

Ms Griffiths
Chief Executive
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Corporate Management Team

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Development Obstructing Bridleway No. 724 at Bishopstoke

11 June 2018

Dear Ms Griffiths

I have sought comments from Liz Harrison, Development Management Senior Specialist and Madelaine Clavey, Development Management Enforcement Specialist and can now provide the following response in respect of your complaint regarding the unlawful obstruction of the bridleway (no. 724) in Bishopstoke.

I understand that the Ramblers Association originally supported the diversion of this bridleway, subject to legal procedures being followed first. Whilst legal procedures have commenced, the agreed bridleway link (detailed in the section 106) is not in place. You specifically asked for a response to three aspects of this case. I have therefore focussed my response accordingly.

(i) *that the Council has not been able to enforce the terms of the agreement;*

The legal agreement has not been formally enforced as of yet; officers met with Bellway on 25 May 2018 and agreed certain works which must be undertaken, as well as timelines. The bridleway will be cleared of sand and will be managed to ensure no further run-off obstructs the route. Once the landscaping surrounding the site is complete, this should fix this problem. The landscaping on site is underway and a timetable for the works to be finished is being provided to the Enforcement Specialist by the end of this week. Should Bellway not carry out what has been agreed, further advice will be sought from the Legal Team and direct action may be considered. Direct action will involve the Council undertaking the works required in the S106 agreement and then securing the costs incurred from Bellway.

(ii) *That the Council did not intervene when Bellway Homes excavated the definitive line of the bridleway, fencing off the route and then built two houses, walls and fences on the definitive line without waiting for a diversion order to be implemented;*

Any enforcement action in relation to the excavation of the bridleway prior to a diversion order being implemented would have been for Hampshire County Council to undertake .

(iii) *That Belway Homes Limited – now that the last house is occupied and Bellway are engaged in the last remaining works – have constructed a bridleway but apparently without it complying with the specification contained in the planning permission. Until a bridleway is constructed to a satisfactory standard, the diversion order cannot be brought into effect by certification;*

The bridleway is now compliant with the agreed specification in terms of its construction. Consultation with the Hampshire County Council Countryside Access Ranger has been frequent and her most recent comments have been positive, aside from comments based on the wash-off onto the bridleway and concerns over the bank feature that runs along the bridleway. Enforcement Specialist Madelaine Clavey is still monitoring the site and will keep an eye on the bridleway in particular.

In addition you asked about the Council's plans to ensure the general issue of rights of way that may be affected by development is addressed effectively in the future. I can assure you that protecting and enhancing routes for pedestrians is an integral part of the overall policy approach in our emerging Local Plan.

The largest single new development in the plan is a 5,200 new home mixed use community north of Bishopstoke and Fair Oak. The Local Plan's strategic policy for this development requires clear and accessible connections for pedestrians and cyclists within the community and to surrounding destinations. This is mirrored in the emerging master plan for the area. The Local Plan's overarching strategic transport policy also includes improvements to the pedestrian network as a fundamental part of the overall approach.

I fully understand that this must be frustrating, however I trust you can see we are doing what we can to resolve the issues you have identified. I am sorry that you had cause to complain and trust the above explanation is of assistance. If you wish to discuss this matter further, then please do not hesitate to contact Madelaine.Clavey@eastleigh.gov.uk.

Once again thank you for taking the time to bring to my attention the difficulties you have encountered.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. J. Thompson', with a long horizontal flourish extending to the right.

Andrew Thompson
Local Area Manager (Bishopstoke, Fair Oak & Horton Heath)