

## **The Ramblers**

### **Chiltern Railways Bicester to Oxford Improvements Order 201(X)**

#### **Statement of Case**

We have 2 objections to the proposed changes to the public rights of way network as set out in the Chiltern Railways Public Rights of Way Report of December 2009.

- a. The proposed extinguishment of Oddington Footpath No. 6 to the north of the railway.
- b. The proposed extinguishment of Gosford and Water Eaton Footpath No. 4 to the south of the railway.

#### **a. Oddington Footpath No. 6**

We object to the proposed extinguishment of the footpath Oddington No. 6 to the north of the railway as part of the Chiltern Railways Bicester to Oxford Improvements Order 201(X) under the Transport and Works Act 1992.

We refer to the extract from Ordnance Survey digital map data, as produced in the Chiltern Railways Public Rights of Way Report, Annexe G, page 114, Figure G2, which shows the proposed closure of Oddington 6 and the subsequent diversion. (RADoc 1).

Our case is based on the following premises which we believe are relevant to the evidence to the inquiry.

1. The Oddington Public Right of Way Footpath No. 6 proposed to be extinguished forms part of the direct route from Charlton-on-Otmoor to Weston-on-the-Green enshrined in the Oddington Enclosure Award of 1791. (RADoc 2). It is therefore an ancient enduring footpath at least 200 years old and, as a remnant of a world long since disappeared, deserves to be preserved.
2. The net difference in length between the present definitive line and the proposed one is stated to be 1.73 km (around 1.08 m). This is a significant distance, and should it occur under a 'normal' Highways Act 1980 Section 119 diversion this application, based on past cases, would be refused as being definitely not in the public interest.

The proposed diversion would make the total length walked between Charlton-on-Otmoor and Weston-on-the-Green about 6.09 km (3.78 miles), as compared to 4.36 km (2.71 miles) under the present line. This is totally unacceptable given that 1.1 km (0.68 miles) of the proposed diversion is in relatively close proximity to the southern side of the railway line. This is covered under point 3.

3. We are given to understand that in the first stage 4 passenger train services plus 1 freight service, in both directions, will operate per hour on the improved line. This might well rise to 5 passenger trains plus 1 freight service per hour in the future. This will also be at a much increased speed perhaps up to 100 miles/hour.

We calculate that it would take an average walker 16 minutes to travel along the 1.1 km (0.68 m) assuming a reasonable speed of 4.0 km/h (2.5 m/h), which

in our terms is a moderate pace. Should the walker be walking at our leisurely pace of 3.2 km/h (2.0 m/h) then it would take 20 minutes. So if a train is passing at the first stage every 12 minutes in both cases the walker would be subject to the noise and the wind buffeting of a high speed train twice. If the frequency rose to 6 trains per hour then the faster walker would be still likely to encounter 2 trains but the slower walker would have the misfortune to encounter 2 to 3. Railway enthusiasts might well appreciate that, walkers would definitely not; they walk in the countryside for peace and quiet.

4. Apparently one of the main grounds on which this application for extinguishment is based is the difficulty of providing bridge maintenance due to access problems. Surely with a modicum of imaginative thinking this could be overcome. There are roads within 0.5 km of the crossing and with landowner good will a rough and ready trackway could be built to accommodate such vehicles, which could be used for bridge maintenance.

We feel that an easy option has been taken here. Keeping this right of way would remove the need for a long path along the side of the railway line, only leaving the need to retain that necessary for the Oddington Footpath no. 2 diversion. We are sure that this scheme would meet with public approval.

5. There is an anomaly in the statement on page 65 of the Chiltern Railways Public Rights of Way Report Annexe A on Level Crossing Options Appraisal (RADoc 3), where it states under the Usage Line that Oddington 6 appears reasonably well used then goes on to give one of the reasons for not proceeding with the bridge option that there are low levels of use of this right of way. It cannot be both!

Apparently a user survey was carried out in June 2009 over 3 separate 1 hour periods on a Sunday, as stated in the Chiltern Railways Public Rights of Way Report, Annexe D, and Page 84 (RADoc 4). One survey of 3 hours on 1 day is nowhere near the period necessary for a meaningful result.

We are not against the concept of the high speed rail link as we as an organisation support increased use of public transport but we feel that this right of way should be preserved and not consigned to the dustbin of history.

#### **b. Gosford and Water Eaton Footpath No. 6**

We find the closure of this right of way south of the railway unacceptable. We refer to the extract from Ordnance Survey digital map data, as produced in the Chiltern Railways Public Rights of Way Report, Annexe G, page 114, Figure G3, which shows the proposed closure of Gosford and Water Eaton Footpath No. 4, and the subsequent diversion.(RADoc 5) The following details our arguments against extinguishment.

1. The proposed diversion goes north-north-west from point V on the map along the eastern side of the A4165 for 0.7km (0.45 m), a busy road which provides access into Oxford city centre, then follows in a north-north-east direction alongside the north side of the A34 for a further 0.7km (.45 m), before rejoining the definitive line. In our experience nobody chooses to walk by the side of a busy road for pleasure, never mind the extremely busy motorway like A34. One of the reasons this footpath is little used is it crosses the A34 without benefit of any pedestrian friendly crossing.

2. In our view a far better solution is to keep the definitive line to the railway, then follow that north east about 0.5 km (0.3 m) to the new bridge provided for the Gosford and Water Eaton BR5. The A34 may then be crossed whilst not in peace and quiet at least in relative safety. With a bit of forward thinking, a traffic free route from the south to the Water Eaton Parkway could be provided, which would enable the people of Kidlington access to the station.

J C Orchard

2<sup>nd</sup> August 2010

### **List of Documents**

**RADoc 1 Chiltern Railways Public Rights of Way Report, Annexe G, page 114, Figure G2**

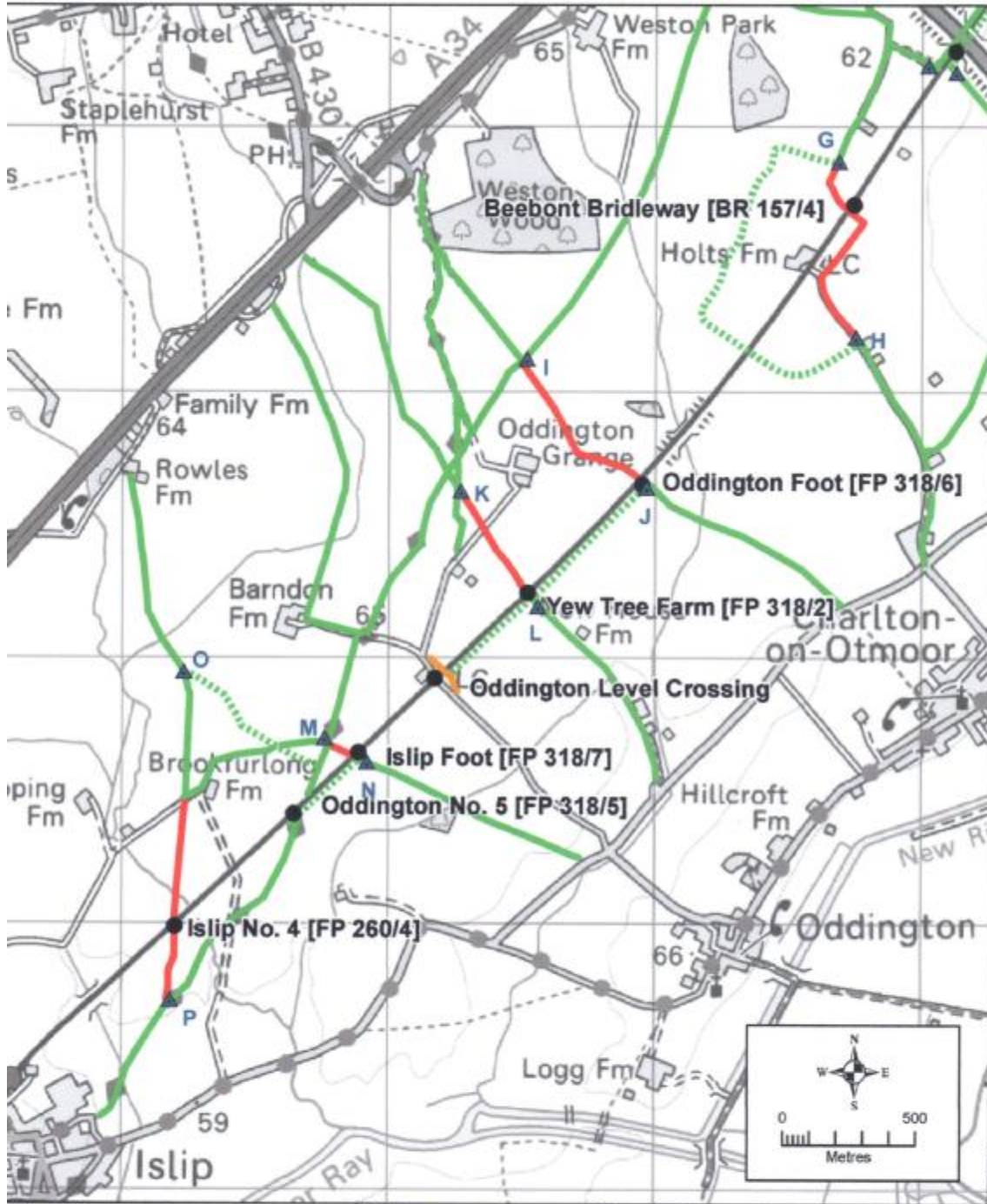
**RADoc 2 Photograph of the type script of the Oddington Enclosure Award of 1791**

**RADoc 3 Chiltern Railways Public Rights of Way Report, Annexe A, Page 65**

**RADoc 4 Chiltern Railways Public Rights of Way Report, Annexe D, Page 84**

**RADoc 5 Chiltern Railways Public Rights of Way Report, Annexe G, page 114, Figure G3**

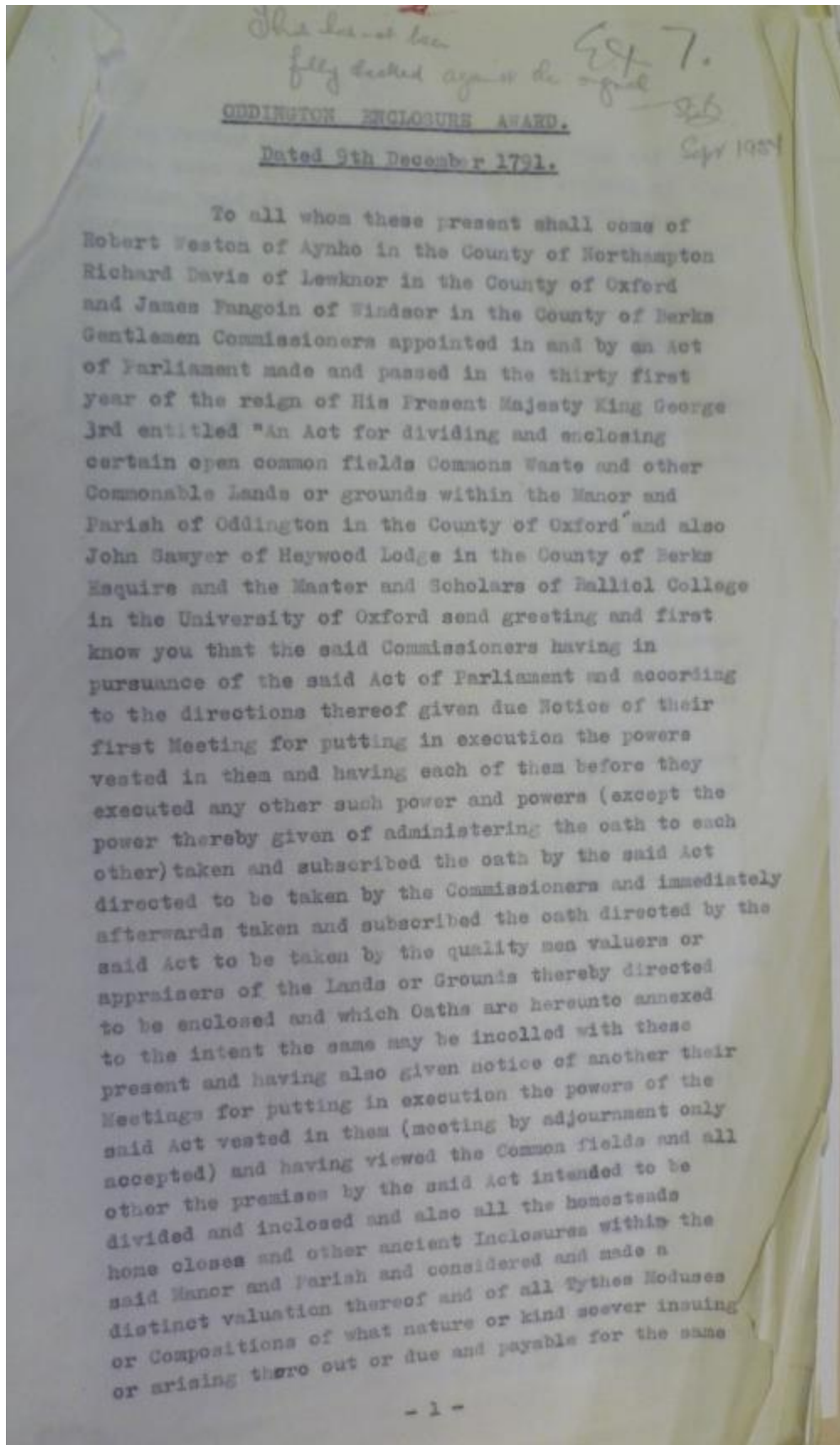
# RADoc 1: Map Showing the Oddington Footpath 6 Area



<b>KEY:</b> ● Railway crossing ● Closure of railway crossing ▲ Measuring point — Closure of footpath/bridleway — Existing footpath/bridlepath - - - - - New/diverted footpath/bridlepath — New highway	CLIENT: <b>Chiltern Railways</b>	SIZE: A4	TITLE: <b>Figure G2          Proposed Rail Crossing Closures          and Footpath Diversions</b>
	ERM Eaton House Wallbrook Court North Hinksey Lane Oxford, OX2 9QS Telephone: 01865 384800 Facsimile: 01865 204982		DATE: 15/11/2009 DRAWN: IG
SOURCE: Reproduced from Ordnance Survey digital map data. © Crown copyright. All rights reserved. 2009 License number 013005 1073. PROJECTION: British National Grid		DRAWING: ES0909_Footpaths_A4_G2.mxd	REV: 0

ERM This print is confidential and is supplied on the understanding that it will be used only as a record to identify or inspect parts, concepts or designs and that it is not to be used for construction purposes without permission.

**RADoc 2: Photograph of the type script of the Oddington Enclosure Award of 1791**



to the Rector and his successors and having had laid before them the said Commissioners at several of their Meetings held in pursuance of the said Act a Survey admeasurement and plan of the said open Common fields Commons and other Commonable Lands or Grounds by the said Act intended to be divided and inclosed and also of all the homesteads home closes and other ancient Inclosures within the said Manor and Parish (except certain old inclosed Grounds and Woods called Oddington Grange belonging to Sir Henry Watkin Dashwood Baronet) setting forth ascertaining and describing the contents of the whole Premises and the several parcels of land and number of Acres Roods and Perches belonging to each proprietor made and taken by Paul Parkins of Winslow in the County of Bucks Land Surveyor and said Paul Parkins having previously verified the same on oath as directed by the said Act and the said Commissioners having persued examined and well considered such survey admeasurement and plan and also heard and diy informed themselves of the rights and Claims of all parties interested therein and settled and determined the same and all differences and disputes whatsoever as well as all other matters and things relating to the said inclosures by the said Act admitted unto them they the said Commissioners have set out and appointed and by these presents do in the first place set out and appoint the inclosed herein

Roads No.1.

after mentioned (that is to say) one public carriage road of the breadth of forty feet leading from the Parish of Islip into through and over the open field of Oddington in the present course as the same is now staked out to the Parish of Charlton being part of the public Road from

No.2.

Islip to Charlton Fencot and Marcot one other public carriage road of the like breadth of forty feet branching out of the last described public road in a South East direction and passing over Plots of Ground called the Great Common and Mortar pits way to the village of Oddington near the Parsonage house and from thence turning in a north east direction and passing between Moor Furlong and Moor Furlong Closes into the said Parish of Charlton the first described part of the said road being part of

- No.3. the road from Oddington to Islip and the latter part of the road from Oddington to Charlton one other public carriage road of the like breadth of forty feet branching out of the first described road in a North West and Northward direction and passing nearly between the furlongs called Rushy Common and Kortway and across and along other furlongs called Pitmoor Elder Stump Longing Lands Little Lamb-Cut and Great Lamb-Cut (as the same is now marked and staked out) to a certain Gate situate at the entrance of the old inclosures called Oddington Grange being part of the road
- No.4. from Oddington to Weston on the Green one public footpath of the breadth of four feet leading from the South West end of the village of Oddington into the Parish of Noke in the present course and crossing the
- No.5. Brook at a bridge in Long Meadow being part of the foot road from Oddington to Noke one other public foot path of the like breadth of four feet leading from the same place as the last described path across the Brook in Maggots Bridge Mead in the present course and falling into the first described carriage road at the westward corner of Great Millway
- No.6. furlong being part of the foot road from Oddington to Islip one other public foot path of the like breadth branching out of the first described public carriage road at a place called Sweet Green and leading in the present course to a Gate at the Westward corner of Brook Furlong farm being the Church Path from Oddington to the said Brook Furlong
- No.7. farm one other public foot path of the like breadth leading from a certain Gate in Oddington Grange Closes to the aforesaid westward corner of Brook Furlong Farm and from thence passing along the West side of Mead Lands Upper Brook and Lower Brook Furlongs and across Picked Brook Furlong to a stile in another old Inclosure
- No.8. of the said Brook Furlong Farm being part of the foot road from Ricester to Islip one other public foot path of the like breadth leading out of the first described public Carriage Road across the field next Charlton in the present course to a gate belonging to Oddington Grange Farm and one other public footpath to the like breadth leading from a certain stile in an old inclosure

belonging to Oddington Grange Farm at the South Corner of Oddington Wood and passing across woods and furlong into Charlton field being part of the foot road from Weston to Charlton

No. 10.

one private carriage road and drift way of the breadth of thirty feet branching out of the third described public carriage road in Little Lamb Cut Furlong and passing in a North West and South West direction along Great Lamb Cut Long Barndon and Meadlands Furlong as the same is now marked and staked out to a Gate at the East corner of a certain old Inclosure belonging to Brook Furlong Farm being intended for the use of the owners and occupiers of the Lands adjoining to the said road and of the said Brook Furlong Farm and of certian old inclosures belonging to Magdalen College

No. 11a.

called Moor's Closes one other private carriage road and drift way of the breadth of thirty feet branching out of the last described private road and proceeding in a North East course along Little Moor Upper Furlong to a certain Gate at the West Corner of an old Inclosure belonging to Oddington Grange Farm being intended for the use of the owner and occupiers of the lands adjoining the said Road and of the owners and occupiers of the said farm called Oddington Grange and Brook Furlong the which said public and private roads and ways herein before particularly set out mentioned and described containing together by Lands measure seventeen acres one rood and thirty six perches are all the public and private roads and ways the said Commissioners think requisite to be set out and appointed in over through or upon the Lands or Grounds by the said Act directed to be divided and inclosed and the said Commissioners in further pursuance of the said Act have set out another and appointed and by these Presents do set out allot and appoint all those two plots of Land hereinafter mentioned (that is to say) one plot of Land containing by statute measure half an acre situate in the Commonfield called the Woodfield bounded on the South East by the public road leading from Oddington to Charlton on the South West and North West by the first allotment herein swarded to the Master and Scholars of Balliol College and on the North East by the Parish of Charlton and also one other plot of land containing by Statue measure half an acre situate in the Common field called

Allotments  
for Home  
Quarries.

### RADoc 3: Level Crossing Option Appraisal

Name:	Oddington Foot
OS Grid Ref:	SP 54960 16661
Railway Ref.:	OXD 23m 35ch
Type:	Public Footpath
Function:	Public footpath (recreational) - links Charlton-on-Otmoor and Weston-on-the-Green
Usage:	Appears reasonably well used.
Proposal:	Close LC and footpath to northwest side of railway. Provide link to new Oddington OB (24m 07ch) on southeast side of railway (Existing public rights of way provide necessary links on northwest side).
Alternatives considered and reasons for dismissal:	1. Replace with footbridge at site of crossing - low levels of usage and proximity to proposed bridge to replace Oddington AOCL mean that cost and visual impact of separate structure cannot be justified.
	2. Retain and upgrade crossing - undesirable due to increased safety risk resulting from increased speed and frequency of trains.
	3. Close full length of footpath without direct replacement - undesirable impact on rights of way network (walkers to / from Charlton-on-Otmoor would need to walk via busy road to reach alternative route across railway).
Key considerations in determining proposal:	
Railway engineering and operations:	Retention of crossing undesirable from safety point of view. Access difficulties for bridge construction.
Land and property:	Footbridge might require small areas of third-party land. Diversion of footpath via Oddington Grange crossing would require acquisition of rights over third party land.
Planning:	Potential visual impact of bridge.
Ecology:	No obvious impact.

**RADoc 4: Chiltern Railways Oxford to Bicester: Summary of PROW Surveys Undertaken on Sunday 14/06/2009**

Name of Crossing	Type	Duration	Time Periods	Number of Users
Langford Lane Level Crossing	Public Road	All day	09:00-18:00#	14 pedestrians
Elm Tree Farm No 1	Public Footpath	3 hours	10:30-11:30, 14:00-15:00, 17:00-18:00	0
Wendlebury Foot	Public Footpath	3 hours	10:30-11:30, 14:00-15:00, 17:00-18:00	0
Beebont Bridleway	Public Bridleway	1 hour	09:00-10:00	0
Oddington Foot	Public Footpath	3 hours	10:30-11:30, 14:00-15:00, 17:00-18:00	0
Yew Tree Farm	Public Footpath	3 hours	09:00-10:00, 12:00-13:00, 15:30-16:30	0
Islip Foot	Public Footpath	All day	09:00-18:00#	4 pedestrians
Oddington No.5	Public Footpath	All day	09:00-18:00#	0
Islip No.4	Public Footpath	3 hours	10:30-11:30, 14:00-15:00, 17:00-18:00	0
Islip Level Crossing	Public Road	All day	09:00-18:00#	37 pedestrians
Water Eaton No. 5	Public Bridleway	All day	09:00-18:00#	39 pedestrians 0 equestrians
Gosford and Water Eaton No.	Public Footpath	3 hours	09:00-10:00, 12:00-13:00, 15:30-16:30	0
Gosford and Water Eaton No.	Public Footpath	All day	09:00-18:00#	1 pedestrian

Note: # Hour break 13:00-14:00

RADoc 5: Map Showing the Gosford and Water Eaton Footpath 4 Area

