



Countryside Service

NOTICE OF CONSULTATION

November 2011

Proposed public right of way along the disused railway line Itchen Valley

The County Council owns a stretch of railway line in Itchen Valley Parish running from Bridgetts Lane to Footpath 502, shown as route A-B on the accompanying map. Following the receipt of a formal application, the County Council is considering dedicating its land as a public right of way, and is consulting to determine what level of public rights it should dedicate. There are various options under consideration which take account of different types of users including:

- 1.1 **Dedication** of public rights of access for walkers only
- 1.2 **Dedication** of public rights of access for walkers and cyclists
- 1.3 **Dedication** of public rights of access for walkers, cyclists and horse-riders
- 1.4 **Dedication** of public rights for walkers and **permissive** access for cyclists
- 1.5 **Dedication** of public rights for walkers and **permissive** access for cyclists and horse riders

The difference between 'dedicated' and 'permissive' access is that dedicated access is permanent and may be shown on the County's legal record of public rights of way, whereas permissive access can be withdrawn at any time. It is noted that whilst we are consulting on the basis of a variety of options, there are currently concerns that the existing access points to the line are physically unsuitable for equestrians or, at this point in time, legally unable to be used by equestrians and cyclists. However, it is recognised that the railway provides a safe alternative to the verge alongside the B3047 and the County Council is therefore keen to seek views from a variety of different individuals, groups and organisations before it decides how best to proceed.

I would therefore be grateful if you would let me know your views on the options, preferably by the 20th December. You are very welcome to contact me should you require further information.

Emma Noyce, Countryside Access Team, Countryside Service, Hampshire County Council, Mottisfont Court, High Street, Winchester SO23 8ZF row.notices@hants.gov.uk 0845 603 5636



Itchen Valley Parish Council

Chairman: Penny Flemons,
Yew Tree Cottage Avington Winchester, Hants SO21 1DD
Tel: 01962 779303 penny@flemons.co.uk

Emma Noyce
Countryside Access Team
Hants County Council
High Street
Winchester
SO23 8ZF

1 December 2011

Dear Emma

Consultation re Right of Way along disused railway line in Itchen Valley

The Itchen Valley Parish Council has debated this matter at length, and agrees that Option **1.4: Dedication of Public Rights for walkers and permissive access for cyclists** is the best solution.

We are anxious that the footpath continues to be useful to the community, while retaining its rural nature. We do not want the surface to be 'improved' or too much of the vegetation cut away.

We would like to keep it as a safe and pleasant place for walkers, with some use by cyclists, so we consider that it would be unsuitable for other vehicles or horses.

Please contact me if you need any more information.

Yours sincerely

Penny Flemons
Chairman
Itchen Valley Parish Council

cc. Andrew Dyer, Stagecoach Mrs Bernard, Headteacher, Perrins School

Countryside Service
Rights of Way Office
Mottisfont Court
High St.
Winchester
SO23 8ZF

Wheelers Farm
Froxfield
Petersfield
GU32 1DR
01730 264178

3 January 2012

Dear Emma

Itchen Abbas dismantled railway consultation

I walked the proposed public right-of-way along this track with my husband yesterday. It is a lovely path with a good level surface, and is ideal for providing quiet informal recreation for the local community. There are four points of access; going from Itchen Abbas towards Martyr Worthy they are:-

- 1 From FP502 - this is mostly a firm wide track used for private vehicular access to neighbouring properties. It ends at a gate, with a kissing-gate for pedestrians to its right. Cyclists have created a narrow gap to the left, which could be widened for equestrian access,
2. Where the track passes over the lane south of Chillandham Cottages a steep flight of steps has been cut into the embankment against the buttress of the bridge for pedestrians. There is space to make a sloping multi-user path down the embankment which would also provide safer access to the lane. This lane is very quiet, and would provide connectivity to other routes used by equestrians,
3. A sloping path leads down the embankment to Couch Green, which appears to be a public open space of some sort. This could be fenced off along the perimeter of the green to separate users from the childrens' play area.
4. A new ramp has been built up the embankment to Bridgetts Lane. This would be suitable for all users, including disabled, though it shows no signs of use so far.

There were horses in fields on both sides of the track, so there are potential equestrian users in the area, though there were no signs that any use it at present, presumably because they have been unable to access it. The path is well-used by dog walkers, and some cyclists. It seems that some public money has already been spent on clearing the track and making access points. I do not know from where this funding has been acquired, but believe it should be used for the benefit of the widest possible section of the local community. This would be best done by dedication as a bridleway, and The British Horse Society supports this option,

Yours sincerely,

Brenda King
(County Access and Bridleways Officer)

Noyce, Emma

From: [REDACTED]
Sent: 06 December 2011 16:53
To: Noyce, Emma
Cc: [REDACTED]
Subject: Re: FW: Itchen Valley Parish - public consultation

Hi Emma,

Your consultation notice about the old railway line at Itchen Abbas has found its way back to me from Ramblers Central Office!

On behalf of the Ramblers I see no reason why this path should not be dedicated as a bridleway. The 'lesser' options seem inappropriate.

I appreciate that there are some practical matters relating to access for cyclists and horse riders to the old railway at this time. However, I don't see why this should prevent the establishment of a new bridleway, with work to resolve the access problems taking place as appropriate.

If there is any contribution I can make to help resolve these access issues please let me know.

Regards,

Alan Marlow
Ramblers Winchester Group Footpath and Access Officer

Noyce, Emma

From: Suecoles1@aol.com
Sent: 06 December 2011 18:35
To: Noyce, Emma
Cc: [REDACTED]
Subject: Itchen Valley railway line - public consultation

Proposed public right of way along the disused railway line – Itchen Valley

Dear Emma,

Thank you for consulting the CTC on the proposals for the Itchen Valley railway line.

We welcome the decision by Hampshire County Council to dedicate public rights of access along the section of the railway line that it owns from Bridgets Lane to the junction with the existing FP502 at Itchen Abbas.

The CTC considers that the route should be dedicated as a bridleway so that it can be used by walkers, cyclists and horse riders. It should be noted that all other routes East-West/West-East) along the Itchen Valley are footpaths. It is difficult to see how any of the existing footpaths could be upgraded to provide a safe, off-road route for cyclists. Cyclists currently have no off-road route along the valley and are forced to use the B3047 or the minor road on the south side of the River Itchen. Dedication of the railway line would provide cyclists, particularly less confident cyclists with a safe off-road option to the B3047. The need for safe off-road options for cyclists was identified in the Countryside Access Plan for Hampshire.

The route is ideal for multi-use. It is flat and relatively wide – being a former railway line.

I am aware there are currently certain legal and practical obstacles and I should like to respond to this point in more detail.

Access from Bridgets Lane

A ramp was recently constructed to allow users to access the railway line. This is suitable for cyclists to use. It may be appropriate to erect a small “cyclists dismount” at this location. If the ramp is not considered suitable for horses, the CTC would still prefer the route to be dedicated as a bridleway but with a TRO to prohibit horse access from Bridgets Lane until access could be improved.

Access from Itchen Abbas

The railway is accessed via FP 502. FP502 was established by a creation order. There is no known landowner and so a further creation order would allow its dedication as a bridleway. It is wide enough for vehicles and so conflict between users is unlikely.

The need to issue a creation order should not mean a delay in dedicating public rights along the railway. As there is no known landowner along this section, use by cyclists cannot be unlawful.

Options

Your consultation letter refers to various options. The CTC’s view on each of these options is as follows:

- 1.1. The CTC would not support dedication of public rights of access for walkers only. The land is publicly owned and as a former railway line it is ideally suited as a multi-user path.
- 1.2. The CTC would support public rights of access for walkers and cyclists if Option 1.3 is not feasible. In this case, the OS should be notified of public cycle rights.
- 1.3. The CTC would support public rights of access for walkers, cyclists and horse riders. This is our preferred option.
- 1.4. The CTC does not support the dedication of permissive rights for cyclists. As a permissive cycle route, it would not be shown on either the definitive map or the OS map. This would create uncertainty about who is entitled to use the path and could mean that its existence was little known.
- 1.5. Similarly, the CTC does not support permissive access for cyclists and horse riders – for the same reason as 1.4.

If there is any further help that the CTC can provide, please do not hesitate to ask.

Regards

Sue

Sue Coles
CTC Hampshire Cycling
7 Ruffield Close
Winchester
Hampshire SO225JL
Tel: 01962 864479
Fax: 0870 762 6328
Email: Suecoles1@aol.com

Noyce, Emma

From: Notices, Rights of Way
Sent: 16 December 2011 10:10
To: Noyce, Emma
Subject: FW: footpath Itchen Valley disused railway

From: [REDACTED]
Sent: 15 December 2011 21:49
To: Notices, Rights of Way
Subject: footpath Itchen Valley disused railway

To: Emma Noyce
Countryside Access Team

I would like to respond to the notice of consultation about the above footpath. I live in Itchen Abbas, and indeed my garden backs onto the proposed footpath.

I am strongly in favour of giving public rights of access for walkers, and equally strongly against allowing horses on the path. I also have some reservations about allowing cycling. The reasons are:

a) This is a rural-type path, with a rough, uneven surface including tree roots and an overhanging canopy of trees. This gives it character and makes it a very pleasant footpath, but if horses and cyclists were allowed, I believe that there would soon be calls to 'improve' the track on safety grounds, and in doing so, we would lose the present rural character.

b) The path is narrow, and mixing horses and faster cyclists (e.g. mountain bikers) with walkers would not work well.

c) Adult cyclists would be unlikely to make a detour to use this short path, when they can ride in safety along the 30 m.p.h. section of the B3047. The only cyclists likely to use the path are therefore mountain bikers wanting to use the steep sides of the cutting as ramps (which is potentially dangerous) or children. Permissive access would allow us to judge and review the type of use by cyclists, and whether any problems arose. Full rights of access do not allow this option.

I therefore support public rights of access for walkers and permissive rights for cyclists, provided there is a mechanism in place for review of the permissive access.

Yours sincerely,

[REDACTED]

Noyce, Emma

From: Notices, Rights of Way
Sent: 20 December 2011 09:21
To: Noyce, Emma
Subject: FW: Proposed public right of way along the disused railway line Itchen Valley

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

From: [REDACTED]
Sent: 19 December 2011 17:37
To: Notices, Rights of Way
Subject: Proposed public right of way along the disused railway line Itchen Valley

For the attention of Emma Noyce

Good afternoon,

I am responding to the Consultation Notice on the proposed public right of way along the railway line in the Itchen Valley. Although I live in Avington rather than Itchen Abbas I do use this track from time to time and know it well.

As I have already advised the Parish Council, I feel that option 1.4 would be the preferable choice in that access for cyclists should be permissive rather than dedicated. My reasons for this are:

1. As already acknowledged, the access routes at either end of the railway line are totally unsuitable for horse riders and also difficult for cyclists

and

2. The owners of the houses which back onto the railway line are naturally concerned at the security aspect of opening up this track to a wide variety of people.

Kind regards

[REDACTED]
Avington

Noyce, Emma

From: [REDACTED]
Sent: 20 December 2011 15:58
To: Notices, Rights of Way
Cc: [REDACTED]
Subject: Disused railway line in Itchen Abbas consultation

Emma

I have read your notice about the above scheme.

I am in favour of the line being for walkers only.

However i am aware of local informal use in a small way by families with young children on bicycles and I am not against this. I am therefore also in favour of option 1.4, it being dedicated as a footpath with permissive rights for cyclists.

I am against all other options listed.

[REDACTED]
Itchen Abbas

Noyce, Emma

From: [REDACTED]
Sent: 03 January 2012 20:53
To: Noyce, Emma
Subject: FW: Right of Way notice - consultation of possible change of usage - [REDACTED], Main road , SO21 1AX

To whomever,

Firstly I apologise for the late reply. I had only recognised the details of the notice as there was a similar note posted there some time ago and I did not recognise the new one. But I would like to register some serious concerns over the suggested change of usage as follows._

- The current drive services 2 households (Longfield House and The Lawn) and there is one extra with access via an easement , but which is never used as the access has been effectively blocked by the owners themselves (Rustenburg).
- I believe the original intention was to provide a service access to the old railway line running parallel to the main road. The land was acquired by compulsory purchase and hence also provides the drive for the 2 households mentioned. The current usage has been extended as a public pathway.
- The width is only just sufficient for a car and a pedestrian. Where an elderly person who is not so mobile is involved, or where children and dogs not on a short lease are involved or where a large vehicle is involved, the situation is not quite so safe . As the pedestrian traffic is generally quite light it is not a serious issue for joint usage as footpath and drive. Where people walk their dogs, as long as dogs are kept on a short leash, which I would suggest they should be advised to do so until reaching the gate, it is not dangerous issue. Children should be likewise well supervised.
- The main danger arises when a car turns into the drive driven in an Eastward direction along the main road as it is a direct turn into the drive which even with regular attempts to keep the access well cleared of growth it is somewhat hidden. Note that turning in from a westward direction, it is more open and one has the width of the road to see any pedestrians etc. We advise all our friends to enter slowly and carefully and as far as I know there has never been any sort of accident. Again, it maybe be useful to post a sign for those entering from the near side to "drive carefully , concealed entrance" to reduce the chances, although this may not be strictly necessary.
- Due to the very light vehicular and pedestrian traffic, even the most difficult scenario of one car entering while another is in the drive in the process of exiting, it is relatively easy for the exiting car to reverse back up the drive, whereas it would be dangerous to reverse out into the main road.
- The current arrangement of the "kissing gate" all but deters all cyclists, with the possible exception of children riding their bikes whilst accompanied by their parents, again not a serious issue as parents invariably are very aware as they approach the end of the drive. However, if the drive was opened up to cyclists, and obviously this would more likely be older children and young adults riding mountain bikes, given the terrain, rather than the average recreational cyclists. The number of possible clashes would increase quite dramatically. More importantly, the speed at which they would be exiting the drive would be far in excess of the speed of a pedestrian and this would magnify the chances of a clash and the consequences of such a clash quite significantly. Also a pedestrian is much more mobile and can move easily to avoid a clash with the possibility to step up on the bank, whereas a cyclist is not so mobile laterally and does not have the same opportunity to step out of the way and step onto the bank or to the side.
- The potential issues with Horse riders amplifies the issues even more so. There is absolutely no possibility for a car and a horse to pass safely along the drive. As a long time rider myself, I would be extremely nervous using such a footpath/drive. I would certainly not allow my daughter to use it as such and would consider it quite irresponsible for anyone to do so. Such exits onto a even a relatively quiet road need to be exclusively allocated to pedestrians and riders. The current visibility for riders also make it really quite dangerous. When I exit in my car, I need to come to the very end

23/01/2012

of the drive to gain full visibility in both directions as even with the reduced speed limits, one has to be very careful..and we know not all drivers adhere to the speed limits through such villages . Such an exit on horseback would not be safely executed with anything less than a police trained horse!

- Note also that whereas there is a footpath along the road when turning to the east, whereas there is no footpath when turning to the west. So even less room for manoeuvre for someone on horseback..the road is only wide enough at this point to have 2 cars passing so a horse would have to go onto the road as it can't use the footpath and there is no obvious bank available for their usage
- Turning a horse around in a confined space and then backing up the drive is also not always an easy operation, particularly if the horse has been "surprised" by sudden appearance of the car, or the rider is anxious as to how to resolve the impasse and horses don't always like being turned back from their homeward directions...again from experience!

These are my immediate thoughts on the subject, unfortunately I haven't had more time to consider them or write more eloquently..but I hope I have communicated by worries about opening up the access to both cyclists and horse riders. The current usage as a footpath seems to work quite well though I think there are some dangers inherent in its joint use as a footpath. Perhaps with the addition of the 2 advices mentioned above, the current safety levels could be improved.

I would be pleased to answer any questions on the points raised by email or phone as below.

Best regards

[REDACTED]

[REDACTED]

Main road
SO21 1AX

[REDACTED]