

Corner Cottage
17 Home Farm Court
Ingestre
Staffordshire
ST18 0PZ

Email: [redacted] Te: [redacted]

4 January 2022

Ms. Hannah Titchener
Staffordshire Legal Services
Staffordshire County Council
1 Staffordshire Place
Tipping Street
Stafford ST16 2GH

copy to: Councillor John Francis

Dear Ms. Tichener,

Re: s.53 application for the addition of a public bridleway from Byway No 3 north of Stable Farm to Trent Walk Ingestre.

Thank you for your letter dated 15 December 2021 in respect of the above. I and my wife are the owners of land which is crossed by the route which is the subject of the above application. I would be grateful if you would make my comments available to the members of the Countryside and Rights of Way Panel.

You make it quite clear in your letter that: -

"anything other than material relating to the existence or otherwise of a public right or the status appertaining have to be disregarded under the law as it stands."

Whilst I do understand that the Panel must be guided by the law, I wonder if members are aware of just how ridiculous enacting its powers would be in this case. If they do not already know, the Panel should be aware that if this very short length of bridleway is reinstated, it has the potential to do significant damage to properties and land within the Conservation Area of Ingestre, and this would be out of all proportion to any possible benefit to anyone i.e., it will:

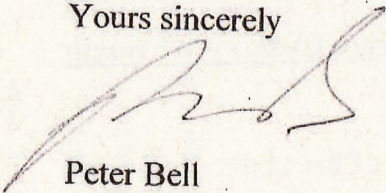
- affect at least 10 different Landowners directly; and
- a further 15 or more Landowners indirectly (potential users of the tennis court).
- involve the partial destruction of an old, listed estate wall by breaking through in two places.
- potentially require the removal of trees.
- interfere with or destroy the only parking spaces for two cottages.

- divide into two parts, the garden of one cottage.
- pass through a tennis court, leaving it unusable.
- pass through a wildlife area.
- cross a paddock close to stables.
- cross farmland.

Some years ago, in 2010 a half-hearted attempt was made by the County Council to divert/extinguish this route – we were never given an adequate explanation as to why this was not pursued. I am very disappointed that the Council, led by our elected representatives, have not tried harder to alleviate this blight on properties. The route is quite pointless, the beginning and end points being quite easily reached by other routes, and indeed, they have been for many years.

Finally, I challenge both Council Officers and Elected Representatives to make new concerted efforts to either extinguish or divert the route of this alleged bridleway as a matter of urgency. Both my property and others have been blighted for the many years that it has taken for the Application to reach this point, and I look forward to a swift resolution of the matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Bell', written in a cursive style.

Peter Bell



Protective Marking Scheme Level 3
RESTRICTED

Mr P Bell
Corner Cottage
17 Home Farm Court
Ingestre
Staffordshire
ST18 0PZ

Ann-Marie Davidson
County Solicitor
Staffordshire Legal Services
Staffordshire County Council
1 Staffordshire Place
Tipping Street
Stafford, ST16 2DH

DX 712320 Stafford 5
Fax No. (01785) 276179
Please ask for: Hannah Titchener
Telephone: 01785 854190
e-mail: hannah.titchener1@staffordshire.gov.uk

My Ref: 008112

Your Ref:

Date: 5 January 2022

Dear Mr Bell,

Re: s.53 application for the addition of a public bridleway from Byway No 3 north of Stable Farm to Trent Walk Ingestre

Thank you for your letter dated 4th January 2022, outlining your objections to the above proposed public bridleway.

Your comments regarding the potential damage to properties and the surrounding area have been noted and your comments will be put to the Countryside Rights of Way Panel when they determine the matter. The purpose of the section 53 process is not to create a new route but recognise one that already exists, whether this is through long term use or the route being a historical way. As previously advised issues such as safety, suitability, privacy, and maintenance cannot be taken into consideration when determining whether a public right of way exists or not.

In relation to an attempt being made in 2010 to extinguish/divert the alleged route, we can confirm that an attempt was made to divert the alleged route onto another line. In order for the diversion to take effect, it required all landowners affected by the route to agree to the diversion of the alleged route. This also required landowners accepting the existence of the original route, which would in turn lead to the extinguishment of the original route and then the route to be diverted onto the new, proposed line. Unfortunately, at the time not all

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landowners affected agreed to the diversion and therefore despite attempts by the Council to put in place a diversion this was unable to happen.

As already stated, your comments will be put before the Countryside Rights of Way Panel. We anticipate that the matter will be dealt with at the next Panel meeting, which is on 28th January. We will advise you on the outcome of the meeting. In the meantime, if there is anything else then please do not hesitate to get in touch.

Yours sincerely

H.J.Titchener

Hannah Titchener
on behalf of Ann-Marie Davidson, County Solicitor.

HT2 / 008112

Titchener, Hannah (Corporate)

From: Kathy Farrow <...>
Sent: 11 January 2022 10:30
To: Titchener, Hannah (Corporate)
Subject: Re s. 53 application for the addition of a public bridleway from Byway No. 3 north of Stable farm to Trent Walk, Ingestre

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Dear Hannah

Thank you for your correspondence dated 14.12.21 regarding the above.

Firstly, I find the planned route a little difficult to understand and furthermore, I see no logic in trying to take a bridleway through parts of Home Farm Court, then also through paddocks adjacent to Home Farm Court.

If my understanding is correct it will take the said bridleway through the tennis courts, which is managed and owned by Home Farm Court, for which the residents have access, my family when visiting uses these tennis courts as do other residents and their families, that on its own is going to reduce the value of the dwellings on Home Farm Court.

This bridleway also travels across paddocks directly behind my property which periodically has animals grazing, so members of the public walking across the paddock behind our property does not fill me with great joy.

Furthermore, I see no logic in trying to achieve this bridleway when you consider that if you take a point at Ingestre Hall and walk down the lane to the bottom you can then turn left at the bottom and walk to the farm and down to the river and canal which circumnavigates Home Farm Court, which in my view makes any part of a bridleway through gardens and paddocks totally irrelevant.

So therefore I object to any thought of this happening most strenuously. Also I have no wish to help the County Council to achieve this as a few years ago I was refused planning permission which had been previously granted for a garage on my driveway and the appeal was also refused.

Regards

Richard Farrow
15 Home Farm Court
Ingestre.



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RESTRICTED

Mr R Farrow
15 Home Farm Court
Ingestre
ST18 0PZ

Ann-Marie Davidson
County Solicitor
Staffordshire Legal Services
Staffordshire County Council
1 Staffordshire Place
Tipping Street
Stafford, ST16 2DH

DX 712320 Stafford 5
Fax No. (01785) 276179
Please ask for: Hannah Titchener
Telephone: 01785 854190
e-mail: hannah.titchener1@staffordshire.gov.uk

My Ref: 008112

Your Ref:

Date: 14 January 2022

Dear Mr Farrow,

Re: s.53 application for the addition of an alleged public bridleway from Byway No 3 north of Stable Farm to Trent Walk, Ingestre

We confirm receipt of your e-mail correspondence dated 11 January with your comments and objections in relation to the above application.

We note your comments that the route would be illogical and irrelevant and your concern that the route would also run through land that has animals grazing through it. We further acknowledge your concern that if the proposal goes ahead, it will reduce the value of the dwellings of Home Farm Court.

Whilst it is not our intention to belittle any legitimate concerns raised, the courts have confirmed that issues relating to safety, security, privacy, suitability, and maintenance cannot be taken into consideration when determining a section 53 application. The purpose of this process is to formally recognise an existing public right of way, whether that is through long term usage or through historical evidence, it is not to create a new public right of way. The only material that can be considered is anything that relates to the existence of a way whether for or against it.

Your comments have been noted and will be put before the Countryside and Rights of Way Panel when the matter is determined. We anticipate that the matter will be heard and determined at the Countryside and Rights of Way Panel

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meeting on the 28 January 2022. Once there is a further update regarding the proposal you will be notified.

Yours sincerely

H.J.Titchener

Hannah Titchener
on behalf of Ann-Marie Davidson, County Solicitor.

HT2 / 008112