

**Protective Marking Scheme Level 3
RESTRICTED**

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My Ref: 008112

Your Ref:

Date: 7 December 2021

Dear Clerk,

**Re: s53 Public Bridleway between Trent Walk & Fiddlers Lodge Ingestre -
Alleged Public Bridleway (Previous File LE624G)**

We are writing in relation to your letter dated 1st December 2021, the contents of which have been noted.

In relation to the Hanyards Lane application, we note that you refer to Appendix B, in particular point E being shown on the map as Brancote but it should say Upper Hanyards. Appendix B is taken from the Ordnance Survey and therefore we have no control over what is written on the map.

In relation to the map submitted with the applicant's application we will ensure that a copy of the map is included and put before the Panel.

In relation to where point F is on Appendix B, the reason why the application route doesn't stop at the Ingestre parish boundary and continues to point F on our map at Appendix B is because on review of the Quarter Session Order, there was no evidence that the part of the route that was alluded to as being stopped up, was ever stopped up and therefore there is no clear evidence that it was extinguished, therefore although the applicant has not included this part of the route in his application, we have included it as part of the application route because we are of the opinion that it does still legally exist and is a continuation



of the alleged route and therefore should be included as part of the application. This is mentioned in the report.

In relation to the application for a public bridleway from Byway No 3 north of Stable Farm your assumption that the orientation of the map is north to south from top to bottom is correct.

In relation to the alleged extinguishment of this route we refer to our e-mail correspondence sent to you on 1st December outlining that the route has never been legally extinguished. As explained in the e-mail, an attempt was made to divert the route, which would have required the route to be recognised that it existed, the route to be legally extinguished and then diverted along a new line. However, not all the landowners agreed to this and therefore the extinguishment and diversion could not take effect. Therefore, the route has not been extinguished and remains to be determined under the section 53 process.

The application for a public bridleway from Trent Walk Bridge to the public road at the southeast corner of Home Farm will not be heard at December's Panel, but we anticipate will be determined at January's Countryside and Rights of Way Panel and therefore comments in relation to this will be dealt with separately. This application is also the only application that has had user evidence forms submitted alongside the application. The other three applications were all submitted based on historical evidence, therefore there are no Public Right of Way Evidence Forms to be submitted for these three applications, as they are not based on user evidence.

The application for the addition of a public bridleway between Trent Walk and Fiddlers Lodge, the application for the addition of a public bridleway from Byway No 3 north of Stable Farm to Trent Walk and the 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 will all be heard at the Countryside and Rights of Way Panel on 10th December.

Yours sincerely

H.J.Titchener

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

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