

Appendix 4 – Path Summary

Introduction

To avoid confusion, the paths were given reference numbers between 1 and 33. It was considered that these numbers would be easier 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.

Initially, the consultation began with 26 paths. Six paths were added to the list for research and consultation, as requested by Councillor Jess Davis and this prompted the inclusion of another path, identified when researching the additional six paths.

The landowners and adjoining property holders of the 33 paths were consulted. Following the consultation, 12 paths were removed from the project in line with the Definitive Map Plan Working Document, outlined at Point 1.8 in Appendix 1.

1. INITIAL CONSULTATION

A) Details of landownership

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 Group. Landowners were consulted by letter or email between February and May 2022. The Land Registry searches returned as unregistered for the following paths:

Completely Unregistered:

Path 2, Path 3, Path 4, Path 5, Path 6, Path 7, Path 8, Path 9, Path 10, Path 11, Path 12 and Path 26.

Partly Unregistered:

Path 1, Path 13, Path 14 and Path 25.

Completely Registered:

Path 15, Path 16, Path 17, Path 18, Path 19, Path 20, Path 21, Path 22, Path 23, Path 24, Path 27, Path 28, Path 29, Path 30, Path 31, Path 32 and Path 33.

ii) Adjoining Property Holders

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

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56 properties responded to the consultation, some of them responding about more than one path in their locality. Some responses are given as a series of answers to these questions.

B) Interested Groups

The following groups were consulted: Four ward councillors, six adjoining ward councillors, four statutory user groups, 11 statutory undertakers, two local user groups and five residents' associations.

i) Ward Councillors (10):

Councillor Jess David, Moorland Ward: *"Please see attached an annotated map with some additional pathways highlighted. One of these is the public footway up to the Tumps/ BMX site off Bloomfield Road. The others are pathways between various roads around the Oval and Moorlands estate. These are all footways that are currently in use."*

Councillor Paul Crossley, Southdown Ward: A phone call to discuss why a path was not included in the consultation.

Councillor June Player, Westmoreland Ward: *"I often use and have done for many years the path way between Canterbury Rd and Third Ave and have seen others using it as well."* (Path 1).

ii) Statutory User Groups (four)

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."*

iii) Statutory Undertakers (11)

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

City Fibre: Maps issued showing plant in the area. Paths 13 and 14 appear to have cabling along them.

SKY UK Ltd: *"Please be advised that Sky Telecommunications Services Ltd will not be affected by your proposal."*

Vodafone c/o Atkins: No objection

National Grid: "Regarding your below planning application, there are no National Grid assets affected in this area."

Western Power Distribution: *"WPD have no comments."*

Virgin Media: *"We have no comments on the order if it would not affect our apparatus."*

iv) Local User Groups (two)

Living Streets Representative (Bath), Bath Ramblers. No comments received.

v) Residents' Associations (five)

Upper Oldfield Park Residents' Association, Lower Oldfield Park Residents' Association, Hensley & Egerton Road, Bear Flat Association, Bloomfield Residents' Association. No comments received.

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Path 1

Path 1 was added to the consultation during desk-based research.

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

Part of the land is registered to Bath & North East Somerset Council. Leisure & Amenity Services – Memorial Garden, Shaftesbury Road, Bath.

- **Response from Martin Baker (Property Records Co-ordinator):** *“No objections to this one and as it appears this is used as a regular ‘cut through’ it would appear to make sense to designate as a public footpath. Note that only the eastern half of the path adjoining Canterbury Road is actually on Council owned land but as this is not formally designated as part of the Memorial Gardens it would be helpful to clarify its status.”*

ii) Adjoining Property Holders

Three letters were sent, and two responses were received:

- **GROUND FLOOR FLAT, 1 THIRD AVENUE:** The resident has lived in her property since 2016. It is the only way to access her back garden (and also for her next door neighbour). She quite often sees members of the public using the path to get to the shops on Moorland Road.
- **FIRST FLOOR FLAT, 1 THIRD AVENUE:** *“I live at 1 Third Avenue, and the path in question runs along the side of my home. I use the path regularly, generally at least once a day. I have used it for 7 years, since I moved here in December 2014. I invariably am on foot, usually as the start of a walk into the city centre via Brougham Hayes or Lower Oldfield Park. My kitchen window overlooks the path, and I see people using it at all times of day, every day. I do not own the land that the path crosses.”*

B) Interested Groups

- **Councillor June Player, Westmoreland Ward:** *“I often use and have done for many years the path way between Canterbury Rd and Third Ave and have seen others using it as well.”*

2. 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: It is not clear if the path is in existence.

1933 – 1939, OS Map: It is not clear if the path is in existence.

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

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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 Adopted Highway.

Previous Orders Made: None found.

Other Information: June 1982 - Query on file about whether or not a public right of way exists on the site. *"It would seem possible that the path adjoining No.2 Canterbury Road could be claimed as a right of way through usage if it was ever built over."* - Jenny Reed, Planning Department, Avon County Council.

3. SURFACE CONDITION

The surface of the path is tarmac. It is in a good condition. There are bollards at both ends of the path.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1961. It appears to be a useful cut-through between Third Avenue and Canterbury Road. A section of the land is owned by the Council. The Council, as landowner, supports the inclusion of the path in a legal order. The Ward Councillor cited regular use of the path by the public. Both respondents reported seeing members of the public using the paths.

5. OFFICER RECOMMENDATIONS

The landowner of the majority of the length of the path has no objection to the path being included in a legal order. As there have been no indications of an objection to a legal 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.

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Path 2

Path 2 was added to the consultation during desk-based research.

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

Three letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. 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 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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1933. It appears to be a useful cut-through between Third Avenue and Canterbury Road.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

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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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Path 3

Path 3 was added to the consultation during desk-based research.

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

Letters were sent to all 73 properties adjoining paths 3, 4 and 5, and seven responses were received, relating to Path 3:

- **19 CANTERBURY ROAD:** *“I have lived at the above address for 54 years. I use more than just one path with a garage at the rear of my property. I have occasion to use Path 4 and Path 5 regularly. I use both Path 4 and Path 5 often but variably from day to day. I use Path 4 and Path 5 on foot and by car. Note: Rarely use Path 3 but it can be a useful escape route if Canterbury Road or the other Paths are blocked by traffic. I use the Paths for travel and to access local amenities, e.g. Doctors, local pharmacy and Church mainly. The use of Path 5 has increased considerably in recent years both by people on foot and in vehicles. Incidentally, the lower section of Path 5 is actually a pavement in front of Numbers 15 to 23 Canterbury Road and not a rough path as on the upper section leading to Second Avenue. The pavement faces an unadopted road section to the rear of houses in Third Avenue. Canterbury Road is surrounded by HMOs and many of the students they house have cars. That has made the Paths much busier and has increased local parking. I do not own any land over which the Paths cross. I am the owner of 19 Canterbury Road.”*
- **23 CANTERBURY ROAD:** *“As someone who has lived at 23 Canterbury Road on and off since February 1949 I feel I am well placed to provide the information you require on both the history and current use of the paths (we refer to them locally as lanes) that you are researching. In particular of course I refer to path 5 (which runs in front and up the side of my property) and path 4 (which runs across the back of my property). Essentially they are public rights of way to both vehicles, cyclists and pedestrians and have been since nos. 15-23 Canterbury Road were built (1926). They are not however roads or streets (see on). Briefly my parents purchased no. 23 in February 1949 (I was 8 years old) and lived here for the rest of their lives. My father was very active in local public life (Bath councillor, alderman and mayor in 1968/69 plus time on Avon County Council) and died in 1992. My mother died in 2006, by which time I was spending increasing amounts of time at no.23, and on her death I took over the house and am currently the sole owner and resident. My brother, who died this March, only spent his childhood and early adult years here. When we moved here all those years ago the space in front of 15-23 at the very end of Canterbury Road was black clinker which was replaced with the current gravel and grit sometime in the 1950s. I cannot remember who arranged this. BANES Highways have never regarded it as their responsibility and neither nos. 15-23 nor the houses in Third Avenue backing on to it are formal owners of this land in their deeds. Nor are they legally responsible for its upkeep. The pavement extension between 15-23 was*

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put in place in the 1960s: I believe my father played some part in this being 'built' but none of us (or the council) are legal owners of any part of it as far as I'm aware. There is a lamp standard half way along its length that may have been installed when the pavement was extended..... I cannot remember. The residents around the unmade up end of Canterbury Road, including myself, try to claim it as a private road so that we can restrict parking by non residents - with varying degrees of success! There is no formal drainage of this section and following heavy rain, water pours down path 5 and very large puddles (we call them lakes) form in front of 15-23. They can be present for most of the year and the uneven surface does not help. The nearest road drain is halfway along Canterbury Road. Moving on to the rest of path 5, which is of particular interest to myself since about half of it is adjacent to my property and back garden, it has only been completely or partially resurfaced once in my lifetime. This was in the 1960s following work to install a major electricity cable down the lane from Second Avenue to just beyond my front gate. The lane is currently in a sorry state and breaking up badly. My solicitor established that neither I nor the houses in King Edward Road own it although some of their deeds (not mine) say the ground landlords are responsible for its up keep. In practice no work has been done or serious maintenance undertaken since the cable was put in place. When my parents moved here there was an obligation stated in the deeds that we should keep the lane open to vehicles so that they could access garages opening on to paths 4&5, of which there were many at the time. Most of the garages have gone and most of those left do not contain cars: the majority are used for storage. The three garages at the back of my property opening on to path 4 were built by my father in the mid 60s but now only one is used as such for my own car. A further point, until the 1950s paths 4 and 5 (and possibly 3) were used by Council refuse lorries to pick up and empty dustbins placed at the back gates of properties in King Edward Road and Second Avenue..... and of course mine. They soon became too large to negotiate the paths/lanes involved. I have used paths 3, 4 and 5 since 1949 for access to local amenities, neighbours, leisure and use of my car (path 5 only). I pass along the lanes frequently on foot, as do many other pedestrians, cyclists, motorists, commercial vehicles, vans (large and small). There are potential safety issues (see on) in that walkers and vehicles are sharing the same spaces. Path 5 is mainly used as a short cut between Canterbury Road and Second Avenue even though at the Shaftesbury Road end of Canterbury Road there is a cul de sac sign. This is largely ignored by motorists and delivery vehicles. It is difficult to turn left at the back of my property to access path 4 particularly with a long vehicle. There are many vans garaged at the other end of path 4 although most gain access via path 3 or come down 5 and turn right along 4. Finally, my main concern has involved my solicitor and I in protracted correspondence with Google Street View....all to no avail. Initially the Google Camera Car when it came along Canterbury Road went no further than the 'Lakes' and no.15. That was fine – if only it had remained like that. Several years ago now the second time the Camera Car appeared it proceeded up the lane beside my house (path 5), turned left along path 4 and finally turned right at the end to go up path 3 to Second Avenue. If you look at Google Street View you will see what I mean. I'm sure you will agree that there is no way paths 3, 4 and 5 can be regarded as Roads with the state they are in and their width. The trouble is they are now on SatNavs and route instructions. We regularly get delivery and commercial drivers passing along and up and down the paths claiming their satnavs have sent them that way. My front fence has been damaged more than once by particularly large vehicles, skip lorries etc trying to negotiate path 5. I appreciate we will never be able to prevent vehicles using the various lanes/tracks completely but I don't believe these

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long standing rights of way should be part of the greater road network. They never have been until the latest version of Street View.”

- **3 LIVINGSTONE TERRACE:** *“We live at Livingstone Terrace which has a narrow lane at the back, this leads to path 3. We have used this since 1988. We use it whenever we need access to the back of the house without going through the house. We use the path on foot or by car or bike. The path is used to take bikes out, to deliver garden compost or other heavy items to the back of the house or garden. Other people use it for the same reasons, also to access the garages on path 4. We do not own land over which path 3 passes.”*
- **5 LIVINGSTONE TERRACE:** *“I have used all 3 paths regularly over the last 3 1/2 years. Probably used one or more of these paths daily. All by foot Path 3 by car but not daily. I use path to access local amenities, walk my dog and to drive to my house when Winchester Road is blocked. I usually see people using the garages along path 4 and there is usually someone else walking along the path or coming out of their garden.”*
- **33 THIRD AVENUE:** *“We live at 33 Third Avenue which backs on to the end of Canterbury Road at Path E to the corner. We regularly use Paths E to C (part of Path 5), C to D (Path 4) and D to A (part of Path 3) which is a round trip to walk our cat, about once a day. We also use Path A to B (Path 3) to go to and from the Surgery whose entrance is in Junction Road almost opposite where B is on the map. For the same purpose we sometimes use Path F to the corner before the letter E (Path 5). We do sometimes see other people there, usually garage owners getting their cars. But occasionally girls from Hayesfield School using Path B to A (Path 3).”*
- **11 WINCHESTER ROAD:** *“My husband and I have used the path (as well as paths “C to D” and “E to F”) since 1987 to date. On average we use the path(s) weekly – but as it gives us access to our garage and back gate, this can obviously vary. We use the path on foot and car. We use the path for access to our garage, neighbours’ back gardens & garages, access to the locality. Neighbours and people who own a garage in this location use the path to access their property. Regarding ownership, we are not sure of the owners of the land but believe that we have right of way of the paths for access purposes.”*
- **33 WINCHESTER ROAD:** *The resident lives at the bottom of Path 3 and has been there for 54/55 years. He uses Path 3 with a vehicle to get to and from his garage at least twice a day as he puts his car in the garage every day. As far as he knows, Paths 3, 4 and 5 are private lanes with public access. About 50 years ago, he and a few other neighbours, paid to tarmac a section of Path 3. The other neighbours weren’t interested in contributing. The rest of Path 3 is rough. Path 4 is also regularly used with people accessing their garages. Path 3 is used regularly for motor vehicles and quite a lot of the public use the path on foot – school children every day. The resident would not like the lane to be gated as he uses it with his car.*

B) Interested Groups

No responses were received.

2. 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 houses on Winchester Street have been built and there appears to be a lane to the rear of the properties at the western end.

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

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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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is generally a rough, stony track. Tarmacking has been laid at both ends of the path.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1905, as an access route to the properties on Winchester Road. The majority of the adjoining property holders who responded to the consultation reported usage of the path to be mainly residents accessing their garages and the rear of their properties, although some respondents noted use of the path by the public.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

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Path 4

Path 4 was added to the consultation during desk-based research.

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

A Land Registry Search was carried out for the garages adjoining Path 4. 12 letters and Landowner Evidence Forms were sent to the owners of the garages and three responses were received:

- **ST143614 - Land and garage lying to the east of Canterbury Road, Bath**
The landowner has annotated the map on the Landowner Evidence Form to show the extent of his land, which he has owned since 11th July 1997. Path 4 crosses part of the land. The landowner regards the path to be public and with the status of Byway Open to All Traffic. He has seen, and been aware of, members of the public using the path. He has never stopped anyone from using the path or given permission to anyone to use the path. He has never erected any signs or gates on his land.
- **ST310084 - Garage on the North West side of 59 Second Avenue, Bath**
The landowner has annotated the map on the Landowner Evidence Form to show the extent of his land, which he has owned for 18 months. The landowner does not regard the path to be public: “access for all garage owners”. He has seen, and been aware of, members of the public using the path. He has never stopped anyone from using the path or given permission to anyone to use the path. He has never erected any signs or gates on his land.
- **AV38460 - Garage at rear of 62 Second Avenue, Bath**
The landowner has owned the garage since 4th March 2011. The landowner regards the path to be public and with the status of Byway Open to All Traffic. He has seen, and been aware of, members of the public using the path. He has never stopped anyone from using the path or given permission to anyone to use the path. He has never erected any signs or gates on his land.

Letters were sent to all 73 properties adjoining paths 3, 4 and 5, and six responses were received, relating to Path 4:

- **19 CANTERBURY ROAD:** *“I have lived at the above address for 54 years. I use more than just one path with a garage at the rear of my property. I have occasion to use Path 4 and Path 5 regularly. I use both Path 4 and Path 5 often but variably from day to day. I use Path 4 and Path 5 on foot and by car. Note: Rarely use Path 3 but it can be a useful escape route if Canterbury Road or the other Paths are blocked by traffic. I use the Paths for travel and to access local amenities, e.g. Doctors, local pharmacy and Church mainly. The use of Path 5 has increased considerably in recent years both by people on foot and in vehicles. Incidentally, the lower section of*

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Path 5 is actually a pavement in front of Numbers 15 to 23 Canterbury Road and not a rough path as on the upper section leading to Second Avenue. The pavement faces an unadopted road section to the rear of houses in Third Avenue. Canterbury Road is surrounded by HMOs and many of the students they house have cars. That has made the Paths much busier and has increased local parking. I do not own any land over which the Paths cross. I am the owner of 19 Canterbury Road.”

- **23 CANTERBURY ROAD:** *“As someone who has lived at 23 Canterbury Road on and off since February 1949 I feel I am well placed to provide the information you require on both the history and current use of the paths (we refer to them locally as lanes) that you are researching. In particular of course I refer to path 5 (which runs in front and up the side of my property) and path 4 (which runs across the back of my property). Essentially they are public rights of way to both vehicles, cyclists and pedestrians and have been since nos. 15-23 Canterbury Road were built (1926). They are not however roads or streets (see on). Briefly my parents purchased no. 23 in February 1949 (I was 8 years old) and lived here for the rest of their lives. My father was very active in local public life (Bath councillor, alderman and mayor in 1968/69 plus time on Avon County Council) and died in 1992. My mother died in 2006, by which time I was spending increasing amounts of time at no.23, and on her death I took over the house and am currently the sole owner and resident. My brother, who died this March, only spent his childhood and early adult years here. When we moved here all those years ago the space in front of 15-23 at the very end of Canterbury Road was black clinker which was replaced with the current gravel and grit sometime in the 1950s. I cannot remember who arranged this. BANES Highways have never regarded it as their responsibility and neither nos. 15-23 nor the houses in Third Avenue backing on to it are formal owners of this land in their deeds. Nor are they legally responsible for its upkeep. The pavement extension between 15-23 was put in place in the 1960s: I believe my father played some part in this being ‘built’ but none of us (or the council) are legal owners of any part of it as far as I’m aware. There is a lamp standard half way along its length that may have been installed when the pavement was extended..... I cannot remember. The residents around the unmade up end of Canterbury Road, including myself, try to claim it as a private road so that we can restrict parking by non residents - with varying degrees of success! There is no formal drainage of this section and following heavy rain, water pours down path 5 and very large puddles (we call them lakes) form in front of 15-23. They can be present for most of the year and the uneven surface does not help. The nearest road drain is halfway along Canterbury Road. Moving on to the rest of path 5, which is of particular interest to myself since about half of it is adjacent to my property and back garden, it has only been completely or partially resurfaced once in my lifetime. This was in the 1960s following work to install a major electricity cable down the lane from Second Avenue to just beyond my front gate. The lane is currently in a sorry state and breaking up badly. My solicitor established that neither I nor the houses in King Edward Road own it although some of their deeds (not mine) say the ground landlords are responsible for its up keep. In practice no work has been done or serious maintenance undertaken since the cable was put in place. When my parents moved here there was an obligation stated in the deeds that we should keep the lane open to vehicles so that they could access garages opening on to paths 4&5, of which there were many at the time. Most of the garages have gone and most of those left do not contain cars: the majority are used for storage. The three garages at the back of my property opening on to path 4 were built by my father in the mid 60s but now only one is used as such for my own car. A further point, until the 1950s paths 4 and 5 (and possibly 3) were used by Council refuse lorries to pick up and empty dustbins placed at the back gates of properties in King Edward Road*

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and Second Avenue..... and of course mine. They soon became too large to negotiate the paths/lanes involved. I have used paths 3, 4 and 5 since 1949 for access to local amenities, neighbours, leisure and use of my car (path 5 only). I pass along the lanes frequently on foot, as do many other pedestrians, cyclists, motorists, commercial vehicles, vans (large and small). There are potential safety issues (see on) in that walkers and vehicles are sharing the same spaces. Path 5 is mainly used as a short cut between Canterbury Road and Second Avenue even though at the Shaftesbury Road end of Canterbury Road there is a cul de sac sign. This is largely ignored by motorists and delivery vehicles. It is difficult to turn left at the back of my property to access path 4 particularly with a long vehicle. There are many vans garaged at the other end of path 4 although most gain access via path 3 or come down 5 and turn right along 4. Finally, my main concern has involved my solicitor and I in protracted correspondence with Google Street View....all to no avail. Initially the Google Camera Car when it came along Canterbury Road went no further than the 'Lakes' and no.15. That was fine – if only it had remained like that. Several years ago now the second time the Camera Car appeared it proceeded up the lane beside my house (path 5), turned left along path 4 and finally turned right at the end to go up path 3 to Second Avenue. If you look at Google Street View you will see what I mean. I'm sure you will agree that there is no way paths 3, 4 and 5 can be regarded as Roads with the state they are in and their width. The trouble is they are now on SatNavs and route instructions. We regularly get delivery and commercial drivers passing along and up and down the paths claiming their satnavs have sent them that way. My front fence has been damaged more than once by particularly large vehicles, skip lorries etc trying to negotiate path 5. I appreciate we will never be able to prevent vehicles using the various lanes/tracks completely but I don't believe these long standing rights of way should be part of the greater road network. They never have been until the latest version of Street View."

- **5 LIVINGSTONE TERRACE:** "I have used all 3 paths regularly over the last 3 1/2 years. Probably used one or more of these paths daily. All by foot Path 3 by car but not daily. I use path to access local amenities, walk my dog and to drive to my house when Winchester Road is blocked. I usually see people using the garages along path 4 and there is usually someone else walking along the path or coming out of their garden."
- **33 THIRD AVENUE:** "We live at 33 Third Avenue which backs on to the end of Canterbury Road at Path E to the corner. We regularly use Paths E to C (part of Path 5), C to D (Path 4) and D to A (part of Path 3) which is a round trip to walk our cat, about once a day. We also use Path A to B (Path 3) to go to and from the Surgery whose entrance is in Junction Road almost opposite where B is on the map. For the same purpose we sometimes use Path F to the corner before the letter E (Path 5). We do sometimes see other people there, usually garage owners getting their cars. But occasionally girls from Hayesfield School using Path B to A (Path 3)."
- **11 WINCHESTER ROAD:** "My husband and I have used the path (as well as paths "C to D" and "E to F") since 1987 to date. On average we use the path(s) weekly – but as it gives us access to our garage and back gate, this can obviously vary. We use the path on foot and car. We use the path for access to our garage, neighbours' back gardens & garages, access to the locality. Neighbours and people who own a garage in this location use the path to access their property. Regarding ownership, we are not sure of the owners of the land but believe that we have right of way of the paths for access purposes."
- **33 WINCHESTER ROAD:** The resident lives at the bottom of Path 3 and has been there for 54/55 years. He uses Path 3 with a vehicle to get to and from his garage at least twice a day as he puts his car in the garage every day. As far as he knows,

Appendix 4 – Path Summary

Paths 3, 4 and 5 are private lanes with public access. About 50 years ago, he and a few other neighbours, paid to tarmac a section of Path 3. The other neighbours weren't interested in contributing. The rest of Path 3 is rough. Path 4 is also regularly used with people accessing their garages. Path 3 is used regularly for motor vehicles and quite a lot of the public use the path on foot – school children every day. The resident would not like the lane to be gated as he uses it with his car.

B) Interested Groups

No responses were received.

2. 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 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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is generally a rough, stony track.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1933, as an access route to the properties on Canterbury Road and Second Avenue. The majority of the adjoining property holders who responded to the consultation reported usage of the path to be mainly residents accessing their garages and the rear of their properties, although some respondents noted use of the path by the public.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

CQ52 (Path 5)

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

Letters were sent to all 73 properties adjoining paths 3, 4 and 5, and six responses were received, relating to Path 5:

- **19 CANTERBURY ROAD:** *“I have lived at the above address for 54 years. I use more than just one path with a garage at the rear of my property. I have occasion to use Path 4 and Path 5 regularly. I use both Path 4 and Path 5 often but variably from day to day. I use Path 4 and Path 5 on foot and by car. Note: Rarely use Path 3 but it can be a useful escape route if Canterbury Road or the other Paths are blocked by traffic. I use the Paths for travel and to access local amenities, e.g. Doctors, local pharmacy and Church mainly. The use of Path 5 has increased considerably in recent years both by people on foot and in vehicles. Incidentally, the lower section of Path 5 is actually a pavement in front of Numbers 15 to 23 Canterbury Road and not a rough path as on the upper section leading to Second Avenue. The pavement faces an unadopted road section to the rear of houses in Third Avenue. Canterbury Road is surrounded by HMOs and many of the students they house have cars. That has made the Paths much busier and has increased local parking. I do not own any land over which the Paths cross. I am the owner of 19 Canterbury Road.”*
- **23 CANTERBURY ROAD:** *“As someone who has lived at 23 Canterbury Road on and off since February 1949 I feel I am well placed to provide the information you require on both the history and current use of the paths (we refer to them locally as lanes) that you are researching. In particular of course I refer to path 5 (which runs in front and up the side of my property) and path 4 (which runs across the back of my property). Essentially they are public rights of way to both vehicles, cyclists and pedestrians and have been since nos. 15-23 Canterbury Road were built (1926). They are not however roads or streets (see on). Briefly my parents purchased no. 23 in February 1949 (I was 8 years old) and lived here for the rest of their lives. My father was very active in local public life (Bath councillor, alderman and mayor in 1968/69 plus time on Avon County Council) and died in 1992. My mother died in 2006, by which time I was spending increasing amounts of time at no.23, and on her death I took over the house and am currently the sole owner and resident. My brother, who died this March, only spent his childhood and early adult years here. When we moved here all those years ago the space in front of 15-23 at the very end of Canterbury Road was black clinker which was replaced with the current gravel and grit sometime in the 1950s. I cannot remember who arranged this. BANES Highways have never regarded it as their responsibility and neither nos. 15-23 nor the houses in Third Avenue backing on to it are formal owners of this land in their deeds. Nor are they legally responsible for its upkeep. The pavement extension between 15-23 was put in place in the 1960s: I believe my father played some part in this being ‘built’ but*

Appendix 4 – Path Summary

none of us (or the council) are legal owners of any part of it as far as I'm aware. There is a lamp standard half way along its length that may have been installed when the pavement was extended..... I cannot remember. The residents around the unmade up end of Canterbury Road, including myself, try to claim it as a private road so that we can restrict parking by non residents - with varying degrees of success! There is no formal drainage of this section and following heavy rain, water pours down path 5 and very large puddles (we call them lakes) form in front of 15-23. They can be present for most of the year and the uneven surface does not help. The nearest road drain is halfway along Canterbury Road. Moving on to the rest of path 5, which is of particular interest to myself since about half of it is adjacent to my property and back garden, it has only been completely or partially resurfaced once in my lifetime. This was in the 1960s following work to install a major electricity cable down the lane from Second Avenue to just beyond my front gate. The lane is currently in a sorry state and breaking up badly. My solicitor established that neither I nor the houses in King Edward Road own it although some of their deeds (not mine) say the ground landlords are responsible for its up keep. In practice no work has been done or serious maintenance undertaken since the cable was put in place. When my parents moved here there was an obligation stated in the deeds that we should keep the lane open to vehicles so that they could access garages opening on to paths 4&5, of which there were many at the time. Most of the garages have gone and most of those left do not contain cars: the majority are used for storage. The three garages at the back of my property opening on to path 4 were built by my father in the mid 60s but now only one is used as such for my own car. A further point, until the 1950s paths 4 and 5 (and possibly 3) were used by Council refuse lorries to pick up and empty dustbins placed at the back gates of properties in King Edward Road and Second Avenue..... and of course mine. They soon became too large to negotiate the paths/lanes involved. I have used paths 3, 4 and 5 since 1949 for access to local amenities, neighbours, leisure and use of my car (path 5 only). I pass along the lanes frequently on foot, as do many other pedestrians, cyclists, motorists, commercial vehicles, vans (large and small). There are potential safety issues (see on) in that walkers and vehicles are sharing the same spaces. Path 5 is mainly used as a short cut between Canterbury Road and Second Avenue even though at the Shaftesbury Road end of Canterbury Road there is a cul de sac sign. This is largely ignored by motorists and delivery vehicles. It is difficult to turn left at the back of my property to access path 4 particularly with a long vehicle. There are many vans garaged at the other end of path 4 although most gain access via path 3 or come down 5 and turn right along 4. Finally, my main concern has involved my solicitor and I in protracted correspondence with Google Street View....all to no avail. Initially the Google Camera Car when it came along Canterbury Road went no further than the 'Lakes' and no.15. That was fine – if only it had remained like that. Several years ago now the second time the Camera Car appeared it proceeded up the lane beside my house (path 5), turned left along path 4 and finally turned right at the end to go up path 3 to Second Avenue. If you look at Google Street View you will see what I mean. I'm sure you will agree that there is no way paths 3, 4 and 5 can be regarded as Roads with the state they are in and their width. The trouble is they are now on SatNavs and route instructions. We regularly get delivery and commercial drivers passing along and up and down the paths claiming their satnavs have sent them that way. My front fence has been damaged more than once by particularly large vehicles, skip lorries etc trying to negotiate path 5. I appreciate we will never be able to prevent vehicles using the various lanes/tracks completely but I don't believe these long standing rights of way should be part of the greater road network. They never have been until the latest version of Street View."

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- **8 KING EDWARD ROAD:** *“We have used the path since moving to the property in December 2016 (so December 2016 to present). We queried access and ownership at the time of purchase and were told ownership was unknown but access/use had never been a problem for any of the residents. Probably daily or every other day. The path provides access to the back of our property. Often by foot, to go to the doctors, shops, post box etc, at the start of walks, or for our daughter to go to meet friends locally or walk to college. Occasionally by car, but very rarely as access is poor, the lane is badly maintained and the bottom of the car scrapes along the path where the left and right sides have worn lower than the middle. See above – mainly as quicker route away from our property to walk to local amenities. Yes, daily – often on foot; some vehicles including work vehicles (e.g. Wessex Water). We do not know who owns the lane, but don’t think the end of our land stretches across it.”*
- **5 LIVINGSTONE TERRACE:** *“I have used all 3 paths regularly over the last 3 1/2 years. Probably used one or more of these paths daily. All by foot Path 3 by car but not daily. I use path to access local amenities, walk my dog and to drive to my house when winchester road is blocked. I usually see people using the garages along path 4 and there is usually someone else walking along the path or coming out of their garden.”*
- **33 THIRD AVENUE:** *“We live at 33 Third Avenue which backs on to the end of Canterbury road at Path E to the corner. We regularly use Paths E to C (part of Path 5), C to D (Path 4) and D to A (part of Path 3) which is a round trip to walk our cat, about once a day. We also use Path A to B (Path 3) to go to and from the Surgery whose entrance is in Junction Road almost opposite where B is on the map. For the same purpose we sometimes use Path F to the corner before the letter E (Path 5). We do sometimes see other people there, usually garage owners getting their cars. But occasionally girls from Hayesfield School using Path B to A (Path 3).”*
- **11 WINCHESTER ROAD:** *“My husband and I have used the path (as well as paths “C to D” and “E to F”) since 1987 to date. On average we use the path(s) weekly – but as it gives us access to our garage and back gate, this can obviously vary. We use the path on foot and car. We use the path for access to our garage, neighbours’ back gardens & garages, access to the locality. Neighbours and people who own a garage in this location use the path to access their property. Regarding ownership, we are not sure of the owners of the land but believe that we have right of way of the paths for access purposes.”*

B) Interested Groups

No responses were received.

2. 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 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: Not Adopted Highway.

Previous Orders Made: None found.

Appendix 4 – Path Summary

Other Information: April 2004 - Query from Councillor Griffiths, response from Martin Laker: *"In this case, the back lanes are the best part of a century old, and provide a through route rather than just rear access. It's therefore highly likely that the public has acquired the right of a footpath, and if it's been used by cyclists then as a bridleway as well. This leaves the question of how long it has been used by motor vehicles as a public route*". June 2012 - File note from PROW. Signs up on gates of houses informing people *"No Parking - Private Road"*. A sign with the same wording can be seen on XMAP 360 photographs dated 20th June 2022.

3. SURFACE CONDITION

The section of the path adjoining numbers 15 - 21 Canterbury Road has a tarmac surface, in a good condition. The rest of the path is a rough, stony track with some tarmacking.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1933. It appears to be a useful cut-through between Canterbury Road and Second Avenue. Although the majority of the adjoining property holders who responded to the consultation reported usage of the path to be mainly residents accessing their garages and the rear of their properties, the Council has been aware of the path for many years as a possible public right of way.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

CQ4 (Path 6)

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

10 letters were sent, and two responses were received:

- **4 SHAFTESBURY MEWS:** *“Since 2012, when I moved into 4 Shaftesbury Mews. Usually several times a day. Mainly on foot, occasionally by bicycle. It’s one of the main ways to get to and from my house. Yes, the path is well-used. No.”*
- **42-44 THIRD AVENUE:** The owner bought what was previously Bishops of Bath (42-44 Third Avenue) and the flat, 42a Third Avenue, in January. Bishops of Bath was a motorbike workshop and retailer and the previous owners used Path 6 to get to the workshop with vehicles. Path 6 has been used by the property since it’s been in occupation. All neighbours have access round to the back garages. The owner uses Path 6 to get to the rear of the property and maintain the building and has used the path with a vehicle but mainly uses it on foot to visit local amenities such as Moorland Road. He believes it is a private road with a public right of way and there is a sign which states Private Road. Loads of people use the path as a cut through. They are mainly on foot but some are on bikes and some with pushchairs. There is a locked gate on the path which runs between the rear of the properties on Beckhampton Road and Third Avenue. All of the houses on Third Avenue come in on Path 6 by car and then use their key in the locked gate to get to the rear of their properties. The majority drive in along Path 6 and exit on Shaftesbury Road.

B) Interested Groups

No responses were received.

2. 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 houses on Beckhampton Road have been built and there appears to be a gap between the properties.

1920 – 1933, OS Map: The houses on Third Avenue have been built and there is a route between Beckhampton Road and Third Avenue.

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: Not Adopted Highway.

Appendix 4 – Path Summary

Previous Orders Made: None found.

Other Information: March 2015 - Enquiry from a member of the public asking if gates could be put in to stop anti-social behaviour happening. June 2019 - Request from a local resident on where to get a key for the gate. March 2020 - Enquiry from a member of the public asking if gates could be put in to stop anti-social behaviour happening.

3. SURFACE CONDITION

The western section of the path is a rough, stony track in poor condition. The eastern end of the path is tarmacked and is in a reasonable condition.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1905. It appears to be a useful cut-through between Beckhampton Road and Third Avenue. The north / south section of the path leads from Shaftesbury Road to Third Avenue and is gated, so is not included in the consultation. The section of path included in this project is not gated.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

CQ3 (Path 7)

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

52 letters were sent, and eight responses were received:

- **38 FAULKLAND ROAD:** *“When we moved into our current home (38 Faulkland Road) in 1973 the back lane was already in existence and being used by residents for rear access to their gardens and garages which is still the case. I was told by a neighbour that each resident of Melcombe Road and Faulkland Road had agreed to give up an equal portion of their land to enable rear access. I do not know when this took place or the subsequent status of the land and have no documentation to confirm. I have used the track since 1973 on a daily basis. I use the track on foot, bicycle, and for vehicle access to my garage. I use the track for access to my rear garden. Other people apart from residents using the track are primarily dog walkers. It is not a shortcut to local amenities.”*
- **47 FAULKLAND ROAD:** The owner has lived in the property for 16 years. The path is very handy for everyday stuff, such as going out with the bikes and leaving the back door open for the kids to come in. It is also very useful for when works are being done, such as the new lawn being laid. All the materials were unloaded at the back. The owner sees neighbours using the path. In all the years she has been there, only one person uses the path with a dog. She doesn't think it fair that this path is included in the consultation and all of the gated ones aren't. She believes that gating was looked at before she moved in but not all of the residents could agree to it. She would object to this path being included in a legal order.
- **49 FAULKLAND ROAD:** *“Path 7 runs behind the rear of my property at Faulkland Road where I have lived for 30 years. Having rear access to my property is very useful, especially for property maintenance. Although I rarely use the path except during the Spring/Summer months to take my green garden rubbish bin around to the front of my house for the fortnightly collection, I would not want to lose access to it. Apart from residents, some of whom have garages, I have not noticed many other people using the path except the occasional dog walker. I do not own the land over which the path crosses. My only concern with the path being a public right of way is security. Some years ago I experienced a burglary where the burglar entered from the back lane, I do not think this would have happened if like many of the back lanes in Oldfield Park there were gates at either end so that only residents and the people they allow can use the path.”*
- **50 FAULKLAND ROAD:** The owner has lived at his property for 46 years. He uses the path on foot and by vehicle – he has two motorbikes. The refuse wagons used to come down the path and pick up the bins from the rear of the properties. When they stopped using the path, the path became grassed over as it was no longer maintained. The owner and his neighbours were going to club together to get the

Appendix 4 – Path Summary

path tarmacked in the 1970s but not everyone was in agreement so it never happened. The area is now 49% student lets and the landlords don't care about keeping the lane clear. They dump their cut grass in the lane. Tradesmen bring their vans up the path to get to the rear of the properties. The owner does see members of the public walking along the path and also exercising their dogs but the path is more for the residents than the public. The owner was under the illusion that the path was a highway as the residents asked for the path to be gated at the same time as when the other paths in the area were gated but he was told that they couldn't have them. The path needs to be kept clear because it is access to the Builder's Yard for fire safety purposes.

- **50 FAULKLAND ROAD:** The owner has lived at this property since 1976. She uses the lane for all purposes on foot, sometimes on a daily basis, depending on when she needs to access the rear of her property. Her husband has a motorbike and he takes it in and out of the rear of the property. The lane is often blocked with skips, builder's vans, and neighbour's cars (when they can't find a parking space on the road). They trim the grass outside their property but no one else does. She sees one or two people using the lane as a cut through to Linear Park for dog walking. The dog fouling is an issue. She doesn't see why it should be recorded as a public right of way as it is for residents to access the rear of their properties and garages. It would be a security risk to record it as a public right of way. Anyone can come along it and climb over the fence. The neighbours had a break in in the last few years. She would object to the path being recorded as a public footpath.
- **55 FAULKLAND ROAD:** The owner assumes it is a private lane for the residents to use to get to the rear of their properties. It's not maintained. Last week he trimmed and cut the bramble back so he can get a skip in to remove his garage. There is no way he could get a car up the back lane to his garage. He uses it on foot sometimes to visit friends. Technically anyone can walk up the path but he never sees anyone, except those going to the back of their houses. He's happy to trim the path once or twice a year.
- **64 FAULKLAND ROAD:** The owners own the land on which their garage is. Two sisters owned the land and when one of the sisters died, they bought their bit of land. They moved to the house in 1959. Their son uses the garage for work, every day. He brings a vehicle. He also walks along the path, but not often. They keep their bit of the path nice but it's not very nice at the top of the path. They don't see members of the public using the path. Sometimes they get a bit of 'aggro' from other residents because they park their van on their land.
- **2 MELCOMBE ROAD:** *"We have lived in our property 2 Melcombe, for over 20 years. The path has always been in use. We use it daily. On foot or bicycle. Trades people have used it in vehicles. We used to take bicycles from our garden to commute on and for leisure. Also for general access. We see neighbours using it. Also there are frequent dog walkers who use it. The bin lorry used to drive down it - but there is not enough turning circle in the road these days!"*

B) Interested Groups

No responses 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.

Appendix 4 – Path Summary

1920 – 1933, OS Map: The houses on Faulkland Road and Beckhampton Road have been built and there is a route between.

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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is mainly grassed, with a small section of tarmac at either end.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1933. It has not been possible to collect sufficient evidence of use of the path by the public. At least two of the adjoining property holders have indicated that they will object to the path being included in a legal order.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

Path 8

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

A Land Registry Search was carried out for the garages on Path 8. Four letters and Landowner Evidence Forms were sent to the owners of the garages and no responses were received.

20 letters were sent to the adjoining property holders, and three responses were received:

- **30 KING EDWARD ROAD:** *“I live at 30 King Edward Road, and have for around 3 ½ years. The path is at the back of my property and I frequently use it – at least 3 times a week. I have a garage that opens onto the path and I use the garage for storage of various items including bikes. I often cycle up the lane to put my bike into garage, and I use it on foot. On rare occasions I drive up the path so I can get something from my back garden or garage. When I’m in my garage I often see someone walking past (in daylight about 1 every 15mins) – it’s used as a shortcut for some people. I don’t believe that I own the land but I know that there were some issues with understanding the status of the path when I bought my property.”*
- **33 KING EDWARD ROAD:** *“We have used the path since moving to the property in 2005. This is 17 years. We use the path on a daily basis. We have used the path on foot, on bicycle and by car on occasions. We use the path to access local amenities and for leisure. I see the path being used every day. I would estimate that there are a few hundred users every day. We do not own the land over which the path crosses, as far as we are aware.”*
- **1 SECOND AVENUE:** *“We live in 1 Second Avenue and knew the previous owners well. My mother lives in 2 Second Avenue (and we did too whilst we were younger) and has done for 30 years. We have always used the path on a daily basis throughout the 30 years that my mother has lived in Second Avenue. 1 Second Avenue has a parking space next to the house which we use on a daily basis to park our car and there are gates into our garden from the parking space which lead into what was a garage but is now just a hardstanding as we had to take down the garage as it was made of asbestos. Many people use the path every day on foot (our front room window looks over the start of the path). The previous owners have died but they also used the path for vehicular access to their garage and parking. We are in touch with children of the previous owners.”*

B) Interested Groups

No responses were received.

Appendix 4 – Path Summary

2. 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: Some houses have been built on King Edward Road and Second Avenue and there appears to be a lane.

1920 – 1933, OS Map: 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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is mainly a rough, stony track.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1905. Adjoining property holders reported seeing some use of the path by the public.

5. OFFICER RECOMMENDATIONS

Although local residents have reported some use of the path by the public, Officers are satisfied that the evidence gathered at this time for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

Path 9

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

18 letters were sent, and two responses were received:

- **37 KING EDWARD ROAD:** *“I have owned 37 King Edward Rd since 1986 and have used the path intermittently ever since. I use it as a footpath perhaps twice a week and by car three or four times a year. It is used as a shortcut to Second Avenue and as a way of bringing large or awkward items to and from the rear of the house. It is important as a workmen’s entrance. The section between 36 and 42 was concreted around 1995 and this was paid for I believe by the owners of 36-39. This section is used moderately frequently by pedestrians and vehicles, but the overgrown upper section is used hardly at all. I don’t think I own the land (though I did pay for improvement) but have always understood it to be mainly (solely?) for the use of residents of King Edward Road, First and Second Avenues. Frankly it is not much use to others anyway unless they have criminal intent.”*
- **43 KING EDWARD ROAD:** The owner moved to the house when she was 6 years old, in 1948. It was her mother’s house. She got married in 1963 and lived in the house for the first 7 years of her marriage. During that period, her mother had a garage and kept a car and caravan there. The dustcart used to come along the path. People have encroached on the path and it is narrower at the First Avenue end than it used to be. About 4 years ago, the owner inherited the house and moved back in. The path has always been accepted as a right of way. She can remember the path being a right of way since 1948. There have never been any restrictions to the use of the path. The owners see people out and about at most times of the day. Lots of people use it for dog walking and people are carrying shopping bags from Moorlands Road. People use it to access their garages.

B) Interested Groups

No responses were received.

2. 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 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.

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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 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is mainly a rough, stony track.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence at least as early as 1933. Adjoining property holders reported seeing some use of the path by the public.

5. OFFICER RECOMMENDATIONS

Although local residents have reported some use of the path by the public, Officers are satisfied that the evidence gathered for this path at this time is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

Path 10

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

Letters were sent to all 41 properties adjoining paths 10, 11 and 12, and seven responses were received, relating to Path 10:

- **1 JUNCTION ROAD:** *“We use path 12 (CD) and path 10 (AB) mostly. We’ve used them since moving back here in 1994. Path 12 is used most days – our back gate opens on to it and it allows us to short cut through our garden if we are going down to Moorland Road. AB I probably use monthly on dog walks. Paths are used on foot. Purpose is for leisure and access to local amenities. See quite a few (several a day) people using path 12. We don’t own any land that the paths cross.”*
- **5 JUNCTION ROAD:** *“I have used the paths between 1997 and the present day. I use path D once a week, C around once a fortnight and A, F and E around once a month or couple of months. I use the paths on foot. The paths are used for amenity - Path C and D provide access to my back garden. Yes - I have seen other people using the path D, which runs at the back of my garden....I would say on average a couple of people a day. No I do not own the land on which the path sits, although my back garden wall shares a boundary.”*
- **7 JUNCTION ROAD:** *“Have used path frequently since 1991. 2 or 3 times a week. On foot. Access to and from back gate – to access shed for bikes and gardening equipment (for allotment) and to put out garden waste recycling bin. Occasionally see others using the path – probably as a short cut. We do not own the land. We rarely use Paths 10 & 11.”*
- **20 JUNCTION ROAD:** *“We’ve lived at #20 since 2000. We use the path for access E to F to the rear of our property very frequently (e.g. putting out recycling). We also use the paths connecting to the travel to Junction Avenue and Oldfield Road on occasions but not as a matter of course instead of the roads themselves. The condition of the other paths varies. We walk and do not use it to cycle, we would use the roads. We generally see neighbours using the path and builders use it for rear access to other properties. Our impression is that few people use it as a route from Junction Road to Oldfield Road. The preferred ‘cut through’ would be the more direct C to D on your plan. We do not own the land over which paths A to F or E to F travel. Our deeds provides with rights to use the entirety of what is termed the “side passage” and “the back passage” (A to F and F to E). Similar rights are granted for water supply and drains. I imagine similar covenants apply to our neighbours since it dates back to construction in 1910. I can provide you with a copy if you think this would help you. We maintain path E to F by spreading chippings over it to keep a hard surface free of mud and remove any obstacles that are dropped there from time to time. The freedom to use the path without being seen contributed to our house being burgled twice since 2000, according to the Police investigating. There was*

Appendix 4 – Path Summary

consultation with the Police/Council about a gate being provided so the paths could be secure and therefore used only by immediate residents. This however was obviously not followed through. We've no objection to the paths being used in their current manner. However, we would object formally to the paths E to F and A to F being designated as public rights of way and added to the definitive map. We would have difficulties resurrecting the idea of gating the area should circumstances change for the worse at any time. Prospective purchasers in our house might similarly like to have discretion to add to the security of their home."

- **21 OLDFIELD ROAD:** *"We bought the property at 21 Oldfield Road back in July 2019, where we live with our two children. We regularly use paths 10 and 11 to access our back garden, move goods (we still renovating the house) and also accessing e.g. GP and local shops. Please note the colour code of the text did not match the colour of the path in the map you have included in your letter, so I hope we are referring to the correct paths. We also store bicycles in a shed in the garden which we move through the various paths (10, 11 and 12). We often see neighbours (on weekly basis) at Oldfield Road but also mostly Junction Avenue walking along the paths, especially those with children and pets. To our understanding, there is no record of who owns the land over the back alley. Our solicitors have gone to a great extent to clarify that aspect ahead of the exchange of contracts back in early 2019, as cutting down access to the path(s) could have legal implications about our rights to access our own property. Yet, it was agreed that exchange would happen with a declaration from the previous owners, in this case one of the survivors from the previous family who lived in the property since 1955. The declaration confirmed that the previous family have used the paths regularly for similar purposes as our own family these days. Looking at the design of the houses, they were built back in 1903 with a back extension which included a side door to a storage room that was used to store coal. This was a precious commodity at the time and is only fair to assume all the previous owners used regularly the paths for delivery of essential coal. If you find it useful, we can share a scan of the declaration. Said that, we understand our neighbours Glennis and Mike at 23 Oldfield Road at probably the ones that resided in the area for longer and certainly able to give you a more in-depth answer to your questions. Said that, at personal level we wouldn't see beneficial in registering the paths in the Public Rights of Way as the paths were clearly built to give access to the back storage room only for people leaving in Oldfield Road, Junction Avenue and Junction Road and not for public access. Occasionally we see glass bottles of beer left over the walls in path 12 which we need to pick up, although careless neighbours could be the source of the rubbish, registering the paths as Public Path would encourage public access with can be detrimental to the security and condition of the paths."*
- **24 OLDFIELD ROAD:** *"We use all of these paths for various reasons as our rear garden has access directly onto Path 10, and this would have been the case for at least the past 10 years. This is always on foot. I know a number of our neighbours also access these paths on foot, and several also wheel bikes along these routes as it enables direct access to rear gardens, avoiding the need to take bikes through the house. A number of children from the local houses also play up and down these paths as all of the roads in this area are too busy for children to play on. We use this path when walking into the City Centre for leisure, and I also tend to use the route along Path 10, and then Path 11, to walk to work and back at least 3 times a week. We also use this route to go to the Oldfield Park GP Surgery on a regular basis. Path 10 and then onto Path 12 we use on a regular basis when walking the dogs up to Bear Flat as it affords a route that avoids a number of busy roads. We also use Path 10 as a way to visit neighbours if in their own rear garden. When we have had work*

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done in the rear garden all of the various workmen have accessed the garden via these paths, as it avoids carrying materials through the house, and also enables closer parking than the front of the house. Wessex Water have also had to access various properties along these paths due to the sewer pipes for the area running beneath Paths 10 and 11.”

- **25 OLDFIELD ROAD:** *“Since we moved in in 2013. Several times a day. On foot, often to take bike out (but not riding). Paths lead to the back of our garden, so use for access, taking bikes out, removing garden recycling etc. Yes, all the neighbours use them I think. No, I don't think so. I'm not sure who does.”*

B) Interested Groups

No responses were received.

2. 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 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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: February 2004 - message on file asking PROW for information prior to a meeting, from Rob Saunders (Community Police). No information on what information PROW responded with.

3. SURFACE CONDITION

The surface of the path is mainly a rough, stony track.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1933. It has not been possible to collect sufficient evidence of use of the path by the public. At least two of the adjoining property holders have indicated that they will object to the path being included in a legal order.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

Path 11

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

Letters were sent to all 41 properties adjoining paths 10, 11 and 12, and seven responses were received relating to Path 11:

- **4 JUNCTION ROAD:** *“We live at no 4 Junction Road, our back gate leads directly onto this path. Myself and my husband have used this path frequently for the past 22 years. On average every 2-3 days. We use it on foot, and have sometimes used it for a bicycle too. I use it for deliveries direct to the back gate, since I have an art studio there. It is essential for deliveries for heavier items for studio and garden and sometimes the house. Eg deliveries of compost sacks, manure, pots etc, clay deliveries and other art materials, sometimes heavy equipment such as a kiln and other larger objects for the house can be delivered this way. Workmen and builders have often used it for works in the garden and studio too. I also use it to access my neighbour’s gardens when they are away to water their plants. I do see quite a few other people using it. I know several neighbours who use it, eg social events can be accessed by all via one of our back gates. Children visit each other this way too. We don’t own the land, an architect made enquiries for us a couple of years ago for building planning, that Path 11 near to our house was not owned by anyone.”*
- **5 JUNCTION ROAD:** *“I have used the paths between 1997 and the present day. I use path D once a week, C around once a fortnight and A, F and E around once a month or couple of months. I use the paths on foot. The paths are used for amenity - Path C and D provide access to my back garden. Yes - I have seen other people using the path D, which runs at the back of my garden....I would say on average a couple of people a day. No I do not own the land on which the path sits, although my back garden wall shares a boundary.”*
- **7 JUNCTION ROAD:** *“Have used path frequently since 1991. 2 or 3 times a week. On foot. Access to and from back gate – to access shed for bikes and gardening equipment (for allotment) and to put out garden waste recycling bin. Occasionally see others using the path – probably as a short cut. We do not own the land. We rarely use Paths 10 & 11.”*
- **20 JUNCTION ROAD:** *“We’ve lived at #20 since 2000. We use the path for access E to F to the rear of our property very frequently (e.g. putting out recycling). We also use the paths connecting to the travel to Junction Avenue and Oldfield Road on occasions but not as a matter of course instead of the roads themselves. The condition of the other paths varies. We walk and do not use it to cycle, we would use the roads. We generally see neighbours using the path and builders use it for rear access to other properties. Our impression is that few people use it as a route from Junction Road to Oldfield Road. The preferred ‘cut through’ would be the more direct C to D on your plan. We do not own the land over which paths A to F or E to F travel.”*

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Our deeds provides with rights to use the entirety of what is termed the “side passage” and “the back passage” (A to F and F to E). Similar rights are granted for water supply and drains. I imagine similar covenants apply to our neighbours since it dates back to construction in 1910. I can provide you with a copy if you think this would help you. We maintain path E to F by spreading chippings over it to keep a hard surface free of mud and remove any obstacles that are dropped there from time to time. The freedom to use the path without being seen contributed to our house being burgled twice since 2000, according to the Police investigating. There was consultation with the Police/Council about a gate being provided so the paths could be secure and therefore used only by immediate residents. This however was obviously not followed through. We’ve no objection to the paths being used in their current manner. However, we would object formally to the paths E to F and A to F being designated as public rights of way and added to the definitive map. We would have difficulties resurrecting the idea of gating the area should circumstances change for the worse at any time. Prospective purchasers in our house might similarly like to have discretion to add to the security of their home.”

- **21 OLDFIELD ROAD:** *“We bought the property at 21 Oldfield Road back in July 2019, where we live with our two children. We regularly use paths 10 and 11 to access our back garden, move goods (we still renovating the house) and also accessing e.g. GP and local shops. Please note the colour code of the text did not match the colour of the path in the map you have included in your letter, so I hope we are referring to the correct paths. We also store bicycles in a shed in the garden which we move through the various paths (10, 11 and 12). We often see neighbours (on weekly basis) at Oldfield Road but also mostly Junction Avenue walking along the paths, especially those with children and pets. To our understanding, there is no record of who owns the land over the back alley. Our solicitors have gone to a great extent to clarify that aspect ahead of the exchange of contracts back in early 2019, as cutting down access to the path(s) could have legal implications about our rights to access our own property. Yet, it was agreed that exchange would happen with a declaration from the previous owners, in this case one of the survivors from the previous family who lived in the property since 1955. The declaration confirmed that the previous family have used the paths regularly for similar purposes as our own family these days. Looking at the design of the houses, they were built back in 1903 with a back extension which included a side door to a storage room that was used to store coal. This was a precious commodity at the time and is only fair to assume all the previous owners used regularly the paths for delivery of essential coal. If you find it useful, we can share a scan of the declaration. Said that, we understand our neighbours Glennis and Mike at 23 Oldfield Road at probably the ones that resided in the area for longer and certainly able to give you a more in-depth answer to your questions. Said that, at personal level we wouldn’t see beneficial in registering the paths in the Public Rights of Way as the paths were clearly built to give access to the back storage room only for people leaving in Oldfield Road, Junction Avenue and Junction Road and not for public access. Occasionally we see glass bottles of beer left over the walls in path 12 which we need to pick up, although careless neighbours could be the source of the rubbish, registering the paths as Public Path would encourage public access with can be detrimental to the security and condition of the paths.”*
- **24 OLDFIELD ROAD:** *“We use all of these paths for various reasons as our rear garden has access directly onto Path 10, and this would have been the case for at least the past 10 years. This is always on foot. I know a number of our neighbours also access these paths on foot, and several also wheel bikes along these routes as it enables direct access to rear gardens, avoiding the need to take bikes through the*

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house. A number of children from the local houses also play up and down these paths as all of the roads in this area are too busy for children to play on. We use this path when walking into the City Centre for leisure, and I also tend to use the route along Path 10, and then Path 11, to walk to work and back at least 3 times a week. We also use this route to go to the Oldfield Park GP Surgery on a regular basis. Path 10 and then onto Path 12 we use on a regular basis when walking the dogs up to Bear Flat as it affords a route that avoids a number of busy roads. We also use Path 10 as a way to visit neighbours if in their own rear garden. When we have had work done in the rear garden all of the various workmen have accessed the garden via these paths, as it avoids carrying materials through the house, and also enables closer parking than the front of the house. Wessex Water have also had to access various properties along these paths due to the sewer pipes for the area running beneath Paths 10 and 11.”

- **25 OLDFIELD ROAD:** *“Since we moved in in 2013. Several times a day. On foot, often to take bike out (but not riding). Paths lead to the back of our garden, so use for access, taking bikes out, removing garden recycling etc. Yes, all the neighbours use them I think. No, I don't think so. I'm not sure who does.”*

B) Interested Groups

No responses were received.

2. 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 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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: February 2004 - message on file asking PROW for information prior to a meeting, from Rob Saunders (Community Police). No information on what information PROW responded with.

3. SURFACE CONDITION

The surface of the path is mainly a rough, stony track.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1933. It has not been possible to collect sufficient evidence of use of the path by the public. At least two of the adjoining property holders have indicated that they will object to the path being included in a legal order.

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5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

Path 12

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

Letters were sent to all 41 properties adjoining paths 10, 11 and 12, and seven responses were received, relating to Path 12:

- **1 JUNCTION ROAD:** *“We use path 12 (CD) and path 10 (AB) mostly. We’ve used them since moving back here in 1994. Path 12 is used most days – our back gate opens on to it and it allows us to short cut through or garden if we are going down to Moorland Road. AB I probably use monthly on dog walks. Paths are used on foot. Purpose is for leisure and access to local amenities. See quite a few (several a day) people using path 12. We don’t own any land that the paths cross.”*
- **5 JUNCTION ROAD:** *“I have used the paths between 1997 and the present day. I use path D once a week, C around once a fortnight and A, F and E around once a month or couple of months. I use the paths on foot. The paths are used for amenity - Path C and D provide access to my back garden. Yes - I have seen other people using the path D, which runs at the back of my garden....I would say on average a couple of people a day. No I do not own the land on which the path sits, although my back garden wall shares a boundary.”*
- **7 JUNCTION ROAD:** *“Have used path frequently since 1991. 2 or 3 times a week. On foot. Access to and from back gate – to access shed for bikes and gardening equipment (for allotment) and to put out garden waste recycling bin. Occasionally see others using the path – probably as a short cut. We do not own the land. We rarely use Paths 10 & 11.”*
- **20 JUNCTION ROAD:** *“We’ve lived at #20 since 2000. We use the path for access E to F to the rear of our property very frequently (e.g. putting out recycling). We also use the paths connecting to the travel to Junction Avenue and Oldfield Road on occasions but not as a matter of course instead of the roads themselves. The condition of the other paths varies. We walk and do not use it to cycle, we would use the roads. We generally see neighbours using the path and builders use it for rear access to other properties. Our impression is that few people use it as a route from Junction Road to Oldfield Road. The preferred ‘cut through’ would be the more direct C to D on your plan. We do not own the land over which paths A to F or E to F travel. Our deeds provides with rights to use the entirety of what is termed the “side passage” and “the back passage” (A to F and F to E). Similar rights are granted for water supply and drains. I imagine similar covenants apply to our neighbours since it dates back to construction in 1910. I can provide you with a copy if you think this would help you. We maintain path E to F by spreading chippings over it to keep a hard surface free of mud and remove any obstacles that are dropped there from time to time. The freedom to use the path without being seen contributed to our house being burgled twice since 2000, according to the Police investigating. There was*

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consultation with the Police/Council about a gate being provided so the paths could be secure and therefore used only by immediate residents. This however was obviously not followed through. We've no objection to the paths being used in their current manner. However, we would object formally to the paths E to F and A to F being designated as public rights of way and added to the definitive map. We would have difficulties resurrecting the idea of gating the area should circumstances change for the worse at any time. Prospective purchasers in our house might similarly like to have discretion to add to the security of their home."

- **21 OLDFIELD ROAD:** *"We bought the property at 21 Oldfield Road back in July 2019, where we live with our two children. We regularly use paths 10 and 11 to access our back garden, move goods (we still renovating the house) and also accessing e.g. GP and local shops. Please note the colour code of the text did not match the colour of the path in the map you have included in your letter, so I hope we are referring to the correct paths. We also store bicycles in a shed in the garden which we move through the various paths (10, 11 and 12). We often see neighbours (on weekly basis) at Oldfield Road but also mostly Junction Avenue walking along the paths, especially those with children and pets. To our understanding, there is no record of who owns the land over the back alley. Our solicitors have gone to a great extent to clarify that aspect ahead of the exchange of contracts back in early 2019, as cutting down access to the path(s) could have legal implications about our rights to access our own property. Yet, it was agreed that exchange would happen with a declaration from the previous owners, in this case one of the survivors from the previous family who lived in the property since 1955. The declaration confirmed that the previous family have used the paths regularly for similar purposes as our own family these days. Looking at the design of the houses, they were built back in 1903 with a back extension which included a side door to a storage room that was used to store coal. This was a precious commodity at the time and is only fair to assume all the previous owners used regularly the paths for delivery of essential coal. If you find it useful, we can share a scan of the declaration. Said that, we understand our neighbours Glennis and Mike at 23 Oldfield Road at probably the ones that resided in the area for longer and certainly able to give you a more in-depth answer to your questions. Said that, at personal level we wouldn't see beneficial in registering the paths in the Public Rights of Way as the paths were clearly built to give access to the back storage room only for people leaving in Oldfield Road, Junction Avenue and Junction Road and not for public access. Occasionally we see glass bottles of beer left over the walls in path 12 which we need to pick up, although careless neighbours could be the source of the rubbish, registering the paths as Public Path would encourage public access with can be detrimental to the security and condition of the paths."*
- **24 OLDFIELD ROAD:** *"We use all of these paths for various reasons as our rear garden has access directly onto Path 10, and this would have been the case for at least the past 10 years. This is always on foot. I know a number of our neighbours also access these paths on foot, and several also wheel bikes along these routes as it enables direct access to rear gardens, avoiding the need to take bikes through the house. A number of children from the local houses also play up and down these paths as all of the roads in this area are too busy for children to play on. We use this path when walking into the City Centre for leisure, and I also tend to use the route along Path 10, and then Path 11, to walk to work and back at least 3 times a week. We also use this route to go to the Oldfield Park GP Surgery on a regular basis. Path 10 and then onto Path 12 we use on a regular basis when walking the dogs up to Bear Flat as it affords a route that avoids a number of busy roads. We also use Path 10 as a way to visit neighbours if in their own rear garden. When we have had work*

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done in the rear garden all of the various workmen have accessed the garden via these paths, as it avoids carrying materials through the house, and also enables closer parking than the front of the house. Wessex Water have also had to access various properties along these paths due to the sewer pipes for the area running beneath Paths 10 and 11.”

- **25 OLDFIELD ROAD:** *“Since we moved in in 2013. Several times a day. On foot, often to take bike out (but not riding). Paths lead to the back of our garden, so use for access, taking bikes out, removing garden recycling etc. Yes, all the neighbours use them I think. No, I don't think so. I'm not sure who does.”*

B) Interested Groups

No responses were received.

2. 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 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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: February 2004 - message on file asking PROW for information prior to a meeting, from Rob Saunders (Community Police). No information on what information PROW responded with.

3. SURFACE CONDITION

The surface of the path is mainly a rough, stony track.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1933. It has not been possible to collect sufficient evidence of use of the path by the public. At least two of the adjoining property holders have indicated that they will object to the path being included in a legal order.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

AQ68 (Path 13)

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

Part of the land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

10 letters were sent, and five responses were received:

- **AVONLEIGH:** *“We have used the path since moving in to Maple Grove in 2013. We use the path multiple times a week. We are a family of 4 and all of us use it at different times.”*
- **HILL VIEW:** *“I have lived at the above address since 1998. I use the path several times a week on foot to visit local amenities. There are signs on the path saying ‘No cycling’ and a barrier. I see other people using the path – particularly school children. I don’t own the land over which the path crosses.”*
- **35 BLOOMFIELD AVENUE:** *“In response to your letter about Path 13 I have only lived here for the last one and half years and I only own land adjacent to the path and use it daily on foot for access to my house. I see people using the path every day.”*
- **37 BLOOMFIELD AVENUE:** *“We only purchased the property in 2021, so have been using it for one year. Daily, this path is the main access to our front door, and so it is in constant use. Foot only. All purposes to leave and enter our house. Yes there are frequently other people using this path every day. No. This is an adopted highway.”*
- **1 MAPLE GARDENS:** *“This path goes behind the houses in Maple Grove. 1 Maple Gardens runs along the side of the path, as does 35 -37 Bloomfield Avenue. The houses 35-37 Bloomfield Avenue have entrances located immediately off of Path 13. (If you haven’t contacted them then I would suggest that you do.) I have used this path since 2002. It’s used by members of my household on a weekly basis. The path is only able to be used for pedestrian access. We use the path to access local amenities and leisure. This path is in constant use by local residents. School children. Etc. I am unaware as to the owner of the land that the path crosses”.*

B) Interested Groups

No responses were received.

Appendix 4 – Path Summary

2. DOCUMENTARY EVIDENCE

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

1885, OS Map: A track is shown by two solid lines, leaving Oldfield Road and leading to a field boundary, beyond which the path is shown by two dotted lines. AQ68 is part of the track shown by two solid lines.

1887 – 1891, OS Map: The path is shown by two solid lines and is part of a longer path.

1901 – 1905, OS Map: The path is shown by two solid lines and is part of a longer path linking Bloomfield Avenue with Englishcombe Lane.

1920 – 1933, OS Map: The path is shown by two solid lines and is part of a longer path linking Bloomfield Avenue with Englishcombe Lane.

1933 – 1939, OS Map: The path is shown by two solid lines and is part of a longer path linking Bloomfield Avenue with Englishcombe Lane.

Bath City Engineer's Survey, 1957: FP. Bloomfield Gardens to Durley Park. Metalled footway.

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

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: July 2000 - A member of the public reported overgrowth on the footpath. Nettles, brambles and a tree growing in the path surface needed clearing.

August 2000 – A PROW comment that the issue had been passed to Somer for action.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1885. It was included in the Bath City Engineer's Survey of 1957 and is maintained by the Council as public highway. Part of the land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Documentary evidence supports the existence of a public right of way along the path and there have been no indications of an objection to a legal 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

AQ69 (Path 14)

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

i) Landowner

Part of the land is registered to Bath and North East Somerset Council, Environmental Services - Open Spaces. Linear Park, Bath.

- **Response from Martin Baker (Property Records Co-ordinator):** *“This seems an obvious candidate for formal recognition as a right of way as clearly the bridge was built for this purpose. Although Council owned land, the footbridge is effectively a separate structure to the Linear Park but even so I would suggest getting someone from Parks team (as park custodians) to confirm that they have no objection.”*
- **Response from Paul Pearce (Team Leader Parks and Trees):** *“I’m happy with both proposals.”*
- **Response from Denise Hart (Tree Manager):** *“Yes, that fine.”*

Part of the land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Two letters were sent, and one response was received:

- **COTSWOLD ROAD:** *“I have used the path for 8 years. I use the path multiple times a day, all times of day. I am a pedestrian. I utilise the path to walk my dog and get in to the city. I see many people use the path, on foot, on electric scooters, motor scooters, motorbikes and on bicycle; the path is often not safe for pedestrians due to wheeled vehicles, it’s often used by drug dealers. I do not own the land over which the path crosses.”*

B) Interested Groups

No responses were received.

2. 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: There appears to be a crossing over the railway, but it does not link up with paths on either side. It is possible that the path is to provide access to farmer’s fields on either side of the railway.

1901 – 1905, OS Map: There appears to be a crossing over the railway, but it does not link up with paths on either side. It is possible that the path is to provide access to farmer’s fields on either side of the railway.

Appendix 4 – Path Summary

1920 – 1933, OS Map: There appears to be a crossing over the railway, leading from Maple Grove.

1933 – 1939, OS Map: There appears to be a crossing over the railway, leading from Maple Grove.

Bath City Engineer's Survey, 1957: FP. Maple Grove to Egerton Road. Metalled footway over bridge.

ST76SW 1961, OS Map: ST76SW - 1961. The path is shown by two solid lines, linking Maple Gardens and Egerton Road.

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 Adopted Highway.

Previous Orders Made: None found.

Other Information: November 2018 - Local Land Charges Search, response given: "*I can confirm that the land adjacent to 28 Egerton Road is not recorded on either the List of Streets (the legal record of highways maintainable at public expense) or the Definitive Map and Statement (the legal record of public rights of way). However, the route shown with a broken, pink line crossing the disused railway is a public footpath (AQ69). The southern end of public footpath AQ69 is not a point of 'popular resort' (i.e. there does not appear to be any reason why the public should wish to walk to this location and no further to the south). It therefore follows that there may be unrecorded public rights which continue over the land adjacent to no.28 and continue on to Egerton Road; however, as the description suggests, the Council does not have any record of these rights and their existence is therefore only supposition.*" August 2019 - concerns regarding the use of bicycles in the area and also the possibility of making the path a cycle track.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1891. It was included in the Bath City Engineer's Survey of 1957. Part of the land is owned by The Authority and part of the land by Curo Group. Neither landowner objects to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Documentary evidence supports the existence of a public right of way along the path and there have been no indications of an objection to a legal 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

AQ591 (Path 15)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Four letters were sent, and two responses were received:

- **1 ASHFORD ROAD:** *“I and my family have used the path from 1972 to date. We use the path on a daily basis. We use the path on foot to gain access to both Ashford and Cotswold Road. We use the path for access to local amenities and leisure. I see many other people using the path on a daily basis. I do not own the land over which the path crosses.*
- **3 ASHFORD ROAD:** *“My path at side of my house path 15 I use every day since 2009 when I moved here. It’s access to my work which is 5 mins away. My parents house is 10 mins away shops 10 mins away. Quick access to get to bus stop at Willow Green. I walk that way everyday two or three times a day. The back of my house links on to path 15, I am a tenant of no 3 Ashford Rd so the landlord will know if the land that path crosses is owned or not.”*

B) Interested Groups

No responses were received.

2. 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 one solid and one dashed line.

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

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

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

Appendix 4 – Path Summary

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1961. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ494 (Path 16)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Six letters were sent, and two responses were received:

- **2 WILLOW GREEN:** *“Have to use it to access my house – goes along the front of my garden. 10 years +. Daily, multiple times. Foot & bicycle. Everything. Yes, school and neighbours.”*
- **4 WILLOW GREEN:** *“I have used the path from 2016 until present. I use the path daily. I use the path on foot and by bicycle.”*

B) Interested Groups

No responses were received.

2. 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 dashed lines.

ST76SW 1973, OS Map: The path is shown.

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

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is concrete paving slabs. It is in a reasonable condition. There are bollards at both ends.

Appendix 4 – Path Summary

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1961. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ512 (Path 17)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Six letters were sent, and one response was received:

- **11 WILLOW GREEN:** The owner has lived at the property for over 7 years and has been using the path since then. He uses the path on foot whenever he leaves his house, so it can be many times a day. He uses the path for work, access to local amenities and leisure. The path is used very frequently. Every morning there are people going to the school and nursery. People go to and from Chantry Mead Road. His front lawn adjoins the path. He owns the lawn but not the path.

B) Interested Groups

No responses were received.

2. 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 dashed lines.

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

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

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is concrete paving slabs. It is in a reasonable condition. There are bollards at both ends.

Appendix 4 – Path Summary

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1961. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ592 (Path 18)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Letters were sent to all 54 properties adjoining paths 18, 19, 20 and 21, and two responses were received, relating to Path 18:

- **59 POPLAR CLOSE:** *“I use paths 18 and 21 daily on foot. I see people using these paths multiple times a day. I have lived here 7 years. I use it to walk my dog or walk to local shops.”*
- **27 HAZEL GROVE:** The resident uses parts of Paths 18, 19 and 20. She uses them regularly to walk to Moorland Road shops (about 3 times a week) and the train. She has used the paths for 20 years, walking. In the past she used the paths to get to work. She doesn't see many people using the paths and she doesn't own the land over which the paths run.

B) Interested Groups

No responses were received.

2. 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: A path is shown by two dashed lines leading in a northerly direction across The Oval, Allotment Gardens and ending on Monksdale Road. Part of the path corresponds to the present day route of the path.

1933 – 1939, OS Map: A path is shown by two dashed lines leading in a northerly direction across The Oval, Allotment Gardens and ending on Monksdale Road. Part of the path corresponds to the present day route of the path.

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

ST76SW 1961, OS Map: A path is shown by two dashed lines leading in a northerly direction across The Oval, Allotment Gardens and ending on Monksdale Road. Part of the path corresponds to the present day route of the path.

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

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.

Appendix 4 – Path Summary

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The whole length of the path appears to have been in existence since at least as early as 1961 and parts of the path appear to have been in existence since at least as early as 1933. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ493 (Path 19)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Letters were sent to all 54 properties adjoining paths 18, 19, 20 and 21, and one response was received, relating to Path 19:

- **27 HAZEL GROVE:** The resident uses parts of Paths 18, 19 and 20. She uses them regularly to walk to Moorland Road shops (about 3 times a week) and the train. She has used the paths for 20 years, walking. In the past she used the paths to get to work. She doesn't see many people using the paths and she doesn't own the land over which the paths run.

B) Interested Groups

No responses were received.

2. 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 appears to be in existence.

ST76SW 1983, OS Map: The path appears to be in existence.

List of Streets: Part Class 6 Adopted Highway, Part Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

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

Appendix 4 – Path Summary

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1973. A section of the path is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ594 (Path 20)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Letters were sent to all 54 properties adjoining paths 18, 19, 20 and 21, and one response was received, relating to Path 20:

- **27 HAZEL GROVE:** The resident uses parts of Paths 18, 19 and 20. She uses them regularly to walk to Moorland Road shops (about 3 times a week) and the train. She has used the paths for 20 years, walking. In the past she used the paths to get to work. She doesn't see many people using the paths and she doesn't own the land over which the paths run.

B) Interested Groups

No responses were received.

2. 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 shown by a dashed line.

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.

3. SURFACE CONDITION

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

Appendix 4 – Path Summary

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1973. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ595 (Path 21)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Letters were sent to all 54 properties adjoining paths 18, 19, 20 and 21, and one response was received, relating to Path 21:

- **59 POPLAR CLOSE:** *“I use paths 18 and 21 daily on foot. I see people using these paths multiple times a day. I have lived here 7 years. I use it to walk my dog or walk to local shops.”*

B) Interested Groups

No responses were received.

2. 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 shown by a dashed line.

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.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1973. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

Appendix 4 – Path Summary

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ495 (Path 22)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Four letters were sent, and two responses were received:

- **2 THE OVAL:** *“I have used the path for over 40 years, from 1980 to present. 3 times per week. On foot. For local amenities and leisure. I see many other people using the path. I don’t own the land over which the path crosses.”*
- **128 THE OVAL:** *“We’ve lived at 128 The Oval (adjacent to Path 22) since March 2015. We use the path fairly regularly. I used to use the path twice a day as I commuted to Bristol from Oldfield Park station but mainly work from home now so use it less. We use the path on foot. We use the path to walk down to Oldfield Park, Sandpits Park, the nearby allotments, or to get to the Linear Park, and also to access the Oval open space - and then to return home. We see and hear people regularly using the path throughout the day. Many local people use the Oval open space to exercise their dogs, as well as their children! And also as the most direct route across the Oval. We do not own the land the path crosses.”*

B) Interested Groups

No responses were received.

2. 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, crossing a Children's Playground.

1933 – 1939, OS Map: The path is shown, crossing a Children's Playground.

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

ST76SW 1961, OS Map: The path is shown by one dashed line.

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

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

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

Appendix 4 – Path Summary

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1933. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ497 (Path 23)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Eight letters were sent, and no responses were received:

B) Interested Groups

No responses were received.

2. 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, crossing a Children's Playground.

1933 – 1939, OS Map: The path is shown, crossing a Children's Playground.

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

ST76SW 1961, OS Map: The path is shown by one dashed line.

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

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

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: June 2020 - issue with parking on the public right of way.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1933. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal

Appendix 4 – Path Summary

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

AQ498 (Path 24)

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

32 letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. 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: Part of the path appears to be in existence, as a section of a longer path shown by two dashed lines.

ST76SW 1973, OS Map: The path does not appear to be in existence.

ST76SW 1983, OS Map: The path appears to be in existence.

List of Streets: Class 6 Adopted Highway.

Previous Orders Made: None found.

Other Information: May 2005 - Temporary Prohibition of Use by Pedestrians Order, 3rd May 2005. Path closed temporarily for development works to go ahead.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1983. It is maintained by the Council as public highway. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

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5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ500 (Path 25)

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

i) Landowner

Part of the land is registered to Bath and North East Somerset Council, Environmental Services - Open Spaces. Linear Park, Bath.

- **Response from Martin Baker (Property Records Co-ordinator):** *“Only the southern half of this path runs over Council owned land but as this part is entirely within Moorlands Recreation Ground again it probably needs Parks to comments on as managers of the amenity land. I suspect they would be supportive as it would clarify the status of the path and I don't think we'd have any objections from the Property side as there are already public rights of way running through the park so this doesn't significantly encumber the Council's landholding.”*
- **Response from Paul Pearce (Team Leader Parks and Trees):** *“I'm happy with both proposals.”*
- **Response from Jane Robson (Parks Manager):** *“The Moorlands path is fine by Parks; we don't own all the land – see map below; Curo Group own part.”*

Part of the land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don't have anything further to add”.*

ii) Adjoining Property Holders

Two letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. 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 shown by a dashed line and labelled path.

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.

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3. SURFACE CONDITION

The surface of the path is tarmac. It is generally in a reasonable condition, although parts of it are in a poor condition.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1973. It is maintained by the Council as public highway. The land is owned partly by Curo Group and partly by the Council, neither party has any objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

AQ514 (Path 26)

1. INITIAL CONSULTATION

A) Land Ownership

The Land Registry Search

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

i) Landowner

None identified.

ii) Adjoining Property Holders

Five letters were sent, and two responses were received:

- **196 BLOOMFIELD ROAD:** *“Our property adjoins Path 26. It is well-used especially mornings and late pm, commuting and school-going hours and useful for access. From 1975 till now, ongoing. At least once a week, on foot for local walks and to access Englishcombe Lane. Yes. No.”*
- **198 BLOOMFIELD ROAD:** *“When we moved in – 1993 – 2022. At least weekly. On foot and by bicycle. Access and leisure (eg to get to our polling station!). Yes lots. No.”*

B) Interested Groups

No responses were received.

2. 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.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1961. It is maintained by the Council as public highway.

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5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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

Path 27

Path 27 was added to the consultation by Councillor Jess David.

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

Two letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. 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 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: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Councillor David requested for this path to be included in the consultation.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1933. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

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5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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.

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Path 28

Path 28 was added to the consultation by Councillor Jess David.

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

24 letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. 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 shown by two solid lines.

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

List of Streets: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Councillor David requested for this path to be included in the consultation.

3. SURFACE CONDITION

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

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1973. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

Appendix 4 – Path Summary

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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.

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Path 29

Path 29 was added to the consultation by Councillor Jess David.

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Curo Group.

- **Response from Curo Group (Jonathan Strange, Estates Advisor):** *“During the walkabout we discussed in the detail the proposed re-designating of the paths. I was in agreement with your proposals which were well thought out and you had clearly put a lot of time and effort into the proposed change. I don’t have anything further to add”.*

ii) Adjoining Property Holders

12 letters were sent, and one response was received:

- **12 MOORFIELDS ROAD:** The owner has lived at the property for 15 years. He uses the path to maintain his property, as does his neighbour. The hedge has recently been removed as he is having his garden renovated. He can see people using the path. There are 4 or 5 privately owned garages which are accessed via the path on a regular basis. The path is used by school children, dog walkers and elderly members of the public. During the school drop off and pick up times, around 20 or 30 groups of people pass along the path on their way to school. The path is then used throughout the day by the general public. The owner believes the path to be a public right of way and it is of massive value.

B) Interested Groups

No responses were received.

2. 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 section leading from Ashford Road is in existence and shown by a solid line; it appears to be a cul-de-sac.

ST76SW 1973, OS Map: The path appears to be shown by two solid lines.

ST76SW 1983, OS Map: The path appears to be shown by two solid lines.

List of Streets: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Councillor David requested for this path to be included in the consultation.

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3. SURFACE CONDITION

The surface of the path is tarmac. Part of the path is in a good condition and part is in a poor condition.

4. ASSESSMENT OF EVIDENCE

The path appears to have been in existence since at least as early as 1973. The land is owned by Curo Group who have no objection to the path being recorded as a public footpath.

5. OFFICER RECOMMENDATIONS

Although it has not been possible to gather substantial evidence, Officers are satisfied that there is sufficient evidence to demonstrate that on the balance of probabilities, the route is a public footpath. As there have been no indications of an objection to a legal 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.

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Path 30

Path 30 was added to the consultation by Councillor Jess David.

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Bath & North East Somerset Council. Environmental Services - Open Spaces. Moorfields Road Open Space.

- **Response from Martin Baker (Property Records Co-ordinator):** *“At the moment these are still required as amenity / open space but under the current climate I could foresee a time where we might be required to ‘challenge’ whether this use is still required under pressure to find sites for e.g. infill housing. I’m not aware of any such plans at present but it’s not inconceivable that there might be pressure to move in that direction in the near future, even if it probably wouldn’t be popular locally. Particularly the eastern site could be considered suitable given the better access and it might be that it were concluded that retaining one of the two for amenity were sufficient when there are other strategic priorities. All of the above is speculation for now but if the consequence of agreeing to new PROWs through the middle of both sites I think this would need a steer from our new Head of Corporate Property before we could confirm that there would be no objections to the proposal. I don’t know these well but in use terms also there doesn’t seem to be a shortage of paths N-S between the two roads and arguably people walking through are largely doing so to make use of the open space itself (rather than a route to somewhere else).”*
- **Response from Paul Pearce (Team Leader Parks and Trees):** *“Happy with the proposals..thanks.”*
- **Response from Jane Robson (Parks Manager):** *“What sort of entrance will there be to the open spaces, please? We get requests from neighbours to take vehicles into the open spaces for house renovations etc. and we issued permits for this use; we fit combi padlocks to the gates and the residents pay to use the code. I would not like to see the open spaces turn into unofficial car parks.”*

ii) Adjoining Property Holders

10 letters were sent, and one response was received:

- **25 ASHFORD ROAD:** *“As far as I am aware, I do not have ownership of the land the path crosses. Path 30 runs down the South and East boundaries of my property. From the map you have included in the letter, this begins at Point A, and proceeds around the right-angled corner following the rear of my property, and the neighbouring number 23 Ashford Road. To the South, the path incorporates the side of my driveway, the steps down from road level to my front door accessway, the side of my house (including a small gravel border), and the side of my garden hedge. To the East, the path follows my rear garden hedge. My family have been using the path daily since I moved into the property, January 2019. I require the path to gain access to my front door, and to access my side garden gate (from which I take my waste bins along the path to the kerb). Many other people use the path daily, particularly for dog walking, as it leads to the grassy area encompassed by Moorfields Road, Ashford Road and Cotswold Road. I am unsure of the actual ownership of the path, and have not seen it maintained by anybody. This is despite the fact that the grassy area on the corner of Ashford Road and Moorfields Road is maintained, as too is the*

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dog walking area previously mentioned. I perform maintenance of the hedge overgrowth from my garden, as this is my responsibility. On occasion, I also pressure-wash the initial concrete section of the path and steps, as it becomes slippery when wet if left too long without washing - but I have not been obliged to do this.”

B) Interested Groups

No responses were received.

2. 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: There is a path shown by two solid lines, running parallel to the path, appearing to link The Moorlands with the railway line to the north.

1933 – 1939, OS Map: There is a path shown by two solid lines, running parallel to the path, appearing to link The Moorlands with the railway line to the north.

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

ST76SW 1961, OS Map: The section leading from Cotswold Road is in existence and shown by solid lines, but it appears to be a cul-de-sac.

ST76SW 1973, OS Map: The section leading from Cotswold Road is in existence and shown by solid lines; but it appears to be a cul-de-sac.

ST76SW 1983, OS Map: The section leading from Cotswold Road is in existence and shown by solid lines; but it appears to be a cul-de-sac.

List of Streets: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Councillor David requested for this path to be included in the consultation.

3. SURFACE CONDITION

The surface of the western end of the path is concrete paving flags, with steps. As the path turns northwards, the surface becomes natural. Where the path crosses the open space, the surface is grass. It becomes tarmac / concrete paving flags as it passes between the houses on Cotswold Road.

4. ASSESSMENT OF EVIDENCE

A path was in existence close to the line of the present day path from at least as early as 1933, but the physical line of the current path appears to have come into existence at least as early as 1961. However, it is not possible to determine whether a through route existed across the open space. The Council, as landowner, has indicated raising an objection if the path is included in a legal order.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the

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Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

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Path 31

Path 31 was added to the consultation by Councillor Jess David.

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Bath & North East Somerset Council. Environmental Services - Open Spaces. Moorfields Road Open Space.

- **Response from Martin Baker (Property Records Co-ordinator):** *“At the moment these are still required as amenity / open space but under the current climate I could foresee a time where we might be required to ‘challenge’ whether this use is still required under pressure to find sites for e.g. infill housing. I’m not aware of any such plans at present but it’s not inconceivable that there might be pressure to move in that direction in the near future, even if it probably wouldn’t be popular locally. Particularly the eastern site could be considered suitable given the better access and it might be that it were concluded that retaining one of the two for amenity were sufficient when there are other strategic priorities. All of the above is speculation for now but if the consequence of agreeing to new PROWs through the middle of both sites I think this would need a steer from our new Head of Corporate Property before we could confirm that there would be no objections to the proposal. I don’t know these well but in use terms also there doesn’t seem to be a shortage of paths N-S between the two roads and arguably people walking through are largely doing so to make use of the open space itself (rather than a route to somewhere else).”*
- **Response from Paul Pearce (Team Leader Parks and Trees):** *“Happy with the proposals..thanks.”*
- **Response from Jane Robson (Parks Manager):** *“What sort of entrance will there be to the open spaces, please? We get requests from neighbours to take vehicles into the open spaces for house renovations etc. and we issued permits for this use; we fit combi padlocks to the gates and the residents pay to use the code. I would not like to see the open spaces turn into unofficial car parks.”*

ii) Adjoining Property Holders

Five letters were sent, and one response was received:

- **26 MOORFIELDS ROAD:** *“We have used it since moving to this house in 2010. We use it 4-5 times a week. We usually walk across, the children sometimes cycle across. We mostly use the path to access local amenities, also to go to work. Yes, we see others using the path (mostly dog walkers). We do not own the land the path crosses.”*

B) Interested Groups

No responses were received.

2. 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.

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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 sections leading from Cotswold Road and Moorfields Road are in existence and shown by solid lines; it is unclear whether or not a path exists to link the two sections.

ST76SW 1973, OS Map: The sections leading from Cotswold Road and Moorfields Road are in existence and shown by solid lines; it is unclear whether or not a path exists to link the two sections.

ST76SW 1983, OS Map: The sections leading from Cotswold Road and Moorfields Road are in existence and shown by solid lines; it is unclear whether or not a path exists to link the two sections.

List of Streets: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Councillor David requested for this path to be included in the consultation.

3. SURFACE CONDITION

The surface of the southern end of the path is tarmac. It is in a good condition. Where the path crosses the open space, the surface is grass. It becomes tarmac / concrete paving flags as it passes between the houses on Cotswold Road.

4. ASSESSMENT OF EVIDENCE

The path appears to have come into existence at least as early as 1961. However, it is not possible to determine whether a through route existed across the open space. The Council, as landowner, has indicated raising an objection if the path is included in a legal order.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

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Path 32

Path 32 was added to the consultation during desk-based research, following a request by Councillor Jess David to add other paths to the consultation.

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Bath & North East Somerset Council. Environmental Services - Open Spaces. Moorfields Road Open Space.

- **Response from Martin Baker (Property Records Co-ordinator):** *“At the moment these are still required as amenity / open space but under the current climate I could foresee a time where we might be required to ‘challenge’ whether this use is still required under pressure to find sites for e.g. infill housing. I’m not aware of any such plans at present but it’s not inconceivable that there might be pressure to move in that direction in the near future, even if it probably wouldn’t be popular locally. Particularly the eastern site could be considered suitable given the better access and it might be that it were concluded that retaining one of the two for amenity were sufficient when there are other strategic priorities. All of the above is speculation for now but if the consequence of agreeing to new PROWs through the middle of both sites I think this would need a steer from our new Head of Corporate Property before we could confirm that there would be no objections to the proposal. I don’t know these well but in use terms also there doesn’t seem to be a shortage of paths N-S between the two roads and arguably people walking through are largely doing so to make use of the open space itself (rather than a route to somewhere else).”*
- **Response from Paul Pearce (Team Leader Parks and Trees):** *“Happy with the proposals..thanks.”*
- **Response from Jane Robson (Parks Manager):** *“What sort of entrance will there be to the open spaces, please? We get requests from neighbours to take vehicles into the open spaces for house renovations etc. and we issued permits for this use; we fit combi padlocks to the gates and the residents pay to use the code. I would not like to see the open spaces turn into unofficial car parks.”*

ii) Adjoining Property Holders

Four letters were sent, and one response was received:

- **34 MOORFIELDS ROAD:** The owner has lived at this address for 13 or 14 years. He uses the path approximately once a month to go to the shops in Moorlands Road and sometimes by bike to get to the cycle track. He sees other people using the path – quite a lot of dog walkers, a couple who pick up rubbish and kids who play football on the green. It depends on the weather sometimes - when it’s wet, he uses Willow Green.

B) Interested Groups

No responses were received.

2. 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.

Appendix 4 – Path Summary

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 sections leading from Cotswold Road and Moorfields Road are in existence and shown by a solid line; it is unclear whether or not a path exists to link the two sections.

ST76SW 1973, OS Map: The sections leading from Cotswold Road and Moorfields Road are in existence and shown by a solid line; it is unclear whether or not a path exists to link the two sections.

ST76SW 1983, OS Map: The sections leading from Cotswold Road and Moorfields Road are in existence and shown by a solid line; it is unclear whether or not a path exists to link the two sections.

List of Streets: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Nothing on file.

3. SURFACE CONDITION

The surface of the path is grass.

4. ASSESSMENT OF EVIDENCE

The path appears to have come into existence at least as early as 1961. However, it is not possible to determine whether a through route existed across the open space. The Council, as landowner, has indicated raising an objection if the path is included in a legal order.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.

Appendix 4 – Path Summary

Path 33

Path 33 was added to the consultation by Councillor Jess David.

1. INITIAL CONSULTATION

A) Land Ownership

i) Landowner

The land is registered to Bath & North East Somerset Council. Environmental Services - Open Spaces. Moorfields Road Open Space.

- **Response from Martin Baker (Property Records Co-ordinator):** *“At the moment these are still required as amenity / open space but under the current climate I could foresee a time where we might be required to ‘challenge’ whether this use is still required under pressure to find sites for e.g. infill housing. I’m not aware of any such plans at present but it’s not inconceivable that there might be pressure to move in that direction in the near future, even if it probably wouldn’t be popular locally. Particularly the eastern site could be considered suitable given the better access and it might be that it were concluded that retaining one of the two for amenity were sufficient when there are other strategic priorities. All of the above is speculation for now but if the consequence of agreeing to new PROWs through the middle of both sites I think this would need a steer from our new Head of Corporate Property before we could confirm that there would be no objections to the proposal. I don’t know these well but in use terms also there doesn’t seem to be a shortage of paths N-S between the two roads and arguably people walking through are largely doing so to make use of the open space itself (rather than a route to somewhere else).”*
- **Response from Paul Pearce (Team Leader Parks and Trees):** *“Happy with the proposals..thanks.”*
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ii) Adjoining Property Holders

Four letters were sent, and no responses were received.

B) Interested Groups

No responses were received.

2. 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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Appendix 4 – Path Summary

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ST76SW 1983, OS Map: The sections leading from Cotswold Road and Moorfields Road are in existence and shown by a solid line; it is unclear whether or not a path exists to link the two sections.

List of Streets: Not Adopted Highway.

Previous Orders Made: None found.

Other Information: Path 33 was added to the consultation by Councillor Jess David.

3. SURFACE CONDITION

The surface of the path is grass.

4. ASSESSMENT OF EVIDENCE

The path appears to have come into existence at least as early as 1961. However, it is not possible to determine whether a through route existed across the open space. The Council, as landowner, has indicated raising an objection if the path is included in a legal order.

5. OFFICER RECOMMENDATIONS

At this time, Officers are satisfied that the evidence gathered for this path is not sufficient to demonstrate a reasonable allegation that a right of way exists. Therefore, the recommendation for this path is not to make an Order under section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 at this time. This does not prejudice any public rights which may have been accrued over time.
