

IN THE MATTER OF THE TRANSPORT AND WORKS ACT 1992
AND THE APPLICATION BY CHILTERN RAILWAYS (BICESTER TO OXFORD
IMPROVEMENTS) ORDER

RE: THE PROPOSED CLOSURE OF THE PEDESTRIAN LEVEL-CROSSING
AT THE TRAP GROUNDS OFF ARISTOTLE LANE, OXFORD

Department of Transport Reference TWA/10/APP/01/OBJ/5

SUBMISSION TO PUBLIC LOCAL INQUIRY

FURTHER SUBMISSION WITH EVIDENCE IN RESPECT OF THE RIGHTS AND
PRIVILEGES OF THE FREEMEN OF OXFORD OVER PORT MEADOW AND THE STATUS
OF THE MEADOW AS COMMON LAND AND ITS DESIGNATION AS A SPECIAL AREA
OF CONSERVATION

Submission made by:

Ian Salisbury
24 Lathbury Road
Oxford OX2 7AU

tel: 01865 250777

ian@salisbury.eu

fax: 01865 250999

DX: 145844 Oxford 6

Submission

- 1 This submission is made by me, Ian Salisbury, having heard this morning at the opening of the Inquiry representations made by a Freeman of the City of Oxford, Ms Cobb, concerning her and others' rights and privileges over Port Meadow.
- 2 In essence the Freeman objected to the consideration of any proposal affecting any of the land of Port Meadow, inferring that the Inspector has no jurisdiction and therefore no power to permit any part of the draft Order either under the Transport. I support that objection.
- 3 Common land remains protected from development by statutory controls. The principle controls are contained in the Commons Act 2006 and the Acquisition of Land Act 1981, but other controls are contained in various public and local Acts and Orders.
- 4 Any application to make changes to the meadow should be made under these provisions and not the Town and Country Planning Acts or the Transport and Works Act. No such application has been made and it is respectfully submitted the Inspector is therefore not empowered to deal with this matter, nor will he be unless due and proper notices are given and the matter delegated to him.
- 5 This is no trivial matter. Port Meadow is designated under the name "Oxford Meadows" as a Special Area of Conservation¹ for the reasons that are given in the Natura 2000 Standard Data Form², namely:
 - 5.1 **Lowland hay meadows** (*Alopecurus pratensis*, *Sanguisorba officinalis*). Together with North Meadow and Clattinger Farm, also in southern England, Oxford Meadows represents lowland hay meadows in the Thames Valley centre of distribution. The site includes vegetation communities that are perhaps unique in the world in reflecting the influence of long-term grazing and hay-cutting on lowland hay meadows. The site has benefited from the survival of traditional management, which has been undertaken for several centuries, and so exhibits good conservation of structure and function.
 - 5.2 **Creeping marshwort** (*Apium repens*). Oxford Meadows is selected because Port Meadow is the larger of only two known sites in the UK for creeping marshwort *Apium repens*.
- 6 In Chiltern Railway's Rebuttal Proof of Evidence in relation to the Evidence of Ian Salisbury (**CRCL/R/OBJ5**) revised proposals are made raising the height of Bridleway on the Meadow side of the Aristotle Lane Bridge. It is submitted that the Inspector should not consider this part of Chiltern's application or any other part that is subject to control under the Commons Act 2006.
- 7 Also in this submission, the Inspector is asked to note the application made on 1 November 2010 to the Department of Communities and Local Government under the Acquisition of Land Act.

..... [signed]..... 2 November 2010

1 See the Joint Nature Conservation Committee's website: <http://tinyurl.com/trapground21>
2 See <http://tinyurl.com/trapground22>