

*To Ian Aston
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*Highways Act 1980 - Section 119
Order Making Authority: Gloucestershire County Council
Title of Order: PUBLIC FOOTPATHS GDY 57 (PART) (PARISH OF DYMOCK) AND GKE
38 (PARISH OF KEMPLEY) DIVERSION ORDER 2023*

Your Ref - ROW/3369910

Statement by Kempley Parish Council on evidence submitted by the Ramblers Association

Thank you for the opportunity to comment on the evidence submitted by the Ramblers Association.

In responding, we will focus on the reasons raised by the Ramblers Association for the objection that they have lodged. We take the view that arguments they make about lost paths are for another time.

Our observations are as follows:

- **Statement of case - Part 1 -Extinguishment:**
 - the evidence uses the term “recently constructed garage”. Such a term is vague and misleading. The Ramblers Association rightly point out later, that the garage has been in place since at least 2009, some 17 years ago.
 - The Ramblers Association suggest that the current footpath is a route to the centre of the village. This is also misleading as you will see on your site visit. The route neither leads to the centre of the village or to any existing services within the community. We have already made the case that GKE 29 provides an adequate route to the centre of the community at the Kempley Village Green and that GKE 39 provides an alternate route to the Queenswood car park and access to the Forestry England Woodlands.
- **Reasons that footpath GDY57 (part) and GKE38 (Points A-B-C) should be retained:**

The reason’s given for retention of the section of footpath do not stand up to scrutiny. We would reiterate our earlier evidence, and respond to the five points made by the Ramblers in the same order:

 - a) – we disagree with the evidence submitted as the footpath does not connect to the centre of Kempley Green and an alternative route to

the Village Green and the Three Choirs Way already exists using GKE 29;

- b) – we disagree with the evidence submitted in that the access along GKE 29 is already shorter and more convenient than using the route along GDY 57 and GKE 38;
- c) – we make the point that this is not a relevant reason for the retention of the footpath;
- d) – we make the point that the alternative route proposed as part of the changes provides the same attractive views as the existing footpath, and that therefore nothing is lost to walkers on these rights of way;
- e) – we make the point that this is not a relevant reason for the retention of the footpath

We conclude that no strong arguments are made for the retention of this footpath.

Obstructions that can be resolved – we would comment that no account is taken of the guidance given by Defra on diversion or extinguishment of public rights away that pass through private dwellings and that whilst it may be possible to reinstate the public right away it serves little purpose.

In summary, we see no reason to change the views that we have already expressed in our evidence to you. We also note that the Rambler Association have made no reference to the views of local walking groups who support the proposed changes.

Clerk to Kempley Parish Council

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CC to all Kempley Parish Councillors