

CC: parishcouncil@northbradley.org.uk

Subject: North Bradley Footpath 1 - Proposed application under Section 116, Highways Act 1980 - Your ref: BB/LMW/WCS 15761

Date: Mon, 16 Apr 2012 14:22:55 +0000

Dear Mrs Burke,

As you know, I do not favour the use of the Magistrates' Court's power to stop up highways except where no alternative powers exist for Wiltshire Council itself to make an Order (for example, where there are public vehicular rights over the highway in question). In this particular case, as far as I am aware, the way is not recorded as having any public rights over it other than as a footpath, so these alternative powers are available under Sections 118 and 119 of the Highways Act 1980.

Having heard the views of North Bradley Parish Council, I do not have any other objection to the stopping up of this length of footpath, but I consider that it should be made strictly conditional on the formal dedication of and addition to the relevant Definitive Map and Statement as a footpath of at least 2 metres in width of the existing way directly linking Boundary Walk to Bradley Road, Trowbridge at a point approximately 80 metres north of point A across land in the same ownership as North Bradley Footpath 1.

It seems to me that this will provide the public with a more commodious route on foot from Boundary Walk to Bradley Road than the existing route via NBRA2, NBRA3 and NBRA1 and gives a proper statutory basis for linking the two proposals together (whether formally as a Diversion of NBRA1 or otherwise).

Yours sincerely,

Francis Morland
Wiltshire Councillor
Southwick Division

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