

From: Gyll Brown [REDACTED]
Sent: 28 February 2025 13:04
To: Fillongley village hall <Clerk@fillongleyparishcouncil.co.uk>
Cc: Gyll Brown [REDACTED]
Subject: Fw: Problem regarding a public footpath

Good morning, Heather.

I met onsite today with the footpath officer at the county council. Here is a summary

29/02/25 Gyll Brown (Chair of Castle Mound Girlguiding Campsite) met on site with Darren Lee, from the County Council.

The 1982 handwritten map he emailed (on page 8 of the attachment - not the maps in the text of this thread) was drawn up from the text of the "Order" and is considered the legal situation. It places a footpath entrance at point C (in our 2nd field) in a location that has never been used.

That same text could be interpreted as having point C where the footpath actually enters our site (in our 3rd field). The short difference in location of point C means that the right of way line of the map is shown north of a water course (in our 2nd field) on the council map, not south of it (in our 3rd field) where it has been from the opening of the campsite.

Unfortunately no-one noticed this in 1982. Whichever arm of the council (Borough Council/Parish Council) put in the stiles and bridges, put them where we expected them to go. In the absence of other legal maps, none of that has any bearing on the what is now the legal situation.

If we insist that the County Council do the work they should be required to do, we will have the footpath in our 2nd field, with 2 new bridges and 2 gaps in the fenceline at each end (They do not erect stiles or kissing gates anymore). We do not want this, as members of the public from the village would use the whole of our 2nd field for themselves and let their dogs roam free (as they do at present in the 3rd field/mound).

Darren did suggest that if we “let sleeping dogs lie” and not press the County Council to do the work, **we could ask the local councillor to use their discretionary fund to have a crossing put in where the old bridge was washed away. Walkers could then still use the footpath to walk across our site on the footpath as they always have.**

I am, therefore requesting that the Parish Council contact the local councillor and ask them to consider doing this. It may be they could arrange for some railway sleepers to be laid across, or something similar, opening up that pathway again? Darren would be prepared to explain the situation to them. This would be preferable to the walkers, to ourselves and the County Council. The old right of way would still exist but would remain as now, unused.

It would not give anyone the right to roam around the site, but would enable them to cross it, as they did before the bridge was washed away.

Regards Gyll Brown

DET 1008

COPY
(14th October 1982)

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 209
THE NORTH WARWICKSHIRE DISTRICT (FOOTPATH NO. M294A (PART)
FILLONGLEY)
PUBLIC PATH DIVERSION ORDER (NO.3) 1982

Whereas the Secretary of State for the Environment (hereinafter called "the Secretary of State") is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1971;

Now, therefore, the Secretary of State, in pursuance of the powers in that behalf conferred by section 209 of the Town and Country Planning Act 1971 and all other enabling powers hereby makes the following order:-

1. The footpath described in Part I of the Schedule hereto and shown by a bold black line on the map annexed hereto shall be diverted as provided by this order.
2. There shall be created to the reasonable satisfaction of the Warwickshire County Council an alternative footpath in the situation and along the line described in Part II of the Schedule hereto, and shown by bold black dashes on the map contained in this order, for use as a replacement for the footpath referred to in Article 1 above.
3. The diversion of the footpath referred to in Article 1 above shall have effect on the date on which it is certified by the Warwickshire County Council that the provisions of Article 2 above have been complied with.
4. Where immediately before the date on which a highway is diverted in pursuance of this order there is apparatus on, under or over that highway belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
5. This order may be cited as the North Warwickshire District (Footpath No. M294A (Part) Fillongley) Public Path Diversion Order (No.3) 1982.

SCHEDULE

PART I

Description of Site of Existing Path

That part of the existing footpath in the parish of Fillongley in the District of North Warwickshire which starts from a point marked 'A' on the map, at its junction with footpath No. M294, approximately 44 metres south-west of the Coventry Road (B4098), and runs in a south-easterly direction through OS plot No.0401 for a distance of approximately 180 metres to a point marked 'B' on the map.

PART II

Description of Site of Alternative Highway

A new footpath in the parish of Fillongley in the District of North Warwickshire starting from a point approximately 150 metres south-west of the aforementioned point 'A' on the line of footpath No.M294, marked 'D' on the map, first crossing a stream and then running in a south-easterly direction for a distance of approximately 90 metres to a point marked 'C' on the map, crossing a stream, and then running in an easterly direction for a distance of approximately 73 metres to rejoin the existing footpath No.M294A at the aforementioned point marked 'B' on the map.

Signed by authority of the
Secretary of State
14th October 1982.


D.L. SAUNDERS
A Regional Controller
in the Department of the Environment.

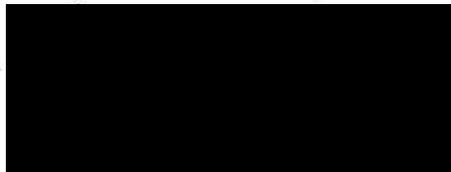
175003

NOTICE OF PUBLIC PATH ORDER
TOWN AND COUNTRY PLANNING ACT 1971
NORTH WARWICKSHIRE BOROUGH COUNCIL

Notice is hereby given that the Secretary of State for the Environment, in exercise of the powers conferred on him by Section 209 of the Town and Country Planning Act 1971 and all other powers enabling him in that behalf has made an Order entitled North Warwickshire District (Footpath No. M29A^{294A} (Part) Fillongley) Public Path Diversion Order (No 3) 1982 the effect of which will be to divert that part of footpath No M294A which starts from its junction with footpath No M294, approximately 44 metres south west of the Coventry Road (B4098) and runs in a south easterly direction through OS plot No 0401 for a distance of approximately 180 metres to a new line starting from a point on footpath M294, approximately 150 metres south of the aforementioned junction, first crossing a stream and running in a south easterly direction for a distance of approximately 90 metres crossing a stream and then in an easterly direction for approximately 73 metres to rejoin the existing footpath M294A.

A copy of the Order and the Map contained in it has been deposited at the offices of the North Warwickshire Borough Council and may be inspected free of charge at the Council Offices, South Street, Atherstone, during normal office hours.

The Order becomes operative from the date of publication of this notice but if any person aggrieved by the Order desires to question the validity thereof or of any provision contained therein on the ground that it is not within the powers of the Town and Country Planning Act 1971, or on the ground that any requirement of that Act or of any Regulations made thereunder has not been complied with in relation to the making of the Order he may, under Section 244 of the Town and Country Planning Act 1971, within six weeks from the date of publication of this notice make application for the purpose to the High Court.



A Regional Controller in the
Department of the Environment



Departments of the Environment and Transport
West Midlands Regional Office
Five Ways Tower Frederick Road Edgbaston Birmingham B15 1SJ

175003

Telephone 021-643 8191 ext 2595

The County Secretary
Warwickshire County Council
PO Box 9
Shire Hall
Warwick
CV34 4RR

Your reference

PT 184/4/12 PDK/EMR
Our reference

WMR/P/5395/151/3
Date

7 April 1982

Sir

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 209
PROPOSED DIVERSION OF FOOTPATH NO M294A AT FILLONGLEY

I am directed by the Secretary of State for the Environment to say that he proposes to make an order under section 209 of the Act of 1971 for the diversion of footpath No M294A at Fillongley to enable development authorised by planning permission to be carried out.

In compliance with the provisions of section 215 of the Act of 1971 I enclose a notice of the Secretary of State's proposal to make an order, together with a copy of the draft order and of the map referred to therein. The map should be retained for attachment to the final order should this be made without modification.

This draft order supersedes the one previously sent to you on 4 December 1981, which has been withdrawn.

I am Sir
Your obedient Servant



MRS S M MAYES

ENCS

DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PUBLIC PATH ORDER

TOWN AND COUNTRY PLANNING ACT 1971

THE NORTH WARWICKSHIRE DISTRICT (FOOTPATH NO.M294A (PART)
FILLONGLEY) PUBLIC PATH DIVERSION ORDER (NO.3) 198

NOTICE IS HEREBY GIVEN THAT THE SECRETARY OF STATE FOR THE ENVIRONMENT, IN EXERCISE OF THE POWERS CONFERRED ON HIM BY SECTION 209 OF THE TOWN AND COUNTRY PLANNING ACT 1971 AND ALL OTHER POWERS ENABLING HIM IN THAT BEHALF, PROPOSES TO MAKE AN ORDER THE EFFECT OF WHICH WILL BE TO DIVERT THAT PART OF FOOTPATH NO.M294A WHICH STARTS FROM ITS JUNCTION WITH FOOTPATH NO.M294, APPROXIMATELY 44 METRES SOUTH WEST OF THE COVENTRY ROAD (B4098) AND RUNS IN A SOUTH EASTERLY DIRECTION THROUGH OS PLOT NO 0401 FOR A DISTANCE OF APPROXIMATELY 180 METRES TO A NEW LINE STARTING FROM A POINT ON FOOTPATH NO.M294, APPROXIMATELY 150 METRES SOUTH OF THE AFOREMENTIONED JUNCTION, FIRST CROSSING A STREAM AND RUNNING IN A SOUTH EASTERLY DIRECTION FOR A DISTANCE OF APPROXIMATELY 90 METRES CROSSING A STREAM AND THEN IN AN EASTERLY DIRECTION FOR APPROXIMATELY 73 METRES TO REJOIN THE EXISTING FOOTPATH M294A. THE LINES AND SITUATIONS OF THE EXISTING AND PROPOSED ALTERNATIVE HIGHWAY ARE SHOWN ON THE MAP ANNEXED TO THE DRAFT ORDER.

A COPY OF THE DRAFT ORDER AND THE MAP CONTAINED IN IT HAS BEEN DEPOSITED AT THE OFFICES OF THE NORTH WARWICKSHIRE BOROUGH COUNCIL AND MAY BE INSPECTED FREE OF CHARGE AT THE COUNCIL OFFICES, SOUTH STREET, ATHERSTONE, DURING NORMAL OFFICE HOURS.

ANY REPRESENTATION OR OBJECTION WITH RESPECT TO THE DRAFT ORDER MAY BE SENT IN WRITING TO THE SECRETARY OF STATE FOR THE ENVIRONMENT (REF: WMR/P/5395/151/3) FIVE WAYS TOWER, FREDERICK ROAD, EDGBASTON, BIRMINGHAM B15 1SJ. NOT LATER THAN *28 May* 1982 AND SHOULD STATE THE GROUNDS ON WHICH IT IS MADE.

DATED

20 April 1982
D L SAUNDERS
A REGIONAL CONTROLLER IN THE
DEPARTMENT OF THE ENVIRONMENT

THE NORTH WARWICKSHIRE DISTRICT (FOOTPATH NO. M294A (PART) FILLONGLEY)

PUBLIC PATH DIVERSION ORDER (NO.3) 198

Whereas the Secretary of State for the Environment (hereinafter called "the Secretary of State") is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1971;

Now, therefore, the Secretary of State, in pursuance of the powers in that behalf conferred by section 209 of the Town and Country Planning Act 1971 and all other enabling powers hereby makes the following order;

1. The footpath described in Part I of the Schedule hereto and shown by a bold black line on the map annexed hereto shall be diverted as provided by this order.
2. There shall be created to the reasonable satisfaction of the Warwickshire County Council an alternative footpath in the situation and along the line described in Part II of the Schedule hereto, and shown by bold black dashes on the map contained in this order, for use as a replacement for the footpath referred to in Article 1 above.
3. The diversion of the footpath referred to in Article 1 above shall have effect on the date on which it is certified by the Warwickshire County Council that the provisions of Article 2 above have been complied with.
4. Where immediately before the date on which a highway is diverted in pursuance of this order there is apparatus on, under or over that highway belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
5. This order may be cited as the North Warwickshire District (Footpath No. M294A (Part) Fillongley) Public Path Diversion Order (No.3) 198 .

SCHEDULE

175003

PART I

Description of Site of Existing Path

That part of the existing footpath in the parish of Fillongley in the district of North Warwickshire which starts from a point marked 'A' on the map, at its junction with footpath No. M294, approximately 44 metres south-west of the Coventry Road (B4098), and runs in a south-easterly direction through OS plot No.0401 for a distance of approximately 180 metres to a point marked 'B' on the map.

PART II

Description of Site of Alternative Highway

A new footpath in the parish of Fillongley in the district of North Warwickshire starting from a point approximately 150 metres south of the aforementioned point 'A' on the line of footpath No.M294, marked 'D' on the map, first crossing a stream and then running in a south-easterly direction for a distance of approximately 90 metres to a point marked 'C' on the map, crossing a stream, and then running in an easterly direction for a distance of approximately 73 metres to rejoin the existing footpath No.M294A at the aforementioned point marked 'B' on the map.

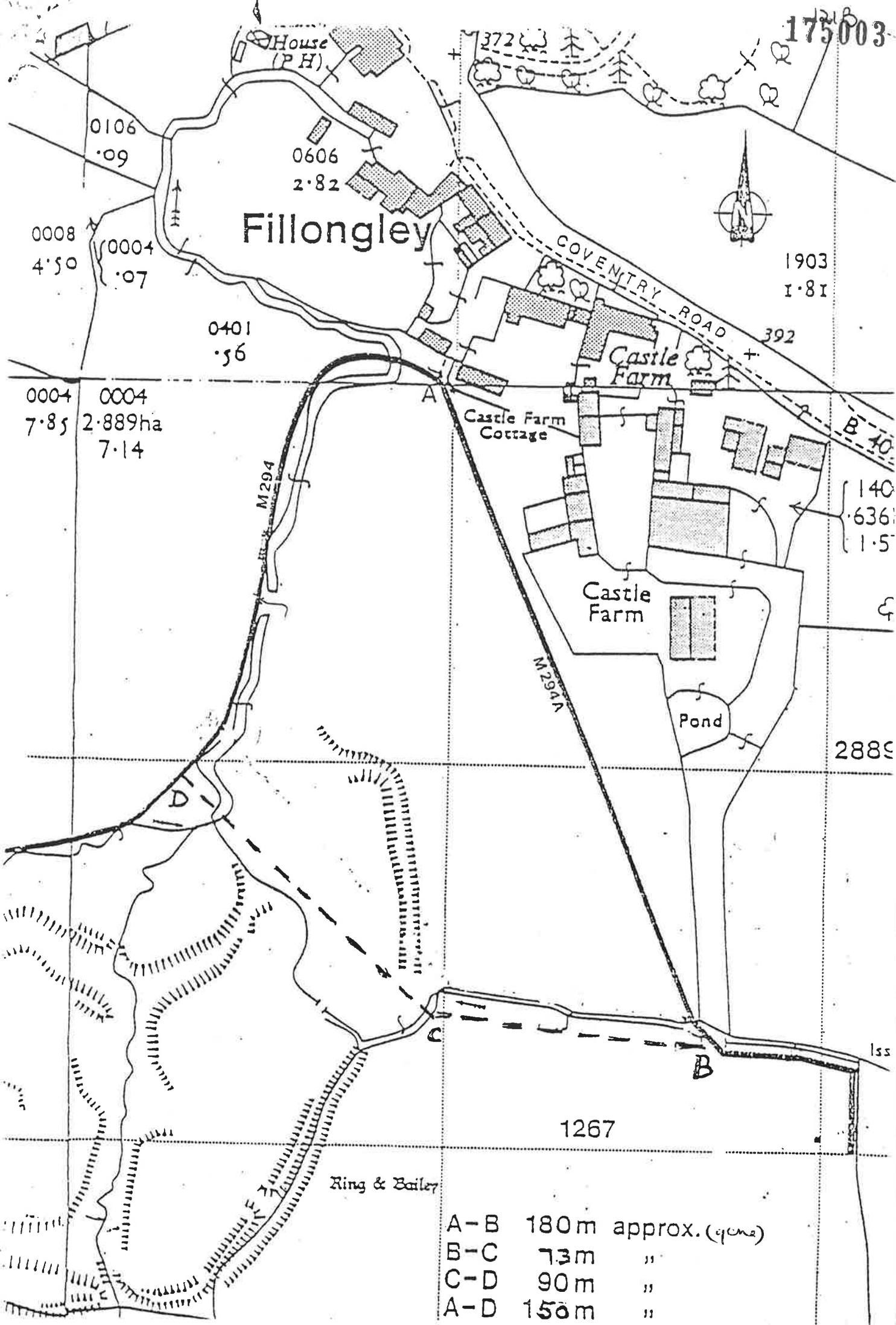
Signed by authority of the
Secretary of State

A Regional Controller
in the Department of the Environment

(Date)

175003

Fillongley



0606
2.82

0106
.09

0008
4.50

0004
.07

0401
.56

0004
7.85

0004
2.889ha
7.14

M294

Castle Farm
Cottage

Castle
Farm

Castle
Farm

Pond

M294A

140
.636
1.5

2885

1267

Ring & Bailey

A-B	180m	approx. (of one)
B-C	73m	"
C-D	90m	"
A-D	150m	"



Departments of the Environment and Transport
West Midlands Regional Office
Five Ways Tower Frederick Road Edgbaston Birmingham B15 1SJ

Telephone 021-643 8191 ext

The Secretary
Warwickshire County Council
PO Box 9
Shire Hall
Warwick
CV34 4PR

Your reference

PT 184/4/12 PDK/NJS

Our reference

WMR/P/5395/151/3

Date

4 December 1981

Sir

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 209
PROPOSED DIVERSION OF FOOTPATH NO.M294A AT FILLONGLEY

I am directed by the Secretary of State for the Environment to say that he proposes to make an order under section 209 of the Act of 1971 for the diversion of footpath No.M294A at Fillongley, to enable development authorised by planning permission to be carried out.

In compliance with the provisions of section 215 of the Act of 1971 I enclose a notice of the Secretary of State's proposal to make an order, together with a copy of the draft order and of the map referred to therein. The map should be retained for attachment to the final order should this be made without modification.

This draft order supersedes the one previously sent to you on 16 February which has now been withdrawn.

I am Sir
Your obedient Servant



MRS S M MAYES

SUPERSEDED

DEPARTMENT OF THE ENVIRONMENT

NOTICE OF PUBLIC PATH ORDER

TOWN AND COUNTRY PLANNING ACT 1971

THE NORTH WARWICKSHIRE DISTRICT (FOOTPATH NO M294A (PART)
 FILLONGLEY) PUBLIC PATH DIVERSION ORDER (NO 2) 198

NOTICE IS HEREBY GIVEN THAT THE SECRETARY OF STATE FOR THE ENVIRONMENT, IN EXERCISE OF THE POWERS CONFERRED ON HIM BY SECTION 209 OF THE TOWN AND COUNTRY PLANNING ACT 1971 AND ALL OTHER POWERS ENABLING HIM IN THAT BEHALF, PROPOSES TO MAKE AN ORDER THE EFFECT OF WHICH WILL BE TO DIVERT THAT PART OF FOOTPATH NO M294A WHICH STARTS FROM ITS JUNCTION WITH FOOTPATH NO M294, APPROXIMATELY 44 METRES SOUTH WEST OF THE COVENTRY ROAD (B4098) AND RUNS IN A SOUTH EASTERLY DIRECTION THROUGH OS PLOT NO 0401 FOR A DISTANCE OF APPROXIMATELY 185 METRES TO A NEW LINE STARTING FROM A POINT ON FOOTPATH NO M294 APPROXIMATELY 135 METRES SOUTH OF THE AFOREMENTIONED JUNCTION AND RUNNING IN A SOUTH EASTERLY DIRECTION FOR A DISTANCE OF APPROXIMATELY 90 METRES AND THEN IN AN EASTERLY DIRECTION FOR APPROXIMATELY 65 METRES TO REJOIN THE EXISTING FOOTPATH M294A. THE LINES AND SITUATIONS OF THE EXISTING AND PROPOSED ALTERNATIVE HIGHWAY ARE SHOWN ON THE MAP ANNEXED TO THE DRAFT ORDER.

A COPY OF THE DRAFT ORDER AND THE MAP CONTAINED IN IT HAS BEEN DEPOSITED AT THE OFFICES OF THE NORTH WARWICKSHIRE BOROUGH COUNCIL AND MAY BE INSPECTED FREE OF CHARGE AT THE COUNCIL OFFICES, SOUTH STREET, ATHERSTONE, DURING NORMAL OFFICE HOURS.

ANY REPRESENTATION OR OBJECTION WITH RESPECT TO THE DRAFT ORDER MAY BE SENT IN WRITING TO THE SECRETARY OF STATE FOR THE ENVIRONMENT (REF: WMR/P/5395/151/3) FIVE WAYS TOWER, FREDERICK ROAD, EDGBASTON, BIRMINGHAM B15 1SJ NOT LATER THAN

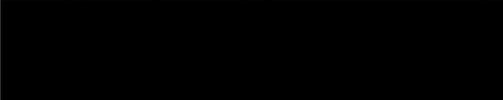
15 JANUARY

1982 AND SHOULD STATE THE GROUNDS ON WHICH IT IS

MADE.

DATED 8 DECEMBER

1981


 D. L. SAUNDERS
 A REGIONAL CONTROLLER IN THE
 DEPARTMENT OF THE ENVIRONMENT

TOWN AND COUNTRY PLANNING ACT 1971 - SECTION 209

THE NORTH WARWICKSHIRE DISTRICT (FOOTPATH NO M294A (PART) FILLONGLEY)

PUBLIC PATH DIVERSION ORDER (NO 2) 198

Whereas the Secretary of State for the Environment (hereinafter called "the Secretary of State") is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1971;

Now, therefore, the Secretary of State, in pursuance of the powers in that behalf conferred by section 209 of the Town and Country Planning Act 1971 and all other enabling powers hereby makes the following order:

1. The footpath described in Part I of the Schedule hereto and shown by a bold black line on the map annexed hereto shall be diverted as provided by this order.
2. There shall be created to the reasonable satisfaction of the Warwickshire County Council an alternative footpath in the situation and along the line described in Part II of the Schedule hereto, and shown by bold black dashes on the map contained in this order, for use as a replacement for the footpath referred to in Article 1 above.
3. The diversion of the footpath referred to in Article 1 above shall have effect on the date on which it is certified by the Warwickshire County Council that the provisions of Article 2 above have been complied with.
4. Where immediately before the date on which a highway is diverted in pursuance of this order there is apparatus on, under or over that highway belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
5. This order may be cited as the North Warwickshire District (Footpath No M294A (Part) Fillongley) Public Path Diversion Order (No 2) 198 .

SCHEDULE

PART I

Description of Site of Existing Path

That part of the existing footpath in the parish of Fillongley in the district of North Warwickshire which starts from a point marked 'A' on the map, at its junction with footpath No M294, approximately 44 metres south-west of the Coventry Road (B4098), and runs in a south-easterly direction through OS plot No 0401 for a distance of approximately 185 metres to a point marked 'B' on the map.

PART II

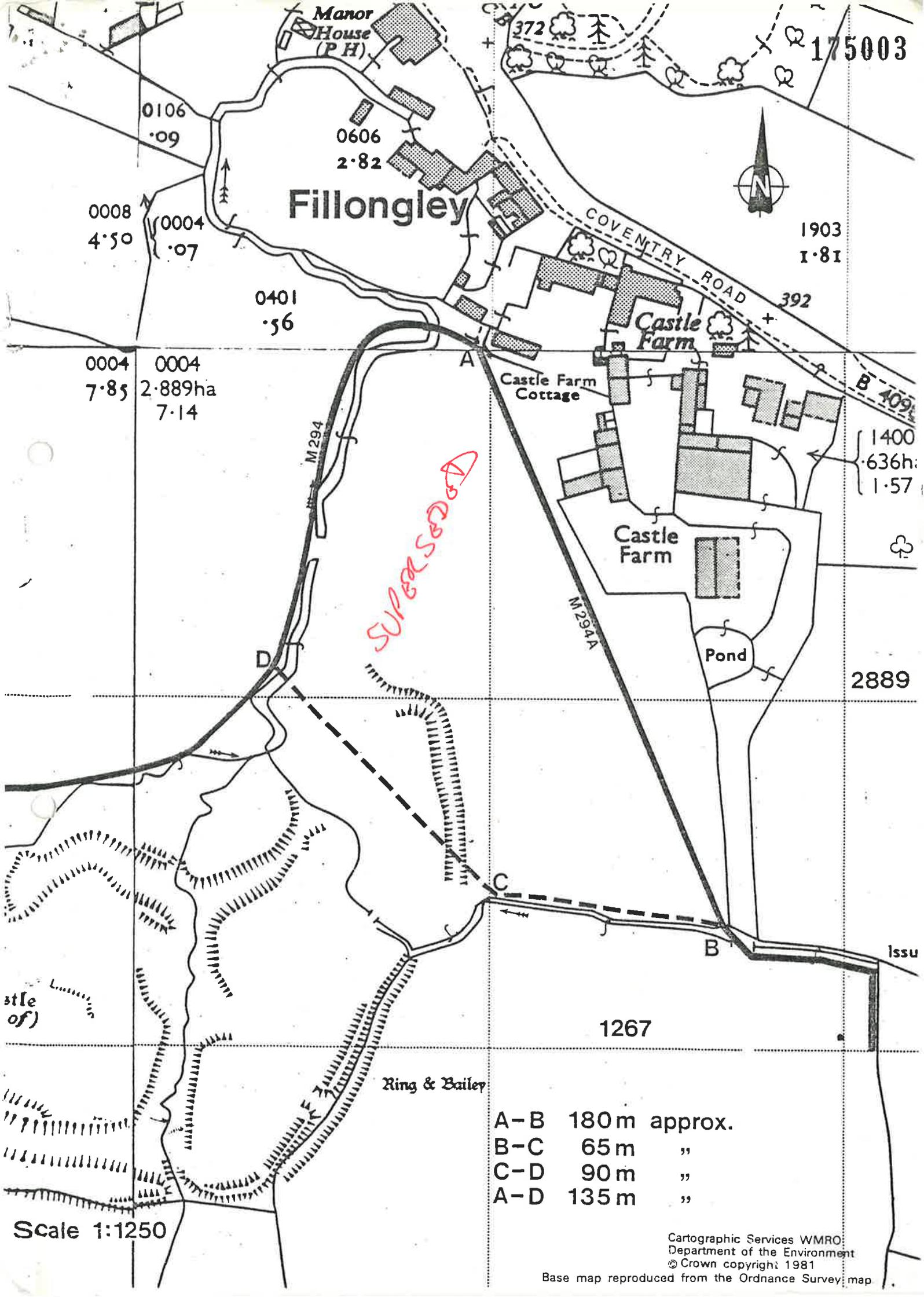
Description of Site of Alternative Highway

A new footpath in the parish of Fillongley in the district of North Warwickshire starting from a point approximately 135 metres south of the aforementioned point 'A' on the line of footpath No M294, marked 'D' on the map, first crossing a stream and then running in a south-easterly direction for a distance of approximately 90 metres to a point marked 'C' on the map and then in an easterly direction for a distance of approximately 65 metres to rejoin the existing footpath No M294A at the aforementioned point marked 'B' on the map.

Signed by authority of the
Secretary of State

A Regional Controller
in the Department of the Environment

(Date)



Fillongley

Dogs

A-B	180 m approx.
B-C	65 m "
C-D	90 m "
A-D	135 m "

Scale 1:1250

Cartographic Services WMRO
 Department of the Environment
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Base map reproduced from the Ordnance Survey map