

Media Release

Winterhay Lane Footpath



The Town Council is concerned about the current ambiguity relating to the status of the footpath adjoining Winterhay Lane and is frustrated at the length of time that it is taking for the relevant documents to be submitted to the Secretary of State so that the status of the footpath can be decided.

Following a resolution of the Town Council to vigorously contact organisations to try and bring about a speedy conclusion as to the status of the footpath that adjoins Winterhay Lane, a representative of the residents of Winterhay Lane (north) invited Councillors Miller and Swann to attend a meeting; the written invitation stated the meeting was about “reducing potential friction, or not” and also said an “immediate answer” was needed.

The two Councillors provisionally accepted the invitation but asked if they could have a list of items to be discussed at the meeting. On receipt of the list it was decided to decline the invitation as it would be inappropriate for such an agenda to be discussed with only two councillors and no representation from the Winterhay Action Group present.

In declining the invitation the following points were made by the Town Council

- Town Councillors are by no means experts on the current legal status of Winterhay Lane and would not wish to make statements on that subject.
- Input from the Winterhay Action Group, would be valuable in helping to identify friction, its causes, remedies and possible prevention.
- It is the Town Council’s understanding that the Northern Winterhay Lane Residents stated their case with regard to "Private Lane" notices in full at the County Council hearing, this is not a matter for the Town Council
- There has been considerable delay by Somerset County Council in referring this matter to the Secretary of State for a decision. Ilminster Town Council consider that it is in the interest of both parties that a decision should be arrived at, at the earliest possible moment, thus reducing a source of friction in the town. It is therefore the Town Council's intention to contact all parties likely to expedite the matter going to the Minister. Whilst not claiming the list is either exhaustive or that all those named will necessarily be contacted we would anticipate contacting Somerset County Council, South Somerset District Council, the current MP, The Liberal candidate for the coming election, the Conservative candidate for the coming election, and the Avon & Somerset Police Crime Commissioner. The "vigorously" refers to making a speedy effort to contact all these interested parties.
- The Council have no matters that they wish to raise specifically with the residents of Winterhay Lane (North) at the present time.
- The way ahead – The Town Council understands that once a Rights Of Way Order has been made and objections received the sole way forward is for the Secretary of State to make the decision, however if, in trying to bring this matter to a conclusion another option is identified the Town Council will consider how it may be most appropriately involved.

Ends

Note for editors:

1. Somerset County Council as the relevant authority has the responsibility for making the Footpath Order and when it did so objections were received which means that the Order has to be submitted to the Secretary Of State for a decision.
2. In October 2012 the Town Council discussed, in public, the matter of the Winterhay Lane footpath and resolved that it supported the route becoming a designated Right of Way.
3. At the Council meeting on 20 January 2015 Councillors discussed and voted on a proposal made by Councillor Miller. The following is the relevant extract from the draft minutes:

“Councillor Miller explained that he was proposing the motion because no progress has been made by Somerset County Council on submitting the documents to the Secretary Of State for a decision on the status of the disputed footpath at Winterhay Lane.

Items discussed during consideration of the item included:

- *reports to Councillors and personal experience of being harangued whilst trying to walk the disputed footpath*
- *the need for progression this matter, particularly to avoid friction increasing between those with opposing viewpoints*
- *disappointment that the timescale originally suggested by the Rights of Way Section at Somerset County Council has passed without any action being taken*
- *concern that lack of progress reflected the attitude of the Chair of the Regulation Committee towards footpaths when the matter was discussed.*

RESOLVED *that in the light of the friction which exists in the town over the continuing ambiguity as to the status of the footpath that adjoins Winterhay Lane that the Town Clerk be authorised to contact vigorously all organisations who can assist in implementing an early resolution of the issue.”*

For further information contact

The Town Clerk Joy Norris on 01460 52149 or email town.clerk@ilminster.gov.uk

Council Offices

Ilminster Town Council

North Street

Ilminster

TA19 0DG

or email town.council@ilminster.gov.uk