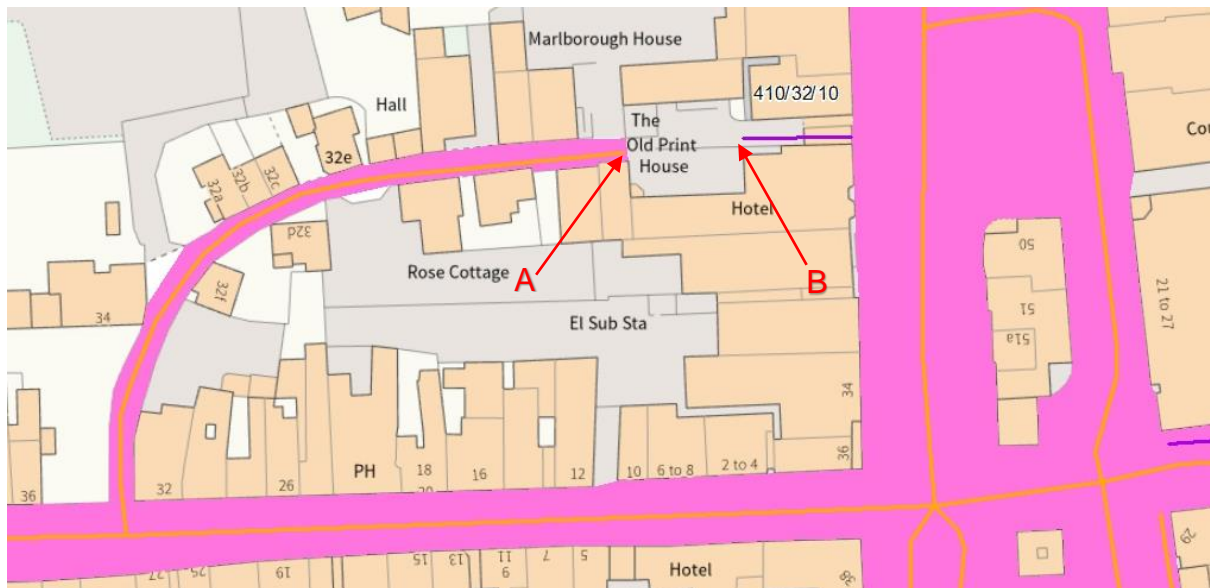


Witney Footpath No. 32 (410/32/10) Anomaly Report

The County Council is undertaking a review of its Definitive Map and Statement, which is the legal record of public rights of way. Part of this review includes identifying paths that have noticeably been marked incorrectly on the Map.

Over time, the Map has been routinely updated since it was first produced in the 1950s, as revisions to Ordnance Survey mapping were produced. Our path data must be overlaid on to that Ordnance Survey mapping which can, sometimes, result in minor gap anomalies that require rectification. Where these anomalies come to light, the Map can only be amended by the Council making an Order that modifies the Map. One such path issue has come to light in Witney, as detailed below.

The present Definitive Map, dating from 2006, records the path (purple line) as shown below, with the general highway coloured pink.



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This shows the path running from the Market Square and stopping short of Marlborough Lane and there is a gap between points A and B. The gap is part of the walked route of the path on the ground and runs past the courtyard of the Blue Boar public house.

The former Witney Urban District Council had previously spotted this omission and requested that the path be added to the Definitive Map in 1964 when a review was undertaken. As a consequence, the path was then shown on the 1968 Definitive Map without any gap between Footpath 32 and the road. However, the next Definitive Map that was produced in 1999 shows the route stopping short of Marlborough Lane, as does the current map that was published in 2006.

Letter from Witney Urban District Council requesting inclusion of route

WITNEY URBAN DISTRICT COUNCIL.

JOHN W. WELCH,
SOLICITOR,
CLERK OF THE COUNCIL.



26, CHURCH GREEN,
WITNEY,
OXON.



YOUR REF.
TGE/VS

OUR REF.
R.2714/E.

10th July, 1964.

Dear Mr. Burkitt,

National Parks and Access to the Countryside Act, 1949. Survey of Public Rights of Way.

I would refer to your letter of the 21st April, 1964, and have now had an opportunity of examining the definitive map of Public Rights of Way relating to the Witney Urban District, and would advise you of the following changes which require to be made in the map.

Footpath No. 23. The Moors. This footpath was extinguished by my Council under an Order confirmed by the Minister of Housing and Local Government on the 29th October, 1963. A short length of path in substitution of one of the branches of this path, which was extinguished under the order, was constructed alongside my Council's car park in Welch Way leading from Welch Way to join with footpath No. 24.

Footpath No. 25. Part of this footpath leading from the bottom of Tower Hill to Curbridge was extinguished by the Ministry of Transport in 1962. The Windrush Valley Housing Estate was built over this short length of path and one of the estate roads provides a substitute for the path and completes the link from Tower Hill to Curbridge. On the very small scale on which the definitive map is based it would be very difficult to show the minor deviation of this footpath on to the estate road and back again.

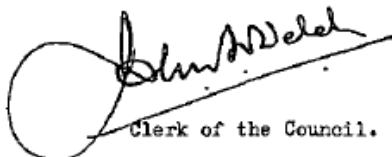
On examining the map I find that there are two very short lengths of footpath of which are not shown on the map and would in fact be very difficult to define on such a small scale. These

- (a) from Market Square through the yard of the Marlborough Hotel to link with Marlborough Lane which is a public highway and

(b) from Corn Street between Nos. 51 and 53 to link with
The Crofts which is a public highway.

There are, of course, a number of these footpaths which have
now gone out of use, but as I read section 33 of the Act, there is
no provision for deletion of these paths from the Rights of Way map.

Yours sincerely,

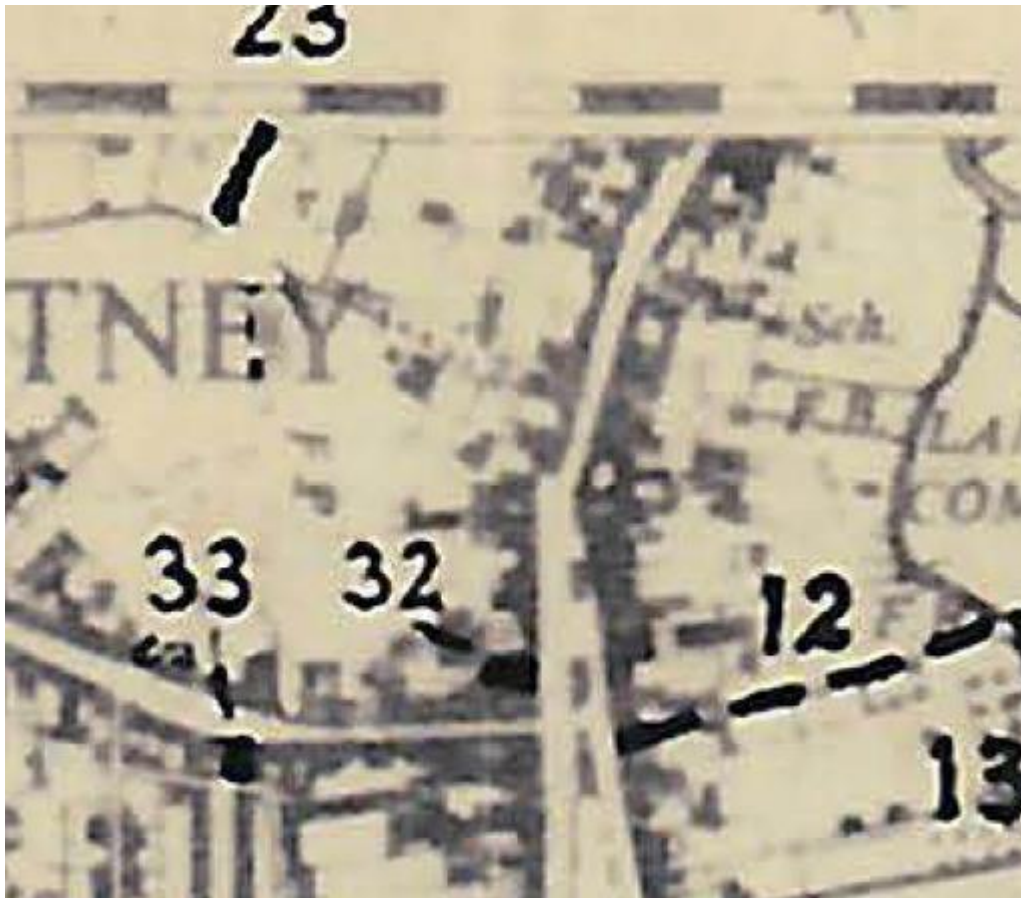


Clerk of the Council.

G.C. Burkitt Esq.,
Clerk of the Council,
Oxfordshire County Council,
County Hall,
OXFORD.

1968 Draft Map

This records the route (although its reproduction below is of poor quality).



1968 Draft Modification Map

This records the route (although its reproduction below is also of poor quality).



1968 Definitive Map and Statement

This records the route (although its reproduction below is also of poor quality).



The 1968 Definitive Statement describes the path running from Market Square to Marlborough Lane.

URBAN DISTRICT of WILMINGTON	
NO. ON MAP AND KIND OF PATH	SHORT DESCRIPTION, WIDTH (IF KNOWN), LIMITATIONS, CONDITIONS AND REMARKS
32.P.P.	From the Market Square through the yard of the Marlborough Hotel -to- Marlborough Lane.

1999 Definitive Map and Statement

This map shows the route of the path, although the extent of the route is unclear, possibly because of the dashed line symbology being used to show the path.



The 1999 Definitive Statement describes the path running from Market Square to the E end of Marlborough Lane.

<u>Witney</u>			
<u>Number</u>	<u>Status</u>	<u>Description</u>	<u>Width</u>
32	FP	From the Market Square leading W through the yard of the Marlborough Hotel to the E end of Marlborough Lane.	

2006 Definitive Map and Statement

This, current, Map similarly shows the route of the path stopping short of Marlborough Lane.



The current Definitive Statement describes the path running from the Market Square to the E end of Marlborough Lane.

Witney			410		
Number	Status	Description	Width	Conditions + Limitations	Remarks (non-conclusive information)
32	FP	From the Market Square leading W through the yard of the Marlborough Hotel to the E end of Marlborough Lane.			

Historically, the alignment of the path where it joins Marlborough Lane was recognised on older OS mapping. The Ordnance Surveyors drawing of 1811, OS First Edition Map of 1878, the Second Edition of 1899 and the Third Edition of 1921 are shown below. These evidence the route's existence since the early 1800s.

There have been no legal changes to the path since it was recorded on the 1968 Definitive Map and its current recorded alignment which stops short of Marlborough Lane has, instead, occurred and been perpetuated in error due to a drafting error on the 1999 Definitive Map which did not show the path extending far enough west to connect with Marlborough Lane. The request made by Witney Urban District Council to record the path described it as running from Marlborough Lane as do the Definitive Statements from 1968 and 1999.

On the ground the section of path that is 'missing' from the map currently runs west to join Marlborough Lane and, seemingly, always has done.

Images from Google Street View



Looking west towards archway towards Marlborough Lane



Looking east through archway towards Market Square



Looking west at Marlborough Lane

In due course, the Council will make and advertise an Order to modify the Map. When this is done, a copy will be sent to you and its effect will simply allow the Map to be rectified and there will be no physical change on the ground or cost to you.