

Minutes of West Hagbourne Parish Council Meeting held at Hagbourne Village Hall on Wednesday 2 July 2025 at 7:30pm.

Present: Parish Cllrs: D. Tozer (Chair), M. Leishman, R. Wilkes, J. Freeland; District Cllr. A.M. Simpson, County Cllr. Johnny Hope-Smith, Mr. A. Wise (Parish Clerk) and 6 residents

25/963 Opening of Meeting	DT opened the meeting at 19:30 hrs with a warm welcome to all attendees	
Administrative Matters		
25/964 To receive Parish Councillor's apologies for absence	<ul style="list-style-type: none"> District Cllr. C.Topping and Cllr A. Wimshurst 	
25/965 Declarations of personal and prejudicial interest from Parish Councillors	<ul style="list-style-type: none"> Chair declared that one of his clients, Accession Healthcare Consulting, has asked him to become their General Counsel. He will be doing this on a part-time basis, alongside his existing legal practice at Keystone. 	
25/966 To approve the minutes of the meeting of 7 May 2025	<ul style="list-style-type: none"> It was proposed by DT, seconded ML, that the minutes be signed as a true record. Carried nem con. 	
25/967 To agree any outstanding actions from minutes of the meeting of 7 May 2025	<ul style="list-style-type: none"> All action items had been completed except for 25/979 	
Open Session		
25/968 To hear reports on OCC and SODC activities from any OCC or SODC Councillor's present	<ul style="list-style-type: none"> <u>SODC Report</u> - attachment 7 <u>OCC Report</u> – attachment 8 Cllr Hope- Smith updated the meeting on his efforts to support the PCs efforts to get Moor Lane redesignated. He explained that the advice from his officials at Highways (namely Mike Walker) is to either go down the Traffic Regulation Order (TRO) or to go through the Magistrates Court but this will likely cost in the region of £9k and take longer - see 25/974. Cllr Hope-Smith to provide information on the options to Chair, Clerk and ML for discussion. Clerk to add Moor Lane decision to the September Agenda. 	Clerk
25/969 To hear representations from members of the public	<ul style="list-style-type: none"> John Baile shared with the meeting his recent experience when looking to renew his house insurance that Saga refused to insurance his property due to recent flooding in the village (other insurers did not raise this as an issue). Valerie Brownsword raised the issue of the pre-application notice by 7 Manor Close that they intend to build a second property on the site. See 25/971 Super User (Chris Lay) to escalate the state of the footpath in Grove Terrace 	
Planning Matters		
25/970 Discussion and decisions on any new planning applications since the previous meeting	<ul style="list-style-type: none"> Planning applications reviewed - attachment 5 	
25/971 Discussion and decisions on any other ongoing planning matters	<p>Chair explained to the meeting that the current owners of 7 Manor Close Mr & Mrs Woods had advised the Parish Council that they had recently submitted a pre application for a new dwelling to be built at the rear of number 7 Manor Close, and have been advised to seek guidance from the Parish Council as its likely position. AW who is the councillor with responsibility for Planning provided the meeting the following written report read out by the Chair:</p> <p>As mentioned previously, I can't see any planning reasons for WHPC be against it the</p>	

new house.
It will probably annoy York Road #14 to 16, as it's at the bottom of their gardens, and I think get some strong resistance from neighbours along Manor Close, as they did for the office building in the rear garden of the house at the front of the property.
The house looks OK to me from a building point of view, it does have a shared drive with whoever will be the owners at the front, but that would be their issue to deal with. Not huge impact on the village in terms of traffic or drains.
We would point out to SODC that the unadopted road serving that part of Manor Close, will cause issues in future when it needs to be repaired or resurfaced.
Robin's point about sewers is clearly something to be resolved for any additional property at that end of the village. Roof and surface water drainage should be dealt with by soakaways, that's in current building regulations. On the precedent point, yes any additional houses will create a precedent. But for any additional house, there needs to be access to the roads and services (water, sewage and electricity). The other plots at the back of York Road can't directly access any roads, which should make them very difficult to get planning permission, and we have stronger grounds to oppose any of these. On the point about speaking to other residents of Manor Close/York Road. I'm not sure how useful that would be at the pre application stage, as this is more about the planning issues not local concerns.
I think one issue that will arise is that the land in question, might currently be seen as an orchard, possibly viewed as a village amenity land. I would suggest we remind residents that there is very little of such land in the village, just the Bus Shelter, Phone Box, and a very small Green with a tree in it. All other land in our village is owned by someone, and can be used for the purposes outlined in its planning status.
If SODC allow this new house where there are lots of trees and wildlife, then their biodiversity experts must be happy that there is no major loss of said biodiversity. This is not an area where any of us will have expertise, so I'd defer to the SOSC expert on this point. That's all my points for this. Andy
Upton PC Planning Meeting 3 July 2025 to discuss:
MATERIAL UPTON PLANNING APPLICATION: P24/V2170/FUL – Land at Wattle Cottage Farm, Prospect Road, Upton, OX11 9HT
Change of use of land from equestrian to a mixed use comprising equestrian and a Gypsy/Traveller site to include 4 pitches, each with 1 mobile home, and relocation of an existing container.
ML and RW kindly offered to attend this meeting to represent WHPC.
Clerk to circulate agenda on village email first thing in the morning to give residents a chance to attend.

Clerk

Drainage Matters

25/972 Any questions on ongoing highways matters (see report submitted– included here for reference)

Flooding Summary Report for WHPC Meeting on Wednesday 2 July 2025 by RW
Activities Since Last Meeting:

- OCC Surveys of Underground Pipes at Enard Cottage, Moor Lane and under York Farm: were completed in w/c 16 June 2025. We await reports from OCC. Expression of Interest Grant Applications submitted to OCC: for further investigation and work on both the Manor Close and Moor Lane ditches were both unsuccessful and not funded.
- GWP Didcot Drainage Investigations/Calculations: following the discovery of missing hydrobrakes by SODC/OCC in late 2024 and their subsequent installation in early 2025, we await advice on how this might affect the levels of water coming into West Hagbourne. We are pursuing this information from the GWP developers and drainage advisors via SODC and this situation has also been discussed with our MP, Olly Glover, following the local Flood Summit he chaired in April 2025.
- Flood Group Work: some further work was done on clearance of the Moor Lane

	<p>ditch, which will be discussed at our meeting [see below].</p> <ul style="list-style-type: none"> • Purchase of Equipment for Flood Group from WHPC funding: items for both drain and ditch activities are being reviewed by RW for imminent purchase. RW would like to discuss ongoing funding, in line with other Flood Groups in the area. • A reminder that a stock of sandbags are held by the Parish Council and available to villagers in need. RW is currently putting together other ideas on other flood resilience options for consideration by villagers and will present in due course. • The Parish Council had received a communication from a non-resident concerning the clearance work in the Moor Lane ditch, expressing concern at the seasonal timing of the work and the condition of the track/ditch afterwards. It was agreed that clearance work would continue to always be carried out in a sensitive manner, keeping in mind the critical need to keep drainage channels clear. For such work, some immediate 'mess' should be expected due to the nature of the working conditions - mud, water, etc. and the occasional requirement for machinery but this 'mess' is generally short-lasting. Usually, foliage removed from watercourses will however be relocated to adjacent banks. • RW will look to put in place a generic risk assessment for drainage activities. • RW to ask Rowan Napper if he would help to clear the buildup of weed which is clogging a section of the Moor Lane ditch with his motorised equipment in the Autumn, with the PC to pay as necessary. <p>Chair thanked Robin and his Flood Group on behalf of the PC for all their hard work.</p>	<p>RW</p> <p>RW</p>
Highways and Transport		
25/973 Any questions on ongoing highways matters (see report submitted– included here for reference)	<p>Roads, Traffic and ROW - Report 25/6/2025</p> <ul style="list-style-type: none"> • Community Speedwatch - the group continues to conduct fortnightly sessions and has now monitored over 2000 vehicles of which 320 have been reported to TVP for speeding offences. The group will be participating in the National Community Speedwatch Day next month. • SID - Speed Indicator Device - our application for replacement SIDs has been successful and the latest update is that they are expected to be installed in place of the existing 30mph ones on Main Street, in July. The new signs will collect useful traffic data which can be downloaded and used for monitoring purposes. • Traffic Management - OCC Highways has informed me that the review of signage and traffic management, through the single file traffic section of Main Street, is still scheduled for this current financial year. It is expected that a meeting will be arranged for early autumn. • Pavements - the damaged, broken up pavement surface on Blissets corner has been reported on OCC Fix My Street. • A letter of complaint (supplied) has been sent to Thames Water concerning discarded equipment and debris left by the company following repair works on parish byways. – See attachment 6 • *Two wooden footbridges that span watercourses on the path between Moor Lane and Upton need repair and have been reported to the OCC Countryside Access team. • *SSEN have been contacted after a resident raised concerns regarding leaning branches across Moor Lane that are also affecting electricity cables. • Other items: Email received from an Upton resident requesting help regarding environmental health issues on the site known as Wattle Cottage Farm in Upton. Email circulated to WH residents asking for any evidence or witness reports to be 	

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	sent to Andrew. The site is now subject to a planning application (item on agenda) which has been submitted to VofWHDC and we are now in communication with Upton PC.	
25/974 Moor Lane byway update	<ul style="list-style-type: none"> Chair took the meeting through his report which can be found in appendix 8. See 25/968 for progress on this with OCC Cllr Hope-Smith. 	
25/975 Community Matters (see report submitted– included here for reference)	<p>JF Report</p> <ol style="list-style-type: none"> As you are aware the telephone box has now been finished and I think it makes a big asset to the village. I would like to get the notice boards repainted and the seats around the tree which are looking rather shabby! The bus shelter roof needs attention too! Litter boxes are on-going! <p>It was proposed by DT, seconded ML, that JF can spend up to £500:00 repairing and painting the noticeboards and the bus shelter. JF to obtain quotes for both jobs and if more than £500 then will need to bring those quotes to the next Meeting for further approval.</p>	JF
Financial Matters		
25/976 Approval of regular payments	<ul style="list-style-type: none"> Approval of payments. It was proposed DT, seconded ML, and carried nem con that the following invoices be paid: Parish Clerk's wages, Expenses, PAYE, Telephone Box Paint Job and APM Refreshments 	
25/977 Website Revamp Quote	<ul style="list-style-type: none"> Approval of Quote provided by Dark White Digital – see attachment 9 <p>It was proposed DT, seconded ML, and carried nem con that the clerk accept the quote and instruct the supplier to commence work. Clerk to advise the supplier the names of the people that the PC would like trained as the website will be for the benefit of the whole village not just the PC. People to be trained include Clerk, DT/RW/ WHVA committee member KW and John Baile.</p>	Clerk
25/978 The current financial situation for 2025/26	<ul style="list-style-type: none"> Current Financial situation for 2024/25 – attachment 2 & 3 Clerk asked for permission to pay £275:00 towards the cost of repairs in Hagbourne cemetery. It was proposed DT, seconded ML, and carried nem con that the clerk is t respond to EHPC saying that we will meet our share of the repair costs. 	Clerk
25/979 Risk Assessment Register	<ul style="list-style-type: none"> DT signed off appropriate parts on the current Risk Assessment Checklist – attachment 5 Storage of PC records and village archive – AW to seek approval from the Hagbourne Village Hall committee to the siting of a lockable storage cabinet in the village hall 	AW
25/980 Agreement of items to include in Chairman's report for next monthly Parish Newsletter	<ul style="list-style-type: none"> Chair will send a report to Editor Sue Totterdell before the end of the month in time for the next edition of the Village Newsletter. 	DT
25/981 Agreement of items to include in the agenda for the next WHPC meeting Wednesday 10 September 2025	<ul style="list-style-type: none"> Clerk to draft agenda and circulate amongst councillors 10 days before next meeting; agenda items to include the Moor Lane BOAT redesignation project and whether to go down the TRO route or through the Magistrates Court. Clerk to inform Village Hall of new room booking date (10 Sept) 	Clerk Clerk
25/983 Close of meeting	DT declared the meeting closed at 9:20pm	

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Signed:

Date:

Attachments:

1. Agenda
2. Financial Statements
3. Expenditure against Budget 2024/2025
- 4.. Planning Applications
5. Risk Assessment
7. SODC report

Title	District Councillors' Report
Councillors	Cllr Anne-Marie Simpson & Cllr Crispin Topping
Parish	West Hagbourne Parish Council
Date	2 July 2025

[Booking link](#) for planning surgeries for town and parish councils

Culture and Heritage Network Event brings local groups together

A brand new event has been launched to help local arts, culture and heritage to thrive, linking the groups and organisations who need support with those that have the ability to provide it.

The inaugural Heritage Network event successfully took place on 25 June at the Abbey Buildings in Abingdon. Around 30 representatives from local museums, cultural organisations, and heritage sites across South Oxfordshire and Vale of White Horse attended. The ambition is for this to become a regular event.

This event organised by South Oxfordshire and Vale of White Horse district councils brings together people and organisations involved in local heritage and culture. The event offered a chance to hear from key organisations like The National Lottery Heritage Fund, Oxfordshire County Council, Museums Development Trust and Arts Council England about funding and future plans across the districts.

To further support culture and heritage, the pathway to a new Culture, Heritage and Creative Industries (CHCI) Strategy has recently been approved by both South Oxfordshire and Vale of White Horse District Councils and is set to be launched in Summer 2026. This strategy will serve as a long-term plan to strengthen and grow arts, culture and heritage across both districts.

This event was an opportunity for the sector and council representatives to make new connections helping the heritage community find access to the support they need in both districts. Attendees at the first event have already found out about funding that's available to them that they wouldn't have previously known about.

South and Vale in top ten district councils in UK for action on climate and nature

South Oxfordshire and Vale of White Horse district councils are in the top ten performing district

West Hagbourne Parish Council



councils in the country for taking action on climate and nature recovery, according to research by an environmental organisation.

Both councils, which have just published their new joint nature and climate action plan, were rated in the top ten of the Climate Emergency UK's (CEUK) 2025 [climate action scorecard](#), a league table of the country's councils published earlier this month.

South Oxfordshire and Vale of White Horse scored highly for 'planning and land use'. In this section CEUK's research focussed on how councils are using their planning powers, primarily through their local plans, (the emerging [Joint Local Plan](#) is currently at examination stage), to ensure low emission new buildings, homes and developments are built to minimise their impact on the environment.

The councils also did well in the scoring for the 'biodiversity' section which examines actions by local authorities to protect and increase biodiversity in the area through their management of its green spaces and biodiversity net gain requirements for developers. Biodiversity Net Gain requires developers to include wildlife enhancements as part of their plans.

Councillor Sam James-Lawrie, South Oxfordshire District Council cabinet member for environment, said: "This is very positive news for the council, its staff and its residents. The councils have developed forward-looking planning policies on climate change in the emerging joint local plan to help minimise the climate impact of the built environment in our districts. This includes a policy that will require truly net zero carbon buildings to be delivered in the districts."

Councillor Hayleigh Gascoigne, Vale of White Horse District Council cabinet member for climate action and nature recovery, said: "We welcome this news which highlights the work being done by staff, particularly on the management of our green spaces. For the past three years the grounds maintenance team has been encouraging biodiversity on council land and now has dozens of meadow areas in the districts which are left unmown. This is in addition to wildflower meadow area sites which are actively sown with wildflower seeds to encourage pollinators such as bees."

Both councils are committed to becoming carbon neutral by 2030, significantly ahead of the national 2050 target.

Joint Local Plan examination hearings update

The first stage of our Joint Local Plan 2041 examination hearings took place in Milton Park at the beginning of the month. Over three days of public hearings, the inspectors looked at topics such as legal requirements, duty to cooperate, housing requirement, and employment land requirement.

You can review all the sessions via our [YouTube channel](#), including watching Head of Policy and Programmes Tim Oruye's [opening statement](#) on behalf of the councils.

For an overview of the topics discussed, as well as next steps, please read this [summary document](#).

Local Government Reorganisation

Our public engagement exercise on Local Government Reorganisation launched on Wednesday 4 June and will run for six weeks. You can **find out more** and [take part in the online survey here](#).

West Hagbourne Parish Council



This will inform our proposal for a new model for local government in our area that we are seeking to submit to the government in the autumn.

We are working closely with our counterparts in West Berkshire Council, Cherwell and West Oxfordshire District Councils on both the proposal and the engagement, providing a unified and robust solution to the government's plans to end Oxfordshire's two-tier council structure in a way that best serves our communities.

Our proposal seeks to create two brand new unitary councils that cover the following areas:

- **Oxford City, Cherwell and West Oxfordshire Council** (created from the existing district councils of Cherwell, Oxford City and West Oxfordshire)
- **Ridgeway Council** (created from the existing district councils of South Oxfordshire and Vale of White Horse and the unitary council of West Berkshire).

Engagement drop-ins

You can find the survey and a [full list of the drop-in events here](#).

Capital grant scheme now open

To support community projects that help improve the quality of life for local people, Our Capital Grant Scheme opened on 2 June for applications of up to £75,000.

The grant gives organisations a financial boost towards capital expenditure such as making improvements to buildings or play areas.

Applicants must show how their projects will help improve the quality of life for people in South Oxfordshire through projects that; support thriving, healthy and inclusive communities, provide infrastructure that meets local need, that take action on climate change and nature recovery, and improve participation, accessibility and accountability.

Organisations eligible to apply are:

- Town and parish councils
- Non-profit businesses and Community Interest Companies
- Community-based organisations

The Capital Grant Scheme is open for applications until **25 July**. Applicants can apply online through our website, southoxon.gov.uk/grants where the full guidance is available to help submit the best possible application. Thank you for sharing our social media messages on the grant.

Demolition work starts for Broadway project

Demolition of an old building in preparation for a new housing scheme in Didcot has begun.

The old building between 116 and 120 Broadway is being demolished and replaced by nine new one and two-bedroom apartments and a new ground floor space that will be subject to a council decision to award the main contract later this year.

The properties will provide much-needed affordable homes that the council will own and manage and

offer at affordable rent, as part of the council's commitment to providing homes and infrastructure that meet local needs.

At the heart of Didcot's community, the new building will revitalise the area while being built to high environmental standards, including sustainable construction and zero-carbon houses fit for the future.

Given its proximity to the town centre, the apartments will be car-free with spaces for bicycles to encourage active travel which is good for both physical and mental wellbeing.

Planning permission was granted for the Broadway scheme on Monday 12 May 2025. The demolition work started on Monday 23 June 2025 with the programme taking around eight weeks to complete.

Contractors will look to keep noise, dust, and disruption to a minimum during the demolition.

Leisure Centres in Berinsfield and Henley to benefit from new clean green energy

Multi-million-pound plans have been approved to improve energy efficiency and reduce carbon emissions at two South Oxfordshire leisure centres in Berinsfield and Henley.

South Oxfordshire District Council has been successful in its bid for government funding of around £1.5m towards installing energy efficiency measures including double glazing and insulation, as well as solar panels and air source heat pumps to replace end-of-life gas boilers at the leisure centres.

The owners of the buildings, Oxfordshire County Council, will put in £2m towards the improvements, while the district council will fund a further £2.8m from developer contributions. All work should be finished by the end of March 2028.

Abbey Sports Centre in Berinsfield was built in 1959 as a school, before being converted to a leisure centre in the 1980s. Because of the age of the building, the roof insulation is well below current standards and the centre will benefit from extensive roof renovation to minimise heat loss.

Plans also include replacing gas heating with air source heat pumps, adding double glazing, insulating the squash court walls and installing solar panels on the roof. It is projected that the new measures will mean a 75 per cent saving in energy kWh (gas and electricity).

Built in the 1970s, Henley Leisure Centre has some elderly heating plant – two of the boilers set to be replaced are estimated to be between 22 and 25 years old. Even though the centre is shaded by trees it will still benefit from solar panels. In addition, the council will install air source heat pumps and roof insulation. It is projected that these three measures will bring a 59 per cent per cent saving in energy kWh (gas and electricity).

The funding for the decarbonisation work has been provided from Phase 4 of the Public Sector Decarbonisation Scheme which is delivered by Salix Finance on behalf of the government. The scheme is run by the Department for Energy Security and Net Zero. It is aimed at tackling emissions

from heating public sector buildings, aid a green recovery and support the UK's 2050 net zero target and clean growth goals.

£1.2 million boost for local infrastructure

Over the last six months, we have invested over £1.2 million in vital infrastructure delivered by the council, town and parish councils and other community organisations.

Investments have ranged from public art and flood defences to bus service improvements.

As the local planning authority, we collect financial contributions in the form of Community Infrastructure Levy (CIL) and Section 106 (S106) – this is the funding from housing developers to support the growth of the district when new developments are created.

S106 funding approved towards community projects between 1 October 2024 to 31 March 2025 has totalled £251,580. During this six-month period we have also transferred £960,503 of CIL to town and parish councils that have experienced CIL liable development in their area.

Find out more about [CIL here](#) and [S106 here](#). If you have any questions please email infrastructureclaims@southandvale.gov.uk

Wallingford bathing

The bathing season in England has started, and this means that from 15 May, regular tests will be carried out on water samples from the River Thames at Wallingford throughout the summer.

Since Wallingford Beach was designated as a bathing water area last year, the Environment Agency is obliged to take weekly water samples from the site during bathing season (15 May – 30 September), test them for two types of bacteria (both of which can cause serious illness, including vomiting and fever) and publish the results within a few days.

South Oxfordshire District Council has installed a new noticeboard at the site, and this will display information about the bathing water site including details of how to find the test results. This allows swimmers and other river users to make informed choices about how they can safely enjoy the river at Wallingford.

At the end of each bathing season the Environment Agency then gives a classification depending on the results of that year. Bathing water sites can be classified as 'excellent', 'good', 'sufficient' or 'poor', based on the analysis of levels of the bacteria, E. coli and intestinal Enterococci, found in the samples.

Following testing during its first season in 2024, Wallingford Beach was classified by the Environment Agency as 'poor'. Analysis of the samples showed that there were high levels of bacteria on two occasions during the weekly testing over the five months of testing.

A poor bathing water classification means the water at a designated bathing site has not met the minimum standards set by the Bathing Water Regulations. It indicates a potential health risk for people who bathe in the water, and sites with this classification, such as Wallingford, are marked with a sign advising against bathing. This does not mean that bathing is banned, sites remain open for

people to enjoy as they choose to. River users are always advised to check up to date data sources to help understand the current water quality and, links to these data sources have been provided on the new sign.

Summer fun comes to Riverside

The Riverside Park and Pools which is owned by South Oxfordshire District Council and managed by their leisure contractors GLL are open, kicking off a summer of fun for families and fans of outdoor swimming in South Oxfordshire.

The Riverside campsite is also open to welcome campers for the new season. The site has seen some exciting upgrades since last year, including new accessible mooring and associated paths and ramps, a new Changing Places accessible bathroom - providing better accessibility to all Riverside visitors including wheelchair users .

The pool will offer popular activities such as aqua aerobics, swim for fitness, adult and children swimming lessons, swimming Dr sessions and more.

Following the success of last year's event, Riverside will once again host the 'End of Season Dog Swim', where dogs can take a splash in the pool accompanied by their owners.

The splash pad will be available to use daily from 9am to 6pm until early September.

The pool will be open from 7am to 6pm weekdays and 9am to 6pm at weekends.

The campsite can be booked via the Better UK website and bookings for the pool will open 7 days before for members and 5 days for non-members.

Bookings can be made via the Better UK app and [Better website](#).

8. OCC Report

As requested please find attached the notes I used to present the 2 choices.. As was the indication the TRO seems the best route but that is for you to consider as a council.

I did actually get an email yesterday (from Steven Tabbitt Team Leader within the Countryside Access team, Mike was supporting prior) following up on my efforts and questions a relevant extract I give below (I think it quite useful) , The highlighted parts are things that your residents and the council can get working on (a briefing paper or sorts perhaps? – it may be (valuable) personal opinions for now, hard data to follow but provides good context/evidence for officers).

I have suggested a meeting to Steven on site or in the village with PC representation next or we can attempt to align for the next PC meeting – 3rd Sept?

“

The challenges all Highway Authorities face with TRO on Byways are:

1. Section 122 of the Road Traffic Regulation Act 1984: This requires us to conduct an adequate balancing exercise to secure the expeditious, convenient, and safe movement of vehicular and other traffic (including pedestrians).
2. Section 44 (1) of the Highways Act: This imposes a duty not merely to keep a highway in such a state of repair as

it is at any particular time, but to put it in such good repair as renders it reasonably passable for the ordinary traffic of the neighbourhood at all seasons of the year without danger caused by its physical condition.

The legal definition of Moor Lane is a Byway open to all traffic. So, questions would be, **have we as a Highway Authority been maintaining the Byway for 'the ordinary traffic of the neighbourhood'** ? Other things to consider are as follows:

- **Whether the byway is a crucial route from one place to another. Does it cut off a large corner?**
- **Whether a particular sector of the population uses it for their everyday needs or not.**
- **For what purposes the motorised traffic mostly uses the byway.**
- **What proportion of the total users (pedestrians, cyclists, equestrians) do the recreational 4x4s constitute?**
- **The number of 4x4s which use the byway in any one period.**

We need background analysis of what the 'ordinary traffic of the neighbourhood' is in this case. This would pre-empt any legal arguments that this had not been sufficiently considered or discussed. We need to look at the typical volume, type, and manner of traffic that uses the byway, the local demographic, etc. If motorised vehicles have caused damage, is this private or the recreational users i.e. is some damage caused by farm traffic and associated businesses exercising their private rights, or can we prove that the damage is solely down to recreational use. Then if so, we need to undertake the balancing exercise (section 122).

Currently, I don't believe we have any further works scheduled for Moor Lane; however, I need to check this. If no further works are required and the current regrading works have bedded in, then legally we will need to reopen the byway. If so, I would like to install counters to monitor user groups and **involve the local community to monitor the surface**, with the idea of presenting a case for a TRO in the future, providing we have the data and undertake the balancing exercise.

All the best
Johnny

Appendix 9

The Moor Lane byway – why it should be redesignated as a restricted byway

West Hagbourne Parish Council Briefing Document

Last updated: 10 June 2025

1. Context and background

- a. The Moor Lane byway runs from Main Street in West Hagbourne to Blewbury Road (see map in Annex 1). The byway runs broadly west-east, and has the official designation DM 401/9. The vast majority of the byway is in the parish of West Hagbourne, with the section at the eastern end (DM 401/9/90) being in the parish of East Hagbourne.
- b. There are a limited number of houses at the western end of the byway (the Main Street end). The rest of the byway (approximately 90% of its overall length) runs between fields. A ditch runs alongside it (on the southern side of the byway).
- c. The byway can be broadly split up into the following sections (as marked on the map in Annex 1):
 - i. A (what3words *cocktail.revealing.ordinary*) - B (*tempting.verve.define*): Main Street to the end of the houses at this end;

- ii. B - C (*bearable.plays.early*): from the Main Street houses to the old railway bridge;
 - iii. C - D (*harmony.inflct.claw*): from the old railway bridge to the junction with the footpaths going north (to East Hagbourne) and south (to Upton);
 - iv. D - E (*ultra.orginate.flank*): from the footpath junction to (approximately) the East Hagbourne parish boundary; and
 - v. E - F (*playful.anchorman.defender*): the section near Blewbury Road which is in East Hagbourne parish.
- d. The whole length of the byway is currently designated as a Byway Open to All Traffic (BOAT).
- e. Due to its status as a BOAT, the byway has attracted significant usage by recreational motorised vehicles; predominantly 4WDs, but also motorbikes and some non-4WD traffic.
- f. The byway is also used, or desired to be used, by walkers, horse riders and cyclists.
- g. The clear view of the West Hagbourne Parish Council, on behalf of the residents of West Hagbourne, is that the byway should be designated as a Restricted Byway, allowing vehicular access only to residents in section A-B, with sections B-F not accessible to vehicles other than emergency and farm vehicles as necessary.
- h. There are a number of clear reasons for this change of designation, as set out below.

2. Incorrect original BOAT designation

- a. We understand that OCC's position is that the designation of the byway as a BOAT has been made in compliance with the relevant rules¹. However, our view is that original

¹ OCC has stated the following in June 2025 in response to an initial query from Cllr Hope-Smith: "When the very first Definitive Map was being put together in accordance with the provisions of the 1949 National Parks and Access to the Countryside Act, all parish councils were asked to provide plans showing where they felt that public rights of way subsisted. In 1951, West Hagbourne PC included this route as a CRB (and even then, its condition was reported as poor), and "used by the public throughout living memory". The 1968 Countryside Act then came along and changed things slightly and in 1970 the former Berkshire CC (as it then was) wrote to West Hagbourne PC concerning a 'Special Review' of the Definitive Map (which the new legislation required) which included the reclassifying of RUPPs (and including things like CRBs). Parish councils would have been consulted as to whether each RUPP / CRB should be reclassified either as BOAT or RB depending upon evidence / use etc). The parish council replied requesting that CRB No.9 be reclassified as BOAT as it was used mostly as a means of access to farmland and it would cause hardship if it were to be closed. In 1972 a draft Special Review Map was produced by Berkshire CC for the county and in 1973, the parish clerk wrote to Berkshire CC stating that a special public meeting to review the map was held on 31 Oct 1973 and that the meeting 1) endorsed the parish council's opinion previously sent to Berks CC that all RUPPs be designated as use by all forms of traffic, and 2) Moor Lane should be designated a prowl for all traffic – it had long been used by all forms of farming traffic to gain access to fields on both sides of Moor Lane. The 1972 draft review map process was abandoned under the Local Government Act 1972 when North Berks transferred into Oxfordshire, because no revised draft map had been published by 1 April 1974. Oxfordshire's 1977 draft special review of the map then took on the revised

designation was incorrect, and that the byway should always have been designated as either a Footpath or a Restricted Byway (allowing access for necessary farm traffic).

- b. The 1981 OSS Map (sheet 174) shows the byway marked as a “*Road Used As A Public Path*”) (see Annex 2). Our understanding is that, by virtue of section 47 of the Countryside and Rights of Way Act 2000, ways which were previously shown in definitive maps as “*Roads Used As A Public Path*” should from then have been treated as a restricted byway.
- c. Even if the original BOAT designation was valid, it is no longer appropriate for the reasons set out below.

3. Suitability of the byway for recreational motorised vehicular access and impact on other users

- a. The byway is a rural byway running between fields for most of its length. The byway is bounded by hedges and trees, which crowd in over the byway. As illustration, Annex 3 contains images of various sections of the byway.
- b. Whilst the section at the western end of the byway (A-B) does require motorised vehicular access for residents, there is no requirement to justify vehicular access between points B and F, other than for the local farmers as required to move machinery between the fields adjoining the byway.
- c. Recreational motorised vehicles use the byway purely as an off-road driving activity.
- d. The byway, between points B and F, is unsuitable for use by recreational motorised vehicles due to its impact on other potential users of the byway.
- e. The use of the byway by recreational motorised vehicles throughout the year, and particularly in autumn/winter/spring, severely damages the surface and the surrounding vegetation. The vehicles also create “wallows”, either by accident or design, presumably to test their ability to drive off-road. The damage caused to the byway and its surroundings by recreational motorised vehicular access severely restricts the ability of other byway users to access and use the byway.
- f. Annex 4 contains images of damage caused to the byway by recreational motorised vehicles.

g. In our discussions with Oxfordshire County Council (OCC) to date on this matter, we have been referred to two documents:

- i. OCC's Policy paper on rights of way². This paper states that it gives advice to local authorities on recording, managing and maintaining, protecting and changing public rights of way. We note that Paragraph 5.1 of this Government guidance - the introductory paragraph to the section "Changing the network" - includes the following sentence: *"In order to meet the Government's aim of better provision for cyclists, equestrians, walkers and people with mobility needs, highway authorities need to understand the use and demand for rights of way"*. Sections of Moor Lane have been severely impacted by use by 4WD vehicles and motorbikes, and have been rendered almost impassable to pedestrians and certainly impassable to cyclists and horse riders. People with mobility issues would have no hope of using the byway when it is being used by 4WDs.
- ii. The OCC policy on *"Managing Motor Vehicles on Public Rights of Way"*³ allows for a number of actions to be taken by OCC to ensure that the rights of way are protected and available for safe use by all users. Clearly allowing recreational 4WDs and motorbikes to use the Moor Lane byway presents a significant risk to the safety of other users of the byway (at the time of use, and also afterwards, due to the damage to the byway), and also prevents all but the most hardy and adventurous of walkers from using the byway. Cyclists and horse riders have no chance of using the byway once it has been all but destroyed by recreational 4WD vehicles.

4. Impact of vehicular access on biodiversity/wildlife/environment

- a. The damage caused by vehicular access to the byway is very considerable (see images in Annex 4).
- b. There is clear evidence of damage to wildlife habitat on the byway itself and in the surrounding hedges and trees.

5. Drainage

- a. The ditch which runs alongside the byway (to the southern side) is a key drainage channel for the centre of West Hagbourne. The West Hagbourne Flood Group, working alongside OCC, have undertaken a significant amount of work to keep this channel

² <https://www.gov.uk/government/publications/rights-of-way-circular-1-09>

³ OCC's adopted policy on managing vehicles - paper to the November 2019 Cabinet Member for Environment (<https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=931&MId=5740&Ver=4>), Agenda item 80/19 Highways Policy Statement, Annex 1b (https://mycouncil.oxfordshire.gov.uk/documents/s48866/CMDE_NOV1419R10%20-%20Highway%20Policy%20Statements%20Annex.pdf)

clear and for it to be able to absorb and drain rainwater and groundwater surges in the village.

- b. The damage caused by continued motorised vehicular access to the byway causes significant disrepair to the banks of the ditch; vegetation, mud and other materials are pushed or collapse into the channel, causing reduced flow and blockages. This is obviously a key concern to West Hagbourne Parish Council.
- c. Preventing motorised vehicular access to the byway will greatly support the work of the West Hagbourne Flood Group and OCC in keeping the Moor Lane ditch in a state in which it can properly act as a drainage channel for the centre of West Hagbourne.

6. Public opinion of West Hagbourne residents, and other support

- a. The West Hagbourne Parish Council has been asked by many residents over the years to press for the change of designation of the Moor Lane byway from BOAT to restricted byway.
- b. We have also referred to this project in many Parish Council meetings and Parish newsletters, and have not received a single objection.
- c. The farmers with neighbouring fields (the Lays and the Drewes) both support the proposed change (see letters of support in Annex 5). Restricted byway status will still permit vehicular access for them to the byway as needed for access.
- d. As seen from the letters, the Drewes would support access once or twice a year along the byway for members of the local motorcycle club so that they could ride their motorbikes along the byway to their meeting on the Moors (the fields at the eastern end of the byway). We understand that the Drewes and the club would repair any damage to the byway caused by this activity. Restricting vehicular access only to such motorbikes and only for once or twice a year would appear to us to be a reasonable solution and this would, of course, be nowhere near as damaging to the byway as the current uncontrolled 4WD and motorbike usage.
- e. East Hagbourne Parish Council is also fully supportive of this proposed change (see letter of support in Annex 5).⁴
- f. Our OCC Councillor, Johnny Hope-Smith, and our SODC Councillor, Crispin Topping, are both supportive of the proposed change.

7. Costs incurred by Oxfordshire County Council in maintaining the byway as a BOAT

⁴ Note section 1(a) – the small section at the eastern end of the byway is in the parish of East Hagbourne

- a. Over the years, there is a repeated cycle of the byway being destroyed by recreational 4WD vehicles and motorbikes, and then closed by OCC, following which some repairs are attempted, and then the byway is re-opened – at which point the cycle just starts again.
- b. We are, at present, in the “closed for repairs” section of this cycle. The byway was closed to all users on 25 March 2024 (at first, temporarily, and then extended indefinitely from 14 April 2024). Clearly, if the byway is reopened as a BOAT the cycle will just continue to repeat.
- c. This cycle does of course leave the byway inaccessible for most users, most of the time – inaccessible due to damage by recreational 4WD vehicles and motorbikes, and then inaccessible due to closure. It also results in OCC having to fund the closure and repair of the byway on a repeated, never-ending basis.
- d. If the byway’s designation is converted to a restricted byway, ideally between points B and F, but at least between points C and D, with appropriate barriers erected to prevent recreational motorised vehicular access⁵, the constant cycle of open-damage-close-repair-open will be stopped. OCC would no longer need to fund the continual repair activity.

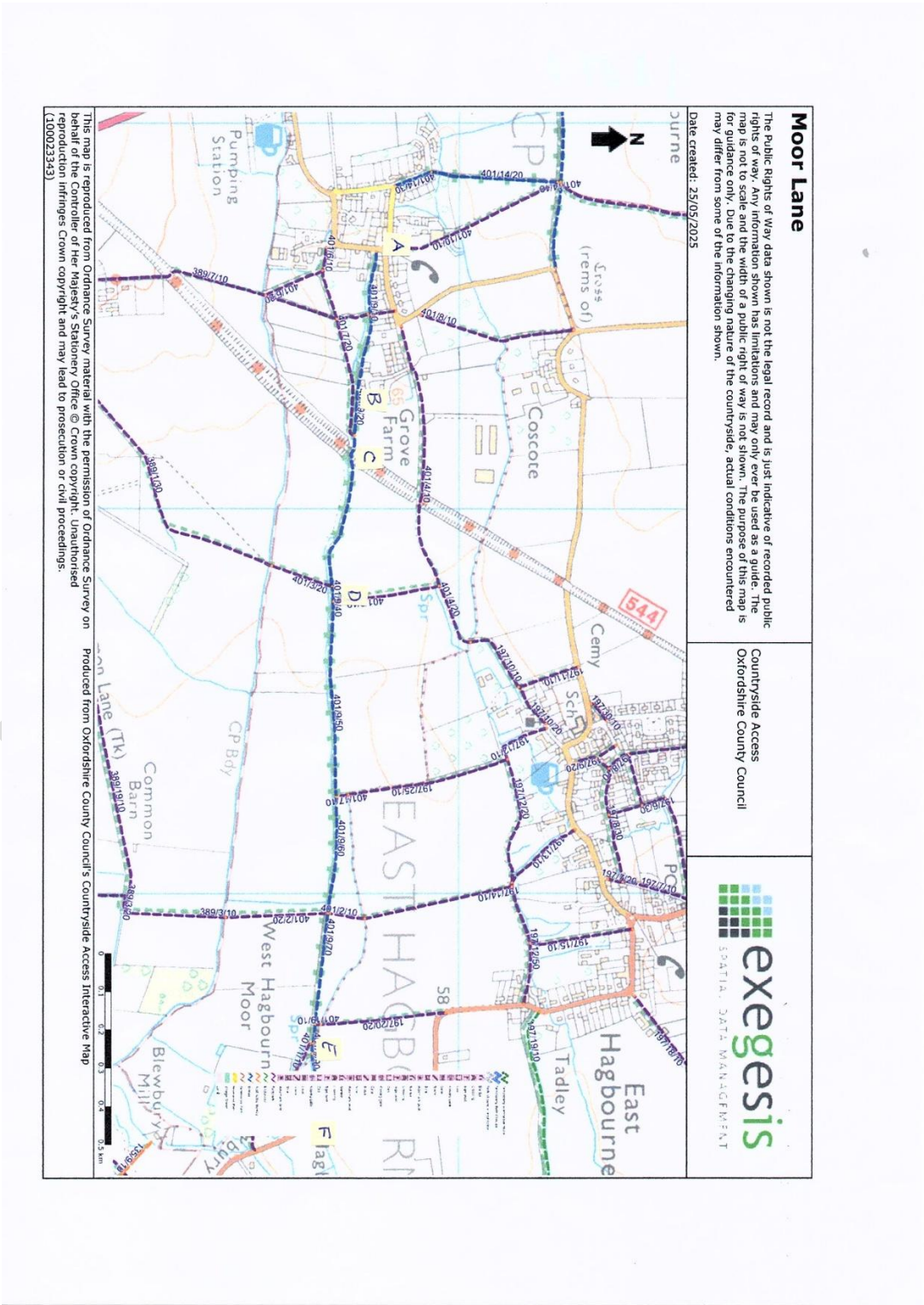
8. Conclusion

- a. Due to the points set out above, it is the clear view of West Hagbourne Parish Council that the Moor Lane byway is redesignated as a Restricted Byway to prevent recreational motorised vehicular use between points B and F, with appropriate permanent barriers in place to support this designation (see footnote 5).

⁵ If the byway is redesignated as a Restricted Byway, appropriate locations for barriers to prevent vehicular access – but which allow access for walkers, cyclists and horse riders – would appear to be the locations which are the sites of the concrete bollards during the current closure of the byway; i.e. locations B, C (west of the bridge) and E (which would then allow the farmers to easily access section E-F from Blewbury Road as needed).

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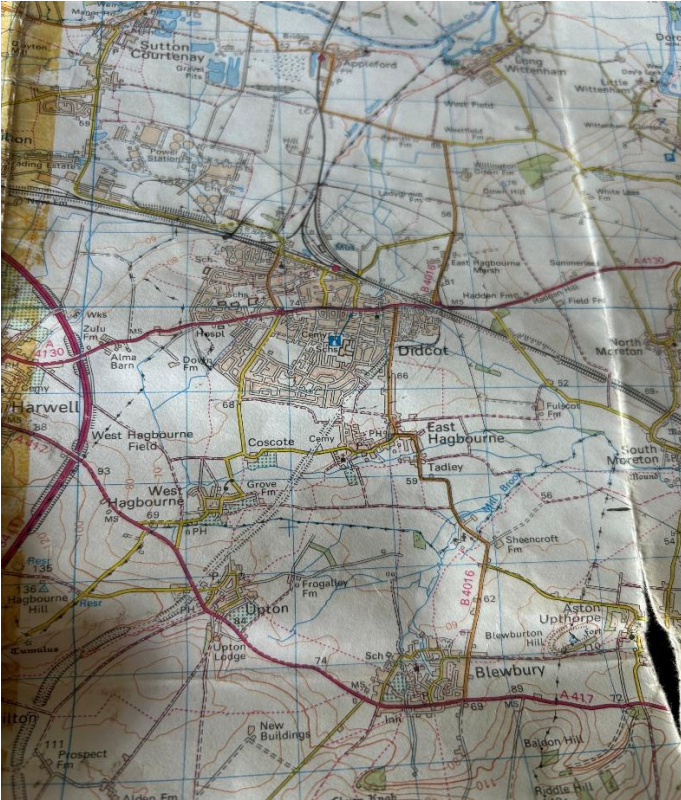
Annex 1
Official Map of The Moor Lane Byway, Marked with Identifying Points



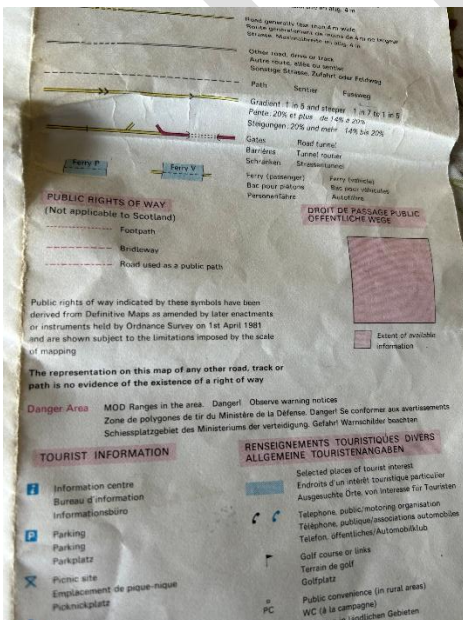
West Hagbourne Parish Council

Chmn

Annex 2 1981 OSS Map



1981 OSS Map sheet 174; Moor Lane byway marked with red dot and dash line



1981 OSS Map key showing red dot and dash marking as a “Road used as a public path”

Annex 3 – Images of Byway



Images of various sections of Moor Lane byway, 1 June 2025

Annex 4 – Damage Caused to the Byway by Recreational Vehicles



14 October 2023; 4WD photographed having just driven up Moor Lane. An example of the recreational 4WDs which drive along the byway .





Various images taken January to March 2024 showing the impact of recreational 4WD and motorbike usage of the byway.

Annex 5 – Letters of Support

CSL Partners

**Manor Farm, Main Street, West Hagbourne,
Didcot OX11 0ND**

1st June, 2025

To whom it may concern

Proposed redesignation of the Moor Lane byway as a Restricted Byway

We farm fields which border the Moor Lane byway (official designation DM401/9).

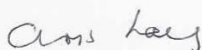
We are aware of the efforts by West Hagbourne Parish Council to have the designation of the Moor Lane byway changed from its current status as a Byway Open To All Traffic (BOAT) to a Restricted Byway.

We understand that such a redesignation would still allow us vehicular access over the byway to our fields as necessary.

We also understand that changing the designation of the Moor Lane byway to a Restricted Byway would prevent recreational vehicular access (4WD and motorbike) to the byway. Such access to date has led to significant damage to the byway and prevented many other users from enjoying the byway. Further, preventing recreational vehicular access to the byway may also improve the security of our adjoining fields.

We are fully supportive of the proposed redesignation of the Moor Lane byway to a Restricted Byway.

Yours faithfully



Chris and Sue Lay

For and on behalf of CSL Partners

West Hagbourne Parish Council

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JA MJ NJ & JS DREWE
T/A JOHN A DREWE
COSCOTE FARM
WEST HAGBOURNE
DIDCOT
OX11 0NP
mjdrewe@yhoo.co.uk
07850 463830
01235 816886

5TH July 2025

To whom it may concern

Proposed redesignation of the Moor Lane byway as a Restricted Byway

We farm fields which border the Moor Lane byway on either side (official designation DM401/9).

We are aware of the efforts by West Hagbourne Parish Council to have the designation of Moor Lane byway changed from its current status as a Byway Open To All Traffic (BOAT) to a Restricted Byway.

We understand that such a redesignation would still allow us vehicular access over the byway to our fields as necessary.

We also understand that changing the designation of the Moor Lane byway would prevent recreational vehicular access, however whilst we are in favour of this proposal we are mindful that a local motor bike club use one of the fields off Moor Lane, at the Eastern end, once or twice a year to assemble and run an event using Moor Lane as part of a circular route for the bikers, bearing this in mind we would like to see provision made for this to continue in the future, perhaps by way of a licence for two days in each calendar year.

From past experience and in spite our best efforts to maintain the Lane, the vast majority of damage to the surface is made by 4x4 off roaders creating deep ruts, particularly when the

West Hagbourne Parish Council

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Lane is wet. We also have had fencing posts broken off by vehicles trying to turn round on the Lane, causing damage to vast lengths of stock fencing.
(photo. attached)

Whilst, in principle, we support the proposal we feel consideration must be given to the requirements of the motor bike club which provides organised events and supports and encourages young talent.

Yours sincerely

Jane Drewe
On behalf of
The Drewe Family

West Hagbourne Parish Council

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DRAFT

West Hagbourne Parish Council

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For the attention of:

Dan Tozer

Chairman, West Hagbourne Parish Council

6th June 2025

Dear Dan,

Thank you for your recent correspondence regarding the ongoing issues affecting the Moor Lane byway (DM 401/9), and for setting out the case for its proposed redesignation from a Byway Open to All Traffic (BOAT) to a Restricted Byway.

East Hagbourne Parish Councillors have discussed the matter and councillors are unanimously supportive of the proposal, while noting that local farmers and landowners will need to continue to retain vehicular access as required. We understand and share your concerns about the damage and disruption caused by recreational off-road vehicles using the byway. The consequences for non-motorised users, the environment, and OCC's maintenance responsibilities are well understood. The proposed redesignation seems to be a proportionate and practical step to preserve the byway for appropriate local use. It is very encouraging to hear that our OCC and SODC Councillors are also supportive of the proposed redesignation. EHPC is therefore pleased to offer our formal support for the proposal to redesignate DM 401/9 as a Restricted Byway, with the exception of necessary vehicular access for residents and landowners.

We would be happy for this letter of support to be included in your briefing pack – please send us a copy of the pack. Kind Regards,

Laura Lloyd

Clerk to East Hagbourne Parish Council

West Hagbourne Parish Council

Chmn	
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10. Thames Water Complaint Letter

WEST HAGBOURNE PARISH COUNCIL

Thames Water 23rd June 2025

PO Box 436

Swindon

Wilts.

SN38 1TU

Dear Sirs,

I am writing regarding issues within the West Hagbourne parish concerning water pipe works carried out by yourselves. Following several burst pipe repairs over a number of years, items of debris and equipment have been left at the sites on public rights of way, posing a danger to public safety.

Only on one occasion have I been successful in getting a site cleared after two very lengthy 'conversations' on Whatsapp with your operators, hence my letter to you now, in order to get two other existing sites cleared as follows:

Site 1 - what3words location - correct.ally.insisting - see page 2 attached.

6 standing panels of metal fencing plus at least 2 fallen in vegetation on the byway verge. The date on the works notice is still readable - 22/01/2020.

Site 2 - what3words location - jammy.twitching.changed - see page 3 attached.

Broken pipes and cones. The date on the notice reads 19/4/25.

Please arrange for the immediate clearance of the above items.

If no action has been taken within 30 days of the date on this letter, this matter will be passed to the Environmental Enforcement officer at the South Oxfordshire & Vale of White Horse District Council.

Yours faithfully,

Cllr. Margaret Leishman

West Hagbourne Parish Council.

Chapel Hayes, Main Street, West Hagbourne, OX11 0ND. Tel: 07792 165305