
Bath & North East Somerset Council

Improving People's Lives

Public Rights of Way Section
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Our ref:
Your ref:
Date: 10/02/2026

By email only to rightsofway2@planninginspectorate.gov.uk

Dear Sir/Madam

BATH AND NORTH EAST SOMERSET COUNCIL (PUBLIC FOOTPATH BA21/13, CHARMYDOWN, ST CATHERINE) DEFINITIVE MAP MODIFICATION ORDER 2025

I am writing, pursuant to Schedule 14(7)(1) of the Wildlife and Countryside Act 1981 ("the Act") to submit an order for determination by the Secretary of State. The hard copies of the Order will be sent Royal Mail Special Delivery today and the supporting documents which are listed in the attached checklist, and which are required by the Planning Inspectorate to allow the Order to be determined, will be send in separate emails shortly.

On 5th May 2021, Donald MacIntyre of Manor Farm, Langridge, Bath, BA1 8AJ (Email: donald.macintyre@hotmail.co.uk) ("the Applicant") submitted a duly made application to Bath and North East Somerset Council ("the Authority") requesting that a Definitive Map Modification Order be made under section 53(3) of the Act to add a public footpath at Charmydown in St Catherine ("the Application") (see OMA18). The Application was accompanied by 56 user evidence forms and three witness statements detailing use of the Order Route; one additional user evidence form was subsequently also submitted to the Authority. Mr MacIntyre very sadly passed away on 18 August 2025.

The Authority carried out a thorough investigation of all the available evidence relating to the Application and consulted with interested parties in July and August 2025 (see OMA08 and OMA09). The Authority decided that there was a reasonable allegation that the claimed rights existed and that an order should be made to modify the Definitive Map and Statement. On 16 October 2025, the Authority made the Bath and North East Somerset Council (Public Footpath BA21/13, Charmydown, St Catherine) Definitive Map Modification Order 2025 ("the Order") (see OMA01). If confirmed as made, the Order would have the effect of adding to the Definitive Map and Statement a public footpath commencing from a junction with public footpath BA21/9 and proceeding in a generally north-easterly direction along a track for approximately 105 metres to a junction with public footpath BA21/9. On 10 December 2025, the making of the Order was advertised (see OMA09 and OMA10) and during the advertising period the Authority received one objections (see OMA05).

The Authority is taking a neutral stance during the determination of the opposed Order. As previously mentioned, the Applicant is deceased. The Authority has invited members of the Applicant's family, the parish council and neighbouring parish council and the two local Ramblers' representatives to present the case in favour of confirmation, but no party has to date responded express an interest in presenting the case. The Authority is satisfied that all prescribed procedures have been followed in respect of the processing of the Application and the Order and undertakes to duly publish and serve notice if the Order is confirmed and duly serve notice if it is decided that the Order should not be confirmed.

Should the Inspector deem that a public inquiry or public hearing is necessary, then there are no specific dates over the next 11 months when the Authority will not be available. Documents relating to the Order may be viewed by the public at Bath and North East Somerset Council, Civic Centre, Market Walk, Keynsham BS31 1FS during normal working hours by appointment by calling 01225 477650 or online at www.bathnes.gov.uk/CharmydownDMMO The Order Route is on land owned by Dormie Holdings Ltd who have granted permission for the Inspector to access the land affected by the Order (see OMA13). A health and safety assessment is contained at OMA14.

Please note that no artificial intelligence has been used to create or alter any part of the attached documents, information or data. I trust this is satisfactory but if I can be of any assistance, please do not hesitate to contact me.

Yours sincerely



Graeme Stark
Principal Officer: Public Rights of Way
Bath and North East Somerset Council