

Woodchester Parish Council

Clerk: Ann Bijkerk

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Minutes of the Meeting of the Highways and Rights of Way Committee held on 18th July, 2019 in the Undercroft Room at 6pm

Present: Cllrs. Warnes, Dunbar, McNealey and Hamilton.

In attendance: The clerk and seven members of the public.

2019/1 To receive apologies for absence.

There were no apologies for absence.

2019/2 To receive declarations of interest in items on the agenda.

There were no declarations of interest in items on the agenda.

2019/3 To confirm the minutes of the Highways and Rights of Way Meeting 24th April, 2018.

These were confirmed as a true record, and signed by Cllr. Warnes.

2019/4 To discuss Gloucestershire County Council's proposal to create a bridleway along the current 'cycle path' from Dudbridge to Nailsworth under s.26 of the Highways Act 1980 and to agree recommendations to put to the Full Council in September.

For the benefit of members of the public present, Cllr. Warnes outlined details and the geographical extent of the proposal put forward by Gloucestershire County Council (GCC).

The purpose of the meeting had been to agree recommendations. Councillors agreed this was not possible as GCC's 'Statement of Reasons for making a Public Path Creation Order' was found to have a number of serious inaccuracies and points requiring clarification before any meaningful judgement could be made.

Therefore it was agreed the clerk respond to GCC with a list of further questions (copy of that letter attached). Another meeting of the HROW committee would be planned once a response was received.

It was agreed the clerk would contact the GAPTC and GRCC to ask if they were aware of other examples of similar issues.

Residents were asked for their feedback on the proposals based on the information available; a number of concerns were raised. These will be kept on record and taken into consideration when the Parish Council are in a position to agree a response to GCC.

Five members of the public left the meeting.

2019/5 To discuss planned resurfacing works to the 'cycle path' between Nailsworth and Frogmarsh and additional works from Nailsworth to Stonehouse and agree any questions for Gloucestershire Wildlife Trust.

Councillors agreed the following questions for clarification by GCC and the Gloucestershire Wildlife Trust:

- What are the long term aims of this project?
- Why is the resurfacing scheme limited to the stretch between Nailsworth and the point at which the path goes under the A46? Is the section from the bridge

Initials.....

under Selsley Road to Dudbridge being considered for future funding, as the surface here is badly worn?

- What will be the finished surface width of the path?
- Where will the ephemeral ponds be located? Will they affect the width of the path?
- What is meant by 'community delivery'? Is the intention for this be organised through Parish Councils?
- What types of 'interventions' are planned for community delivery along the path?

2019/6 **To receive comments from members of the public on items discussed at this meeting.**
There were no comments from members of the public.

The meeting closed at 7.20pm.

Chair..... Date.....

Initials.....

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5 September 2019

Dear Ms. Tyler,

The Parish Council thank you for the opportunity to comment on Gloucestershire County Council's proposal to create a bridleway along the 'cycle path' from Dudbridge to Nailsworth.

In considering your 'Statement of Reasons for Making a Public Path Creation Order', Councillors found it to contain a number of serious inaccuracies and statements which require clarification. The Parish Council cannot support or give a response to this document as it stands.

Therefore they would be grateful if you'd consider the following and please provide a response:

Statement of Reasons for making a Public Path Creation Order:

Point 2.

- a) Why has the limited 5km section of path from Dudbridge to Nailsworth been selected?
- b) Have the sections from Dudbridge to Stroud and from Dudbridge to Stonehouse already been designated? If so, what is their designation?
- c) This states, 'the route became an informal footpath, cycle trail and a horse riding route'; it has however been signed as a footpath and cycle path for more than 20 years.

Point 3.

- a) S.27 of the 1980 Highways Act states that, 'On the dedication of a footpath...in pursuance of a public path creation agreement, or on the coming into operation of a public path creation order,.....the highway authority shall survey the path or way and shall certify what work (if any) appears to them to be necessary to bring it into a fit condition for use by the public as a footpath (bridleway or restricted byway), as the case may be, and shall serve a copy of the

Initials.....

certificate on the local authority mentioned in paragraph (a) above or, where paragraph (b) applies, on such local authority as the Secretary of State may direct.'

The Parish Council would like to know whether this survey has taken place and when, and would like to receive a copy.

- b) There is no mention of Bird's Crossing (between Paul's Rise and Station Road) which has traffic on it. Users need to cross the road.
- c) The path crosses Station Road and does not go 'under' it. Again users need to cross the road.
- d) What is the weight limit on the footbridge over the Nailsworth stream?

Point 4.

- a) Please clarify the widths. Are these widths GCC will achieve through cutting back of verges and extending the path surface, or are these purported to be current widths? If the latter is the case and these are surface widths, they are grossly overestimated in the majority of cases. If they are the widths of the track from boundary to boundary, we ask that surface widths (useable widths) are measured in the field.
- b) Will the path and verges be maintained and kept clear?

Point 5.

- a) The route has been known and signed as a cycle path for more than 20 years and is already enjoyed by a 'substantial section of the public'.
- b) If the proposal goes ahead, will the bridleway be accurately recorded on maps?
- c) Do GCC consider this route fit for purpose as it crosses three roads and not one as outlined in the document?
- d) 5(4) – This refers to possible 'limitations or conditions' which may be specified. What might these be?

Point 12.

The path has been signed as a cycle path for more than 20 years.

Point 13.

- a) Users are not aware of any 'Code of Conduct' whatsoever.
- b) The statement is correct that it is used, 'as a means of avoiding the busy A46'. Commuters make use of this path. Has the impact of a bridleway on this use been considered? If so, what were the conclusions?

Point 14.

Initials.....

- a) This point refers to, 'several fields adjacent to the track where horses are kept'. Where are they? Do they have direct access onto the path now? If not, can access be created? Are there enough examples for this to be a viable consideration?

Point 15.

- a) As well as the three properties mentioned, the route follows a road which passes and provides access to several other properties including the rest of Goldwater Springs before reaching the Fire Station. Is this section of road a public highway or privately owned?
- b) Have access rights over the private road been confirmed?

Point 17.

- a) The route, 'provides a good level surface' in places but not over the full length. The section from the bridge passing under Selsley Road to the bridge under the A46 is good. The section from the A46 bridge to Nailsworth is, we understand due to be re-surfaced shortly. The section from Selsley Road to Dudbridge is uneven and badly worn.
- b) Passing places are small with a steep bank behind. Have GCC tested whether a horse and cyclist could pass here?
- c) Sight lines are not good (in section with passing bays) as it is on a bend. Have sight lines been tested?
- d) Have the spiked railings throughout this section been considered?
- e) There is no 'established Code of Conduct' whatsoever.

Point 18

- a) The majority of the route does not have a tarmacked surface; only the section from the bridge at Selsley Road to the bridge at the A46. The section further north is rough and untarmacked.

Section 1.Forward

4.6.5.2 'The county council will work with project partners on joint schemes where resources are available to develop cycle routes, and where there is a distinct benefit to local users.'

This scheme will reduce cyclists' 'rights'. How does GCC see it as 'developing a cycle route'?

4.6.7 – Potential Improvement Actions

Please clarify 'the linking of safe routes for horse riders'. Which 'safe routes' would this proposal link?

5.4 – Cyclists

Residents already benefit from these things. Resurfacing would achieve the aims in this section much more effectively than creating a bridleway.

6.2 - Personal Safety

Initials.....

The path is currently widely used by those walking *and* cycling to school. Personal safety can only be negatively affected by the creation of a bridleway. How does GCC see this proposal improving safety for users?

6.2.2 – Personal Safety

Where are the ‘safe crossing points’ and access points?

In addition to these issues, Councillors would like to have clarification on your aims and objectives.

When this proposal was first mentioned to the Parish Council by GCC in 2015, the issue raised at the time was one of clarifying responsibility for maintenance rather than any additional requirements arising from horse riders making use of the track.

Several options were put forward by GCC at the time, namely:

- Public Footpath
- Public Bridle Way
- Cycle Path
- Class 6 Highway

Therefore please would you clarify the alternatives to this proposal. Is it the case that the only option to solve the maintenance issue is a bridleway or are their other feasible options?

Would you also please clarify why the proposal only affects a five kilometre section of path, rather than extending further.

We look forward to receiving a response in due course.

Yours sincerely,

Woodchester Parish Council.

Initials.....