

Mrs M Comber  
British Horse Society  
The Old Cottage  
Frith End  
BORDON  
Hants GU35 0QS

**National Rights of Way Casework Team**

Citygate  
Gallowgate  
Newcastle upon Tyne  
NE1 4WH

Switchboard: 0191 201 3300  
Direct line: 0191 202 3641  
Fax: 0191 202 3744

Your Ref:

Our Ref: NATROW/Q1770/529A/07/11

Date: 12 August 2008

Email: Julie.HUME@gone.gsi.gov.uk

Dear Madam

**WILDLIFE AND COUNTRYSIDE ACT 1981  
APPEAL UNDER PARAGRAPH 4(1) OF SCHEDULE 14  
AGAINST THE DECISION OF HAMPSHIRE COUNTY COUNCIL NOT TO MAKE AN  
ORDER IN RESPECT OF A CLAIMED BRIDLEWAY BETWEEN CRADLE LANE  
AND BRIDLEWAY 54 IN THE PARISH OF HEADLEY**

1. I am directed by the Secretary of State for the Environment, Food and Rural Affairs to refer to your appeal made under Section 53(5) of, and paragraph 4(1) of Schedule 14 to, the Wildlife and Countryside Act 1981 against the decision of Hampshire County Council ("the Council") not to make an Order modifying their Definitive Map and Statement for the area by the addition of a bridleway between Cradle Lane and Bridleway 54, Headley.

2. The claimed bridleway route runs for approximately 400 metres from Byway Open to All Traffic 36, known as Cradle Lane, south of the River Slea, in a generally south westerly direction along an earth track through woodland, known as Baigent's Hill, to the C102 road, Picketts Hill, to the west of the entrance to Headley Park Country Club (between points A – B – C on the attached Annex B map<sup>1</sup>). It then continues on the other side of the road on an earth path bounded by banks, crossing a gravel track leading from the C102 to Headley Park Cottages, to a junction of gravel tracks, and splits into two (between points D – E – F on the Annex B map). The southernmost route then follows an existing gravel track to connect with Bridleway 54 at the entrance to the Forestry Commission plots (between points F – G on the Annex B map), with the other route to the north following an earth path, close to Common Cottage, to connect with Bridleway 54 on Broxhead Common (between points F – H on the Annex B map).

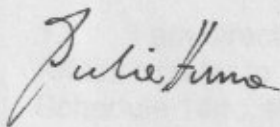
<sup>1</sup> The Annex B map being the map dated 30.10.2006, as was prepared for and accompanied Hampshire County Council's report to its Regulatory Committee of 10 January 2007

3. An Inspector, Susan Doran BA Hons MIPROW, has carefully considered all the submissions made with regard to the appeal and has submitted her report to the Secretary of State. A copy of the Inspector's report is attached as Annex A to this letter. Your case as the appellant and the case for the Council are set out in paragraphs 7 to 22 and 23 to 39, respectively, of the Inspector's report, with the responses of interested party, Mr D I Hadfield, covered at paragraph 40. The Inspector, whose conclusions are set out in paragraphs 41 to 62 of her report, has recommended, at paragraph 63, that the appeal be allowed.

4. The Secretary of State agrees with the Inspector's conclusions and accepts her recommendation. Having taken all the arguments and representations presently before him into account, the Secretary of State has reached the view an Order should be made. Therefore in accordance with the provisions of paragraph 4(2) of Schedule 14 of the Wildlife and Countryside Act 1981 he has directed Hampshire County Council to make an Order, under Section 53(2) of, and Schedule 15 to, the Act, modifying the Definitive Map and Statement for the area to add a bridleway, as described in paragraph 1 above, as proposed in your application dated 2 October 2000. This decision is given without prejudice to any decision that may be given by the Secretary of State in exercise of his powers under the said Schedule 15.

5. A copy of this letter has been sent to Hampshire County Council.

Yours faithfully



**JULIE HUME**

Authorised by the Secretary of State for  
the Environment, Food and Rural Affairs  
to sign in that behalf

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