

Reference: ABS/DIV/03623

**Countryside Records
Oxfordshire County Council
County Hall
Oxford
OX1 1ND**

**Director of Environment and
Place**

15th July 2021

Dear Sir/Madam

Informal Consultation

Proposed Diversion Under the Highways Act 1980 s.119 Part of Kingston Lisle Fp 4 and Part of Sparsholt Fp 6 Kingston Common Farm.

This consultation is to seek any comments regarding a proposal by Oxfordshire County Council to divert part of the above footpath. Any comments received will be considered when OCC decides whether to make a diversion Order.

The Existing Footpath.

Kingston Lisle Fp 4 runs eastwards through Kingston Common Farm and continues south-eastwards as Sparsholt Fp 6 as shown on plan No 674/03623. The legal line runs through private gardens and a horse walker before crossing a ditch and heading along the southern side of horse paddocks to the north of a hedge. This is shown as Route AEFBC. The route then continues into the neighbouring farmland and crosses an arable field (length CD). The existing path crosses field boundaries via stiles.

The Proposed Footpath

The new footpath would run eastwards through the farm along a farm track avoiding the gardens and the horse walker and run across a new footbridge at Point E. The path would run along the southern side of the same field boundary along the adjacent field's northern edge. Kissing gates would be installed in all field boundaries i.e. Points F, G and H. The path would be diverted across the adjacent farmers field so that the owner retains the ability to re-instate a straight path through arable crops. The new path provides rising views of downland. Path widths would be 3m between A E F G, 4m between G and H and 2m between H and Point D.

Background to The Proposed Diversion.

The Council are promoting this diversion under s119 of the Highways Act 1980 in the interests of the landowner.

The current Definitive Map shows the route of Kingston Lisle Fp 4 as shown on the enclosed consultation plan with the path running through private gardens and a horse walker. The horse walker was given planning permission in 1999. At that time the relevant Definitive Map was the 1977 version which shows the path running to the north of where the horse walker is located. The subsequent version of Definitive Map (1999) shows the path running directly through the walker. This route was replicated on the 2006 definitive Map. I have enclosed a plan which shows the 1956, 1977, 1999 and 2006 Definitive Maps showing these varying routes

To address the problem this Council could make a modification Order to put the path back onto its previous alignment but doing so would then put the path through a more recently constructed barn which was erected with reference to the 2006 Definitive Map. As the landowner has made his decisions to construct both the horse walker and the barn based on the Definitive Maps relevant at that time and because the discrepancies were the result of mapping errors, this Council is proposing that the path be diverted onto the route shown on the diversion plan. The advantage is that the landowner would again have an unobstructed legal line through his property, whilst at the same time providing a more accessible route for the public.

Any comments you wish to make are welcomed and sent to the e mail below by **Friday 27th August 2021**. Should you have any queries please do not hesitate in contacting me.

Yours faithfully



Andy Sylvester
Rights of Way Officer

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GDPR and Data Protection Act: Oxfordshire County Council will collate correspondence and comments received in response to this communication, for further consideration. They may be disseminated widely for these purposes and made available to the public.