

Westfield path – evidence of use and update on progress and DMMO

The short section of land between 2 sections of Westfield is used as a cut-through by many residents and has been for many years. In wet weather the ground becomes muddy and slippery and is the subject of complaints. It is owned by 2 landowners – Vale of White Horse District Council and a private individual. Both have been contacted previously about the issues with the path. The council has considered paying for resurfacing itself several times.

The land is not a right of way and VWHDC has advised that anyone using it does so at their own risk. VWHDC has stated it does not intend to upgrade the path in any way in the foreseeable future. In correspondence in 2019-20, VWHDC explained it has an obligation to retain the land but can issue a licence for the PC to maintain it or resurface it, subject to the standard of the surface being approved. The second landowner was written to in 2019 but no reply was received. He has been contacted again August 2023. Because the second landowner did not respond in 2019 the issue was not taken further at that time.

Since then the path has been discussed several times by the council.

The PC has been asking for evidence of use which can be used towards a Definitive Map Modification Order. Around 20 responses have been received to date. There is also historical evidence of use in office files, and various research has been undertaken by residents, most recently by Mr Marsh who has put together a comprehensive document going back decades.

OCC has advised that although the PC can apply for a DMMO this would not mean OCC would be liable to improve or maintain the path.

Next steps –

Council should discuss the situation again and decide on options to carry forward –

1. Follow up on contacting second landowner
2. Proceed with DMMO application OR
3. Apply to VWHDC for a licence to upgrade the path surface over the section owned by VWHDC and get quotes for upgrading the surface as per VWHDC requirements