

From: m.comber
Date: 12/11/2007 10:56:27
To: Thompson Rob (Countryside)
Cc: Thornber Cllr T K; Smith Andrew (Countryside); Allen Phil
Subject: RE: Unauthorized fencing

Dear Rob,

I hope that you received the attached pictures with my last email. These were to show the line of the path which was used prior to the fence being erected. As I explained in my email that would be the definitive line. The landowner has fenced over this and obstructed it. I therefore expect the Hampshire County Council to remove the obstruction with the same urgency that it was erected.

Please take this email as my official service of notification of obstruction by fencing and a gate plus other obstructions to BW 4 Parish of Headley.

I request Hampshire County Council as the Local Highway Authority to herewith remove under section 56 of the HA 1980 the said obstructions. The address of the landowner is:

Mr Peter Whitfield
Headley Wood Farm
Headley
BORDON
Hants

Yours sincerely

Cllr Mrs Maureen Comber
-----Original Message-----

From: Thompson, Rob (Countryside)
Date: 12/11/2007 09:24:08
To: m.comber
Cc: Thornber, Cllr T K; Smith, Andrew (Countryside); Allen, Phil
Subject: RE: Unauthorized fencing

Dear Councillor Comber,
you have raised a number of issues in your most recent email. I trust it will be unnecessary for me to revisit any comments from my previous note, although I do note your concerns.

For clarity, any landowner can enclose a previously unenclosed right of way, provided that they do not obstruct the right of way in so doing. This can be done without any form of consent or legal procedure, the important factor being that they do not obstruct the right of way. Without the benefit of a site visit, as far as I can tell the definitive bridleway line has not been obstructed as it is as you state a headland path. However, if you feel a greater width or a different path location have been used by the public then the way to test this would be via a claim that would need to be substantiated to Alex Lewis and her team. I will assume that if you feel this is necessary that you will discuss the matter with Alex.

I will discuss with Andrew Smith how best to make available the information you request as it may be something the headquarters team are already working on. I will ask Andrew to discuss this with you. Otherwise as a more general take on the situation, a gate that is incorrectly sited or impassable would be likely to be a Priority 2 and other issues relating to gates (ie maintenance, ease of use etc) would be Priority 3 or below. Currently I have a back-log of 37 Priority 1 issues, 27 Priority 2's and I estimate well in excess of 200 Priority 3's. Priority 4's and 5's do not form part of our normal work programme. Should you have any queries regarding our approach to Priority setting I would suggest you raise these also with Andrew.