



SOUTH GLOUCESTERSHIRE COUNCIL

(BRIDLEWAY OAY101 AND FOOTPATH OAY 111 AT SEVERNSIDE) PUBLIC PATH CREATION ORDER 2023

EXPLANATORY STATEMENT

Under the Highways Act 1980, county and district councils have the power to make orders to create, extinguish (close) or divert public rights of way. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

South Gloucestershire Council has made orders to extinguish footpath OAY 111 and create a new footpath and a new section of bridleway. This statement has been prepared to explain various aspects of the order.

THIS STATEMENT DOES NOT FORM PART OF THE ORDERS

A creation order must add to the convenience or enjoyment of a substantial section of the public or convenience of local people in the area and an extinguishment order may be made where a path is not necessary for public use.

The new section of bridleway will provide a missing link between the existing recorded bridleways OAY 101 and ORN 27 along Minors Lane and will formalise a situation that has been on the ground for a number of years. The path to be extinguished is not needed due to the creation of a new footpath alongside the new Business Park access road – the Business Park has been built under a historic but extant planning permission dated 27/11/1957. This path will maintain the connection between Severn Road and the bridleway on Minors lane. The route to be extinguished is shown by a solid black line on the order plan(s) and the created routes as dashed lines. The Council is satisfied the orders comply with the legal tests and that the public will benefit from the creation of the new routes.

The orders will only come into effect once they have been confirmed. Making and advertising the orders simply provides an opportunity for objections or representations to be made. Objections or representations relating to the order must be made in writing by to:-

The Head of Legal, Governance & Democratic Services
PO Box 1953
Bristol
South Gloucestershire
BS37 0DE

The Council will be willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact:

Department for Place
Public Rights of Way
PO Box 1954
Bristol
BS37 0DD
Email : rightsofway@southglos.gov.uk

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to orders can be awarded against objectors in cases of unreasonable behaviour. If any objections are made and not withdrawn then the council will have to refer the order to the Planning Inspectorate for determination. An Inspector will then hear the objections at a public inquiry or hearing, or in writing if the objectors agree. The Inspector can confirm an order, confirm it with modifications, or refuse to confirm it. If no objections are received the council will be able to confirm the order itself, but it has no power to modify orders.

Where a new path is being created (by a creation or diversion order) the change will come into effect only after a specified period from the date of confirmation to allow time for any necessary works to be undertaken.