



WHEATLEY PARISH COUNCIL BRIEFING PAPER – MAY 2023

EXTENSION OF PERMISSIVE FOOTPATH ACROSS ALLOTMENTS

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Strategic Goal:	Goal 1 To continue to support the village so it becomes a vibrant and sustainable community for everyone.
Strategic Aim:	1.2 Identify the needs of young people in the village and work with partners to deliver services.
Summary:	Wheatley Parish Council (WPC) are supporting Oxfordshire Play Association (OPA) to seek additional funding for a new Youth Club for Wheatley.

1. Introduction

- 1.1 Following a request to the council, to consider extending access to the permissive footpath, to the wider community, this briefing paper will share key information for members, to aid discussion at the Open Spaces Committee meeting 25.05.2023.
- 1.2 The details of the request can be viewed in Appendix A.

2. Key information

- 2.1 WPC owns land in Littleworth, currently managed as an allotment, for nine tenants.
- 2.2 The allotments are bordered by properties along Kelly's Rd and Littleworth
- 2.3 To aid access for allotment tenants, there is a permissive footpath through the allotment area.
- 2.4 To maintain the permissive footpath, access is restricted for 24 hours, at least once a year.
- 2.5 The council last considered a similar request in May 2021 (OSC 21-22 min ref #8ii) and did not wish to change access.
- 2.6 Over six-months has passed since this decision, and in line with WPC's Standing Orders, this item can be reconsidered.

3. Considerations

- 3.1 Access to Littleworth Nature Park is currently via Littleworth Rd, Old Rd and Kelly's Rd, although this does require visitors to either walk along a busy, winding road with little or no designated footpath, or via a steep footpath, crossing a small water course.
- 3.2 Residents backing onto the allotments have voiced their concerns, citing concerns over safety, security, and loss of produce. A summary of correspondence received, as of 19.05.2023, is available in Appendix A.
- 3.3 Whilst the council has allocated funds for the management of its 'open spaces' there is no designated budget for additional fencing or signage.

4. Recommendations

- 4.1 To ascertain a greater understanding of the benefits from users and concerns from residents/allotment holders, it would be advisable to undertake formal consultation with all stakeholders and the wider community.
- 4.2 Consultation could run over a two/three-month period allowing the Open Spaces Committee/Full Council to consider the responses at its meeting in September 2023.

APPENDIX A

1. Initial request, made by Footpath Warden and member of Littleworth Nature Reserve:

As Footpath Warden for Wheatley Parish, and an active member of the Friends of Littleworth Nature Reserve, I have been asked by several people if it would be possible to access the Nature Reserve via a path through the allotments and former railway cutting, from the footpath between Littleworth Green and Keydale Road.

This would have several benefits for those wishing to visit the Nature Reserve, the key benefit being the avoidance of the dangerous bends (for a pedestrian) through Littleworth, past The Cricketers, etc. I note that one of the policies of the Parish Council is to "Make Our Village Safer" (Goal 3). This is also an extension of the "Green Route" through the village, via the Coopers Close footpath (Goal 2 part 1).

This path does not need to be a public right of way, but could be a permissive path, similar to those on The Howe. I am not aware of any problems posed to the allotment holders by these paths. I believe that it is practical to make a path through the cutting, as I have walked through whilst assessing the flooding situation with Roger Bettess, when there was a problem in 2021.

Whilst I appreciate that there is the option of accessing the nature reserve via Keydale Road and Kelly's Road, then across the railway cutting, not everyone can cope with the fairly steep climb up Kelly's Road, and the 73 steps across the cutting. Also, I believe that the access from Kelly's Road to the footpath is private property, and there is no right of access there.

As of the end of April, there have been 63 messages of support for this proposal from members of the "Friends of Littleworth Nature Reserve" Facebook group. There have also been opposition from 6 people, largely those whose property adjoins the allotments, and are worried about privacy and security. However, some residents whose property adjoins are in favour of the idea.

2. Correspondence received 19.05.2023

Resident 1 – Ref public access to allotments behind Kelly s Rd.

Have been informed that at the moment there is no right of way--however this is all going to be changed so that anybody can walk across and through the allotments, 365 days a year. This if it happens will allow people to steal possible tools and crops, ie strawberries. beans, anything that can be used. Also what about peoples privacy and possible house or garden property broken into, plus the fact you could be seen in your own back garden, all privacy gone. This should not happen at any cost. Therefore, I make the request to have this order CANCELLED. It should never have been raised in the first place. Thank you.

Residents 2

Further to our telephone conversation in which you mentioned that you had received a request to consider allowing a permissible path through the Littleworth allotments.

We have concerns with such a proposal and we are writing to make the council aware of these.

We have lived at 9 Kelly's Road, and have been allotment holders, for approximately 25 years. The back of our house looks onto the allotments and we have always abided by the terms of our allotment holder lease; keeping the allotment clear and well maintained and growing a variety of fruit and vegetables on it.

Since the 'No Public Access' signs went up, a couple of years ago, we do still see people occasionally walking through the allotments, but this is far fewer than before. If a permissible path is allowed, then it is very likely to result in a significant increase in people walking through the allotments. If this is the case, we feel we will be affected in the following two ways:

1. Security - over the years we have had three incidents where access was from the allotment.

- Our summer house has been broken into and the lock prised off.
- An individual was seen peering into our neighbours property for an extended period of time who ran off when questioned (we can provide a photograph of this).
- Two individuals were captured on camera looking into the back of our property at

10.30pm from the allotment (we have a video and photo captured from a wildlife camera usually used to capture footage of our resident badgers and visiting deer).

After discussion with two of our neighbours, we have discovered that they have also been broken into at the back of their properties via the allotments. While I am sure the majority of people who might pass through are well meaning honest people, not everyone is and an increase in those knowing about this fast, unlit route to Littleworth Road, with easy access to the rear of all properties on Kelly's Road should be avoided.

2. Privacy - as people walk through they quite often slow down, or even stop, for a look into our garden. We use the garden a lot for family activities and meals so it can be quite alarming to unexpectedly feel someone watching. An increase in traffic will only make this worse. I should say that we have always been friendly and have never attempted to stop anyone or turn them back.

What do we suggest? In order of preference:

1. Stay as we are. If there are a small number of people who feel it would be more convenient to walk through the allotments, let them. Talk to those who may have previously tried to prevent them and state what the alternative is i.e. to make access a permissible path. This is the most neighbourly and conflict free solution. We would be willing to help with this solution by talking to neighbours, etc...

2. Make it a permissible route but solve the privacy issues for those who will be impacted. In our case that would be a fence alongside the proposed path - we can't speak for how this might be solved for other residents of Kelly's Road. This solution will be costly and is likely to lead to ill feeling. It does not solve the potential security risk posed by more people being made aware of our vulnerability. We are aware that 'Friends of Littleworth Nature Reserve' have conducted a poll on this matter on Facebook. We know of neighbours who would be directly impacted by this decision, who do not use Facebook, and were not aware this poll was taking place. We would therefore like to request that the council takes into account the views, not only of those who are looking for a convenient route to the reserve, but also all of those whose privacy and security might be affected.

2nd correspondence...

1. Undemocratic. This proposal has been put forward mostly based on the outcome of a Facebook poll of the 'Friends of Littleworth nature reserve' (the poll has now been removed). Do the Councillors feel that this is democratic and represents the community as a whole? Have the residents who will be mostly affected been consulted (many are unlikely to have seen the Facebook poll)? Has the Council informed all residents and given them the opportunity to put their point of view forward?

2. Unique site. The siting of the allotments and their proximity to the houses on Kelly's Road is quite unique. It is only by visiting the site and talking to those affected can a true judgement be made. Have any of the Councillors visited the site and seen for themselves the effect this path would have on residents' security and privacy?

3. Allotment holders. Have the current allotment holders been made officially aware that this proposal has been put forward and the effect this is likely to have on them? Will this path eventually lead to a free 'pick your own' ?

4. Impact on nature. Has anyone taken into account the effect an increase in foot traffic through the Nature Reserve (which I understand is not official) will have on the local wildlife - how many more people will it attract? The bats have already disappeared. Will the deer be driven further out? Badgers? Will the paths continue to widen? Will we see more barbecues? More vandalism? Damage to trees? Litter?

While we support an open discussion being held on this subject, the process so far has been wholly undemocratic, has already caused tension between neighbours and created a feeling that things are happening behind people's backs. If a decision to go ahead with the path is reached on Monday,

without taking this into account and addressing peoples legitimate concerns around privacy and security, this community ill feeling will only increase.

Resident 3

The proposal to make a Permissive Path through the allotments could increase the number of people using it.

At the moment a few people use it & that is not a problem.

If it is opened as a public path this would cause the proper□es backing on to the allotments security problems.

Resident 4

It's a privacy and security issue. Until the Parish Council put up No Right of Return Way notices people were often wandering around and nosing around over fences. We also had a couple of thefts. There is no reason why this should be made a permissive path. If walkers do have a safety concern then they should use the alley leading to Keydale Road and then onto Kelly's Road and the steps. You could make better use of your time arranging appropriate signposts for that route rather than creating another which affects the residents of Littleworth.

Resident 5

I understand there is a proposal to allow public access to allotments situated behind Kelly's Road, Wheatley.

I would like to register my opposition to this proposal. The access to these allotments from our property, 13 Kelly's Road is open as it is and of some security concern. A greater access to this area is bound to cause greater security concerns.