

PLANNING COMMITTEE – 15 December 2022

5. **Public Rights of Way proposal: Three Rivers Cycling and Walking Programmes upgrade of Footpath to Bridleway at Caravan Lane High Street, Rickmansworth WD3 1HN**

Parish: Batchworth Community Council
Expiry Statutory Period: Not applicable

Ward: Rickmansworth Town
Case Officer: Jo Welton

Recommendation: That Permission be granted to progress Legal work under Section 26 of the Highways Act 1980.

Reason for consideration by the Committee: This proposal would enable cycling on this agreed proposed cycle route, by completing the upgrade of footpath 30 to bridleway, building on the HCC upgrade of the section to the east of Caravan Lane. The path is useful for cycling by local employees and school students (from both Rickmansworth school, at the top of the hill, and St Joan of Arc, at the base).

1. **Relevant Planning History**

- 1.1 The section this proposal relates to is adjacent to several developments of flatted apartments and while it does not form part of the same land parcel as these, it gives access to them for motorised traffic.

2. **Site Description**

- 2.1 The western section of Caravan Lane (Appendix A) is a footpath route off High Street, Rickmansworth with links to the Grand Union towpath and to Croxley Green (both at Lavrock Lane, All Saints Lane and Harvey Road) and connecting people with destinations including the River Chess, Croxley Great Barn and Croxley Common Moor.
- 2.2 Despite its footpath status it is regularly used by cyclists particularly those travelling to Rickmansworth School (reached via All Saints Lane, a designated permissive cycle route owned by the District Council) and importantly the adjacent St Joan of Arc school. These two schools serve around 2,800 staff and students between them, generating many trips that are or potentially could be made using active travel modes (primarily walking and cycling).

3. **Description of Proposed Development**

- 3.1 The Three Rivers DC Cycling and Walking Strategy designates Caravan Lane (over which runs Rickmansworth Footpath number 30) as part of the local Walking Network and as a potential cycling route (ref. CWS-7). This proposal would not involve any development but would change the legal status of the footpath to bridleway to create a continuous route connecting key destinations.
- 3.2 The land over which this section of the path runs (length 60 metres) has not been registered in line with the requirements of the Land Registration Acts (currently the Land Registration Act 2002). The District Council therefore published notices requiring any person with an interest in the land over which the footpath runs (as shown in Appendix A) to notify it of this interest.

3.3 This proposal to upgrade the footpath to enable legitimate cycling would be supported by Hertfordshire County Council, the local Highway Authority. At the request of a land owner, the local Highway Authority upgraded an adjacent section in 2017 to bridleway. This left a gap in this important potential cycle route between the upgraded section and the High Street, which this proposal would address to enable cyclists to the destinations listed in section 2.1. The whole path was surfaced in 2013/14 and widened, as a footpath.

4. **Consultation**

4.1. **Statutory Consultation**

4.1.1 Hertfordshire County Council is the sole statutory consultee and has been notified (its consent is not required, but the District Council has been working closely together with it on this scheme and will continue to do so). The County Council needs to be consulted before the Three Rivers District Council reaches a decision to make an Order. If an order is subsequently made, the process set out in Schedule 6 to the Highways Act 1980, and The Public Path Orders Regulations 1993, will need to be followed.

5.1 **Public Consultation**

5.2 Public consultation is part of the statutory process for this proposal under the Highway Act 1980 and must be carried out following the determination of the District Council to propose this upgrade.

5.3 As the land in question is unregistered, notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 were published to require that any person/s with any legal interest in this land notify the District Council in writing of their interest in the land and any occupiers of the land.

5.4 Four responses were received, all from persons with an interest in adjacent land, but none with any interest in the land. All respondents were contacted to check and confirm that this was the case. The planning permissions granted for the development of the adjacent flatted apartments also confirmed that the applicants whose signatures were given for the certificates did not consider that they had any legal interest in this land, although it has been surfaced and visually appears part of the development.

5.5 As the proposal relates to a highway running over the land, the land ownership is only relevant in that land owners are affected and therefore subject to more detailed consultation on a change. At this site, following the robust research and legal requirements on land owners to register and separately to respond to notices, it is considered that no owner can be found. This does not affect the viability of the proposal

6. **Relevant Planning Policy, Guidance and Legislation**

6.1 Planning Policy, Guidance and Legislation is not relevant to proposed Orders under the Highways Act 1980. This proposal would result in a proposed Order under Section 26 of the Highways Act to create a new bridleway. Other legal requirements are not relevant to this committee, having been determined by the IHED Committee.

7. **Recommendation**

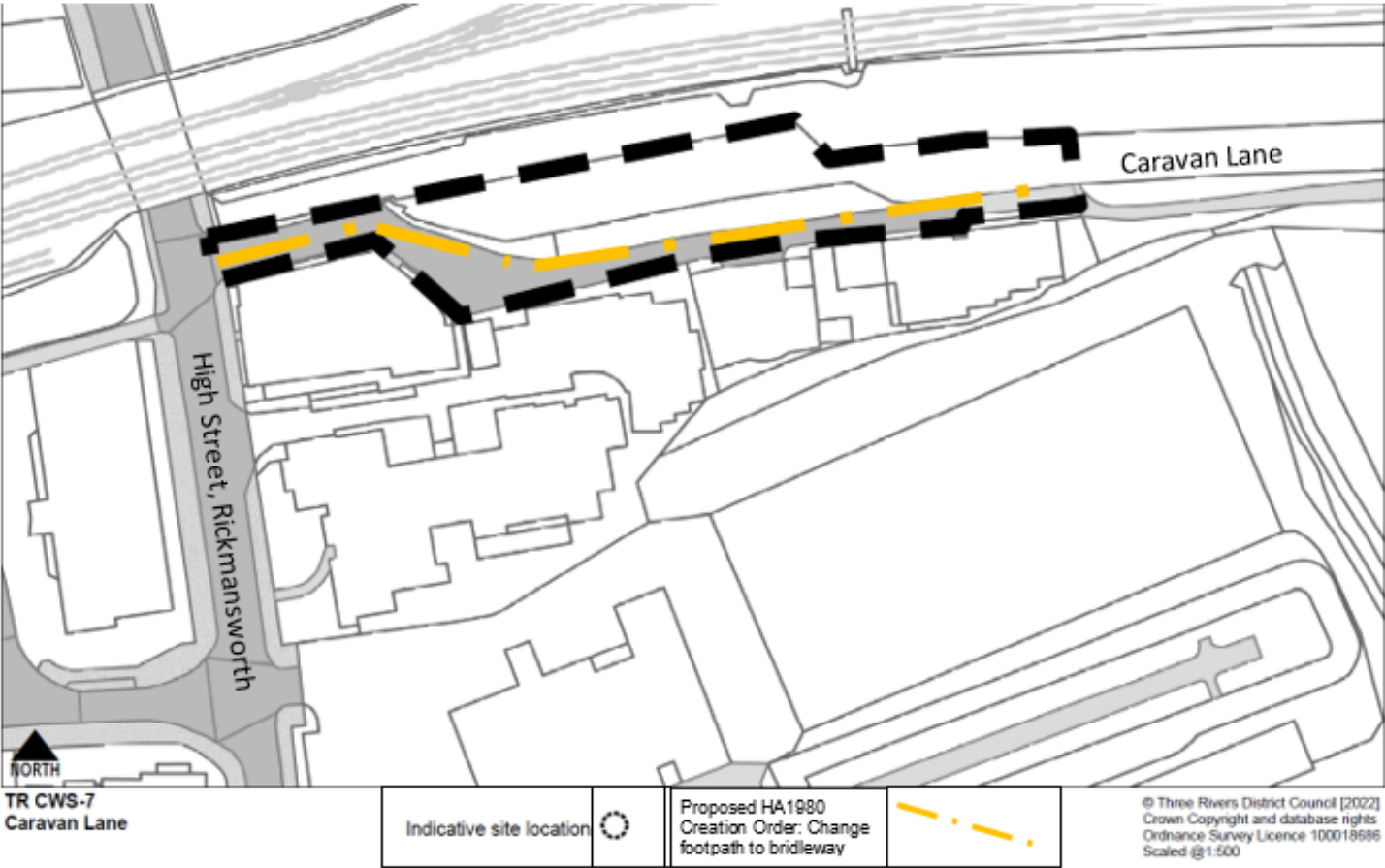
- 7.1 That CONSENT BE GRANTED for the District Council to proceed with the legal process towards a Public path creation Order needed to upgrade Caravan Lane (Rickmansworth 30 FP) to bridleway.

Reason: To enable cycling on this agreed proposed cycle route, by completing the upgrade of footpath 30 to bridleway, building on the HCC upgrade of the section to the east of Caravan Lane.

8 **Informatives**

None.

Appendix A – site location



TPP, Regulatory Services, Three Rivers House,
Northway, Rickmansworth, WD3 1RL

