

Ms V Griffiths  
Chief Executive  
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**Legal Services**

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9 August 2018

Dear Ms Griffiths,

**Footpath Division Stoke Park Farm, Stoke Common Road, Bishopstoke**

Thank you for your letter of 19 July addressed to Nick Tustian to which I have been asked to reply.

I have taken on board the content of your letter and will deal primarily with the question of the way forward to ensure that the replacement bridleway is constructed in accordance with the agreed specification.

As you are aware, a meeting was held on site on 9 July to address the concerns of your local group. We have followed this up with the developer on 17 July advising –

*"It has been concluded that the footpath bridleway is currently not in accordance with the agreed specification (..) and a number of alterations need to be made:*

- *The surface should be as specified (self-binding gravel). The surface appears to be an inferior product of road planings, which may be suitable for a sub base but not for a wearing course. In places on the flatter sections this appears to have been compacted and has bound. In other areas it is breaking up, contains unscreened materials such as whole bricks and ceramics, and the edges have fallen away on both sides causing a hazard.*
- *There is no edging along the route, and the edging already put down is breaking up and needs to be replaced.*
- *The new allotment fencing is causing a trip hazard as it bends at the bottom onto the bridleway. This should be rectified.*
- *The drainage is inadequate given the topography that has been altered due to the development. Regardless of any planting water and soil will continue to run over the surface of the path creating a much greater maintenance liability than there was with the*

*previous alignment of BW724. Bellway have a duty to manage the flow of water on land so that it does not have an impact on the public path user. While the specification may not have indicated positive drainage a contractor would be expected to undertake what works are necessary to protect the laid path surface.*

- *The embankment does not appear to be built to the specifications which indicates a 45 degree slope and is very steep. This contains rubble which is mobile and is breaking up in a number of places leading to instability of the path surface (obscured by weed growth in many places). A retaining wall will be needed in certain places along the route to stop it collapsing. The path should be built to the specifications. The plan appears to show a smoother gradient and capping over the material on the edge of the path.*

- *Details of the proposed signage need to be provided and approved, as detailed in the s106.*

*Please confirm that the works/ actions listed above will be started/ submitted within 14 days of the date of this email and then swiftly completed.*

*The bridleway must be as specified; any deviations to the attached plan/ specification will need to be agreed via a variation."*

The bridleway way markers were received from the Eastleigh Ramblers and the posts have been placed in accordance with the plan agreed with the Parish Council. The bridleway construction is being reviewed with the ground workers who have been working their way through various works required to the allotments and the cemetery extension and will move to undertake the works to the bridleway once the allotment and cemetery works have been completed.

I am aware that Hampshire County Council has written separately to the developer confirming its position as both highway authority and a signatory to the s106 Agreement. It inevitable makes sense for both Eastleigh Borough Council and Hampshire County Council to co-ordinate it actions and both authorities are liaising closely about this matter.

I trust that this assists and that you appreciate that we are working proactively with your local group and its representative, Mr Kenchington, to resolve this matter. We will keep Mr Kenchington notified of developments and if either he or you have any further queries that need addressing, please do not hesitate to contact me.

Yours sincerely,



**Ian Austin**  
Legal Services Manager

cc – Nick Tustian, Chief Executive