

INGESTRE WITH TIXALL PARISH COUNCIL

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1 December 2021

Dear Ms Titchener

Ref: 008112

s53 Applications for consideration by SCC's Countryside Rights of Way Panel

Thank you for your letter dated 19 October 2021, which has been fully considered by the Parish Council. The Parish Council wishes it to be noted that it is very disappointed by the lack of ability by SCC to provide a large-scale map, as requested, to allow for the proposed routes under consideration, to be fully identified. The map provided, as part of the consultation bundle of papers – Appendix B, is wholly inadequate for the purpose.

As the County Council has a legal responsibility for the Public Rights of Way within its area, the documentation provided to the Parish Council is less than satisfactory and whilst it is acknowledged that much of the correspondence provided is now rather old, the provision of accurate and up to date maps should have been made available. It is the opinion of the Parish Council that SCC will be making decisions, that may well impact upon the quality of residents lives within the Parish, using old and often inaccurate information, as outlined below, which is unacceptable.

Below are the comments we wish to present:

1. Application for the addition of a Public Bridleway from Hanyards Lane to Ingestre and to upgrade Public Footpath 0.1630(b) to a Public Bridleway

a) Staffordshire County Council's map supplied in Appendix B attached to the Report to be considered by the Country and Rights of Way Panel (hereinafter referred to as the Panel) incorrectly identifies the location of Brancote. Point 'E' on the map shown as Brancote should read Upper Hanyards.

b) Previously the Parish Council had been sent a copy of Martin Reay's application dated 3 January 1997 together with an attached map which was submitted with his application. The map clearly identifies points S,T,X and Y referred to on his application form. Points S and T are applicable to this particular alleged bridleway and points X and Y are dealt with in item 3 below. By some oversight the map submitted by Mr Reay has not been included with the application form at Appendix A in the Report to be considered by the Panel.

c) Point T in Mr. Reay's application is the 'Ingestre Parish Boundary' and is clearly shown there on the map attached to his application. Within an email from the County Council's

'Legal ROW Allocations' department to the Clerk of Ingestre and Tixall Parish Council on 16 April 2021 at 15.10pm a number of applications are mentioned one of which is '*...an application to add a bridleway from Hanyards Lane to Ingestre Parish Boundary ...*' Inexplicably on Staffs County Council's map at Appendix B point F is well beyond the Parish boundary shown by a thick broken black line.

d) Assuming the Justices Order of 1801 /1802 is valid then the bridleway from point F on the County Council's map (Appendix B) to the Parish boundary has been stopped up as part of the route between 'Dog Kennel Gate' and 'Tixall Park Gate'.

e) The Parish Council cannot see any good reason to upgrade the status of the footpath, 0.1630 (b), which currently finishes at the Ingestre Parish Boundary, to a bridleway and therefore request the application be withdrawn and not presented to the Panel.

2. Application for the addition of a Public Bridleway from Byway No 3 north of Stable Farm to Trent Walk Ingestre

a) No North point is shown on the County Council's map (Appendix B) and the Parish Council assumes that the orientation of the map is North to South from top to bottom.

b) If the assumption in 2 a) above is correct then it is clear from the County Council map (Appendix B) that the alleged bridleway between points C and D is to the west of the farm buildings now known as Home Farm Court. This is corroborated by the route indicated by Mr. Reay on the map attached to his application dated 6 May 1998.

c) It is clear that the alleged route passes through gardens, walls and fences of residents now living at Home Farm Court. At the north end of the alleged route, it passes through a stable block.

d) The application appears to ignore a letter from Staffordshire County Council dated 12 October 2010 to residents at Home Farm Court. The reference on the letter has been acknowledged by the County Council. Copies of this information have been provided to SCC by the Parish Clerk, via email, 18 November 2021.

The letter is headed '**RE: Wildlife & Countryside Act 1981 Alleged Public bridleway between - Trent Drive, through Home Farm Court to Ingestre Road**' and reads '*Further to your letter dated 1 October 2010, we enclose the form received from you in your relation to the your [sic] agreement to the extinguishment of the alleged public bridleway that runs through Home Farm Court and your acceptance of its existence in relation to the extinguishment only. Thank you for your help with this matter in attempting to resolve the issue.*'

The form referred to is attached to the letter and is signed and dated by the residents and reads, '*I agree* [*'do not agree'* has been deleted] *that the route that runs through Home Farm Court up to Trent Walk exists as a bridleway. I agree* [*'do not agree'* has been deleted] *that the route should be extinguished under s118 Highways Act 1980*'.

e) Evidentially it is apparent that the bridleway between points C and D, although acknowledged to exist, has been extinguished and therefore the Parish Council is of the opinion that this Report should be withdrawn and not considered by the Panel.

3. Application for the addition of an alleged Public Bridleway from Trent Walk Bridge to the public road at the south east corner of Home Farm

a) In Part A of the report, item 2 states '*To Consider applications attached at Appendix A from Mr. Martin Beddall on behalf of the Cyclists Touring Club and Mr Martin Reay ...*' Again

by some oversight the map attached to Mr Reay's application and previously sent to the Parish Council and which clearly identifies points X and Y is not included at Appendix A of the Report to be considered by the Panel. The grid reference, shown on Mr. Beddall's application, for Trent Walk Bridge is inaccurate and is a point in the middle of a nearby field. This grid reference has been included on a number of the Public Right of Way Evidence Forms. Several other grid reference points on the evidence forms are inaccurate when compared to points G,H,C and D shown on the County Council's map (Appendix B)

b) In item 47 of the Report it states, ' *The application submitted by Mr. Martin Reay also alludes to the section of the route marked C-D as well as the route marked G-H on the map attached at Appendix B and is also referred to by a number of users.*'

As mentioned in item 2 above the bridleway between points C- D was extinguished.

c) The application is for the alleged bridleway to go to the south east corner of Home Farm. Point D on the County Council's map (Appendix B) is clearly to the south west of Home Farm.

d) Appendices E (Table of Usage) and Appendix F (Copies of Correspondence from statutory consultees) referred to on page 9 of the Report have not been included in the documentation sent to the Parish Council. The Parish Council would request copies of these for completeness.

e) The Parish Council would request that this application should be withdrawn for consideration by the Panel because of ambiguities contained within the Report and that the alleged bridleway between points C-D has been extinguished.

4. Application for an alleged Public Bridleway between Trent Walk and Fiddlers Lodge

a) Because the above three applications are so obviously flawed it is difficult for the Parish Council to have credibility in this application. We have noted in the transcript of the Justices Order of 1801 at Appendix D attached to the Report it says half way along the fourth line down ' - *having upon view found that a certain part of a Bridleway from Hopton to Stafford lying within the parish of Ingestre in the said Hundred...*' For clarification would it be possible for the route from Hopton to Stafford to be highlighted on the map entitled ' *Sketch of the Roads about Ingestre intended to be diverted*

Finally, there are some other points that we wish to raise, that are of concern, as follows:

- No Public Right of Way Evidence Forms have been included in the documentation for three of the four applications.
- Has the land owner of Trent Walk been notified of the application?? Is SCC aware who the owner of Trent Walk is?

The Parish Council understands that the Countryside and Rights of Way Panel has asked for new evidence which has not been previously considered to refute the recommendations in the Report and wish to point out that whilst we have details of anecdotal evidence, we fundamentally believe that more time should be afforded to the Parish Council to collect the factual evidence that we believe exists.

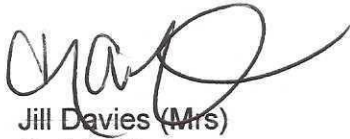
It is the opinion of the Parish Council that the reports and applications due to be considered by the Countryside and Rights of Way Panel are defective and it is for this reason that we formally request that the Panel defers any consideration of these Applications and affords an extension of time to the Parish Council to collect further evidence. It is also worthy of note,

that the original time scale afforded to the Parish Council to provide a response was unreasonable, particularly in light of the time that SCC has been reviewing these matters.

The Parish Council hopes that the above comments will be fully considered and will be available to discuss these in more detail if required.

We look forward to hearing from you further in due course.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jill Davies', with a large, stylized flourish extending to the right.

Jill Davies (Mrs)
Parish Clerk

Letter sent on behalf of Ingestre with Tixall Parish Council