Appendix E

Titchener, Hannah (Corporate)

From: [redacted]
Sent: 28 November 2018 14:48
To: Murphy, Michael (S,G&C)
Subject: RE: 016104 Application for upgrade

Michael,

Thank you for the consultation in relation to FP18 at Quarnford. The Council has no evidence to present in relation to this application and does not wish to lodge any objection.

Many thanks

[redacted]

Planning Officer

High Peak Borough Council / Staffordshire Morlands District Council

Staffordshire Moorlands Contact: [redacted]
High Peak Contact: [redacted]
Mobile: [redacted]

From: Murphy, Michael (S,G&C) [mailto:michael.murphy@staffordshire.gov.uk]
Sent: 20 November 2018 15:49
To: Planning (SMDC)
Subject: 016104 Application for upgrade

My Ref: MMU/016104DW

Dear Sirs

Wildlife and Countryside Act 1981

S53 application to upgrade FP 18 Quarnford to a restricted byway

I have received an application under Section 53 of the Wildlife and Countryside Act 1981 for the upgrade of the above-mentioned public footpath to the Definitive Map of Public Rights of Way. (A copy of the application is enclosed for your information). This application is based upon historical evidence.

I am currently investigating evidence both in support and against the claim and I should be grateful if you would let me know if your organisation has any evidence it wishes to submit on this matter. If so I should be obliged if you would forward it to me by 25 January 2019.

If you require further information or I can be of assistance please contact me at the address below.

Yours sincerely

Michael Murphy | Legal Officer (Property and Development)
Staffordshire Legal Services, Staffordshire County Council
2 Staffordshire Place, Stafford, ST16 2DH
☏: [redacted]
✉: [redacted]
: www.staffordshirelegalservices.org.uk

Staffordshire
County Council

Titchener, Hannah (Corporate)

From: [redacted]
Sent: 30 November 2018 11:25
To: Murphy, Michael (S,G&C)
Cc: [redacted]
Subject: Wildlife and Countryside Act 1981 S53 application to upgrade FP 18 Quarnford to a restricted byway

Dear Michael,

We have no further evidence to put forward at this stage but do support the application.

Kind regards,

[redacted]

[redacted]
Access & Rights of Way Department

The British Horse Society

[redacted]

Telephone: [redacted]
Email: [redacted]
Website: www.bhs.org.uk

Please support our programme Changing Lives through Horses.

Donate today to help transform a young person's life. Please consider making a donation, visit: www.changinglivesthroughhorses.org.uk or text 'CLTH65 £5' to 70070 to start changing someone's life. Thank you

This email is confidential and intended solely for the use of the individual or individuals to whom it is addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of The British Horse Society or associated companies. If you are not the intended recipient be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error please contact the sender. The British Horse Society is an Appointed Representative of South Essex Insurance Brokers Ltd, who are authorised and regulated by the Financial Services Authority.

Titchener, Hannah (Corporate)

From: [redacted]
Sent: 04 December 2018 11:37
To: Murphy, Michael (S,G&C)
Subject: Upgrade Footpaths to Bridleways

Follow Up Flag: Follow up
Flag Status: Flagged

[redacted]

Ramblers Association
Open Spaces Society
Peak & Northern Footpath Society

4th December 2018

Dear Michael

Upgrade footpath 56 Cotton to bridleway
Upgrade footpath 16 Alton to bridleway
Upgrade footpath 25 Heaton, part footpath 22, part footpath 28(a) and Footpath 73 Leekfrith to bridleway
Upgrade footpath 18 Quarnford to restricted byway
Upgrade footpath 12 Grindon to restricted byway

We do not have any evidence for or against the above claims, we do however support the claims.

Yours sincerely

[redacted]

For the
Ramblers Association
Peak & Northern Footpath Society
Open Spaces Society

[redacted]

Titchener, Hannah (Corporate)

From: [redacted]
Sent: 19 December 2018 17:35
To: Murphy, Michael (S,G&C)
Subject: Re: 016104 Application for upgrade

Dear Mr Murphy

Quarnford Parish Councillors have now had the opportunity to discuss this application and are all very strongly against the proposal.

We are not sure how far back the search for historical evidence will go but two of our councillors say that it has not been used as anything other than a footpath in their lifetimes - so at least the past 70 years. Other reasons for opposition include: the fact that there is a stile part way along thus indicating that it hasn't been used for anything other than a footpath for many years; the path goes through a yard which the resident uses for stone breaking, the noise and activity could be very dangerous for riders (sudden and loud noises could cause horses to bolt) and others; the condition of the path would require considerable expenditure to upgrade it to a bridleway.

I have also spoken to [redacted], whose book 'South West Peak:history of the landscape' covers industrial history in the area and as a volunteer ranger now leads history walks around Quarnford and knows this track very well. Although he says there is a possibility it might have been used for transporting coal in the distant past with packhorses or carts, it is very unlikely due to the inhospitable terrain and the fact that there were far easier ways of moving goods around and through the area. He has found no evidence of it being used in this way. The only possible use by anyone other than pedestrians might have been a cart or horses between the 2 farms along the way, one of which I believe has long been derelict.

Unfortunately many local residents feel that horses, both individually owned and from the nearby trekking centre, have caused damage to several local tracks and are concerned that this path will also deteriorate, especially if mountain bikes etc also use it

I imagine you will have spoken to the Peak Park as a consultee but if not, then I believe [redacted] will be able to help. [redacted]

I hope this information helps, please let me know if the Parish Council can help further.

[redacted]
Quarnford Parish Council

On Fri, 7 Dec 2018 at 14:44, Quarnford Parish Council <[redacted]> wrote:

Excellent, yes thank you, that's really helpful

Thanks again

[redacted]

On Fri, 7 Dec 2018 at 12:19, Murphy, Michael (S,G&C) <michael.murphy@staffordshire.gov.uk> wrote:

Dear [redacted]

Effectively the applicant is alleging that at some point in the past the route has had a higher status than footpath and they are relying on historical documentation to prove this rather than evidence of use.

Titchener, Hannah (Corporate)

From: [redacted]
Sent: 12 December 2019 11:23
To: [redacted]
Subject: Fwd: Upgrading footpath Quarnford 18, to restricted byway, application 2/11/19

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPhone

Begin forwarded message:

From: [redacted]
Date: 12 December 2019 at 00:28:51 GMT
To: rightsofway@staffordshire.gov.uk
Subject: Upgrading footpath Quarnford 18, to restricted byway, application 2/11/19

Dear Rights of Way Officer,
I am writing to oppose this application by Louise Redfern on behalf of Staffordshire Moorlands Bridleways Group.
I have attached photographs, taken on 11/12/19 to explain my concerns, they show how saturated, with long areas of standing water this fragile path is.
Virtually the whole length of this proposed upgrade is peaty and boggy as it crosses Gradbach Moor. The heather that grows along the banks and edges and into the path itself has been in the slow process of re-generation over the last 5 years or so.
Gradbach Moor suffered badly from over- grazing in the past, but now with low stocking densities and thankfully the right balance of walkers, the Moor and the path are pristine and delightful. See photos.
As you descend from the Moor the path becomes very narrow, I'm not sure who would have right if way in this situation, but it would probably mean that either walkers or horses would have encroach beyond the path and trample on the verges.
Horses can be quite intimidating, and their heavy impact would not be suitable along this rare stretch of quiet , peaceful enjoyment.
Yours Sincerely,
[redacted]

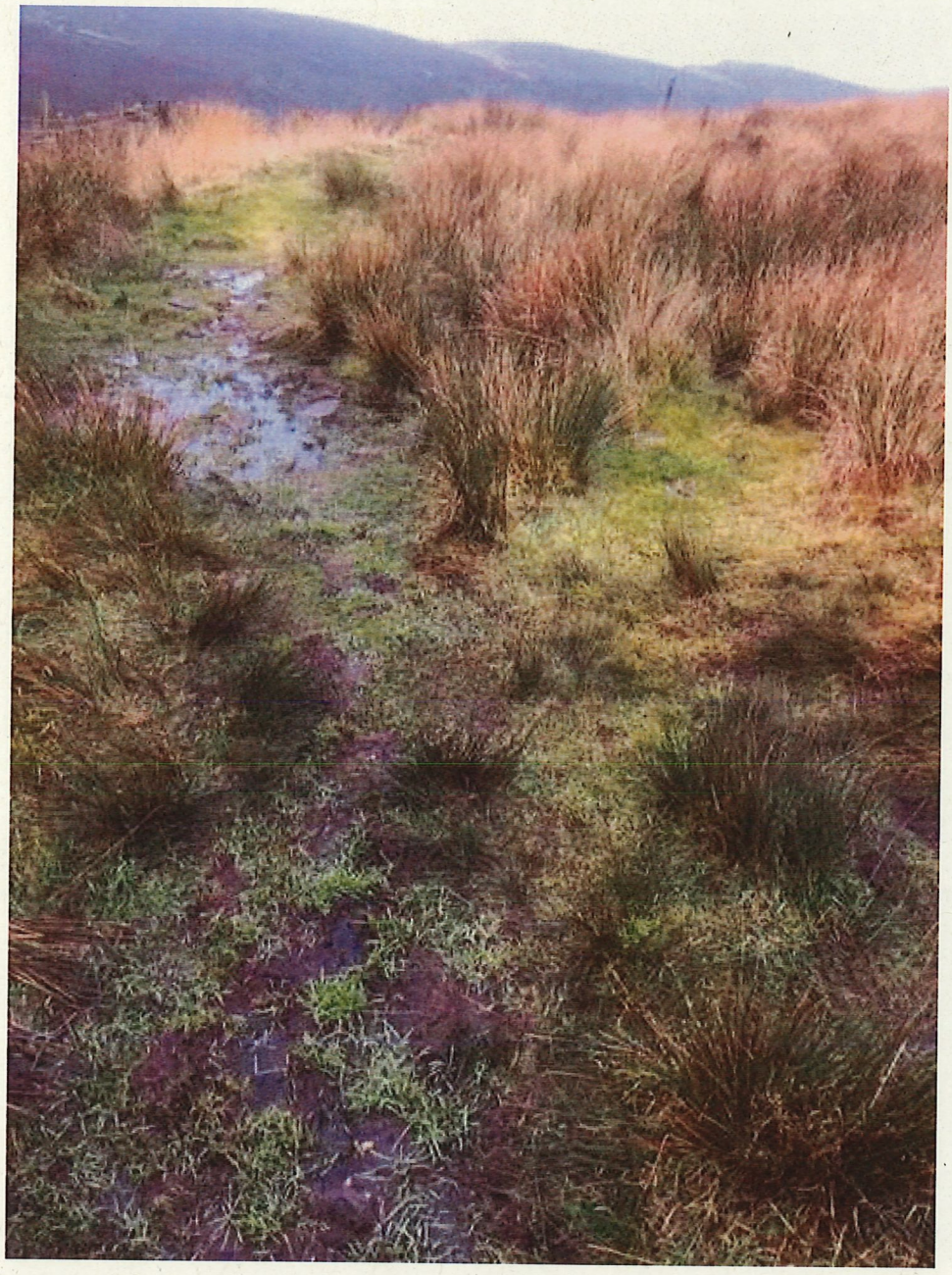
Titchener, Hannah (Corporate)

From: [redacted]
Sent: 12 December 2019 11:23
To: [redacted]
Subject: Fwd: Photos showing boggy , fragile vegetation along the

Sent from my iPhone

Begin forwarded message:

> **From:** [redacted]
> **Date:** 12 December 2019 at 00:35:38 GMT
> **To:** rightsofway@staffordshire.gov.uk
> **Subject: Photos showing boggy , fragile vegetation along the**
>
> Quarnford 18 Footpath.



Sent from my iPhone

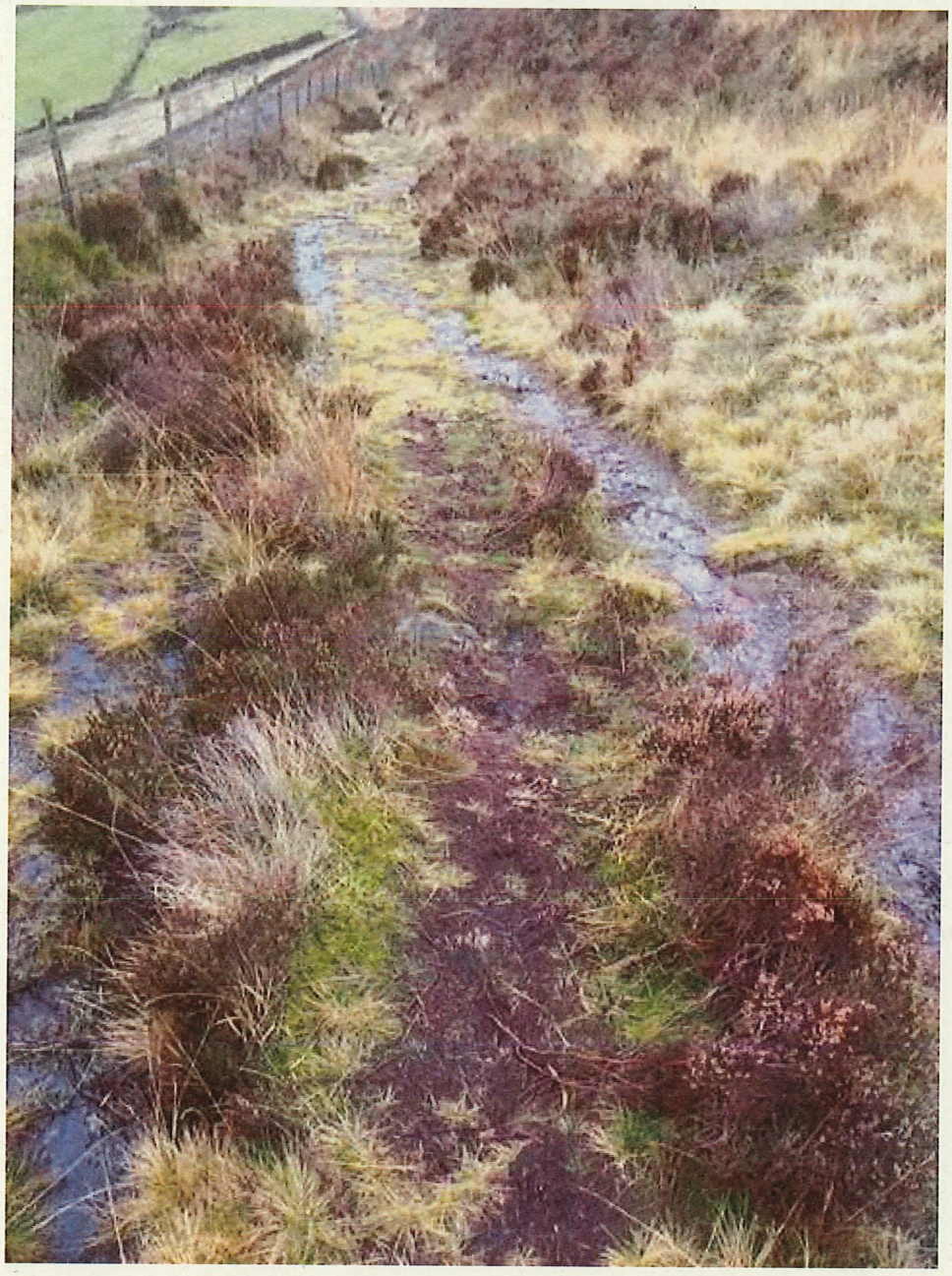
Titchener, Hannah (Corporate)

From: [redacted]
Sent: 12 December 2019 11:24
To: [redacted]
Subject: Fwd: Fragile vegetation along the proposed upgraded footpath Quarnford 18

Sent from my iPhone

Begin forwarded message:

> **From:** [redacted]
> **Date:** 12 December 2019 at 00:45:23 GMT
> **To:** rightsofway@staffordshire.gov.uk
> **Subject: Fragile vegetation along the proposed upgraded footpath Quarnford 18**
>
> Dear Rights of Way Officer,
> If the upgrade was approved, would the County Council drain and stone the boggy areas to prevent the path being churned into deep mud?
> and to preserve the path in it's present condition for the enjoyment and consideration of walkers?
> Yours Sincerely,
> [redacted]



Sent from my iPhone