRY CLOSE:** “We live at 44 Parry Close and have received your letter re the right of way designated as Path 12. We only moved to the area in March of this year so have only been using it since then. We use the path perhaps every other day. We walk along the path. We use it for leisure as well as to get to local shops. We see quite a few other people using the path. We do not own any land over which the path crosses. We hope you find this useful.”
- **54 PARRY CLOSE:** “We have used the path for over thirty years. We use the path daily. We use the path on foot. We use the path for access to our home and to local amenities. We see many people using the path (and cyclists). We do not own any land that the path crosses. I have lived in the Southdown Park estate for thirty three years, twenty seven years in Langdon Road (80) and four years in Parry Close (54) and used the path on a very regular basis. Now living directly alongside the pathway we use it for daily access to our home and see the many regular daily pedestrian and cyclists that also use users the pathway. The path is a vital connection point from Southdown Park Estate to Blackmore Drive and to local amenities. In addition to the above, I would also like to bring your attention to the need for an urgent plan to repair/restore the pathway. It is in very urgent need of attention, there have been accidents and broken limbs attributed to its state, very slippery during the winter months and it is now very uneven. Weeds protrude through the pathway and although many residents have reported the state of the pathway through local council contact and local politicians/councillors, to date no plan for repair/replacement has been forthcoming. It's always a case of "NO FUNDING" available ??? I recognise the difficulties in budget planning and spending programmes, but I do think that very serious consideration needs to be given to this pathway at the earliest opportunity. I also understand that the last paragraph is not specifically related to your information request, but I would appreciate if the above could be passed to the relevant department as a cause for concern. Many thanks for your help in this matter.”
- **65 PARRY CLOSE:** “How long have we used the path? 1 year. How frequently? 5-10 times per week. How do we use the Path? On foot. (The gate and steps means it is not possible to cycle or drive.) Purpose: Work, Walking to access to shops and services, and leisure. Other users? Yes we see a reasonable number of people using this footpath Perhaps 10-20 people per hour during the day. Do we own land over which the Path crosses? I believe not, our land is adjoining the route of the path indicated. Other comments: I would object to any changes to the footpath in its current form. The Gate between Parry close and Blackmore drive should be maintained as is. I would object to any changes to the Gate (The current gate is a barrier to vehicles such as cars as intended but allows people to pass through safely and efficiently by foot).”
- **67 PARRY CLOSE:** The resident lives alongside the path and has done so since the house was built in 1985. The path is right in front of her garden, so she has to use it every time she leaves the house. The metal bar across the path has been there since the house was built. The path used to be quite dangerous because of people using it on pedal bikes. There are fewer using it by bike these days. It is a short cut for a lot of people and quite a few people use it. In 2009, the resident asked Bath and North East Somerset Council to consider putting a streetlight near the metal barrier. She had a response from Don Foster MP saying that it would be done in the next

Appendix 4 – Path Summary

year's budget, but nothing has happened! Information forwarded to the Street Lighting Team.

- **68 PARRY CLOSE:** *"I am writing in response to your letter referring to the above path, this path, at the bottom, on the boundary between Parry close and Blackmore drive is an emergency access area and has recently been the subject of a problem with access due to cars being illegally parked in that area. It is also used by cyclists and motorcyclists due to the unsatisfactory barrier that has always been in existence (a solitary iron bar) that on many occasions has been moved. There should be both a proper barrier and signs to confirm that it is an emergency access area as it is the only exit available should the road out of Parry close be blocked for any reason. It has been a major form of concern for many years. I didn't state that I live at 68 Parry close, adjoining the path. I actually very rarely use it but I have lived here since 1983 and it is a very well used access. It is mainly used on foot but more and more cyclists are now trying to force their way through."*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 33 responses to the consultation, 32 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 32 web respondents, all respondents used the path on foot. Fourteen respondents used the path daily, 9 weekly, 4 monthly and 5 annually. Three used the path by bicycle, 1 daily, 1 weekly and 1 monthly.

Length of path usage ranged from 4 years to 36 years. The path was used for commuting (11), accessing local amenities (20), social purposes (20) and leisure purposes (26). One of the respondents reported a change to the line of the path in the years that they had been using it: *"Yes had to walk on the grass on the path between Langdon Rd and Blackmore Dr as it's really slippery under the trees when damp"*. None of the respondents reported any changes to the width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. However, one respondent commented on a barrier on the path: *"At the end of Path 12 as it leads into Blackmore drive there is a barrier. It covers 90% of the path which I believe is to stop traffic using it as a through road. It is a major accessibility problem however for those with prams, wheelchairs or bikes."*

None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path, but one respondent commented: *"The path surface is very slippery and I have fallen and seen numerous other people fall when this this part of the path."*

Appendix 4 – Path Summary

ii) Additional Responses

One response:

- **Michael Newbound:** *“How long have you used the path? Since the Lovell homes estate was completed in mid 1980s. How frequently do you use the path? Every year but frequency variable, over the last 5 months - three times a week. How do you use the path? On foot. For what purpose do you use the path? Access to shops at Mount Road, Southdown Road, exercise. Do you see many other people using the path? Every time I use it. It is the only access to a significant number of houses on the estate. Do you own the land over which the path crosses? No - As this is part of the estate footpaths which I understand were adopted by the council I assume the council is the owner.”*

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The area is becoming developed. Sections of path in a similar alignment to the present day are now in existence.

1933 – 1939, OS Map: Sections of path in a similar alignment to the present day are now in existence.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: There are sections of path in a similar alignment to the present day.

ST76SW 1973, OS Map: There are sections of path in a similar alignment to the present day.

ST76SW 1983, OS Map: The area has been cleared and there does not appear to be a path in existence.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: 2001 - Query from the owner of 69 Langdon Road about who cuts the hedges? PROW response was to send it to Parks and Open Spaces to action.

4. SURFACE CONDITION

The surface of the path is concrete flagstones and tarmac. It is generally in a good condition, and there are steps in places.

5. ASSESSMENT OF EVIDENCE

The path has been in existence since the early 1980s. It has not been possible to get a response from the landowner. The path is maintained by the Authority. The amount of evidence of use by the public gathered during the consultation was very significant. None of the respondents reported obstructions or anything which deterred them from using the path although one respondent commented that the barrier caused an accessibility problem for those with prams, wheelchairs or bikes.

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6. OFFICER RECOMMENDATIONS

The consultation produced very significant evidence of use by the public. Officers are satisfied that the evidence gathered for AQ548 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as 3 separate public footpaths and add them to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ65a (Path 15), AQ65b (Path 13) and AQ65c (Path 20)

AQ65 has been split into 3 parts (AQ65a, AQ65b and AQ65c) as it is separated by sections of Class 4 highway which will not be recorded on the Definitive Map and Statement. As all parts of AQ65 have the same history it has been looked at as one path in terms of documentary evidence but as 3 separate paths for the consultation.

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

AQ65a: The land is registered with the following title number:

AV215682: Being 1-22 (excluding 13) Padfield Close, Bath (BA2 1NA).

- **Proprietor: Sovereign Housing Association Limited. (Community Benefit Society No. 7448) of Woodlands, 90 Bartholomew St, Newbury, RG14 5EE. Being 1-22 (Excluding 13) Padfield Close, Bath, BA2 1NA.** No response received.

AV68936: Being land and buildings on the south east side of The Hollow, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

AQ65b: The land is registered with the following title number:

AV68936: Being land and buildings on the south east side of The Hollow, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

AQ65c: The land is registered with the following title number:

AV68936: Being land and buildings on the south east side of The Hollow, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

i) Adjoining Property Holders

AQ65a: 39 letters were sent, and 1 response was received:

- **24 BLACKMORE DRIVE:** *“Have long have used the path? Since Blackmore Drive was completed in the early 1980s. Until the Lovell Homes estate was built this was a track in regular use, on occasion even by vehicles. It was specifically used as the access route for lorries to remove topsoil from part of the site shortly before construction work commenced. The track that is now Path 15 is clearly visible on the Ordnance Survey 1st Survey maps of late Victorian times, although on a different alignment where it joins the The Hollow, and has clearly been use since then or earlier. How frequently do use the path? From 1982 to 2016 when my mother-in-law occupied 96 Blackmore Drive at least every week as it formed the rear boundary of her property. Since 2016 maybe once a month. How you use the path? On foot. For what purpose you use the path? Now exercise, formerly related to my mother-in-law’s house. Do you see many other people using the path? When my mother-in-law occupied 96 Blackmore Drive every day*

Appendix 4 – Path Summary

at all times of the day. Do you own the land over which the path crosses? No. This was specifically not part of the land purchased by Westbury Estates for the construction of Blackmore Drive. It appeared that it was an access track/road to the land bought Lovell Homes to build Langdon Road. From correspondence with the council over ownership of the hedge behind 96 Blackmore Drive I understood that the council had adopted to the path and are the owner of the land.”

AQ65b: 5 letters were sent, and no responses were received.

AQ65c: 21 letters were sent, and 9 responses were received:

- **31 PARRY CLOSE:** *“We do not use it; None; None; None; No; No.”*
- **1A SLADEBROOK ROAD:** *“How long have I used the path? I am 53 now and I have used it since I was 10, over 43 years. As I use to go to a school at the bottom of the path that is now an old peoples home I think called Culverhay boys lower school and Black More Langdons garden nursery. Half of the path was just built on by the Parry Close development. Also the Path did have a leg to the right that hit Southdown road, again this was built on. How frequently do I use the path? 2-3 days just to cut the hedge at the Sladebrook rd end, pick dog poo bags out the hedge and pick up litter. I don't walk the full way. How do I use the path? I don't - I just cut the hedge for others. Its is a foot path only really. Although I have seen mopeds and bike fly down the hill as it is steep. There are gates at the bottom to stop them. Several stole cars have been smashed into the top and a van parked across the top to loot them. For what purpose do I use the path? The path is historically for the school/nursery I don't use it now. I guess it is used primary by dog walkers. Do I see other people using the path? Maybe one person every 2-4 days. Teenagers drink at the top sometimes. Do I own the land that the path crosses? Yes a little at the top 1A.”*
- **5A SLADEBROOK ROAD:** *“How long have you used the path (during which years)? From November 2017 to present. How frequently you use the path? Nearly every day I walk to Oldfield Park Train Station, Moorland Road and to town. How you use the path (on foot, by bicycle, by horse, by vehicle? Mainly foot, sometimes bicycle. For what purpose you use the path (for work, access to local amenities or leisure)? I use the path to get to work, amenities and for leisure. Do you see many other people using the path? Yes. Do you own the land over which the path crosses? We own the house and land next to the path.”*
- **110 SOUTHDOWN ROAD:** *“My property, Hillcott, 110 Southdown Road is adjoining Path 20. We do not own the land over which the path crosses. We have used the path since we moved to the property in 1996. We use it when we walk to visit friends in Parry close and if we walk to the baker in Twerton High Street. I used to take children to the little play park at the end of the path but the children are now in their twenties! The path is well-known and well used by many people in the neighbourhood. I hope this information is useful, and if you have any other questions please do not hesitate to contact me. You might also be interested to know that, as a consequence of lockdown, we have downloaded the 'Footpath' App on my phone ,and have been using it to discover different routes to walk in our immediate neighbourhood without using the usual "car" routes. It's been quite the discovery! It has also prompted us to walk more...as it makes for a more pleasant trip to the shops etc. Although I (Alison) have lived in the area for over forty years, I have recently discovered routes that give me faster, and more aesthetically pleasing access to areas I had only driven to before now.”*

Appendix 4 – Path Summary

- **114 SOUTHDOWN ROAD:** The lady's father has lived here for many years and she has literally just moved in to the house and has never used the path.
- **118 SOUTHDOWN ROAD:** *"1. I lived here for 5 years but do not use the path. 2. Never. 5. Very few. 6. No."*
- **122 SOUTHDOWN ROAD:** The path is used pretty much all of the time by the general public. Mums and kids go to and from school and dog walkers use the path. She can hear people using the path from her garden. She doesn't use the path as frequently any more but she maintains her garden wall and makes sure that the path is clean. She is speaking on behalf of the general public in that there are some people who might want the path closed but it is a very important through route. No one causes any trouble. There is a special gate at the bottom which prevents motorbikes from using the path. This was put in 2 or 3 years ago and has improved the path. She has tried to communicate with Bath and North East Somerset Council regarding the maintenance. Can something please be done about the overhanging branches? Some people don't maintain their hedges and they get very long. At the top of Sladebrook Road, the properties that back onto Sladebrook Road don't maintain their hedges. She has sprayed the path in summer behind her wall and on her neighbour's patch, behind 120A. There is barbed wire on this section of path which is a problem. She has used the path for over 10 years and it has street lights on it.
- **124 SOUTHDOWN ROAD:** *"Owner of 124 Southdown Road since 1982. Only use the path (on foot) to inspect my wall and clip vegetation. Not much usage experienced since Culverhay schools closed. Previously considerable amount of vandalism reported to Police on many occasions. Path is almost redundant now as people can use Langdon Road and estate paths to get to Parry Close. What usage of Path 20 that there is generates a considerable amount of litter which is rarely cleared. As I am expected to ensure that any overhanging vegetation is cleared I would have thought that the Council could ensure that the path is kept clear of litter."*
- **128 SOUTHDOWN ROAD:** *"I received a letter today about Path 20 which runs along the bottom of my garden. I have lived in the house for 21 years and before that my Grandmother lived here. We have a gate that opens onto the lane. WE have always used the gate to access cutting the hedge and where walking around the area. I see many people walking and cycling at different times of the day. Children use it to get to the small park, also dog walkers. On the odd occasion you get motorbike coming up and down the lane."*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

AQ65a:

The general public made 25 responses to the consultation, 24 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 24 web respondents, all respondents used the path on foot. Four respondents used the path daily, 6 weekly, 4 monthly, 9 annually and 1 "not regularly".

Appendix 4 – Path Summary

Length of path usage ranged from 6 years to 40 years. The path was used for commuting (4), accessing local amenities (11), social purposes (9) and leisure purposes (16). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

One response:

- **Michael Newbound:** *“How long have you used the path? Since Blackmore Drive was completed in the early 1980s. Until the Lovell Homes estate was built this was a track in regular use, on occasion even by vehicles. It was specifically used as the access route for lorries to remove topsoil from part of the site shortly before construction work commenced. The track that is now Path 15 is clearly visible on the Ordnance Survey 1st Survey maps of late Victorian times, although on a different alignment where it joins The Hollow and has clearly been use since then or earlier. How frequently do you use the path? From 1982 to 2016 when my mother-in-law occupied 96 Blackmore Drive at least every week as it formed the rear boundary of her property. Since 2016 maybe once a month. How do you use the path? On foot. For what purpose do you use the path? Now exercise, formerly related to my mother-in-law’s house. Do you see many other people using the path? When my mother-in-law occupied 96 Blackmore Drive every day at all times of the day. Do you own the land over which the path crosses? No. This was specifically not part of the land purchased by Westbury Estates for the construction of Blackmore Drive. It appeared that it was an access track/road to the land bought Lovell Homes to build Langdon Road. From correspondence with the council over ownership of the hedge behind 96 Blackmore Drive I understood that the council had adopted to the path and are the owner of the land.”*

AQ65b:

The general public made 28 responses to the consultation, 27 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 27 web respondents, all respondents used the path on foot. Eight respondents used the path daily, 5 weekly, 5 monthly and 9 annually.

Length of path usage ranged from 4 years to 36 years. The path was used for commuting (4), accessing local amenities (15), social purposes (11) and leisure purposes (11). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

Appendix 4 – Path Summary

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

One response:

- **Michael Newbound:** *"How long have you used the path? Since the Lovell homes estate was completed in mid 1980s. This path appears to have been included on the estate specifically as a re-alignment of the historic path linking what is now Path 15 to Path 20 as shown on the Ordnance Survey 1st Survey maps of late Victorian times. How frequently do you use the path? Every year but frequency variable, rarely use this section of path. How you do use the path? On foot. For what purpose do you use the path? Access to shop at Southdown Road, exercise. Do you see many other people using the path? As it is a very short stretch and there is an estate access road adjacent I very rarely see anyone using the path. Do you own the land over which the path crosses? No - As this is part of the estate footpaths which I understand were adopted by the council I assume the council is the owner."*

AQ65c:

The general public made 18 responses to the consultation, 17 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 17 web respondents, all respondents used the path on foot. Three respondents used the path daily, 3 weekly, 4 monthly, 6 annually and 1 stated "other" but did not elaborate.

Length of path usage ranged from 4 years to 30 years. The path was used for commuting (2), accessing local amenities (8), social purposes (6) and leisure purposes (12). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

Appendix 4 – Path Summary

ii) Additional Responses

One response:

- **Michael Newbound:** *“How long have you used the path? Since the Lovell Homes estate was completed in mid 1980s. Most of this path pre-dates the Lovell Homes estate. The path is very clearly shown as a footpath on the Ordnance Survey 1st Survey maps of late Victorian times, and has been in use as such since then but was re-aligned by Lovell Homes where it joins Parry Close at its northern end. How frequently do you use the path? I use the path whenever I wish to go to the shop in Southdown Road, so over the years about twice a month for that purpose. Over the past 5 months about 3 times a week for exercise. How do you use the path? On foot. For what purpose do you use the path? To access the shop and for exercise. Do you see many other people using the path? On most occasions that I use the path I meet someone else on it. It is also the access to the front of 3 properties. I saw people using this path before the Lovell Homes estate was built. Do you own the land over which the path crosses? No. As the northern end is part of the estate footpaths which I understand were adopted by the council I assume the council is the owner of at least that part.”*

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The present-day route appears to be diverted sections of a longer historic route, starting on The Hollow, Southdown Road and finishing on Rush Hill. It is shown by two dashed lines.

1901 – 1905, OS Map: The area has been developed and a section of the footpath is now shown between two solid lines, ending on Sladebrook Road. The northern section of the path appears to have been diverted to further south along The Hollow. The route of the middle section is unclear.

1920 – 1933, OS Map: Parts of the footpath are shown by two solid lines, marked as F.P, on a similar line to the present day. The section in the middle of the path is not on the same alignment as the present day.

1933 – 1939, OS Map: Parts of the footpath are shown by two solid lines, marked as F.P, on a similar line to the present day. The section in the middle of the path is not on the same alignment as the present day.

Bath City Engineer’s Survey, 1957: F.P. Sladebrook Road. Footway - Southdown Rd. to Hollow. Footway leading to footway.

ST76SW 1961, OS Map: Parts of the footpath are shown by two solid lines, marked as FP, on a similar line to the present day. The section in the middle of the path is not on the same alignment as the present day.

ST76SW 1973, OS Map: Parts of the footpath are shown by two solid lines, marked as Path, on a similar line to the present day. The section in the middle of the path is not on the same alignment as the present day.

ST76SW 1983, OS Map: The majority of the path are shown by two solid lines on the same line as the present day. The section in the middle of the path appears to run through open space.

List of Streets: Parts are Class 6 Adopted Highway and other parts are not included.

Previous Orders Made: The Bath City Council (Former West Twerton Nurseries) Public Path Diversion Order) 1982. Confirmed 10/08/1982. The adopted highway section is included in the Order, approximately 168 metres in length.

Appendix 4 – Path Summary

Other Information: 1974 - Memo from the Estates Department to the City Engineer, City of Bath. There was no plan included but the memo refers to a plan showing footpaths crossing the area. What is *"the desirability, in your opinion, of keeping any of the paths open."* **REPLY** - *"In my view there would undoubtedly be opposition - perhaps considerable opposition - to any steps which might be taken by the Corporation to close or divert the footpaths in question."* **April 1985** - Memo from Councillor South to City Engineer's Department. He raised complaints to the state of the passageway. He requests that rubbish be removed, followed by a fortnightly brush. He also raises issues regarding overgrown vegetation and barbed wire. **April 1985** - Assistant City Engineer (Highways & Works) to Cleansing Inspectors. Requests "a thorough clean and thereafter periodic cleansing." **November 1985** - Councillor South to City Engineer's Department. Raises concerns regarding the passageway being used as a cycle way and by motorcycles (and toboggans). He had consulted local residents and provided a few solutions to the issues raised. **REPLY** - A handrail is to be installed at the steepest section and there is a proposal to erect barriers to deter use by cyclists. Memos / phone calls regarding issues such as overhanging branches, rubbish and the possible installation of bollards. **2006** - query from a member of the public regarding the possibility of closing the path with a gating order. **2007** - Will Steel (Team Leader - PROW) - "This path is on our list of probable paths (ref AQ65). It was identified by the City of Bath in their 1956 Survey. Such routes are always publicly maintainable." Ongoing issues regarding rubbish / overgrowth, barbed wire. Parts of the path are included in the Public Rights of Way Vegetation Schedule.

4. SURFACE CONDITION

AQ65a – The surface of the path is tarmac. It is in a good condition in the southern section and in a poor condition in the northern section.

AQ65b – The surface of the path is tarmac. It is in a good condition.

AQ65c – The surface of the path is tarmac. It is in a generally good condition.

5. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1891. The path was included in the 1957 Survey by the Bath City Engineer and the Authority maintains it. The amount of evidence of use by the public gathered during the consultation was significant. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public. Officers are satisfied that the evidence gathered for AQ65 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as 3 separate public footpaths and add them to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

BQ65 (Path 14)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title number:

AV68935: Being land and buildings on the north side of Sladebrook Road, Twerton.

- **Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER.** Lovell Housing Limited was dissolved in 2009.

ii) Adjoining Property Holders

9 letters were sent, and 3 responses were received:

- **13 LANGDON ROAD:** The residents have lived in their property since the house was built in 1987 and have used the path since then. They don't use it regularly, but it is convenient for getting to Moorland Road and into town. They use the path on foot. Quite a lot of people use it. Their garden abounds the footpath and they always hear people walking past when they are in the garden. Some of the properties can only be reached by using the footpath.
- **15 LANGDON ROAD:** *"Thank you for the letter about Path 14 which runs outside my house. This is a very well used short cut between Parry Close and Langdon Road on this estate. I have used it for the past 30 years to go down to Parry Close. It consists of path and steps with a handrail. I use the path probably once a week for exercise on foot. Everyone uses this path, people from all walks of life. As there is a flight of steps wheeled vehicles, bikes etc do not use it, although I have seen young lads doing so on bikes. My land stops at the edge of the path, I think Langdon builders handed ownership over to BANES for upkeep. It is in reasonable state. This is a tarmac path with stone steps and a handrail as part of the pavement of Southdown Park Estate, handed over from Langdon builders to BANES for upkeep. I described it as a short cut but it is an official pavement path."*
- **17 LANGDON ROAD:** The resident has owned the house for over 6 years and has been using the path since then, on foot. Lots of people use it, many times a day. He has to use the path in order to go anywhere, so uses it pretty much every day, and this is the same for numbers 15 and 37 Langdon Road as well. Occasionally he sees someone cycling on it and also dog walkers use the path. He doesn't believe he owns any of the land.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 25 responses to the consultation, 24 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 24 web respondents, all respondents used the path on foot. Six respondents used the path daily, 7 weekly, 3 monthly, 7 annually and 1 "not regularly".

Appendix 4 – Path Summary

Length of path usage ranged from 5 years to 36 years. The path was used for commuting (5), accessing local amenities (14), social purposes (11) and leisure purposes (17). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

One response:

- **Michael Newbound:** *“How long have you used the path? Since the Lovell homes estate was completed in mid 1980s. How frequently do you use the path? Every year but frequency variable, occasionally use this section of path. How do you use the path? On foot. For what purpose do you use the path? Access to shops at Mount Road via Sladebrook Road, exercise. Do you see many other people using the path? This is a very short stretch which is the front access to a small number of properties, so only occasionally. Do you own the land over which the path crosses? No - As this is part of the estate footpaths which I understand were adopted by the council I assume the council is the owner.”*

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence. Sections of path in a similar alignment to the present day are now in existence.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not in existence.

ST76SW 1973, OS Map: The path is not in existence.

ST76SW 1983, OS Map: The path is not in existence.

List of Streets: Not included.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac with tarmac and concrete steps. It is in a reasonable condition.

Appendix 4 – Path Summary

5. ASSESSMENT OF EVIDENCE

The path has come into existence since 1983. It has not been possible to get a response from the landowner. The path is not maintained by the Authority. The amount of evidence of use by the public gathered during the consultation was significant. None of the respondents reported obstructions or anything which deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public. Officers are satisfied that the evidence gathered for BQ65 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ411a (Path 16) and AQ411b (Path 19)

AQ411 has been split into 2 parts (AQ411a and AQ411b). As both parts of AQ411 have the same history it has been looked at as one path in terms of documentary evidence but as 2 separate paths for the consultation.

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

AQ411a

The land is registered with the following title numbers:

- AV39119 Being land lying on the south east of The Hollow, Twerton.
Proprietor: Westbury Homes (Holdings) Limited (Co. Regn. No. 822538) of Persimmon House, Fulford, York, YO19 4FE. At the time of writing, no response has been received.
- AV68936 Being land and buildings on the south east side of The Hollow, Twerton.
Proprietor: Lovell Housing Limited of Marsham House, Gerrards Cross, Bucks, SI9 8ER. Lovell Housing Limited was dissolved in 2009.

AQ411b

The land is registered with the following title number:

- AV39119 Being land lying on the south east of The Hollow, Twerton.
Proprietor: Westbury Homes (Holdings) Limited (Co. Regn. No. 822538) of Persimmon House, Fulford, York, YO19 4FE. At the time of writing, no response has been received.

ii) Adjoining Property Holders

AQ411a

16 letters were sent, and 3 responses were received:

- **27 BLACKMORE DRIVE:** *“How long have you used the path....17yrs. 2002-2020 How frequently you use the path.....3 times a week How you use the path.....on foot and bicycle. For what purpose you use the path....leisure and access to local amenities. Also it allows Access to my garden fence.so I can maintain it. Do you see other people using the path.... yes a lot. People use it every day. To walk, run, cycle. People walk their dogs along it. children use it to walk to school. It is also a good path to learn how to ride a bike and roller skate. It is a useful link to Southdown road via Parry close, this avoids the main road and is safer. There is also a lot of wildlife that frequent this path too. Do you own the land the path crosses...No.”*
- **79 BLACKMORE DRIVE:** *“I have used Path 16 since 2000, the year I relocated here. Used this path frequently before lockdown, to access local amenities and leisure. Always on foot. Sometimes met school children (when school closes at end of day) – plus mothers pushing pushchairs. Other adults also walking. I do not own the land the path crosses.”*
- **10 MINERVA GARDENS:** *“In reply to your recently received letter of 24 March 2020, our rear garden at 10 Minerva Gardens, Bath BA2 1JP, backs onto Path 16 which runs from Parry Close to Lymore Avenue. We moved into our house in 1987. The*

Appendix 4 – Path Summary

path was being used then and probably had been for some time after the stream had been redirected. We occasionally use the path to walk to Lymore Avenue and while we have no view of it over our fence, we can hear from our garden that it is used quite a lot mainly by people on foot. Occasionally a cyclist uses it but I have never seen a horse or seen any evidence of a horse. It's probably too narrow to permit use by a car and I've never heard a motorcycle on the path. We were advised when purchasing our house that BATHNES were responsible for managing and maintaining the path, the land and trees up to the boundary of our property. I hope this helps."

AQ411b

9 letters were sent, and 4 responses were received:

- **3 BLACKMORE DRIVE:** *"Our property at 3, Blackmore Drive, BA2 1JW adjoins path 19 close to your point A on your map. We have used the path regularly since moving to 3, Blackmore Drive in April 1997. We possibly used it before that date as we lived nearby before we moved here. We use it as pedestrians if we walk up Dartmouth Avenue towards home or along Lymore Avenue or down Southdown Road towards our home. We also need to use the path to cut back overhanging growth from a large row of conifer trees which grow just inside our wall that separates our garden from path 19. We need to place a ladder on path 19, against our wall to be able to cut back the conifer overhang. We then sweep the cuttings from the path. This is done once or twice per year depending on the rate of growth. Without access to this path we could not cut back the growth that overhangs path 19. We do see other people using this path throughout the day. The windows at the rear of our property overlook the path and we often see people walking along the path usually walking to and from the Brickfields which has an access lane almost directly opposite point A of your map. I would say that most people who use that path are either dog walkers or parents with young children, most on their way to the Brickfields or the play area within the Brickfields. I sincerely hope that there are no changes made to the public right of way to Path 19."*
- **9 BLACKMORE DRIVE:** *"The answer to your questions regarding the use of PATH 19 is as follows: 1. How long have you used the path (during which years) - 12 years (2008 - present). 2. How frequently do you use the path – Daily. 3. How do you use the path - On Foot. 4. For what purpose do you use the path - Access to local amenities and leisure (as there is no pavement on this side of the road it is either necessary to cross a very busy road or use this path). 5. Do you see many other people using the path - Yes, it is used frequently. 6. Do you own the land over which the path crosses – No. Please contact me if you need any further information."*
- **17 BLACKMORE DRIVE:** *"We have lived at 17 Blackmore Drive since the house was built April 1980. Back then our back garden had a back gate for access to this lane and also to get to our garage in a block. Over the years we got rid of the gate, fencing right across a) for security and b) we didn't need the access to lane as we have side access to our house, being end terrace. Plus we could access our garage via the entrance to the block. So, we don't actually use this lane other than clearing our side of weeds. The state of the lane is awful with overgrown greenery which has grown through from 58 Lymore Garden which used to be The Rising Sun Public House. Now student accommodation. Also lots of rubbish in lane which we clear behind us but must admit don't like doing it. The council never clear it now. I am attaching a letter I sent to the Councillors for our area (2nd one!!). Never got a response from the first letter to Paul Crossley. It was regarding the state of the lane and also the query we (neighbours and ourselves) have re the owner of this back*

Appendix 4 – Path Summary

lane. In a Lib Dem Newsletter some time ago. Paul Crossley had stated about the work they were doing in the area of Southdown and it said about the back lane behind us being owned by a woman and named her. It also said the date she had owned it from, which was before our house was built. I queried it with him as at no time when purchasing our house, were we told about this. Also for years (before cutbacks!), This lane was kept clear by the Council. I am not happy that we haven't had a proper response regarding this lane. I would say that the lane is not used much by the public. Sometimes the odd dog walker but children going up to the primary school at the other end of Lymore Avenue seem to use the pavement on the other side of the road. It was probably used more in years gone by."

- **19 BLACKMORE DRIVE:** The resident has lived in the house since it was built, 40 years ago. She uses it as often as needed. It is the only way to her back garden without going through the house. She uses it on foot. A lot of people use it. There is no pavement going past the Rising Sun pub, so it is used to get from one side of Lymore Avenue to the other. She doesn't own the land and it has always been very badly looked after. She used to sweep the path until she was about 80 (for 30 years). She is 93 now! A neighbour does the sweeping now. The path was in a much worse state when the pub was there as there was broken glass. There are ash trees and holly trees growing on the path. She used to go around with weed killer but can't any more. The lower part of the path is in a disgraceful state because the fence is falling down. Issue with cars leaving the former pub site – she is surprised that the police have allowed it. On the green there is a big ash tree that is rotting. She has written to Mark Cassidy about it. She last wrote at the end of last year. Branches are rotting and falling off. Someone came out to remove some dead branches, but it is still an issue.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

AQ411a - The general public made 25 responses to the consultation, 23 of which were received via the web questionnaire and 2 of which were emails.

i) Web Questionnaire

Of the 23 web respondents, all respondents used the path on foot. Eight respondents used the path daily, 8 weekly, 2 monthly, 4 annually and 1 "not regularly". Two respondents also used the path by bicycle, 1 weekly and 1 monthly.

Length of path usage ranged from 6 years to 35 years. The path was used for commuting (8), accessing local amenities (16), social purposes (7) and leisure purposes (19). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path.

Appendix 4 – Path Summary

None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

AQ411a - Two responses:

- **Michael Newbound:** *“How long have you used the path? Since Blackmore Drive was completed in the early 1980s. How frequently do you use the path? Very infrequently as it not a logical route to anywhere for residents of Blackmore Drive itself. How do you use the path? On foot. For what purpose do you use the path? Exercise. Do you see many other people using the path? Yes all the time as it is the direct route to and from Lymore Avenue to Parry Close and above for residents of the Lovell Homes and beyond when going to or from Moorland Road, Sainsburys etc on foot. Do you own the land over which the path crosses? No. This was built by Westbury Estates as part of Blackmore Drive and was I understood adopted by the council and therefore presumably owned by the council.”*
- **Alison Chapman:** *“Path 16 is used a lot too as again a shortcut up to the Langdon Road Estate. As these are public footpaths could I add that the upkeep is not good. The grass is cut probably only a couple of times a year and it can grow at least knee high but I know this is the case all over Bath. It should be kept cut by footpaths. The main issue is the trees, especially on Path 18. One tree has so many very low branches which are now coming out over the path. If not pruned these branches will prevent people walking along this path. Rubbish too can be an issue. The council used to sweep these paths many years ago. We keep the back of our house clear as much as we can but not our responsibility. We all pay our council tax.”*

AQ411b

The general public made 28 responses to the consultation, 27 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 27 web respondents, all respondents used the path on foot. Nine respondents used the path daily, 10 weekly, 2 monthly, 1 two or 3 or times a year, 4 annually and 1 “not regularly”. Three respondents also used the path by bicycle, 1 weekly and 2 monthly.

Length of path usage ranged from 6 years to over 50 years. The path was used for commuting (7), accessing local amenities (17), social purposes (9) and leisure purposes (19). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. One of the respondents reported an obstruction: *“A tree fell down in strong winds. Was*

Appendix 4 – Path Summary

removed within 2-3 days.” When asked if the obstruction deterred use of the path, the respondent replied: “No, just had to go a longer way arounds”.

ii) Additional Responses AQ411b

One response:

- **Michael Newbound:** *“How long have you used the path? Since Blackmore Drive was completed in the early 1980s. How frequently do you use the path? From where Path 18 joins it to the bottom of Southdown Road. Over the years very frequently. Some weeks at least twice or more daily, at other times maybe not for weeks. Have used the other section behind the Rising Sun on less than 10 occasions in 40 years. How do you use the path? On foot. For what purpose do you use the path? Mainly as an access route to Lymore Avenue to then continue down Dartmouth Avenue or across to Coronation Avenue and Bridge Road en route to all destinations towards Moorland Road, City Centre etc. Sometimes this just for exercise. Do you see many other people using the path? Infrequently as it is very short. Do you own the land over which the path crosses? No. This was built by Westbury Estates as part of Blackmore Drive and was I understood adopted by the council and therefore presumably owned by the council.”*

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: Part of the path is now shown, some sections by two solid lines and some by two dashed lines.

1933 – 1939, OS Map: Part of the path is shown, some sections by two solid lines and some by two dashed lines.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: Sections of path correspond to the present-day network and are shown in part by two dashed lines and in part by one solid and one dashed line.

ST76SW 1973, OS Map: Sections of path correspond to the present-day network and are shown in part by two dashed lines and in part by one solid and one dashed line.

ST76SW 1983, OS Map: Sections of path correspond to the present-day network and are shown in part by two dashed lines and in part by one solid and one dashed line.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

AQ411a: The surface of the path is tarmac. It is in a reasonable condition.

AQ411b: The surface of the path is tarmac with tarmac and concrete steps. It is in a reasonable condition.

5. ASSESSMENT OF EVIDENCE

The path has come into existence since 1983. It has not been possible to get a response from the landowner. The path is maintained by the Authority. The amount of evidence of use by the public gathered during the consultation was very significant.

Appendix 4 – Path Summary

None of the respondents reported obstructions or anything which deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced very significant evidence of use by the public. Officers are satisfied that the evidence gathered for AQ411a and AQ411b is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for these paths is to record them as public footpaths and add them to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

BQ54 (Path 17)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title number:

AV39119: Being land lying on the south east of The Hollow, Twerton.

- **Proprietor: Westbury Homes (Holdings) Limited (Co. Regn. No. 822538) of Persimmon House, Fulford, York, YO19 4FE.** At the time of writing, no response has been received.

ii) Adjoining Property Holders

9 letters were sent, and 4 responses were received:

- **35 BLACKMORE DRIVE:** *“My property boundary extends to the edge of the path and I have a gated access onto it from my rear garden. Since moving to Blackmore Drive in 2015, I’ve noticed that the path appears to be used frequently by others on foot, including dog walkers. It forms one of a number of a useful cut-through between Blackmore Drive and Path 16 onto either Lymore Avenue or Parry Close. As the path includes several shallow steps, it is unsuitable for bicycles or other vehicles. Due to where my house is positioned, the alternative routes available to Lymore Avenue and Parry Close are more convenient for me for work (walking into the city centre), shopping and leisure. So I tend to use these more frequently than Path 17. Instead I typically use the path for when I need to bring items to or from my garage (which is separate from the house, en bloc.) directly into the rear garden. I hope this information helps with your research.”*
- **1Anonymous:** *“Q. How often have you used the path (during which years)? A. 1980-2020. Q. How frequently you use the path? A. Seldom. Q. How do you use the path (on foot, by bicycle, by horse, by vehicle)? A. On foot. Q. For what purpose you use the path (for work, access to local amenities or leisure)? A. Access to paint my garden fence, tidy up any weeds and rubbish, etc. Occasional access to my back garden for tradesmen. Q. Do you see many other people using the path? A. Don’t know for sure, fence is in the way. Sometimes “hear” people walking past, though (maybe neighbours, school children?). Q. Do you own any land over which the path crosses? A. No.”*
- **43 BLACKMORE DRIVE:** *“Duration of use: 1994 to Present (2020). Frequency of use: Variable (approx 1 month). Use of path: Foot. Purpose: Access to the rear of my property (BA2 1JW #43). Other people usage: Multiple times during the day. Do I own the land the pat crosses over: No - not according to my deeds.*
- **47 BLACKMORE DRIVE:** *I have used this path for 20 years from 2000 to date. I use the path nearly every day (c. 5-6 days per week). I use the path on foot and pushing my bicycle along the path. I use the path for leisure and to access local amenities. In particular, I use it to take my bicycle out from my back garden and to return at the end of a bike ride. The back gate of my garden opens onto the path. I see many other people using the path. I do not own the land over which*

¹ The respondent requested that his name and address be kept confidential

Appendix 4 – Path Summary

the path crosses, but own the garden at the rear of my house (no. 47 Blackmore Drive), which adjoins the path. “

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 22 responses to the consultation, 21 of which were received via the web questionnaire and 1 of which was an email.

i) Web Questionnaire

Of the 21 web respondents, all respondents used the path on foot. Five respondents used the path daily, 6 weekly, 2 monthly, 7 annually and 1 “*not regularly*”. One respondent also used the path by bicycle, monthly.

Length of path usage ranged from 6 years to 32 years. The path was used for commuting (5), accessing local amenities (13), social purposes (9) and leisure purposes (16). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

One response:

- **Michael Newbound:** *“How long have you used the path? Since Blackmore Drive was completed in the early 1980s. How frequently do you use the path? Very infrequently as it not a logical route to anywhere for residents of my part of Blackmore Drive. How do you use the path? On foot. For what purpose do you use the path? Exercise. Do you see many other people using the path? Very rarely as most people use Path 18 or Path 12 to exit Blackmore Drive. Do you own the land over which the path crosses? No. This was built by Westbury Estates as part of Blackmore Drive and was I understood adopted by the council and therefore presumably owned by the council.”*

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

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1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not yet in existence.

ST76SW 1973, OS Map: The path is not yet in existence.

ST76SW 1983, OS Map: The path is not yet in existence.

List of Streets: Not included.

Previous Orders Made: None found.

Other Information: January 2001 - Letter from Roger Bowdler, Senior Engineer Highways Maintenance to Councillor Godfrey regarding the status of the footway adjacent to 51 Blackmore Drive: *"I have also checked with the PROW section and they have confirmed the footpath is not on their records; so the route is clearly not maintained by the Council nor it appears do the public have a right of way along the path."*

February - Land Registry Search shows the path is owned by Westbury Homes (Holdings) Ltd. A letter from Councillor Godfrey to Westbury Homes (Holdings) Ltd to report the complaint about the footpath. **May** - A letter from Councillor Godfrey to Judith Gradwell of the PROW Team asking what can be done about the maintenance of the path. No response from Westbury Homes (Holdings) Ltd. Reply from Judith Gradwell to say that she will be discussing the path (and BQ55) with the Network Manager to see if anything can be done about the problem of public footpaths which aren't publicly maintainable. Paths are maintainable at the public expense if they were in existence on 15 December 1949 or have been "adopted" since that date. **May 2001** - Memo from the Council's Legal Adviser to say that Westbury Homes (Holdings) Ltd state that the pathway was transferred along with the adjacent public open space to be adopted by the highway authority. Land Charges has no record of the adoption but many of the records are known to be missing. **July 2002** - Email from PROW Team to Councillor Godfrey to say the matter has been passed to Cleansing to get the two paths added to the regular cleansing schedule. **October 2020** – A check of the adopted highway plans confirms that this path was not adopted.

4. SURFACE CONDITION

The surface of the path is tarmac with concrete steps. It is in a reasonable condition.

5. ASSESSMENT OF EVIDENCE

The path has come into existence since the early 1980s. It has not been possible to get a response from the landowner. The path is not maintained by the Authority. A significant amount of evidence of use by the public has been gathered during the consultation. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public. Officers are satisfied that the evidence gathered for BQ54 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

BQ55 (Path 18)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title numbers:

AV31527: Being land lying to the east of Blackmore Drive Twerton, Bath.

- **Proprietor: Westbury Homes (Holdings) Limited (Co. Regn. No. 822538) of Persimmon House, Fulford, York, YO19 4FE.** At the time of writing, no response has been received.

AV39119: Being land lying on the south east of The Hollow, Twerton.

- **Proprietor: Westbury Homes (Holdings) Limited (Co. Regn. No. 822538) of Persimmon House, Fulford, York, YO19 4FE.** At the time of writing, no response has been received.

ii) Adjoining Property Holders

2 letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 20 responses to the consultation, 16 of which were received via the web questionnaire and 4 of which were emails.

i) Web Questionnaire

Of the 16 web respondents, all respondents used the path on foot. Four respondents used the path daily, 5 weekly, 1 monthly, 5 annually and 1 “*not regularly*”. Two respondents also used the path by bicycle, 1 weekly and 1 monthly.

Length of path usage ranged from 7 years to 30 years. The path was used for commuting (4), accessing local amenities (10), social purposes (8) and leisure purposes (13). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

Appendix 4 – Path Summary

ii) Additional Responses

Four responses:

- **Michael Newbound:** *“How long have you used the path? Since Blackmore Drive was completed in the early 1980s. How frequently do you use the path? Over the years very frequently. Some weeks at least twice daily, at other times maybe not for weeks. How do you use the path? On foot. For what purpose do you use the path? Mainly as an access route to Lymore Avenue to then continue down Dartmouth Avenue or across to Coronation Avenue and Bridge Road en route to all destinations towards Moorland Road, City Centre etc. Sometimes this just for exercise. Do you see many other people using the path? Infrequently as it is very short. Do you own the land over which the path crosses? No. This was built by Westbury Estates as part of Blackmore Drive and was I understood adopted by the council and therefore presumably owned by the council.”*
- **Alison Chapman:** *“Can I just add about Path 18 as there is a notice on a lamp post outside our house. This path is used such a lot by the public. People who live up further and into another estate after ours, walk down and through Blackmore Drive, then, walk down through our little cul de sac, down the steps and along Path 18 to come out at the bottom of Southdown Road/Lymore Avenue. This is a real shortcut especially if walking to town etc or up to the Junior school at the top of Lymore Avenue. Us residents use it a lot...dog walkers etc. Path 16 is used a lot too as again a shortcut up to the Langdon Road Estate. As these are public footpaths could I add that the upkeep is not good. The grass is cut probably only a couple of times a year and it can grow at least knee high but I know this is the case all over Bath. It should be kept cut by footpaths. The main issue is the trees, especially on Path 18. One tree has so many very low branches which are now coming out over the path. If not pruned these branches will prevent people walking along this path. Rubbish too can be an issue. The council used to sweep these paths many years ago. We keep the back of our house clear as much as we can but not our responsibility. We all pay our council tax.”*
- **Louisa Williams:** *“I have used path 18 for the past 17 years I use the path 2-3 times a week. I use it for exercise and accessing Lymore Avenue instead of having to walk to the junction of Blackmore Drive. The path is also used by the public as a short cut to Lymore Avenue. School children also use it as it’s quieter and safer than walking in Lymore Avenue.”*
- **2Anonymous:** *“Q. How often have you used the path (during which years)? A. 1980-2020. Q. How frequently do you use the path? A. The longer leg (B) - several times a week (but much less frequently during the current Covid-19 problems). The shorter leg (A) - very seldom. Q. How do you use the path (on foot, by bicycle, by horse, by vehicle)? A. On foot. Q. For what purpose you use the path (for work, access to local amenities or leisure)? A. The longer leg (B) - to access Lymore Avenue, and so further afield. The shorter leg (A) - to visit other properties. Q. Do you see many other other people using the path? A. The longer leg (B) - frequently used by people passing through to Lymore Avenue. The shorter leg (A) - ditto, plus by some neighbouring residents accessing their cars and garages. Q. Do you own any land over which the path crosses? A. No.”*

²The respondent requested that his name and address be kept confidential

Appendix 4 – Path Summary

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer's Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not yet in existence.

ST76SW 1973, OS Map: The path is not yet in existence.

ST76SW 1983, OS Map: The path is not yet in existence.

List of Streets: Not included.

Previous Orders Made: None found.

Other Information: May 2001 - Letter from Judith Gradwell to say that she will be discussing the path (and BQ54) with the Network Manager to see if anything can be done about the problem of public footpaths which aren't publicly maintainable. Paths are maintainable at the public expense if they were in existence on 15 December 1949 or have been "adopted" since that date. **July 2002** - Email from PROW Team to Councillor Godfrey to say the matter has been passed to Cleansing to get the two paths added to the regular cleansing schedule. **October 2020** – A check of the adopted highway plans confirms that this path was not adopted.

4. SURFACE CONDITION

The surface of the path is tarmac with concrete steps. It is in a reasonable condition.

5. ASSESSMENT OF EVIDENCE

The path has come into existence since the early 1980s. It has not been possible to get a response from the landowner. The path is not maintained by the Authority. A significant amount of evidence of use by the public has been gathered during the consultation. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public. Officers are satisfied that the evidence gathered for BQ55 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ472 (Path 21)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Curo

Response from Carl McMurtry (Operational Lead), Curo: *“I have no concerns with your proposal.”*

ii) Adjoining Property Holders

13 letters were sent, and 4 responses were received:

- **9 BURFORD CLOSE:** *“We live at 9 Burford Close, Southdown and recently received your letter regarding the above pathway. We moved here last year, the path is behind our back garden wall, we have no direct access from our garden. We only use the pathway if out for a walk, not regularly. The path is used by the people whose houses are on the pathway, it is access to their front doors.”*
- **11 BURFORD CLOSE:** *“I occupy no. 11 Burford Close and my back gate leads straight onto Path 21. I have used the path hundreds/probably thousands of times since I moved in in Jan 1990, both to get to the shops on Mount Road and also on Englishcombe Lane, and to take my dogs (3 in all in the past 30 years) for frequent walks. I suppose I generally use the path two or three times a day, depending whether I have a dog or not. I go on foot only and sometimes see other people, maybe once out of those three times....I own no land nearby.”*
- **THE BUNGALOW, ORIEL GROVE:** The path goes up the side of their property. They have been in their house for 5 years and have been using it ever since as a short cut. It is very well used. It is the only way for numbers 2, 4, 6 and 8 Oriel Grove to reach their properties so it is in constant use. They bring their bins out, along the path and put them in front of wall belonging to The Bungalow.
- **7 ORIEL GROVE:** *“We received your letter the other day and have the following answers to the questions you posed: We have used the path from 2006 to the present day. We use the path everyday. We use the path on foot. We use the path to gain access to our property No.7 Oriel Grove. We see a lot of people using the path, not least all the other residents of Oriel Grove who need access to their properties. Other people regular use the path between Southdown and Oriel Grove as a convenient footpath. As far as we know our property does not include the footpath, but stops at the front boundary between the path and our front garden. We have another comment as follows: We have always considered that the path is not a footpath per se, but actually Oriel Grove itself, as house numbers 1-8 are on the footpath, and have no other access. Hope this helps for your information gathering.”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 13 responses to the consultation, all of which were received via the web questionnaire.

Appendix 4 – Path Summary

i) Web Questionnaire

Of the 13 web respondents, all respondents used the path on foot. Three respondents used the path daily, 2 weekly, 4 monthly, 3 annually and 1 “not regularly”.

Length of path usage ranged from 5 years to 48 years. The path was used for commuting (2), accessing local amenities (6), social purposes (5) and leisure purposes (8). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The area around the path has become developed. The path is shown by two solid lines.

1933 – 1939, OS Map: The path is shown by two solid lines.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is shown by two solid lines.

ST76SW 1973, OS Map: The path is shown by two solid lines.

ST76SW 1983, OS Map: The path is shown by two solid lines.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac. It is in a reasonable condition.

5. ASSESSMENT OF EVIDENCE

The path appears to have come into existence at least as early at 1933. The landowner is happy for the path to be included in a legal order and the Council maintains the path. The amount of evidence of use by the public gathered during the consultation was reasonable. None of the respondents reported anything which prevented or deterred them from using the path.

Appendix 4 – Path Summary

6. OFFICER RECOMMENDATIONS

Although the consultation did not produce substantial evidence of use by the public, the landowner is happy for the path to be included in a legal order. Officers are satisfied that the evidence gathered for AQ472 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ478 (Path 22)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered with the following title number:

ST15700: Being land on the east side of Southdown Road. The rear and side footpaths are subject to rights of way.

- **Proprietor: Federated Homes Limited of Bucklersbury House, Bucklersbury, London, EC4.** No response received.

ii) Adjoining Property Holders

9 letters were sent, and 4 responses were received:

- **165 HILLCREST DRIVE:** *“In answer to questions: I have used path since I moved here 5 years ago. I use it every day. I use it on foot. I use it for access to my home. The path is used by many people all the time. I do not own land regarding the path.”*
- **173 HILLCREST DRIVE:** *“We have used path. 22 for the past 32 years - every day - on foot - for access to town - with all my neighbours doing the same - we own 173 but not any land that the path crosses over.”*
- **175 HILLCREST DRIVE:** *“We have lived at 175 Hillcrest Drive for over 10 years. The only entrance is via the pathways known as 22 which we use every day and only by foot. It is the same for all residents in this row. We do own our own house.”*
- **177 HILLCREST DRIVE:** *“As a household, we have used this path daily for the 18 years that we have lived in this house. We use this path on a daily basis, to access our house. It is only used as a footpath due to the lack of access at the southern end. The path is used by post office staff, delivery personnel and other workers delivering services to houses along the path. All journeys along the path appear to be on foot. The path is used frequently throughout the day. I do not own the land over which the path crosses. It is interesting to note, that the path has become a wildlife corridor, particularly following the re-wilding policy of BaNES allowing some land within Hillcrest Open Space to lie fallow. We have seen an increase in bird life, with a large variety of species. We have also spotted hedgehogs, deer, and other wildlife on the path. The residents of this part of Hillcrest Drive feel that the path gives a good sense of community interaction, and it would be detrimental to this if the path were changed.”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 13 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 13 web respondents, all respondents used the path on foot. Two respondents used the path daily, 5 weekly, 2 monthly, 3 annually and 1 “not regularly”.

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Length of path usage ranged from 1 year to 48 years. The path was used for commuting (2), accessing local amenities (4), social purposes (5) and leisure purposes (9). None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer's Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not yet in existence.

ST76SW 1973, OS Map: The path is not in existence.

ST76SW 1983, OS Map: There is a path in existence.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac with concrete steps. It is in a good condition.

5. ASSESSMENT OF EVIDENCE

The path has come into existence since at least as early as 1983. It has not been possible to get a response from the landowner. The path is maintained by the Authority. A reasonable amount of evidence of use by the public has been gathered during the consultation. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

Although the consultation did not produce substantial evidence of use by the public, Officers are satisfied that the evidence gathered for AQ478 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife

Appendix 4 – Path Summary

and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

BQ6 (Path 23)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

Part of the land is registered to Bath and North East Somerset Council, Environmental Services - Open Spaces. Twerton Roundhill (High Barrow Hill), Whiteway Road.

Response from Paul Pearce, Team Leader Parks and Trees– *“I can’t see any problems with these proposed rights of way.”*

ST21484: Being land lying to the north west of Coronation Avenue, Bath.

- **Proprietor: Bath Ground Rent Estate Limited of Rowas Lodge, Limpley Stoke, Bath, BA2 7FD.** It has not been possible to get a response from the landowner.

ii) Adjoining Property Holders

3 letters were sent, and 1 response was received:

- **124 IVY AVENUE:** *“In answer to your questions regarding path 23, I and members of my household have used the path on foot at least once a week for the last 18 years. I understand it to be a public path and not owned by any of the adjoining properties. It is a useful pedestrian route to local shops and amenities, as well as giving access to the local Hillcrest open space which is a pleasant place to walk, or sit and admire the view. It is a pedestrian path not wide enough to take a vehicle, and leading onto a steep grassy incline which isn’t really suitable for bicycle users. The path is well used by dog walkers and people with children, and I believe some people from nearby houses in Southdown also use it as a route to walk down towards Moorland Road and the town centre.”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 25 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 25 web respondents, all respondents used the path on foot. Five respondents used the path daily, 6 weekly, 1 used the path 2-3 times a month, 8 monthly, 4 annually and 1 *“not regularly”*. One respondent also used the path by bicycle, weekly.

Length of path usage ranged from less than 1 year to 48 years. The path was used for commuting (5), accessing local amenities (8), social purposes (11) and leisure purposes (19). One of the respondents reported a change to the line of the path in the years that they had been using it: *“Path 23 has become overgrown and the steps damaged.”* None of the respondents reported any changes to the line or width of the path in the years that they had been using it.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents

Appendix 4 – Path Summary

met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. None of the respondents reported obstructions or anything which deterred them from using the path.

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not yet in existence.

Bath City Engineer's Survey, 1957: Not included.

ST76SW 1961, OS Map: The path is not yet in existence.

ST76SW 1973, OS Map: The path is not in existence.

ST76SW 1983, OS Map: There appears to be a path leading to Ivy Avenue, but it is not clear if the path across the playing area is in existence.

List of Streets: Not included.

Previous Orders Made: None found.

Other Information: March 1989 - A report from a member of the public that she fell and injured herself on the path. The path is used by many elderly residents to get to the Post Office. **April 1999** - Memo from Judith Gradwell to the Parks Department asking them to organise repairs to the pot holes on the gravel path. **April 1999** - Response from the Parks Department - Repairs to the path have been discussed with the Surveyor from Buildings Services. A tarmac surface is suggested to replace the gravel.

4. SURFACE CONDITION

The surface of the path is natural and tarmac. It is in a reasonable condition.

5. ASSESSMENT OF EVIDENCE

The path has been shown on maps at least as early as 1983. The Authority is the major landowner and is happy for the path to be included in an Order. A significant amount of evidence of use by the public has been gathered during the consultation. None of the respondents reported anything which prevented or deterred them from using the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public. Officers are satisfied that the evidence gathered for BQ6 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ72 (Path 24)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The Land Registry Search revealed that the land is not registered under the Land Registration Act and Rules.

ii) Adjoining Property Holders

4 letters were sent, and 1 response was received:

- **236 ENGLISHCOMBE LANE:** The resident bought the property in 2003 for his mother, who passed away very recently. The bungalow is now his. He has personally used the path on foot since 2003, approximately once a month. In the last month, he has been recovering from a heart attack and has used the path every other day for health walks. Not many other people use the path. He owns the land up to the fence.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 23 responses to the consultation, all of which were received via the web questionnaire.

i) Web Questionnaire

Of the 23 web respondents, all respondents used the path on foot. Seven respondents used the path daily, 1 used the path 3 to 4 times a week, 6 weekly, 2 monthly, 1 used the path 2 to 3 times a year, 5 annually and 1 “not regularly”.

Length of path usage ranged from less than 1 year to 50 years. The path was used for commuting (5), accessing local amenities (15), social purposes (9) and leisure purposes (17). None of the respondents reported any changes to the line of the path in the years that they had been using it. Two respondents reported any changes to the width of the path in the years that they had been using it: “Path 24 and 25 have become very overgrown during lockdown” and “24, some overgrowth of hedges”.

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles, gates or bridges on the path. None of the respondents reported being told not to use the path. Two respondents reported obstructions. One respondent reported “Hedge overgrowth” which deterred them from using the path.

Appendix 4 – Path Summary

ii) Additional Responses

None were received.

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is shown by a dashed line. It appears to be part of a longer path which linked Southdown Road to Rush Hill. This path is a small section of the path as it used to exist.

1901 – 1905, OS Map: The path is shown two solid lines and is labelled F.P.

1920 – 1933, OS Map: The path is shown by two solid lines and labelled F.P.

1933 – 1939, OS Map: The path is shown by two solid lines.

Bath City Engineer's Survey, 1957: F.P. Southdown Road to Englishcombe Road. Metalled footway.

ST76SW 1961, OS Map: The path is shown by two solid lines.

ST76SW 1973, OS Map: The path is shown by two solid lines.

ST76SW 1983, OS Map: The path is shown by two solid lines.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac with concrete steps. It is in a good condition.

5. ASSESSMENT OF EVIDENCE

The path has been shown on maps at least as early as 1891. The path was included in the 1957 Survey by the Bath City Engineer and the Authority maintains it. A significant amount of evidence of use by the public has been gathered during the consultation. Two of the respondents to the public consultation reported issues with overgrowth which can deter use of the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public. Officers are satisfied that the evidence gathered for AQ72 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ82 (Path 25)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The Land Registry Search revealed that the majority of the land is not registered under the Land Registration Act and Rules.

Small Section registered to:

ST328997: Being 231 Englishcombe Lane, Bath, BA2 2ER.

- **Proprietor: Lucy Tarallo-Fox and Benjamin Charles Fox of 231 Englishcombe Lane, Bath, BA2 2ER.** Lucy Tarallo-Fox completed a Landowner Evidence Form in which she stated her belief that the path is a public footpath. The land has been in her ownership since April 2016 and she has always believed the path to be a public footpath. She has never prevented or discouraged the public from using the footpath.

ii) Adjoining Property Holders

7 letters were sent, and 1 response was received:

- **OLD ORCHARD, 146 MARSDEN ROAD:** She is replying to the letter about the path at the back of her house. She has used it in excess of 20 years, since she moved here. She is in her 80s now but uses it frequently to walk to Tesco. She sees lots of other people use the path and hears them using the path late at night. She doesn't own the path, but she thinks that hers is the only gate that opens onto the path.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made 22 responses to the consultation, 21 of which were received via the web questionnaire and 1 of which was a letter.

i) Web Questionnaire

Of the 21 web respondents, all respondents used the path on foot. Six respondents used the path daily, 6 weekly, 4 monthly, 4 annually and 1 "not regularly".

Length of path usage ranged from 13 year to 52 years. The path was used for commuting (5), accessing local amenities (12), social purposes (10) and leisure purposes (18). None of the respondents reported any changes to the line of the path in the years that they had been using it. Three respondents reported changes to the width of the path in the years that they had been using it: *"The path from Marsden Road to Englishcombe lane has narrowed in parts due to the verges being allowed to get overgrown."* *"Path 25 has become more overgrown in recent years and is sometimes difficult to use."* *"Path 24 and 25 have become very overgrown during lockdown."*

None of the respondents were the owner, the tenant, an employee of the owner/tenant or a family member of any of the above when they used the path. None of the respondents

Appendix 4 – Path Summary

met the landowner, their employees or family while using the path. None of the respondents were given permission to use the path or had been told not to use the path.

None of the respondents had seen any notices on the path, either encouraging or discouraging their use of it. None of the respondents reported any stiles or bridges on the path but 3 reported gates: *“Path 25, there is an iron push gate at the Marsden Road end. The lane is also lit at night by lamp posts that are set at intervals down the lane.”* *“The path (25) from Marsden Road to Englishcombe Lane had a gate on hinges many many years ago, it was the subject of my 'O' level Art prep, and I cannot remember when it was removed. It was a nice gate.”* *“Swing Iron gate on no. 25.”* None of the respondents reported being told not to use the path.

Five of the respondents reported obstructions: *“Overgrown bushes, nettles, brambles etc. This was over the last couple of years when the Council failed to maintain the lane regularly.”* *“Path 25 is sometimes allowed to get quite overgrown. It is difficult to give exact times but in most years there will be a few weeks when the path is tricky to navigate.”* *“Path 25 - only ticked this because it is generally overgrown and littered, it is not a deliberate obstruction.”* *“Overgrown hedges.”* *“Just bushes and hedges overgrown.”* Of these, 3 respondents said that they were deterred from using the path: *“Yes, as it was so overgrown making it to dangerous & dark from overhanging brambles & foliage. Also the collection of rubbish caught in the hedgerows and broken glass bottles which often litter the path.”* *“When the path is overgrown and wet I'll sometimes take a longer route.”* *“It does in bad weather, danger of slipping and not particularly well lit.”*

ii) Additional Responses

One response:

- **R Dyer:** *“As regards usage we have lived in this area for a very long time and have used this pathway daily and have noticed its condition which is very poor. We would like to see it reinstated to a safe walkable condition.”*

3. DOCUMENTARY EVIDENCE

Cottrell's 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is shown by a dashed and solid line and labelled F.P. It appears to be part of a longer path, starting on Englishcombe Lane and ending on Rush Hill, extending into Odd Down Ward.

1901 – 1905, OS Map: The area surrounding the path has been developed. This section of path is shown by two solid lines.

1920 – 1933, OS Map: This section of path is shown by two solid lines.

1933 – 1939, OS Map: This section of path is shown by two solid lines.

Bath City Engineer's Survey, 1957: F.P. Rush Hill to Englishcombe Road. Stile then left across field - through K.G. and lane to Englishcombe Road.

ST76SW 1961, OS Map: The path is shown by two solid lines.

ST76SW 1973, OS Map: The path is shown by two solid lines.

ST76SW 1983, OS Map: The path is shown by two solid lines.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: Statutory Instruments 1960 No.1485. Rights of Way. The Stopping Up of Highways (City and County Borough of Bath) (No.2) Order, 1960. Made

Appendix 4 – Path Summary

09/08/1960. The Order plan shows the outline of this section of AQ82, but it is not affected by this Order. The part of the path that is affected is listed as a footpath.

Other Information: June 1985 - query over who owns the hedge alongside the footpath at Old Orchard, Marsden Road. A reply from the City Engineer says that he thinks the path belongs to the property owner, not the highway authority. The property owner responded to say that they were not the owner of the hedge as they had wanted to maintain it previously and been told by the Council that they weren't allowed. **May 1986** - A request from the Assistant City Engineer to get the path swept and litter removed and for the path to be put on the schedule for periodic cleansing as it is adopted. This is the section of path from 231 - 233 Englishcombe Road to Marsden Road. The request followed complaints from local residents. **April 1987** - Letter from Councillor Snook regarding the state of the path between Edgeworth Road and Rush Hill. Litter and general anti-social behaviour. **April 1987** - letter from a resident of Edgeworth Road complaining about vandalism to their fence and trespassers into their garden. **May 1987** - A letter from the City Engineer to the County Engineer and Surveyor, requesting closure of the section of footpath behind Edgeworth Road. **July 1987** - reply from the County Engineer and Surveyor to say that vandalism and anti-social behaviour is not a criteria for closure of a footpath under the Highways Act. Advises that the applicant might have considerable expenditure for no guarantee of success. **July 1987** - An insurance claim from 6 Edgeworth Road for the vandalised fence and a possible replacement wall. **August & September 1987** - anti-social behaviour reported on the path. **November 1988** - overhanging bushes reported on the path between Ambleside Road and Rush Hill. **June 1996** - complaint regarding overgrowth on the path between Georgian View and Ambleside. **June 2006** - temporary closure of the footpath between Englishcombe Lane and Marsden Road to facilitate works.

4. SURFACE CONDITION

The surface of the path is tarmac. It is in a poor condition.

5. ASSESSMENT OF EVIDENCE

The path has been shown on maps at least as early as 1891. The path was included in the 1957 Survey by the Bath City Engineer and the Authority maintains it. A significant amount of evidence of use by the public has been gathered during the consultation. Five of the respondents to the public consultation reported issues with overgrowth which can deter use of the path.

6. OFFICER RECOMMENDATIONS

The consultation produced significant evidence of use by the public. Officers are satisfied that the evidence gathered for AQ82 is sufficient to make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ568 (Path 26)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Curo.

Response from Carl McMurtry (Operational Lead), Curo: When asked if Curo is happy for the path to be included in the research, the response was: “*Of course. Crack on.*”

ii) Adjoining Property Holders

4 letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made no responses to the notices posted during the consultation.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not in existence, but it appears that Haycombe Drive is in development as it is shown by dashed lines.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: ST76SW 1961. Haycombe Drive has now been built and there is a sports ground within it. The access point between numbers 100 and 102 Haycombe Drive is in existence but there does not appear to be a designated footpath through the sports ground.

ST76SW 1973, OS Map: Haycombe Drive has now been built and there is a sports ground within it. The access point between numbers 100 and 102 Haycombe Drive is in existence but there does not appear to be a designated footpath through the sports ground.

ST76SW 1983, OS Map: Haycombe Drive has now been built and there is a sports ground within it. The access point between numbers 100 and 102 Haycombe Drive is in existence but there does not appear to be a designated footpath through the sports ground.

List of Streets: Part Class 6 Adopted Highway, mainly unadopted.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac. It is in a reasonable condition.

Appendix 4 – Path Summary

5. ASSESSMENT OF EVIDENCE

The path has been shown on maps at least as early as 1961. The landowner is happy for the path to be included in an Order. Part of the path is maintained by the Authority. No evidence of use by the public was received during the consultation.

6. OFFICER RECOMMENDATIONS

Although there is very little evidence to support a public right of way, the landowner is happy for AQ568 to be included in an Order. Officers will make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ457 (Path 27)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Curo.

Response from Carl McMurtry (Operational Lead), Curo: When asked if Curo is happy for the path to be included in the research, the response was: “*Of course. Crack on.*”

ii) Adjoining Property Holders

9 letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made no responses to the consultation.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not in existence, but it appears that Haycombe Drive is in development as it is shown by dashed lines.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: Haycombe Drive has now been built and there is a sports ground within it. It is not possible to tell if the access point between numbers 164 and 166 Haycombe Drive is open.

ST76SW 1973, OS Map: Haycombe Drive has now been built and there is a sports ground within it. It is not possible to tell if the access point between numbers 164 and 166 Haycombe Drive is open.

ST76SW 1983, OS Map: Haycombe Drive has now been built and there is a sports ground within it. It is not possible to tell if the access point between numbers 164 and 166 Haycombe Drive is open.

List of Streets: Part Class 6 Adopted Highway, mainly unadopted.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac. It is in a reasonable condition.

Appendix 4 – Path Summary

5. ASSESSMENT OF EVIDENCE

The path has been shown on maps at least as early as 1961. The landowner is happy for the path to be included in an Order. Part of the path is maintained by the Authority. No evidence of use by the public was received during the consultation.

6. OFFICER RECOMMENDATIONS

Although there is very little evidence to support a public right of way, the landowner is happy for AQ457 to be included in an Order. Officers will make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.

Appendix 4 – Path Summary

AQ461 (Path 28)

1. INITIAL CONSULTATION

A) Details of land ownership

i) Landowner

The land is registered to Curo.

Response from Carl McMurtry (Operational Lead), Curo: When asked if Curo is happy for the path to be included in the research, the response was: “Of course. Crack on.”

ii) Adjoining Property Holders

10 letters were sent, and 1 response was received:

- **96 ROSEWARN CLOSE:** *“I am living right by path 28 in last 6 years number 96 Rosewarn close. Path i used few times a month probably depends where i am going. I only use by foot. I use it to see friends leaving by Haycombe Drive. I see lots of people use this path (only annoying thing about this path is people drop lots of rubbish passing by what drive me crazy). So if you would like to close it i will be more than happy to be honest. Can you just tell what you need this information for? is it council planning any more houses around area or something?”*

B) Interested Groups

No responses were received.

2. PUBLIC CONSULTATION

The general public made no responses to the consultation.

3. DOCUMENTARY EVIDENCE

Cottrell’s 1852 Map of Bath: The map does not cover this location.

1885, OS Map: The map does not cover this location.

1887 – 1891, OS Map: The path is not yet in existence.

1901 – 1905, OS Map: The path is not yet in existence.

1920 – 1933, OS Map: The path is not yet in existence.

1933 – 1939, OS Map: The path is not in existence, but it appears that Haycombe Drive is in development as it is shown by dashed lines.

Bath City Engineer’s Survey, 1957: Not included.

ST76SW 1961, OS Map: Haycombe Drive has now been built and there is a sports ground within it. The access point between numbers 224 and 226 Haycombe Drive is in existence but there does not appear to be a designated footpath through the sports ground.

ST76SW 1973, OS Map: Haycombe Drive has now been built and there is a sports ground within it. The access point between numbers 224 and 226 Haycombe Drive is in existence but there does not appear to be a designated footpath through the sports ground.

ST76SW 1983, OS Map: Haycombe Drive has now been built and there is a sports ground within it. The access point between numbers 224 and 226 Haycombe Drive is in

Appendix 4 – Path Summary

existence but there does not appear to be a designated footpath through the sports ground.

List of Streets: Part Class 6 Adopted Highway, mainly unadopted.

Previous Orders Made: None found.

Other Information: Nothing on file.

4. SURFACE CONDITION

The surface of the path is tarmac and natural. It is in a reasonable condition.

5. ASSESSMENT OF EVIDENCE

The path has been shown on maps at least as early as 1961. The landowner is happy for the path to be included in an Order. Part of the path is maintained by the Authority. No evidence of use by the public was received during the consultation.

6. OFFICER RECOMMENDATIONS

Although there is very little evidence to support a public right of way, the landowner is happy for AQ461 to be included in an Order. Officers will make, and confirm if no objections are received, an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981. The recommendation for this path is to record it as a public footpath and add it to the Definitive Map and Statement for the City of Bath.
