

**From:** Maureen Comber

**Date:** 15/02/2009 15:06:59

**To:** [pat.devereux@hants.gov.uk](mailto:pat.devereux@hants.gov.uk)

**Subject:** Claim for a Bridleway from Cradle Lane to BW54 Broxhead Common

Dear Pat,

I don't know whether you remember me but we sat next to each other at the Army Benevolent Fund dinner last year. I am a Conservative Cllr for Selborne Ward EHDC.

I have a problem concerning the HCC Regulatory Committee and its procedures. To be as brief as possible, the above claim for a bridleway was deposited at HCC in 1999. Despite the fact that the statutory time limit for research is twelve months, it was 2007 before it came to the Reg. Comm where it was refused. An appeal under Sec 14 WCA 1981 resulted in the Planning Inspectorate asking HCC to make an Order which they did in October last year. There have been about a half dozen objections which as far as I can see are from the landowners and their acquaintances. However the HCC are proposing to object to their own Order, despite the fact that this would be wholly against their own policy of improving and enhancing access to the countryside as stated in the CAPS. They are doing this as they don't agree with the Inspectorate with regard to the evidence and on the premise that they are upholding the original decision of the Reg Comm.

My question is to ask if this has come back to the Reg Comm for discussion? Have the Comm been given the chance to read the Inspectors report? Have the public been given an opportunity to assist in any decision, or is this the Officers doing their own thing?

To run against the policy of improved access to the countryside on the basis of continuing to disagree with the evidence despite the decision from the Planning Inspectorate is unusual because the Council would normally be expected to remain neutral in these circumstances. It could, to my mind be folly indeed because:

1. It would be denying the benefit to the public
2. The costs could be considerable if the Planning Inspectorate decide that such continuing dissension was unreasonable, after all the evidence had been flowing back and forth between HCC and myself as the applicant, via the Inspectorate until such time as he felt well enough informed to make a decision.
3. Officer time in preparation and at the hearing itself must be an issue. It is public money and yet it will be used to try to disadvantage them at the same time as poverty is being pleaded for the dilapidated state of many of the existing rights of way.
4. Other objections will be dealt with by the Inspectorate who may or may not instigate a PI depending on whether they think the objections are sustainable

Please don't misunderstand. I am not afraid of the PI. I have been involved with several and am usually successful. I am concerned however that the Committee of which you are a member, may not have been given the opportunity to ratify their original instruction to refuse the claim in the light of the decision by the Inspector.

I would be happy to show you the route and discuss it further if I have raised your

curiosity. I live just north of Bordon on the A325 near to Country Market.

With Best Wishes

*Maureen  
Clr Comber*