

West Berkshire Council Priority Case List: Public Rights of Way legal orders
April 2024 - April 2025

Case Type*	Title	Parish	Ward	Description
DMMO & PPO	Initial assessments of new queries and proposals as they come in	All	All	Provisions from the Deregulation Act 2015 are due to come into effect, that will put a statutory requirement for initial assessment decisions on Public Path Orders (PPOs) and Definitive Map Modification Orders (DMMOs) applications within 4, and 3, months, respectively. At present, many proposals and queries come in each year. These are assessed straight away, and preliminary investigations are carried out. At present the Council has a discretion to process Path Orders, although it has an obligation to determine all duly made DMMO applications. Accepted cases that are then prioritized make it onto the annual caselist. Refused cases do not appear on any caselist, but the investigation and informal assessment still take time and resource.
DMMO	Hungerford, Eddington Mill lane	Hungerford	Hungerford & Kintbury	Claimed Byway Open to All Traffic between Upper Eddington and public footpath Hungerford 2 (by Mill Cottage)
DMMO	Chieveley 46 Public Footpath upgrade to Public Bridleway	Chieveley	Chieveley & Cold Ash	Claimed public bridleway along existing public footpath Chieveley 46 (New Oxford Road to Snelsmore Barns)
DMMO	Welford, Weston, Elton Farm	Welford	Hungerford & Kintbury	Claimed public footpath between Elton Lane, along farm track east of Elton Farm complex
DMMO	Welford, Weston, Elton Farm	Welford	Hungerford & Kintbury	Request to record 3 metre width for short section of public footpath Welford 16 (at driveway to Echo Barn RG20 8JG)
DMMO	Purley Meadow (field between North end of Mapledurham Drive and River Thames)	Purley-on-Thames	Purley & Tilehurst	Application to record public footpath over field next to Thames Path
2023-2024				
DMMO	Byway Open to All Traffic Cold Ash 5 (MOD291 width case)	Cold Ash	Chieveley & Cold Ash	Application to record a width for the Byway Open to All Traffic on small corner section of lane between The White House, Wynd Wood and Holly Lodge. WBC decision made NOT to make order, 30th May 2024. Applicant has lodged planning inspectorate appeal (ROW3347492)
DMMO	Byway Open to All Traffic Cold Ash 5 (width case)	Cold Ash	Chieveley & Cold Ash	Application to record a width for the Byway Open to All Traffic, including verges on either side between The White House and Wynd Wood. Matter investigated. Order made 19th September 2023. Objections received. Submitted to Planning Inspectorate for determination (expected 2025).
DMMO	Byway Open to All Traffic Cold Ash 26 (width case)	Cold Ash	Chieveley & Cold Ash	Application to record a width for the Byway Open to All Traffic, including verges on either side between The White House, Holly Lodge and Beech Tree Cottage. Matter investigated. Order made 19th September 2023. Objections received. Submitted to Planning Inspectorate for determination (expected 2025)
DMMO	Anvilles to Hornhill claimed public footpath	Inkpen	Hungerford & Kintbury	Application to record a public footpath leading along a field edge from Hornhill (Sanham Green, south of Hungerford) onto Old Anvilles lane. Decision made 26th March 2024 NOT to make an order. Applicant has appealed to the Planning Inspectorate. Decision awaited.
DMMO	Claimed public footpath: Kintbury, Station Road running west along Barton Court outer driveway to public footpath Kint/14	Kintbury	Hungerford & Kintbury	Application to record a public footpath leading from Station Road westwards to existing public footpath Kintbury 14, east of Barton Court. Decision to make order made 18th March 2024. Order made 2nd July 2024, due to be advertised for objection from 11th July 2024.
DMMO	Opposed Definitive Map Modification Order at Saltney Mead (Pangbourne)	Pangbourne	Pangbourne	An order to record this route as a public footpath was confirmed, but then quashed by the High Court in 2023 as the decision to confirm the order made by the Planning Inspectorate was flawed. WBC now needs to decide whether or not to make another order. The Planning Inspectorate has stated that it intends to revise its guidance on whether Foot and Mouth disease land closures should serve as interruptions to use under section 31(1) Highway Act 1980. WBC decision pending.
DMMO	Opposed Definitive Map Modification Orders at Springs Farm (Purley-on-Thames)	Purley-on-Thames	Tilehurst & Purley	An order to record this route as a public footpath was confirmed, but then quashed by the High Court in 2023 as the decision to confirm the order made by the Planning Inspectorate was flawed. WBC now needs to decide whether or not to make another order. The Planning Inspectorate has stated that it intends to revise its guidance on whether Foot and Mouth disease land closures should serve as interruptions to use under section 31(1) Highway Act 1980. WBC decision pending.
DMMO	Hill Gardens-Green Hiill, Streatley - claimed public footpath	Streatley	Basildon	Application to record a public footpaths leading from Hill Gardens, across Green Hill to existing public footpath Streatley 1. Matter investigated. Order made 11th July 2023. Notification was advertised, with objection period ending 18th September 2023. Objections were received. The matter due to be submitted to the Planning Inspectorate for determination, a process likely to take around a year.
ORDERS TO BE MADE APRIL 2023-APRIL 2024				
PPO	Proposed diversion of public bridleway at Broadview Farm onto a route around the far east of the land	Bucklebury	Bucklebury, and Chieveley & Cold Ash	A decision was made to make this order on 11th January 2023, but surfacing and gating issues have since required attention to avoid objection from the British Horse Society. The proposed new route is due to be survey so that an order can be drafted and advertised for objection, autumn 2023.
OLDER CASES REQUIRING ATTENTION				
PPO	Bucklebury, Westrop Wood	Bucklebury, and Cold Ash	Bucklebury	Following a landowner application an order was made to extinguish and divert various public footpaths in Westrop Wood, which will add around 650 metres to the local public footpath network. Objections were received so WBC has no power to confirm the orders, which must either be abandoned or submitted to the Planning Inspectorate for determination. After objectors have since reasserted objections, the applicant has indicated he wishes for the matter to be submitted to the Planning Inspectorate for determination. Matter to be considered by WBC, October 2023.
DMMO	Tilehurst - Calcot Centre to Farm Drive claimed public footpath	Tilehurst	Tilehurst Birch Copse	This matter has been hold for some time. The claimed public footpath route fell into disuse some years ago. WBC has liaised with landowners and local users to see if an order might be agreed for a different route, with the same end points, for the benefit of all. Correspondence ongoing.

*DMMO = Definitive Map Modification Order case (i.e to prove/disprove existence of a public right of way), *PPO = Public Path Order case (e.g. diversion, creation or extinguishment)
 Grey Rows = WBC Decision Made. Amber Rows = WBC awaiting third party input before decision

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 From webpage: <https://www.westberks.gov.uk/article/39150>