

From: [REDACTED]
Sent: 15 Oct 2020 11:47
To: "BENTLY, Alan"
Subject: RE: FW: Proposed Diversion HBW 26 BOW

Alan,
It seems ridiculous that the applicant should be willing to accept 2.5m but not 3m?
I continue to hold for 3m for the reasons I have set out.

Whether 2.5 or 3m will require a new or modified order

regards,
[REDACTED]

----- Original Message -----

From: "BENTLY, Alan"
To: [REDACTED]
Sent: Wednesday, 14 Oct, 2020 At 16:03
Subject: RE: FW: Proposed Diversion HBW 26 BOW

[REDACTED]

I wondered whether you'd accept (albeit reluctantly) a 2.5 metre width, to help settle the case. The applicant is strongly against the 3 metre suggestion.

Alan

From: [REDACTED]
Sent: 14 October 2020 15:25
To: BENTLY, Alan
Subject: RE: FW: Proposed Diversion HBW 26 BOW

Alan, If you were to consider changing the order (through PINS I assume) why not to 3m?

----- Original Message -----

From: "BENTLY, Alan" <Alan.BENTLY@gloucestershire.gov.uk>

To: [REDACTED]

Sent: Tuesday, 13 Oct, 2020 At 15:06

Subject: RE: FW: Proposed Diversion HBW 26 BOW

Thanks. I understand your reasoning.

I hadn't realised a 2.5 metre width was previously on the cards. How would you feel about this diversion proposal with a 2.5 metre width for the section by the garden?

Alan

From: [REDACTED]

Sent: 13 October 2020 14:57

To: BENTLY, Alan

Subject: RE: FW: Proposed Diversion HBW 26 BOW

Alan,

The OSS and many walkers in my experience would be disgusted to hear that I had agreed to a width of only 2 metres between high boundary fences.

My request is perfectly reasonable and marginally improves on the previous width of 2.5m proposed in consultations in 2012 and 2017.

Now, rather abruptly, the council has published an order reducing the proposed width to a mere 2m between fences!

This may be perfectly adequate for paths through fields where people can appreciate the freedom of the countryside - as they were able to before the definitive path was obstructed.

Likewise, the alternative path provided has, to a lesser degree, also provided open and unrestricted access. A width of 3m for a newly created path between fences seems to me a reasonable compromise. To which I hope the applicant might agree?

regards,

[REDACTED] Open Spaces Society.

----- Original Message -----

From: "BENTLY, Alan" <Alan.BENTLY@gloucestershire.gov.uk>

To: [REDACTED]

Sent: Thursday, 8 Oct, 2020 At 13:51

Subject: RE: FW: Proposed Diversion HBW 26 BOW

That's a shame. I hadn't realised it was 3 metres or you object. Can't you take a more nuanced approach with this one? It's only a short section and there will be 2 metres of useable width, not just two metres of path! I think it's an OK deal, and it resolves a long standing problem.

Thanks

Alan

From: [REDACTED]
Sent: 08 October 2020 11:57
To: BENTLY, Alan
Subject: RE: FW: Proposed Diversion HBW 26 BOW

Alan, There is little point in further discussion if three metres width can't be provided throughout - particularly between a high hedge and fencing.
best wishes,

[REDACTED]
----- Original Message -----

From: "BENTLY, Alan" <Alan.BENTLY@gloucestershire.gov.uk>
To: [REDACTED]
Sent: Wednesday, 7 Oct, 2020 At 16:27
Subject: RE: FW: Proposed Diversion HBW 26 BOW

Dear [REDACTED]

Thanks for your email. I'm sorry to hear that you are taking this position, and I do understand your reasoning.

We have gone to some lengths to try to agree a full 3 metres width and have reached a compromise position with the applicant. A negotiating position of 3 metres seems quite reasonable, if it is treated as such. So we worked with the applicant to seek that and have achieved an agreement to that for part of the new route. The remainder is set to be 2 metres usable width, far more than the width of the culvert. The applicant was clear that she felt the 3 metre request was unreasonable given the width of the existing Marshmouth Lane. However we have pushed hard for it and made some progress.

Perhaps we could discuss this. My number is [REDACTED].

Alan

From: [REDACTED]
Sent: 07 October 2020 16:21
To: BENTLY, Alan
Subject: Re: FW: Proposed Diversion HBW 26 BOW

Alan,

I have been consistent throughout the last 12 years in seeking a greater width than two metres for a diversion, particularly where the intention is to permanently enclose the public way. This is unacceptable for a new definitive path in 2020 where people access the countryside for health and pleasure and, at this time, no doubt seeking relief from the perils and monotony of the current restrictions. There is no apparent reason to restrict the proposed path to the width of the culverted ditch while there is space available for a more commodious surface between the proposed boundaries. When we last communicated I was quite clear that only a width of 3 metres with an undertaking for maintenance would be an acceptable replacement for the current path.

4.3.1

However, publishing the Order has forestalled the possibility of such agreement being reached!
Please record, and acknowledge, my objection to confirmation of the current Order please.

sincerely,

[REDACTED]

[REDACTED]

----- Original Message -----

From: "BENTLY, Alan" <Alan.BENTLY@gloucestershire.gov.uk>

To: [REDACTED]

Cc: [REDACTED]@gloucestershire.gov.uk>

Sent: Thursday, 1 Oct, 2020 At 17:27

Subject: FW: Proposed Diversion HBW 26 BOW

Good afternoon [REDACTED]

We took your proposal for a full 3 metre width to the landowner/applicant and debated it with her long and hard. Eventually we succeeded in getting 3 metres for part of the route and 2 metres for an further section. We will be setting up a maintenance agreement but she did point out that 3 metres is wider than the road the path runs off! The slightly narrower section is by her garden while the section by the field will be 3 metres wide.

I hope that is acceptable to you. I am also expecting the landowner/applicant to pay for the culverting works.

All the best

Alan

From: [REDACTED]

Sent: 01 October 2020 16:11

To: BENTLY, Alan

Subject: FW: Proposed Diversion HBW 26 BOW

Hi Alan,

[REDACTED] email below has come in this afternoon. I have a day off tomorrow but can draft a reply on Monday, unless you'd prefer to respond to para 1 below?

[REDACTED]

From: [REDACTED]

Sent: 01 October 2020 15:24

To: [REDACTED]

Subject: RE: Proposed Diversion HBW 26 BOW

Thanks [REDACTED]

I note that the previous Statement prepared by [REDACTED] quoted a width of 2.5m between C-D. Now reduced to 2m, can you say why please?

In discussion with Alan in June I proposed that a minimum width acceptable was 3m.

Can you say If this was put to the applicants, and if so let me have a copy of their actual response please?

The current Statement (13) relates that the applicant will carry out the works required by the diversion but refers to the council culverting the ditch

at the roadside. Is the applicant paying for this work also please?

Lastly, can you let me have a copy of the DM abd Statement for HBW 26 and 27 please.

many thanks,

----- Original Message -----

From: [REDACTED]@gloucestershire.gov.uk>

To: [REDACTED]

Sent: Wednesday, 30 Sep, 2020 At 15:40

Subject: RE: Proposed Diversion HBW 26 BOW

Dear [REDACTED]

Apologies for the delay in responding, I have been out on site visits most of yesterday and today.

Please find attached a copy of the Statement of Reasons for the proposed diversion of footpath HBW 26 at Tagmoor Hollow, Bourton on the Water.

Regards,

[REDACTED]

[REDACTED]

Public Path Order Officer

Public Rights of Way

Gloucestershire County Council

5th Floor West, Block 5, Shire Hall, Westgate Street, Gloucester GL1 2TG

Tel: 01452 427794

Email: [REDACTED][gloucestershire.gov.uk](mailto:[REDACTED]@gloucestershire.gov.uk)

From: [REDACTED]

Sent: 29 September 2020 15:47

To: [REDACTED]

Subject: Proposed Diversion HBW 26 BOW

Dear [REDACTED]

Can you please send me a copy of the Council's 'Statement of Reasons' in making the Order?
best wishes,

[REDACTED]

Think before you print - only print this email if absolutely necessary.

This email and any attachments are strictly confidential and intended for the addressee only.

If you are not the named addressee you must not disclose, copy or take any action in reliance of this transmission and you should notify us as soon as possible.

This email and any attachments are believed to be free from viruses but it is your responsibility to carry out all necessary virus checks and Gloucestershire County Council accepts no liability in connection therewith.