

Claimed public footpaths from Liston Court to New Court and Cromwell Gardens to New Court, Marlow

Background Papers – BUNDLE 1

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- 121 – 126 Alexander Gilford from Lennox Estates dated 5 September 2018
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- 129 – 130 Mr Adrian Thompson (Property Solicitor) legacy W.D.C dated 19 October 2018
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APPLICATION FOR A MODIFICATION ORDER

THE WILDLIFE AND COUNTRYSIDE ACT 1981

**THE BUCKINGHAMSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT**

To: Director Environment Services, Buckinghamshire County Council
Of: County Hall, Aylesbury, Buckinghamshire, HP20 1UY

I/We: ANNIE JONES

Of: Marlow Town Council

Hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

1. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

2. Adding the (footpath) ~~(bridleway)~~ ~~(restricted byway)~~ ~~(byway open to all traffic)~~
From: CROWWELL GARENS, MARLOW To: NEW COURT, MARLOW, SL7 1AS
SL7 1BG/SU8504686577 SU84970 86607

3. (upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

4. (varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

by providing that as shown on the map accompanying this application (to a scale of 1:25,000 or greater).

I/We attach copies of documentary evidence including witness statements, in support of this application. Please attach a separate sheet, listing the documents/statements. } will be sent separately

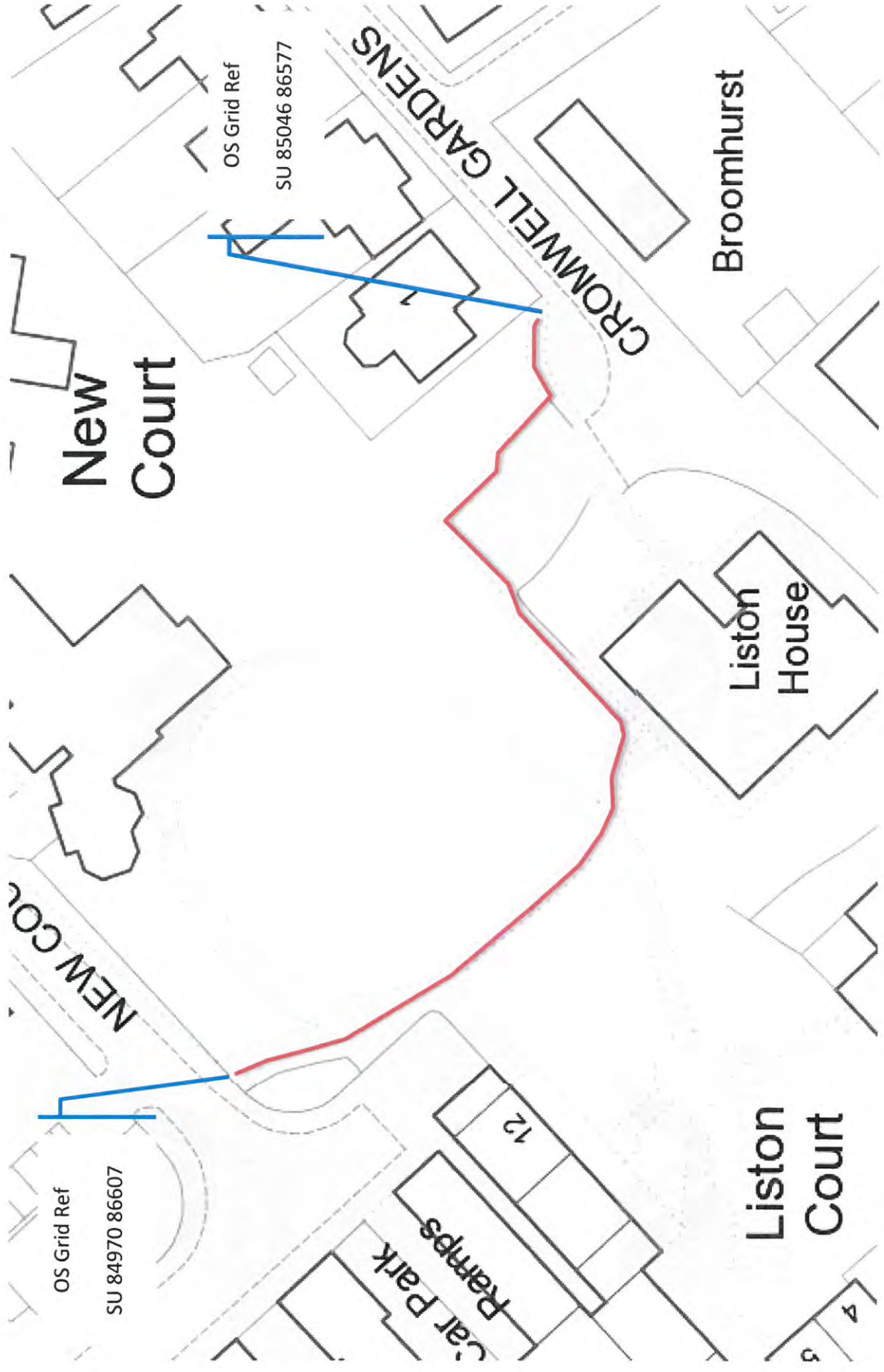
Dated: 5-1-16 Signed:

Signed (on behalf of) Marlow Town Council

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.



Footpath 'A'



FORM 1

APPLICATION FOR A MODIFICATION ORDER

THE WILDLIFE AND COUNTRYSIDE ACT 1981

THE BUCKINGHAMSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT

To: Director Environment Services, Buckinghamshire County Council
Of: County Hall, Aylesbury, Buckinghamshire, HP20 1UY

I/We: ANNIE JONES
Of: Marlow Town Council

Hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

~~1. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)~~
From: To:

2. Adding the (footpath) (bridleway) (restricted byway) (byway open to all traffic).

From: NEW COURT, MARLOW To: LISTON COURT, MARLOW, SL7 1ER
SL7 1AS, SU85060 86630 SU 84950 86562

~~3. (upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)~~

From: To:

~~4. (varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)~~

From: To:

by providing that as shown on the map accompanying this application (to a scale of 1:25,000 or greater).

I/We attach copies of documentary evidence including witness statements, in support of this application. Please attach a separate sheet, listing the documents/statements.

} will be sent separately

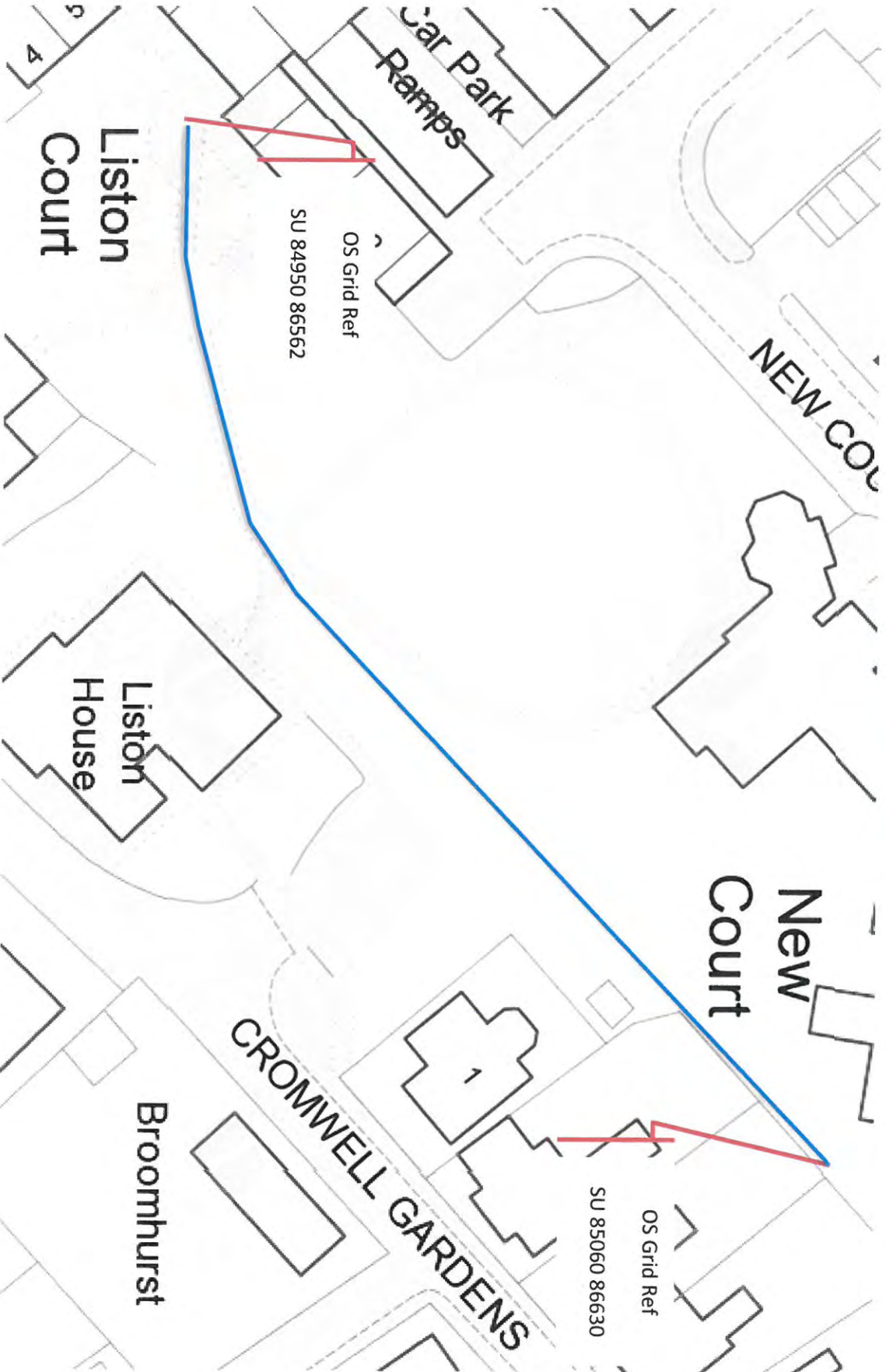
Dated: 5-1-16 Signed:

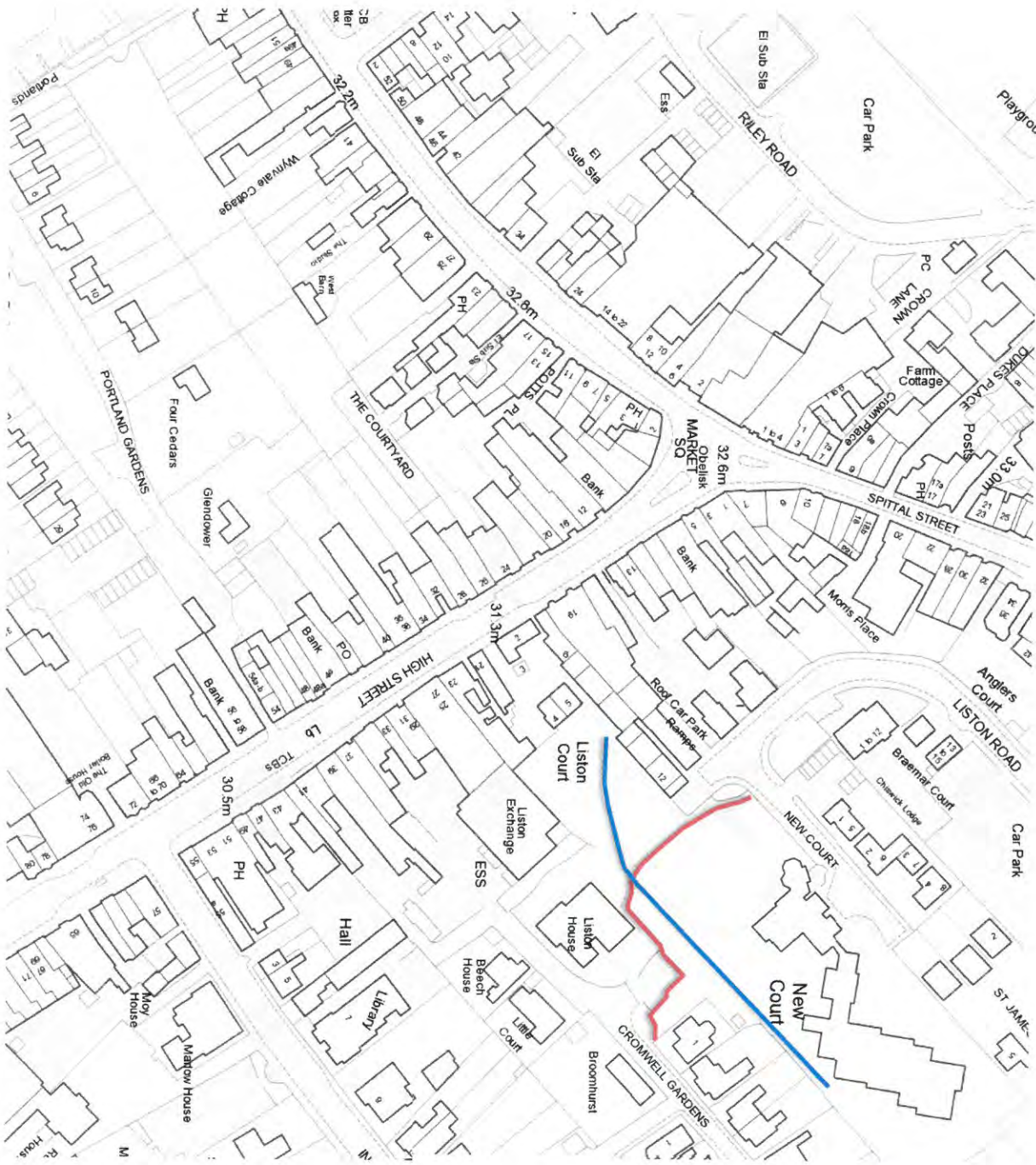
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Footpath 'B'





Red = Footpath A
Blue = Footpath B

Hudson, Claire

From: Hudson, Claire
Sent: 19 January 2016 13:45
To: 'Annie Jones'
Subject: RE: Marlow Footpath

Dear Annie

**DEFINITIVE MAP MODIFICATION ORDER APPLICATION 2016
CLAIMED PUBLIC FOOTPATH BETWEEN NEW COURT AND CROMWELL, MARLOW**

I acknowledge receipt of your application to modify the Definitive Map by adding a Public Footpath between New Court and Cromwell Gardens, Parish of Marlow . I note that you have served notice on the owner of the land.

The application has been given reference number **16855WDI**.

The application will be investigated and a report will be presented to the County Council's Rights of Way Committee for an initial decision. Should the Committee accept the application, a Definitive Map Modification Order would be made and would be open to objection. If any objections are received in the requisite time period, the matter would then have to be referred to the Secretary of State for determination. If no objections were received, the route would then be confirmed.

Should the Committee reject the application, you would have a right of appeal to the Secretary of State.

At present, I am unable to say when the matter will be brought to the Committee as there are several other applications ahead of this one. All applications are dealt with in chronological order of receipt. It is likely that there will be a timeframe of approx. 4 years before investigation starts. Should we be in a position to investigate sooner then we will and will make you aware. Please send all supporting evidence as soon as possible to complete the registration process.

Please contact me if you have any queries.

Kind Regards

Claire Hudson
Definitive Map & Local Land Charges Team Leader
Transport Economy Environment

Tel: 01296 383425

E-mail: cehudson@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, Bucks, HP20 1UA

Visit our Website: www.buckscc.gov.uk

From: Annie Jones [mailto:anniejones@marlow-tc.gov.uk]
Sent: 14 January 2016 14:18
To: Hudson, Claire
Subject: Fw: Marlow Footpath

APPLICATION FOR A MODIFICATION ORDER

THE WILDLIFE AND COUNTRYSIDE ACT 1981

**THE BUCKINGHAMSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT**

To: Director Environment Services, Buckinghamshire County Council
Of: County Hall, Aylesbury, Buckinghamshire, HP20 1UY

I/We: *KELVIN WARNE*

Of:

Hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

1. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

2. Adding the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: *LISTON RD* To: *HIGH ST + CROMWELL GDNS
via NEW COURT + LISTON COURT.*

3. (upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

4. (varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)
From: To:

by providing that as shown on the map accompanying this application (to a scale of 1:25,000 or greater).

I/We attach copies of documentary evidence including witness statements, in support of this application. Please attach a separate sheet, listing the documents/statements.

Dated: *11 DEC 2020* **Signed:**

Signed (on behalf of)

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.

DEFINITIVE MAP MODIFICATION ORDER APPLICATION
USER EVIDENCE FORM
Please Read Carefully

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

About You

TITLE FIRST NAMES.....
SURNAME ...
ADDRESS
..... POSTCODE .
DATE OF BIRTH ..

Have you personally used the route?

Yes No

The Claimed Route

1. Details of the route:

Grid Reference for Start of the route:

84961 86595

Grid Reference for End of the route:

84915 86523
and 85050 86577

Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

From South end of Liston Rd, South West to High St,
and
West to Cromwell Adns.

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

See map.

2. Has the route, to the best of your knowledge, always run on the same line?
 Yes No

If your answer is No, please explain below, giving dates of when the route changed:

3. How wide is the route?

2 metres + (1 metre through arch)

Has the route always been the same width?

Yes No

If No, how wide did it used to be and why did it change?

4. Are there, to your knowledge, any structures along the route? Gates, stiles etc.
Please explain what these are, where they are, and how long they have been there:

No

Your use of the Claimed Route

5. Between what dates have you used the route?

c1980 to present

6. Have there been any prolonged periods of time when you have not used the route? Yes No

If Yes, what was the reason for not using the route?

7. In what manner did you use the route? (please tick all that apply)

- On Foot
 On Bicycle
 On horse back
 With a non-motorised vehicle
 With a motorised vehicle

8. Where were you going to and from when using the route? For what purpose did you use the route? For example leisure, recreation, visiting family

To go to town centre and river side and park. I'm a resident of Marlow so walk to town; a major use will be people using Lister Rd Car Park. I use the Cromwell Arms access when walking between the town centre and the Victoria Rd Medical Centre.

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	varies, probably 10, but will be much more for people using the car park.
On Bicycle	
On Horseback	
Non-motorised vehicles	
Motorised Vehicles	

10. Did you ever ask for permission to use the route?

Yes No

If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission?

Yes No

If Yes, please explain:

It is currently public access by practice and is paved for this purpose. The reason for this submission is for this not to change - ie to ensure this is an official route, safeguarded from being blocked.

About the Landowner

12. When you used the route, were you connected with the landowner in any way?

(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		✓
Employee		✓
Family Member		✓
Friend		✓
Other (please state)		✓

13. If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?

Yes No

If yes, please explain:

14. Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?

Yes No

If yes, please explain:

15. Have there ever been any notices on or near the route?

Yes No

If Yes, please explain:

16. Has the route ever been obstructed? Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		✓
Broken Structures		✓
Fencing		✓
Non-reinstatement of crop / plough		✓
Other – please describe		✓
<i>Not to my knowledge</i>		

17. Please provide any other information in support of this application (continue on a separate page if need be):

See separate page, with map.

18. Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further? Yes No
(If you prefer, a telephone interview can be arranged)

19. If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form? Yes No

If No, please give a reason:

Try to avoid public speaking

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME

SIGNATURE

DATE

11 Dec 2020

What Happens Next?

Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

Your Contact Details

Your Name	
Address	
Phone Number (preferred) Not to be disclosed	
Email Address Not to be disclosed	
Parish (where claimed route exists)	Marlow Town Centre

DMMO for route from Liston Rd through New Court / Liston Court to High St and Cromwell Gdns.

Map and additional information



The route marked red has been public access for as long as I can remember; my first visits to Marlow were in 1980 and between then and now I have either lived in Marlow or visited it regularly. I think they have been very well used for all this time, so at least 40 years.

It has been a well created and maintained route, suitable for feet and wheels (pushchairs and mobility scooters). For people parking in Liston Rd Car Park, it is the most convenient route to the centre of the High St, helps the visibility of the Liston Court shops, is away from the traffic and reduces the load on the Spittal St pavements. The access from Liston Rd is also a good route for those approaching the town by foot etc. from the east and heading for the middle of the High St, the Post Office sorting office or the riverside.

The Cromwell Gdns access to the east is a convenient route to the medical centre (Victoria Rd) that I have used a number of times, and another route to the town via the Library.

It is really important that these routes are protected and Marlow's open spaces continue to be part of it's amenities and are not lost.

11 Dec 20

APPLICATION FOR A MODIFICATION ORDER

THE WILDLIFE AND COUNTRYSIDE ACT 1981

**THE BUCKINGHAMSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT**

To: Director Environment Services, Buckinghamshire County Council

Of: County Hall, Aylesbury, Buckinghamshire, HP20 1UY

I/We: *RICHARD HUGH PARKER*

Of:

Hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

1. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

2. Adding the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: *LITTON ROAD* To: *HIGH STREET & CROMWELL GARDENS*
- LITTON COURT SHOPS

3. (upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

4. (varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

by providing that as shown on the map accompanying this application (to a scale of 1:25,000 or greater).

I/We attach copies of documentary evidence including witness statements, in support of this application. Please attach a separate sheet, listing the documents/statements.

Dated: *20th December 2009* Signed:

Signed (on behalf of)

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DEFINITIVE MAP MODIFICATION ORDER APPLICATION
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Please Read Carefully

Why am I completing this form?

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Your Personal Details

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Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

About You

TITLE ... FIRST NAMES.....
SURNAME ...
ADDRESS
.....POSTCODE ..
DATE OF BIRTH

Have you personally used the route? [X] Yes [] No

The Claimed Route

1. Details of the route:

Grid Reference for Start of the route: 84961 86595

Grid Reference for End of the route: 84915 86523 865050 86577



Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

From the end (southern) of historic Road, through the brick archway into Lister Court. Thereafter one can go into Cromwell Gardens or through to the High Street

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

See map

2. Has the route, to the best of your knowledge, always run on the same line?

Yes No

If your answer is No, please explain below, giving dates of when the route changed:

3. How wide is the route?

2 metres (1 person wide)

Has the route always been the same width?

Yes No

If No, how wide did it used to be and why did it change?

4. Are there, to your knowledge, any structures along the route? Gates, stiles etc.
Please explain what these are, where they are, and how long they have been there:

No

Your use of the Claimed Route

5. Between what dates have you used the route?

2004

to

2020

6. Have there been any prolonged periods of time when you have not used the route? Yes No

If Yes, what was the reason for not using the route?

7. In what manner did you use the route? (please tick all that apply)

On Foot

On Bicycle

On horse back

With a non-motorised vehicle

With a motorised vehicle

8. Where were you going to and from when using the route? For what purpose did you use the route? For example leisure, recreation, visiting family

From Cromwell Gardens to / From Shops in Spittal St and to Linton Road Car park. The route in reverse is signposted to the High Street. Shoppers use route as shortest way from car park to High Street

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	200
On Bicycle	/
On Horseback	/
Non-motorised vehicles	/
Motorised Vehicles	/

10. Did you ever ask for permission to use the route? Yes No
If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission? Yes No

If Yes, please explain:

Signs are clearly visible - one sign to Colpak & one to High Street

About the Landowner

12. When you used the route, were you connected with the landowner in any way?
(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		✓
Employee		✓
Family Member		✓
Friend		✓
Other (please state)		✓

13. If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?

Yes No

If yes, please explain:

14. Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?

Yes No

If yes, please explain:

15. Have there ever been any notices on or near the route?

Yes No

If Yes, please explain:

16. Has the route ever been obstructed? Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		/
Broken Structures		/
Fencing		/
Non-reinstatement of crop / plough		/
Other – please describe		

17. Please provide any other information in support of this application (continue on a separate page if need be):

This route has been made suitable for disabled people/ wheelchair users. If this route is removed such users will have to have a long detour via Spital St, 6 High Street to get to Histon Court

18. Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further? Yes No
(If you prefer, a telephone interview can be arranged)

19. If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form? Yes No

If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME

SIGNATURE

DATE

20/12/2012

What Happens Next?

Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

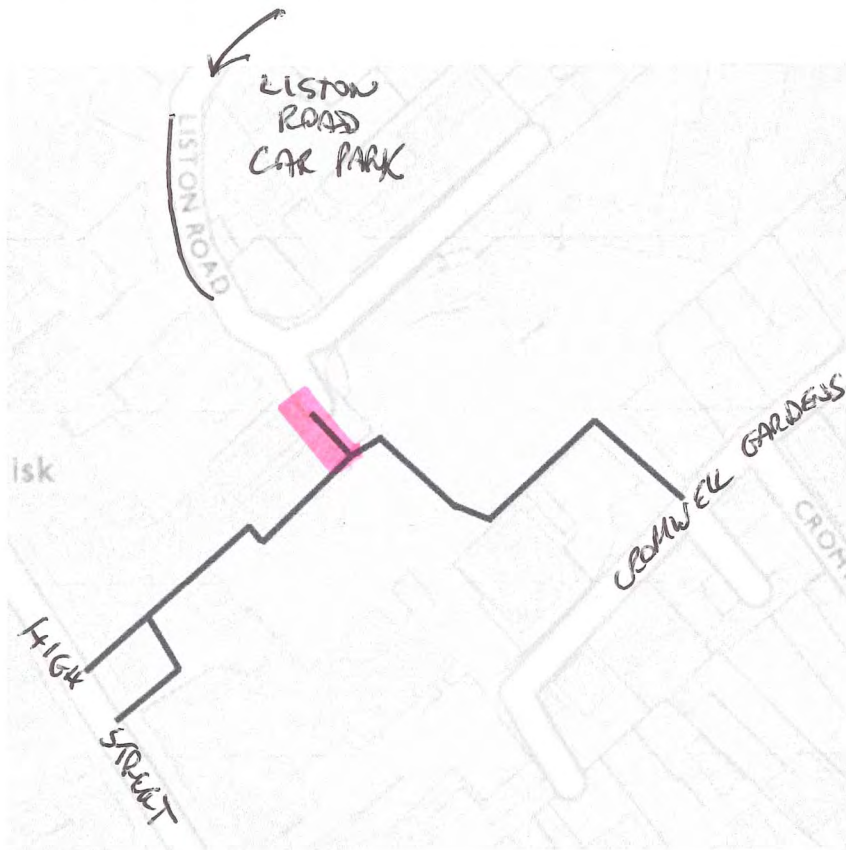
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Your Contact Details

Your Name	
Address	
Phone Number (preferred) Not to be disclosed	
Email Address Not to be disclosed	
Parish (where claimed route exists)	MARLOW TOWN

DMMO for route from Liston Rd through New Court / Liston Court to High St and Cromwell Gdns.

Map and additional information



Part of route being removed

DEFINITIVE MAP MODIFICATION ORDER APPLICATION

USER EVIDENCE FORM

Please Read Carefully

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

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Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

About You

TITLE FIRST NAMES.....

SURNAME

ADDRESS

.....

.....POSTCODE

DATE OF BIRTH

Have you personally used the route?

Yes No

The Claimed Route

1. Details of the route:

Grid Reference for Start of the route:

Grid Reference for End of the route:



Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

Between Liston Court and Liston Road

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

See attached Maps Foot path A

2. Has the route, to the best of your knowledge, always run on the same line?

Yes No

If your answer is No, please explain below, giving dates of when the route changed:


Two metres plus except archway
of approx one metre.

3. How wide is the route?

Has the route always been the same width?

If No, how wide did it used to be and why did it change?

Yes No



4. Are there, to your knowledge, any structures along the route? Gates, stiles etc.
Please explain what these are, where they are, and how long they have been there:

Wo

Your use of the Claimed Route

5. Between what dates have you used the route?

1990

to

Present day

6. Have there been any prolonged periods of time when you have not used the route?
If Yes, what was the reason for not using the route?

Yes No

7. In what manner did you use the route? (please tick all that apply)

- On Foot
- On Bicycle
- On horse back
- With a non-motorised vehicle
- With a motorised vehicle

8. Where were you going to and from when using the route? For what purpose did you use the route? For example leisure, recreation, visiting family

Access to Town Centre

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	ONE HUNDRED PLUS
On Bicycle	—
On Horseback	—
Non-motorised vehicles	—
Motorised Vehicles	—

10. Did you ever ask for permission to use the route? Yes No

If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission? Yes No

If Yes, please explain:

About the Landowner

12. When you used the route, were you connected with the landowner in any way?
(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		
Employee		
Family Member		
Friend		
Other (please state)		<input checked="" type="checkbox"/>

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	ONE HUNDRED PLUS
On Bicycle	—
On Horseback	—
Non-motorised vehicles	—
Motorised Vehicles	—

10. Did you ever ask for permission to use the route?

Yes

No

If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission?

Yes

No

If Yes, please explain:

About the Landowner

12. When you used the route, were you connected with the landowner in any way?

(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		
Employee		
Family Member		
Friend		
Other (please state)		<input checked="" type="checkbox"/>

This path, which I define as the route from the High Street through Liston Court and the archway on to Liston Road, is a major pedestrian route and has been for at least 30 years. It provides a safe and unpolluted foot passage from the town centre to the pedestrian crossing on Spittal St. The alternative route means using the narrow, polluted and congested pavements of Spittal Street. Note that it is on a continuous pavement affording a safe paved path for mobility vehicles and children in pushchairs. Any diversion via the unpaved pathway adjoining the New Court property to the east would require such travellers to cross a road once or twice depending on the route chosen.

18. Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further?
(If you prefer, a telephone interview can be arranged) Yes No

19. If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form? Yes No
- If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME

SIGNATURE

DATE

3 DECEMBER 2020

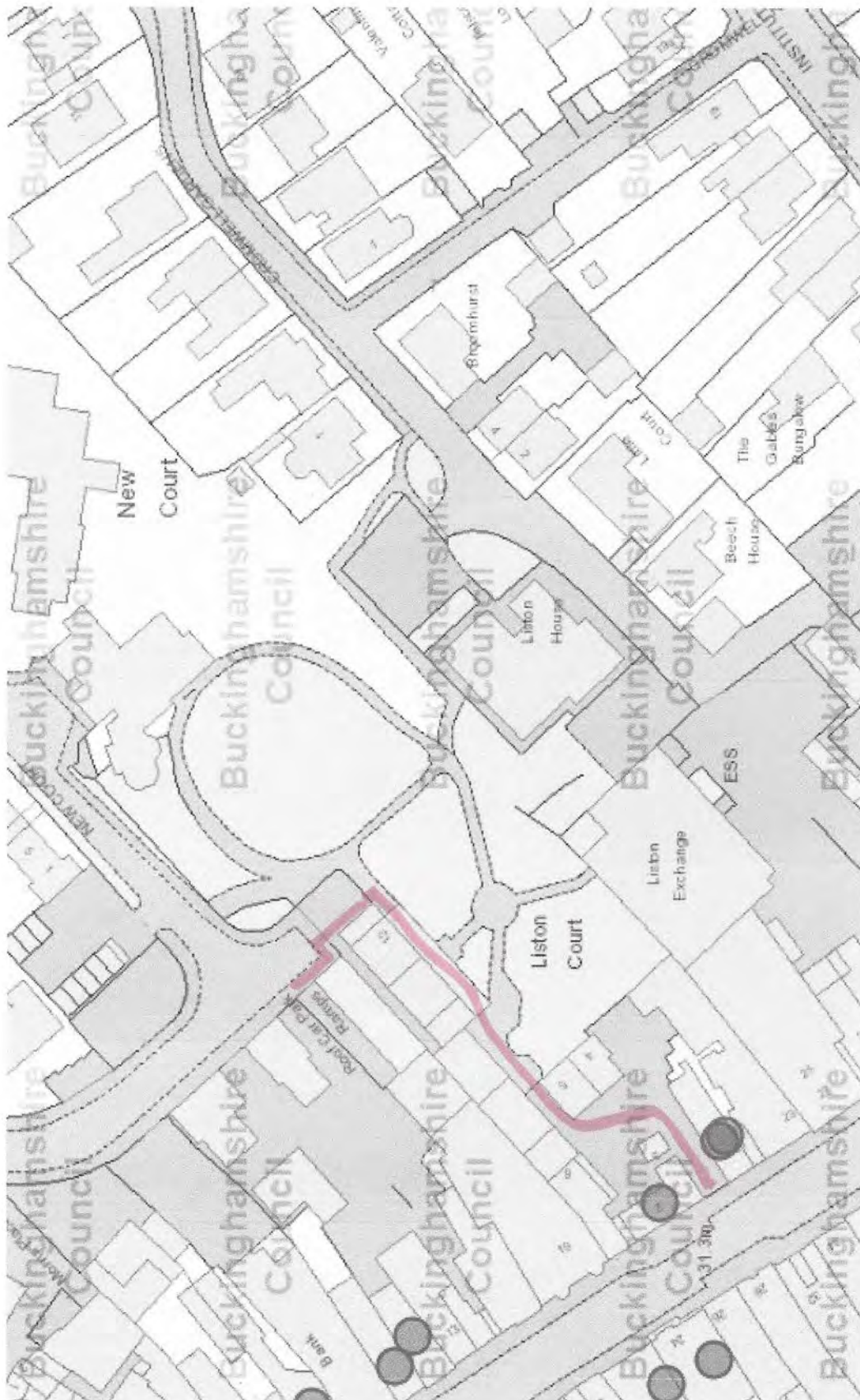
What Happens Next?

Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request.

Internal File Reference 16855

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FORM 2

NOTICE OF APPLICATION FOR A MODIFICATION ORDER

THE WILDLIFE AND COUNTRYSIDE ACT 1981
SECTION 53(5) AND SCHEDULE 14

THE BUCKINGHAMSHIRE COUNCIL DEFINITIVE
MAP AND STATEMENT

To: DIRECTOR

Of: SORRON ESTATES

I/We: MARTIN BRUNICKELL

Of: MARLOW SOCIETY

Hereby give notice that on 30DEC20 [Insert date] I / we made application to the Buckinghamshire Council, Walton Street Offices, Aylesbury, Buckinghamshire, HP20 1UY that the definitive map and statement for the area be modified by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

1. ~~Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)~~

From: To:

2. ~~Adding the (footpath) (bridleway) (restricted byway) (byway open to all traffic)~~

From: LISTON COURT To: LISTON ROAD

3. ~~(upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)~~

From: To:

4. ~~(varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)~~

From: To:

By providing that:

Dated: 29 APRIL 2021 Signed:

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.

FORM 3

THE WILDLIFE AND COUNTRYSIDE ACT 1981

**THE BUCKINGHAMSHIRE COUNCIL
DEFINITIVE MAP AND STATEMENT**

Certificate of Service of Notice of Application for Modification Order

To: Service Director Planning Growth and Sustainability, Buckinghamshire Council

Of: Walton Street Office, Aylesbury, Buckinghamshire, HP20 1UA

I/we*:

Of: THE MARLOW SOCIETY

HEREBY CERTIFY that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with

Dated: 29 APRIL 2021 Signed: ..

Signed (on behalf of)

*Insert name(s) and address(es) of all applicant(s)

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.

DEFINITIVE MAP MODIFICATION ORDER APPLICATION

USER EVIDENCE FORM

Please Read Carefully

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

About You

TITLE FIRST NAMES.....

SURNAME

ADDRESS

.....POSTCODE

DATE OF BIRTH

Have you personally used the route?

Yes No

The Claimed Route

1. Details of the route:

Grid Reference for Start of the route:

N/A

Grid Reference for End of the route:

N/A

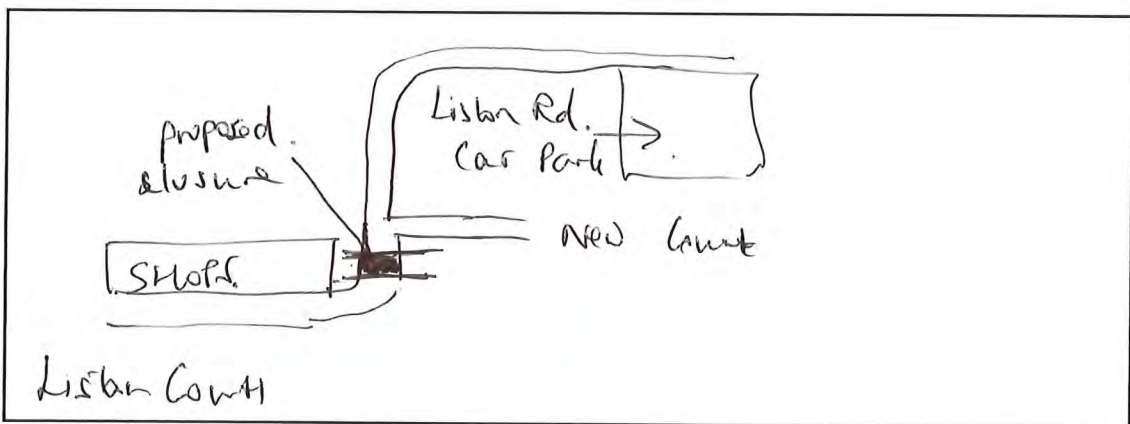


map attached at back page 7.

Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:

From Liston Road to Liston Court
and vice versa

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc



2. Has the route, to the best of your knowledge, always run on the same line?

Yes No

If your answer is No, please explain below, giving dates of when the route changed:

3. How wide is the route?

Has the route always been the same width?

D/K. Yes No

If No, how wide did it used to be and why did it change?

2 metres approx.

4. Are there, to your knowledge, any structures along the route? Gates, stiles etc.
Please explain what these are, where they are, and how long they have been there:

No

Your use of the Claimed Route

5. Between what dates have you used the route?

1993

to

now

6. Have there been any prolonged periods of time when you have not used the route?
 Yes No

If Yes, what was the reason for not using the route?

7. In what manner did you use the route? (please tick all that apply)

- On Foot
- On Bicycle
- On horse back
- With a non-motorised vehicle
- With a motorised vehicle

8. Where were you going to and from when using the route? For what purpose did you use the route? For example leisure, recreation, visiting family

Home -> shops - leisure centre - recreation
(town centre) (Court Garden) (park).

18. Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further? Yes No
(If you prefer, a telephone interview can be arranged)

19. If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form? Yes No

If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME

SIGNATURE

DATE

29.08.2021

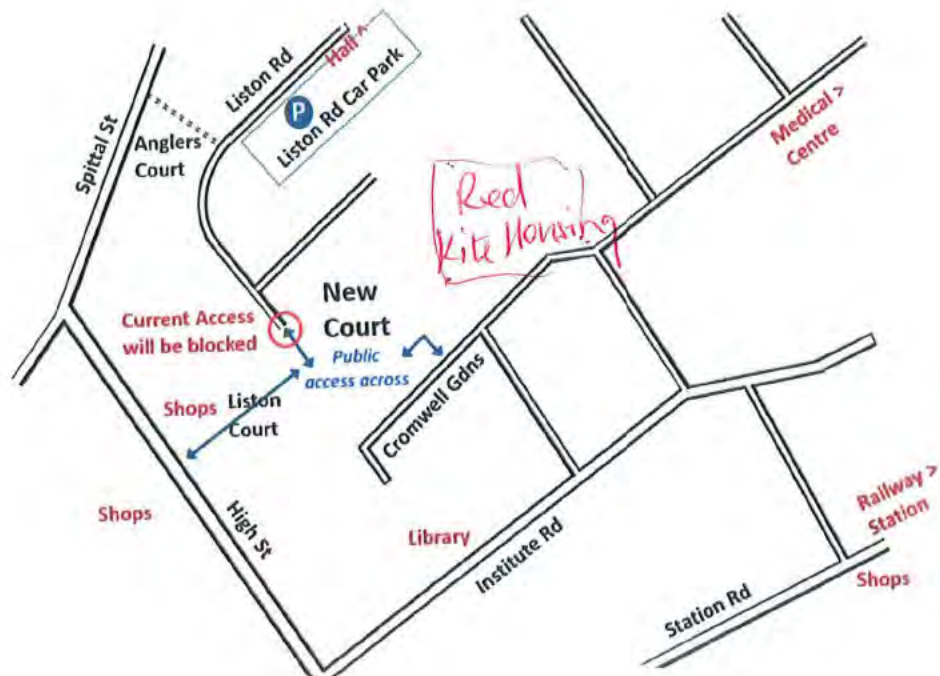
What Happens Next?

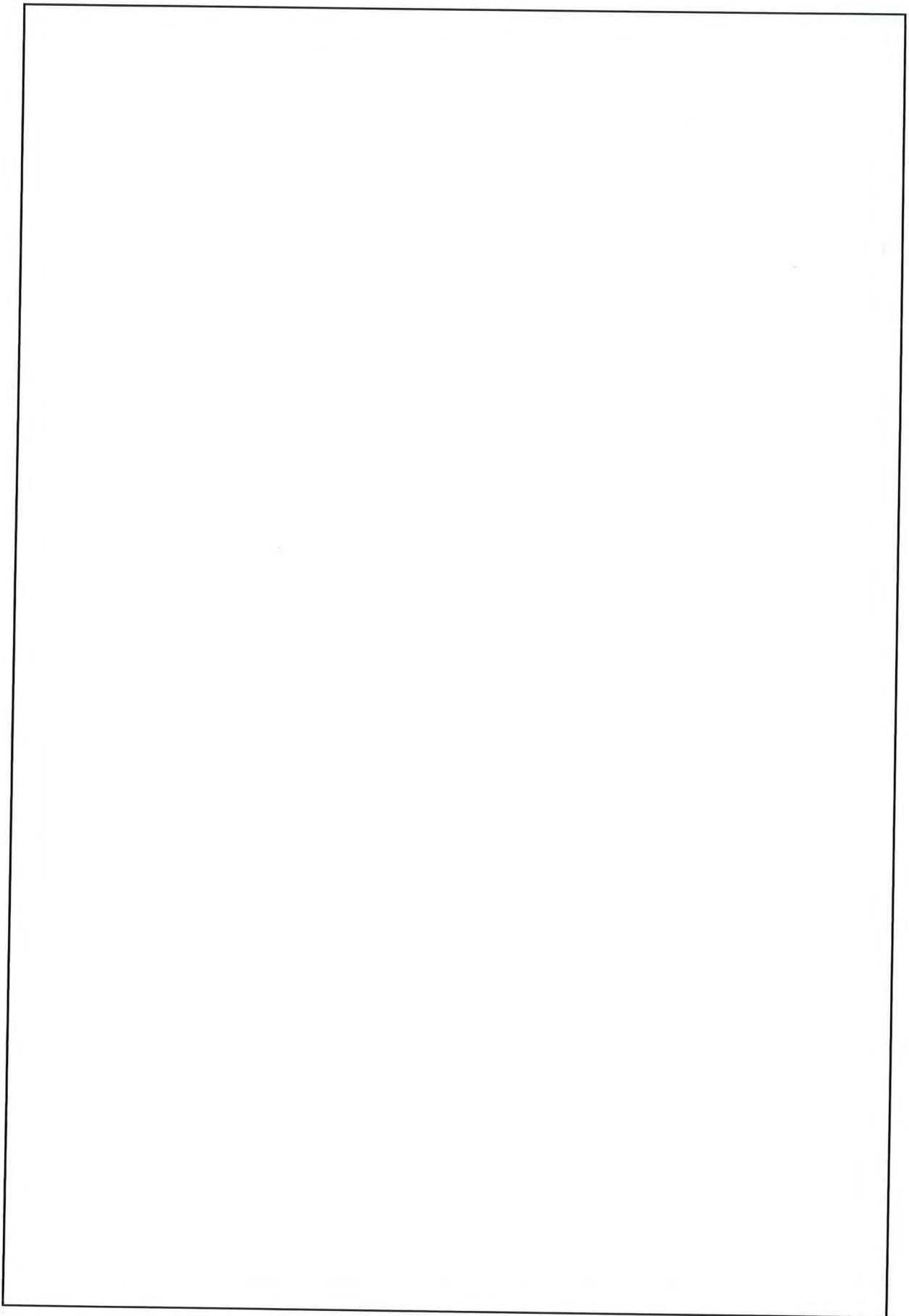
Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

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Blank Page - feel free to use this for further information

This footpath is easily accessible for residents in the Red Kite housing some of whom have mobility issues and many of whom are elderly and use walking aids.





Your Contact Details

Your Name	
Address	
Phone Number (preferred) Not to be disclosed	
Email Address Not to be disclosed	
Parish (where claimed route exists)	Marlow ?

MAP — page 7

APPLICATION FOR A MODIFICATION ORDER

THE WILDLIFE AND COUNTRYSIDE ACT 1981

**THE BUCKINGHAMSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT**

To: Director Environment Services, Buckinghamshire County Council
Of: County Hall, Aylesbury, Buckinghamshire, HP20 1UY

I/We: Stella and Brian Ward

Of:

Hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement for the area by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

1. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

2. Adding the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

3. (upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

4. (varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: LISTON COURT **To:** LISTON ROAD

by providing that as shown on the map accompanying this application (to a scale of 1:25,000 or greater).

I/We attach copies of documentary evidence including witness statements, in support of this application. Please attach a separate sheet, listing the documents/statements.

Dated: 5/2/22 **Signed:**

Signed (on behalf of)

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.



NOTICE OF APPLICATION FOR A MODIFICATION ORDER

**THE WILDLIFE AND COUNTRYSIDE ACT 1981
SECTION 53(5) AND SCHEDULE 14**

**THE BUCKINGHAMSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT**

To: Director Environment Service, Bucks CC
Of: County Hall, Aylesbury, Bucks, HP20 1UY
I/We: BRIANWARD, STEWART

Of:

Hereby give notice that on 5/2/22 [Insert date] I / we made application to the Buckinghamshire County Council, County Hall, Aylesbury, Buckinghamshire, HP20 1UY that the definitive map and statement for the area be modified by:

(PLEASE DELETE THE WORD IN THE BRACKETS WHICH DO NOT APPLY)

1. Deleting the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

2. Adding the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

3. (upgrading) (downgrading) to a (footpath) (bridleway) (restricted byway) (byway open to all traffic) the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: To:

4. (varying) (adding to) the particulars relating to the (footpath) (bridleway) (restricted byway) (byway open to all traffic)

From: LISTON COURT To: LISTON ROAD

By providing that:

Dated: 5/2/22 Signed:

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.



THE WILDLIFE AND COUNTRYSIDE ACT 1981

**THE BUCKINGHAMSHIRE COUNTY COUNCIL
DEFINITIVE MAP AND STATEMENT**

Certificate of Service of Notice of Application for Modification Order

To: Director Environment Services, Buckinghamshire County Council

Of: County Hall, Aylesbury, Buckinghamshire, HP20 1UY

I/We*: *STELLA WARD, BRIAN WARD*

Of:

HEREBY CERTIFY that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with

Dated: *5/2/22* Signed: .

Signed (on behalf of)

*Insert name(s) and address(es) of all applicant(s)

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual making the appropriate request and will be included in the Register of Definitive Map Modification Order Applications.



DEFINITIVE MAP MODIFICATION ORDER APPLICATION
USER EVIDENCE FORM
Please Read Carefully

Why am I completing this form?

An application is to be made to Buckinghamshire County Council to modify the Definitive Map and Statement by potentially recording Public Rights along a particular route. You have been asked to complete this form to provide information on your use of the route to help to establish whether use by the public is sufficient for the Council to be able to deem or infer that a particular route has been dedicated by the landowner as a public right of way. Please answer the questions below with as much detail and accuracy as possible.

Your Personal Details

All Personal information is handled by the County Council in accordance with Data Protection legislation. Before an Order is made, your personal information will remain confidential but your described use of the route maybe made known to affected landowners upon their request. Once an Order has been made, your personal details will be made known to any party who may request it. Contact details such as telephone numbers and email addresses will however be with-held. There is a separate section at the end of the form where you can provide contact details which will be detached from your form. By providing this information, it will enable us to contact you to discuss the evidence you have provided.

Please ensure this evidence form is accompanied by a map (scale of 1:10,000 or greater) showing the route clearly marked, and is sign and dated by yourself

About You

TITLE FIRST NAMES.....
SURNAME ...
ADDRESS
.....
.....POSTCODE ...
DATE OF BIRTH

Have you personally used the route? Yes No

The Claimed Route

1. Details of the route:

Grid Reference for Start of the route:

Grid Reference for End of the route:



Please provide a written description of the route from start to finish, including any location points road names and points of interest and where you were going:


LISTON COURT TO LISTON ROAD

If possible, please draw a sketch map of the route showing any details you feel are relevant i.e. changes in width, structures etc

See Map on Page 8

2. Has the route, to the best of your knowledge, always run on the same line?
 Yes No

If your answer is No, please explain below, giving dates of when the route changed:



3. How wide is the route?

Approx 2 metres

Has the route always been the same width?

Yes No

If No, how wide did it used to be and why did it change?

4. Are there, to your knowledge, any structures along the route? Gates, stiles etc.
Please explain what these are, where they are, and how long they have been there:

No

Your use of the Claimed Route

5. Between what dates have you used the route?

1982

to

PRESENT

6. Have there been any prolonged periods of time when you have not used the route? Yes No

If Yes, what was the reason for not using the route?

7. In what manner did you use the route? (please tick all that apply)

- On Foot
- On Bicycle
- On horse back
- With a non-motorised vehicle
- With a motorised vehicle

8. Where were you going to and from when using the route? For what purpose did you use the route? For example leisure, recreation, visiting family

SHOPPING AND LEISURE, TO TOWN CENTRE AND BUSES.

9. During the time period stated in Q5, how frequently did you use the route?

	Please state number of times used per year:
On Foot	200-300
On Bicycle	
On Horseback	
Non-motorised vehicles	
Motorised Vehicles	

10. Did you ever ask for permission to use the route?

Yes

No

If Yes, please explain overleaf:

11. Were you ever given permission by the landowner without asking i.e. did they display signs granting permission?

Yes

No

If Yes, please explain:

About the Landowner

12. When you used the route, were you connected with the landowner in any way?
(This includes District Councils as the landowner)

	Yes	No
Tenant (including Council tenants)		✓
Employee		✓
Family Member		✓
Friend		✓
Other (please state)		✓

13. If you have worked for any owner or occupier of the land crossed by the way at the time of you using it, or were a tenant, did you receive any instruction as to the use of the way by the public?

Yes No

If yes, please explain:

14. Have you ever been stopped or turned back when using the way, or do you know of or have heard of anyone else having been stopped or turned back?

Yes No

If yes, please explain:

15. Have there ever been any notices on or near the route?

Yes No

If Yes, please explain:

16. Has the route ever been obstructed? Please indicate how long the obstruction was there? i.e. a day, week, or longer

	Yes	No
Locked Gate		✓
Broken Structures		✓
Fencing		✓
Non-reinstatement of crop / plough		✓
Other – please describe		✓

17. Please provide any other information in support of this application (continue on a separate page if need be):

See Page 7

18. Are you prepared to be interviewed at your home or in an agreed location to discuss your evidence further? Yes No
(If you prefer, a telephone interview can be arranged)

19. If necessary, are you prepared to attend a Public Inquiry and give evidence on your use and information contained within this form? Yes No

If No, please give a reason:

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I acknowledge this form may be copied to landowners or objectors.

PRINT NAME

SIGNATURE

DATE

5/2/2022

What Happens Next?

Once we have received the application for a Definitive Map Modification Order which includes your User Evidence Form, and others, we will carry out an assessment of the application to ensure it has been duly made. It will then be added to our list of applications and dealt with in chronological order. When we are ready to investigate the application, we will write to a cross-section of those who submitted evidence forms, which may include yourself, and offer to meet with you to discuss your evidence in more detail. This can be arranged to occur at your home or in an agreed location. Please do provide your contact details on the separate form so that we may contact you. Your contact details will not be disclosed.

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Blank Page - feel free to use this for further information

My wife and I use this route nearly every day and it is heavily used by other Beaumont Rise residents (and others). It has been in use since we came to Marlow in 1982, providing a safe route to the Spital Street area. It is also used by mothers with pushchairs and mobility vehicles. Alternative routes would be slower and less safe.



Your Contact Details

Your Name	
Address	
Phone Number (preferred) Not to be disclosed	
Email Address Not to be disclosed	
Parish (where claimed route exists)	MARLOW

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>Don't use to point D but would cut across to H, wouldn't walk across the lawn. Would use routes evenly.</i></p> <p style="text-align: right;">Yes/No</p>
<p>Usage: During which years have you used the route? <i>From about 1969</i></p> <p>Have there been any gaps in your usage? <i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>Always by foot; 7 times a week</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from? <i>Always to go to the shops</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different? <i>Yes</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where? <i>No</i></p> <p>How wide is the route? <i>2.5 metres</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p>

<p>No If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>
<p>Obstructions: Have you ever been stopped, turned away, or told the way is not for public use? Dates. No</p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p><i>Yes in immediate past, access at E currently closed off in the last week and thinks it's temporary.</i></p>
<p>Notices: Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p><i>Used to be No cycling but that notice isn't there anymore</i></p>
<p>Permission: Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p>No</p> <p>Have you seen other people using the route? If yes, when?</p> <p><i>All the time</i></p>
<p>Anything else.....</p>
<p>Explain procedure</p> <p>Willing to attend public inquiry? <i>Maybe</i></p>
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p> <p>Signature Date 01/03/2019</p> <p style="text-align: right;">Telephone interview</p>

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>ABCGHIJ, ECGHIJ, would never use to point D</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>Living in Marlow for 35 years, used during those years. When working would use it twice a week, then from 10 years ago 8 times a week</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>Always</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from?</p> <p><i>Would be going to the high street in Marlow shopping, sometimes dog walking</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>No, always been the same.</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route? <i>Can comfortably pass someone else</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p> <p><i>No</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

Adjacent building works restricted use but access was still available

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Lots of other people using it, always 2-6 people using the route, used extensively by children to and from school.

Anything else.....

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature **Date 01/03/2019**

Telephone interview

Witness 154 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>ABCGHIJ, ECGHIJ, would not use to point D</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>Lived in house for 35 years, first 25 years would use it 4 times a week, last 10 years 8-10 times a week.</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <p>a) by car?</p> <p>b) by bicycle? <i>50% first 25 years</i></p> <p>c) on foot? <i>50% first 25 years, last 10 years walked</i></p> <p>d) on horseback?</p> <p>e) any other means e.g. horse and cart, motorcycle?</p> <p>For what purpose? Where were you going to and from?</p> <p><i>Shops</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Same direction, when they did up the back of new court they repaved an area.</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route?</p> <p><i>Enough to pass people comfortably, varies 1.5m -2.5m</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p> <p><i>No</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

Only notices when revamping pathway to the side. Pathway not obstructed.

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Yes lots of people, always people using it, lots of children using it to station cut through

Anything else.....

Sons used it when living at home 6-8 journeys a week.

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature **Date 01/03/2019**

Telephone interview

Witness 84 - Route A evidence and 16 - Route B evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>Would use all the routes, point D leads to back of house</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route? <i>Lived in current property since 2014. Using it since 1993.</i></p> <p>Have there been any gaps in your usage? <i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <p>a) by car?</p> <p>b) by bicycle? <i>Occasionally by bicycle – 3-4 times a week</i></p> <p>c) on foot? <i>In previous property used it a couple of times a week, use 4-5 times a week now</i></p> <p>d) on horseback?</p> <p>e) any other means e.g. horse and cart, motorcycle?</p> <p>For what purpose? Where were you going to and from? <i>Cycling to job at business park, high street, station, post office collection, to see friends.</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different? <i>As far as aware</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where? <i>No</i></p> <p>How wide is the route? <i>Comfortably pass someone else</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates. <i>No</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

Never been stopped, just assumed it belonged to the town

Have there ever been any locked gates or obstructions restricting access?

If yes, where, when, could you get around them?

No gates

Notices:

Have you ever seen any notices on or near the route?

If yes, what do/did they say? Dates.

No cycles, always been there.

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Yes definitely

Anything else.....

Plea that it stays as it is, so many people use it.

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature Date 15/02/2019

Telephone interview

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness:**Route:**

Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Always walk through Liston road down to Institute road, wouldn't go down to point D, occasionally cut across the grass. Would generally stay on surfaced routes. Yes

Usage:

During which years have you used the route?

Been using it for 38 years. Early 80s.

Have there been any gaps in your usage?

No

By what means would you use the route and how frequently was the usage:

- a) by car?
- b) by bicycle?
- c) on foot? *Always foot, 4-5 times a week.*
- d) on horseback?
- e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Access to shops or just for a walk

Details of route:

Has the route always been the same? Direction, width, surface? When & Where if different?

Yeah, Council did do some work years ago, more than 10 years ago.

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No

How wide is the route?

2 persons width

Landowner:

Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No, Mrs Liston, assumed it was part of Liston estate

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No never

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No, didn't feel like needed it, 100s use it every day.

Have you seen other people using the route? If yes, when?

Always see other people using it, because other people use it you use it.

Anything else.....

No, it would be a crippling blow if closed, really bad for the shops.

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature **Date 15/02/2019**

Telephone interview

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>Yes, would use both routes, always come in via Cromwell gardens. Would always stick to the path, would vary the route</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route? <i>From 1986</i></p> <p>Have there been any gaps in your usage? <i>Been in Marlow for 30 years, shopping development not always there but think previous route was along the same alignment</i></p> <p>By what means would you use the route and how frequently was the usage: a) by car? b) by bicycle? c) on foot? <i>5-6 times a week</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle?</p> <p>For what purpose? Where were you going to and from? <i>Access to shops and coffee shops</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different? <i>Improved surface – more than 10 years ago. Any works didn't stop access through.</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where? <i>No</i></p> <p>How wide is the route? <i>I – J ; 1-1.5metres. Section near the shops is about 2 metres. Always comfortably pass someone for majority of sections, some narrower sections.</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates. <i>Liston left the house and land for benefit of people of Marlow, then passed to Marlow TC, WDC then to Red Kite</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

Notices put up when Red Kite applied to change use, open day at house where people could look at house. Intended to re-route one of the routes a few years ago, just after house had been closed, various fencing went up.

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No, never had to ask anyone, never been questioned

Have you seen other people using the route? If yes, when?

Frequently, in the summer there is always people using it and sat in courtyard area.

Anything else.....

If they closed any bit of the route it would have an impact on the shops.

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature **Date 15/02/2019**

Telephone interview

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p><i>Only uses part of route B, doesn't go all the way to point D. When coming from High Street would come in at A and go out at I. Hardly use E apart from when going to Waitrose (once a fortnight). Would use the path not go across the grass.</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>1978 – still using it now</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>4-5 times a week, 5 -10 minute walk from home to high street</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from?</p> <p><i>Going to high street</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Council did it up about 10 years ago, same alignment.</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route?</p> <p><i>1.5 metres in some places 2 metres</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p>

<p>No</p> <p>If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>
<p>Obstructions:</p> <p>Have you ever been stopped, turned away, or told the way is not for public use? Dates.</p> <p>No</p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p>No</p>
<p>Notices:</p> <p>Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p><i>'No cycling'</i></p>
<p>Permission:</p> <p>Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p>No</p> <p>Have you seen other people using the route? If yes, when?</p> <p><i>Yes, always, constantly used.</i></p>
<p>Anything else.....</p> <p><i>Big house donated to Council and given to the people of Marlow. A lot of people would be inconvenienced if route was closed; a lot of people use the route.</i></p>
<p>Explain procedure</p> <p>Willing to attend public inquiry? Yes</p>
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p> <p>Signature Date 20/09/2018</p> <p style="text-align: right;">Telephone interview X</p>

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p><i>Used all the routes except C –D, would stick to the paths</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>Last 50 years</i></p> <p>Have there been any gaps in your usage?</p> <p><i>Always had a house in the area but would work abroad for most of the year, stopped full time work in 1984</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>If in the country would use it every single day</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from?</p> <p><i>Shopping and going to the bank</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Yes as far as recalls</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route?</p> <p><i>4-5 feet</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p>

<p>No</p> <p>If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>
<p>Obstructions:</p> <p>Have you ever been stopped, turned away, or told the way is not for public use? Dates.</p> <p>No</p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p>No</p>
<p>Notices:</p> <p>Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p><i>Notice near C leading to D 'restricted use for people in the old people home' long time ago more than 20 years</i></p>
<p>Permission:</p> <p>Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p>No</p> <p>Have you seen other people using the route? If yes, when?</p> <p><i>Every day, still use it but not as often</i></p>
<p>Anything else.....</p>
<p>Explain procedure</p> <p>Willing to attend public inquiry? <i>Maybe</i></p>
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p> <p>Signature Date 27/09/2018</p> <p style="text-align: right;">Telephone interview X</p>

From:
To: [Francis, Helen](#)
Subject: Re: Claimed Footpath - Marlow
Date: 24 October 2018 15:43:23

Hi Helen

Apologies for long delay in replying.

Mainly ok but please note the following:

In the box marked **usage** -spellings - Liston Hall, Spittal Street, Chapel Street. This is my main route to the allotments at Hanging Hill which I enter from Prospect Road, off Queens Road. Also a good route to anywhere north and west of Chapel Street. When I use the path to **A**, I am going via the shops in Liston Court to businesses in The High Street and West Street, to catch the bus in the Henley direction or to visit people and places between there and Bovington Green.

Details of route box - **C to E** is not actually gravel but a sort of sand/grit mixture which has a firm surface except for occasional problems after heavy rain. The other paths are made from either bricks or tarmac.

Permission box - other people use all these paths all the time. It is very unusual to go there and see no-one else.

I haven't found out when these paths became public but Mike Eagleton would probably know as he is very interested in Marlow history.

I noticed in The Marlow Free Press dated October 12 2018, page 12 under Wycombe District planning applications it lists New Court, Liston Road, Marlow. Modification of public right of way. I looked online to see if I could find out more but couldn't track it down.

Regards

On 2 Oct 2018, at 12:38, Francis, Helen <hfrancis@buckscc.gov.uk> wrote:

Hello

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis

Senior Definitive Map Officer

Transport ÿ Economy ÿ Environment

Tel: 01296 387123

Email: hfrancis@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY

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Evidence Questionnaire.doc>

Witness 117 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p><i>J-H-E/A would use parallel route to E-C</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>Definitely pre-1992 started using it as soon as it was available – still using it today.</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <p>a) by car?</p> <p>b) by bicycle?</p> <p>c) on foot? <i>Daily for section to E. 3 times a week for route to A.</i></p> <p>d) on horseback?</p> <p>e) any other means e.g. horse and cart, motorcycle?</p> <p>For what purpose? Where were you going to and from?</p> <p><i>Good route to allotment, going to the shops on Spittle Street, restaurants, Waitrose, Lister Hall, anywhere west of main road (Chaple Street)</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Think so, one section surfaced with brick and other section is gravel</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route?</p> <p><i>Wide enough for two people to pass comfortably</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p> <p><i>No</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

'No cycling'

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Yes

Anything else.....

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature Date 20/09/2018

Telephone interview X

Witness 48 - Route A evidence nd 9 - route B evidence

From: Francis, Helen
To:
Subject: RE: Your Ref: HRF/16855WDI
Date: 02 October 2018 12:35:00

Dear

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis
 Senior Definitive Map Officer
 Transport T Economy Environment

Tel: 01296 387123
 Email: hfrancis@buckscc.gov.uk
 Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY
 Visit our website: www.buckscc.gov.uk

-----Original Message-----

From:
Sent: 29 August 2018 20:55
To: Francis, Helen
Subject: Re: Your Ref: HRF/16855WDI

As far as I can tell that should be fine.

BW

> On 29 Aug 2018, at 20:51, Francis, Helen <hfrancis@buckscc.gov.uk> wrote:
 >
 > Thanks for your email, would just after lunch on Thursday 6th September be convenient? 1pm?
 >
 > Kind regards
 >
 > Helen
 >
 > Helen Francis
 > Senior Definitive Map Officer
 > Transport T Economy Environment
 >
 > Tel: 01296 387123
 > Email: hfrancis@buckscc.gov.uk
 > Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY
 > Visit our website: www.buckscc.gov.uk
 >
 >

> -----Original Message-----

> **From:**
 > **Sent:** 27 August 2018 16:19
 > **To:** Francis, Helen
 > **Subject:** Your Ref: HRF/16855WDI

>
> In response to your letter of 23 August, I would prefer to be interviewed over the phone as I am not available on the proposed dates in September.
>
> I am happy to be phoned during most weekday afternoons.
>
> Best wishes
>
> [TTC]<<https://www.buckscc.gov.uk/timetochange>>
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Witness 48 - Route A evidence and 9 - Route B evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p> <p style="text-align: center;"><i>Route A & B</i></p>
<p>Route:</p> <p>Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p style="text-align: right;">Yes</p>
<p>Usage:</p> <p>During which years have you used the route?</p> <p><i>Last 20 years</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <p>a) by car?</p> <p>b) by bicycle?</p> <p>c) on foot? <i>daily</i></p> <p>d) on horseback?</p> <p>e) any other means e.g. horse and cart, motorcycle?</p> <p>For what purpose? Where were you going to and from?</p> <p><i>Accessing shops, centre of town, Liston Hall, standard route to get to most places in Marlow</i></p>
<p>Details of route:</p> <p>Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Always been the same</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route?</p> <p><i>Wide enough for double buggy and person (three abreast)</i></p>
<p>Landowner:</p> <p>Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p> <p><i>It was Red Kite not sure who owns it now</i></p>

<p>If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>
<p>Obstructions: Have you ever been stopped, turned away, or told the way is not for public use? Dates.</p> <p><i>No, anti-cycling barrier at E, went a long time ago (not sure of dates doesn't remember them for 4-5 years)</i></p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p><i>No</i></p>
<p>Notices: Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p><i>Use to be no cycling at either end</i></p>
<p>Permission: Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p><i>No</i></p> <p>Have you seen other people using the route? If yes, when?</p> <p><i>Yes</i></p>
<p>Anything else.....</p> <p><i>Really important routes for everyone on that side of Marlow, including kids walking to school, own kids would have used the route 1998 – 2011.</i></p>
<p>Explain procedure</p> <p>Willing to attend public inquiry? <i>Maybe</i></p>
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p> <p>Signature Date 06/09/2018</p> <p style="text-align: right;">Telephone interview X</p>

From: Francis, Helen
To:
Subject: Claimed footpath - Marlow
Date: 02 October 2018 12:32:00

Dear

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis

Senior Definitive Map Officer

Transport ÿ Economy ÿ Environment

Tel: 01296 387123

Email: hfrancis@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY

Visit our website: www.buckscc.gov.uk

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness:**Route:**

Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

Would walk from J-H then through to either E/A, wouldn't walk to D, would always use the surfaced route and not cut across the lawn.

Usage:

During which years have you used the route?

Since it was opened, lived in Marlow for 60 years.

Have there been any gaps in your usage?

No

By what means would you use the route and how frequently was the usage:

- a) by car?
- b) by bicycle?
- c) on foot? *In more recent years would use it weekly, 10 years ago would use it more frequently*
- d) on horseback?
- e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Health food shop, M&S, from point A would continue to High Street

Details of route:

Has the route always been the same? Direction, width, surface? When & Where if different?

From memory yes

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No

How wide is the route?

Enough for two people to pass

<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p> <p><i>No</i></p> <p>If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>
<p>Obstructions: Have you ever been stopped, turned away, or told the way is not for public use? Dates.</p> <p><i>No</i></p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p><i>No</i></p>
<p>Notices: Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p><i>Not aware of any</i></p>
<p>Permission: Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p><i>No</i></p> <p>Have you seen other people using the route? If yes, when?</p> <p><i>Constantly see other people using the route</i></p>
<p>Anything else.....</p>
<p>Explain procedure</p> <p>Willing to attend public inquiry? Yes</p>
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p>

Signature **Date 21/09/2018**

Telephone interview x

From: Francis, Helen
To:
Subject: HRF/16855WDI
Date: 02 October 2018 12:26:00
Attachments:

Dear

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis

Senior Definitive Map Officer

Transport ÿ Economy ÿ Environment

Tel: 01296 387123

Email: hfrancis@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY

Visit our website: www.buckscc.gov.uk

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p><i>J-I-H-G- A/E stay on the surfaced routes, wouldn't use route to D (assumed it was private to D)</i> Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>1977 (moved to the area) – to date</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>4/5 days a week, used frequently throughout period of use</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from?</p> <p><i>Waitrose, M&S , High Street, Liston Court Community Centre</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Exactly the same</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>Can't remember anything</i></p> <p>How wide is the route?</p> <p><i>Varies, at its narrowest a metre, can pass other people, tight fit in places</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p> <p><i>No</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:
Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:
Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

Planning permission notices

Permission:
Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Yes, lots

Anything else.....

Explain procedure

Willing to attend public inquiry? *Maybe*

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature **Date**
Telephone interview X

From:
To: [Francis, Helen](#)
Cc:
Subject: FW: Your Ref. HRF/16855WDI
Date: 30 September 2018 20:54:25
Attachments:

Hi Helen,

Yes, all looks good.

Many thanks,

From: Francis, Helen [mailto:hfrancis@buckscc.gov.uk]
Sent: 29 September 2018 21:37
To:
Subject: RE: Your Ref. HRF/16855WDI

Dear

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis
Senior Definitive Map Officer
Transport ∩ Economy ∩ Environment

Tel: 01296 387123
Email: hfrancis@buckscc.gov.uk
Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY
Visit our website: www.buckscc.gov.uk

From: Francis, Helen
Sent: 20 September 2018 08:31
To: Bristow, Ashley
Subject: RE: Your Ref. HRF/16855WDI

Helen Francis
Senior Definitive Map Officer
Transport ∩ Economy ∩ Environment

Tel: 01296 387123
Email: hfrancis@buckscc.gov.uk
Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p><i>Would use the hard standing paths, wouldn't walk to D.</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>Born in 1964, would have used it with his father when meeting his Aunt – who worked at the post office, used from the late 1960s. When living in Elizabeth Road would use it to get to town 1990 – late 2003, don't use it to get to town now.</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <p>a) by car?</p> <p>b) by bicycle? <i>1990s – 2005 fairly regularly on bicycle 20-30 times a year</i></p> <p>c) on foot? <i>From 1990s would use it at least once a week</i></p> <p>d) on horseback?</p> <p>e) any other means e.g. horse and cart, motorcycle?</p> <p>For what purpose? Where were you going to and from?</p> <p><i>Would meet his wife, in the 70s he would meet his Aunt, to get into town.</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Always the same, decent surface</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>Never</i></p> <p>How wide is the route?</p> <p><i>5-6 feet wide</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p>

No, assumed it was Bucks CC

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Loads of people using the route

Anything else.....

Lived in Marlow all his life, has used it from a young a boy frequently.

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature	Date 20/09/2018
	Telephone interview X

From:
To: [Francis, Helen](#)
Subject: RE: Claimed footpath - Marlow
Date: 03 October 2018 10:46:30

Hi Helen

I have reviewed the notes and confirm they are an accurate record of our conversation.

Regards,



From: Francis, Helen [mailto:hfrancis@buckscc.gov.uk]
Sent: 03 October 2018 10:33
To:
Subject: Claimed footpath - Marlow

Dear

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis
Senior Definitive Map Officer

Witness 133 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>E-J and A-L. wouldn't go down to D. Would use the paths and not cut across the grass.</i> Yes</p>
<p>Usage: During which years have you used the route? <i>Moved to Marlow in 1984 – to date</i> Have there been any gaps in your usage? <i>No</i> By what means would you use the route and how frequently was the usage: a) by car? b) by bicycle? c) on foot? <i>Once a week on foot or cycle</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? For what purpose? Where were you going to and from? <i>Cutting through to go from the gym back home, early days on foot going from pub to curry house. Cut through route from high street.</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different? <i>Not noticed any dramatic differences</i> Have there ever been any stiles or gates on the route? If yes What, When & Where? <i>No</i> How wide is the route? <i>Over a metre can pass people when on bicycle</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates. <i>No</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No signs

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Yes, would always pass people

Anything else.....

Always believed he had a right to use the route

Explain procedure

Willing to attend public inquiry? *No*

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature **Date 27/09/2018**

Telephone interview X

From:
To: [Francis, Helen](#)
Subject: Re: Claimed footpath - Marlow
Date: 03 October 2018 11:49:55

Helen

Happy with the content of the notes.

Kind regards

From: "Francis, Helen" <hfrancis@buckscc.gov.uk>
Date: Wednesday, 3 October 2018 10:37
To:
Subject: Claimed footpath - Marlow

Dear

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis
Senior Definitive Map Officer
Transport* *Ÿ* *Economy* *Ÿ* *Environment

Tel: 01296 387123

Email: hfrancis@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY

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*see website for eligibility.

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Witness 124 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>A-J and E-J, wouldn't use the route to D. Would stick to the paths and not go across the grass.</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route?</p> <p><i>For 40 years</i></p> <p>Have there been any gaps in your usage?</p> <p><i>Away for a year approx.94/95</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>Once a week on average</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from?</p> <p><i>Access to the shopping area, high street</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>As far as he recalls</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route?</p> <p><i>About 2 metres</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p> <p><i>WDC, developer and Red Kite. Not sure if WDC maintain or own the land. District Councillor.</i></p>

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

Not seen any notices

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

Never asked just used it

Have you seen other people using the route? If yes, when?

Lots of people using the route

Anything else.....

Lots of people use it as a cut through to the town centre for people living to the east of Marlow.

Explain procedure

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature **Date 28/09/2018**

Telephone interview X

From:
To: [Francis, Helen](#)
Subject: Re: Claimed footpath - Marlow
Date: 04 October 2018 09:09:30

Dear Helen

I agree with everything you have recorded from the interview.

Kind regards

Sent from Samsung tablet

----- Original message -----

From: "Francis, Helen" <hfrancis@buckscc.gov.uk>
Date: 03/10/2018 10:38 (GMT+00:00)
To:
Subject: Claimed footpath - Marlow

Hello

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis

Senior Definitive Map Officer

Transport ÿ Economy ÿ Environment

Tel: 01296 387123

Email: hfrancis@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY

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Contact your GP or go [online](#) to register and book.

Witness 109 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. <i>I – E/A wouldn't go down D, walk on the path not grass</i></p> <p style="text-align: right;">Yes</p>
<p>Usage: During which years have you used the route? <i>Mid 80s – to date</i></p> <p>Have there been any gaps in your usage? <i>No</i></p> <p>By what means would you use the route and how frequently was the usage: a) by car? b) by bicycle? c) on foot? <i>At least once a week, sometimes daily now semi retired.</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle?</p> <p>For what purpose? Where were you going to and from? <i>High Street, Liston Court, Waitrose</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different? <i>Think so, can't remember it being different</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where? <i>No</i></p> <p>How wide is the route? <i>Comfortably pass someone in opposite direction</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates. <i>No</i></p> <p>If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>

N/a
<p>Obstructions: Have you ever been stopped, turned away, or told the way is not for public use? Dates.</p> <p>No</p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p>No</p>
<p>Notices: Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p>No</p>
<p>Permission: Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p>No</p> <p>Have you seen other people using the route? If yes, when?</p> <p><i>All the time</i></p>
<p>Anything else.....</p> <p><i>Very well used by people using high street, land given to people of Marlow, think they should be able to use the routes.</i></p>
<p>Explain procedure</p> <p>Willing to attend public inquiry? Yes</p>
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p> <p>Signature Date 27/09/2018</p> <p style="text-align: right;">Telephone interview X</p>

Witness 17 - Route A evidence and 5 - Route B evidence

From:
To: [Francis, Helen](#)
Subject: Re: Claimed footpath - Marlow
Date: 02 October 2018 15:53:04

A correct record. Hope that suffices as have limited mail access this week

Get [Outlook for Android](#)

From: Francis, Helen <hfrancis@buckscc.gov.uk>
Sent: Tuesday, October 2, 2018 2:54:57 PM
To:
Subject: Claimed footpath - Marlow

Dear

Sorry for the delay, please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Helen Francis

Senior Definitive Map Officer

Transport ÿ Economy ÿ Environment

Tel: 01296 387123

Email: hfrancis@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UY

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If you live in Buckinghamshire and are aged 40 – 74 and you could be entitled to a 20 minute, free NHS Health Check*.

Contact your GP or go [online](#) to register and book.

*see website for eligibility.

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Witness 17 - Route A evidence and 5 - Route B evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>	
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p><i>A – B – I and E through to I. Less frequent use of the route to D when examining trees for possible TPOs in the last three years. Would walk the surfaced routes.</i></p>	Yes
<p>Usage: During which years have you used the route?</p> <p><i>1974 – still using the route</i></p> <p>Have there been any gaps in your usage?</p> <p><i>Moved away 80-83, 90-92 out of the country</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>2004 – 2014 3 times a week to collect mail. Pre 2004 and after 2014 random basis 1- 2 a week.</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from?</p> <p><i>Back route to station road to shops/hairdresser, access to the post office</i></p>	
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Route to E always been 'dirt' path, other routes tarmac, parts of route renovated</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>No</i></p> <p>How wide is the route?</p> <p><i>About 2 metres, typical footpath width, wide enough for two people to pass comfortably, narrows near H.</i></p>	

Landowner:

Have you ever worked for the landowner or are you a friend of the landowner? Dates.

WDC, no

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?

If yes, where, when, could you get around them?

Always free access

Notices:

Have you ever seen any notices on or near the route?

If yes, what do/did they say? Dates.

None

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Every time it's used, primary route into town

Anything else.....**Explain procedure**

Willing to attend public inquiry? Yes

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature Date **21/09/2018**

Telephone interview X

Witness 96 - Route A evidence and 20 - Route B evidence

From:
To: [Francis, Helen](#)
Subject: RE: Claimed footpath - Marlow
Date: 04 October 2018 08:08:02

Hi Helen

Yes, all is correct on your report.

Kind regards

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From: Francis, Helen <hfrancis@buckscc.gov.uk>
Sent: 03 October 2018 11:35
To:
Subject: Claimed footpath - Marlow

Hi

Please find attached the notes I made during your telephone interview. Please could you check them and let me know if you are happy with the contents?

Kind regards

Helen

Witness 96 - Route A evidence and 20 - Route B evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

<p>Name of witness:</p>
<p>Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.</p> <p><i>Walked all of the routes, would never cut across the grass. Would walk to point D and then around New Court.</i></p>
<p>Usage: During which years have you used the route?</p> <p><i>Last 16 years</i></p> <p>Have there been any gaps in your usage?</p> <p><i>No</i></p> <p>By what means would you use the route and how frequently was the usage:</p> <ul style="list-style-type: none"> a) by car? b) by bicycle? c) on foot? <i>3-4 times a week</i> d) on horseback? e) any other means e.g. horse and cart, motorcycle? <p>For what purpose? Where were you going to and from?</p> <p><i>High Street, Waitrose, M&S or to socialise in the town</i></p>
<p>Details of route: Has the route always been the same? Direction, width, surface? When & Where if different?</p> <p><i>Yes</i></p> <p>Have there ever been any stiles or gates on the route? If yes What, When & Where?</p> <p><i>Not as far as aware, possible bollard to stop people cycling through</i></p> <p>How wide is the route?</p> <p><i>3-4 foot</i></p>
<p>Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates.</p>

<p>No</p> <p>If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>
<p>Obstructions: Have you ever been stopped, turned away, or told the way is not for public use? Dates.</p> <p>No</p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p>No</p>
<p>Notices: Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p>No</p>
<p>Permission: Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p>No</p> <p>Have you seen other people using the route? If yes, when?</p> <p>Yes</p>
<p>Anything else.....</p> <p><i>Detrimental effect on business in Liston Court.</i></p>
<p>Explain procedure</p> <p>Willing to attend public inquiry? Yes</p>
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p> <p>Signature Date 02/10/2018</p> <p style="text-align: right;">Telephone interview X</p>

Witness 78 - Route A evidence and 14 - Route B evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness:**Route:**

Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

J-A work J-C SHOPS (work) Yes/No

Usage:

During which years have you used the route?

1992 moved to new house

Have there been any gaps in your usage?

No

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot?

Every day

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

work Shopping

Details of route:

Has the route always been the same? Direction, width, surface? When & Where if different?

10 yrs
Approx 1988 Surface changed - Smartened up

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No

How wide is the route?

4 feet approx

Landowner:

Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No never

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

only for maintenance work

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

NO

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

NO, never thought of it

Have you seen other people using the route? If yes, when?

Yes, always

Anything else.....

- if it were to be closed it would be detrimental to houses
+ Businesses.

Red kite said off liston court + new court to developer.
Cither Council / Developer maintains Shrubs / flower beds.

Explain procedure

Willing to attend public inquiry? Yes No / Maybe

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature

..... Date 18/09/18

Telephone interview

Witness 158 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness:**Route:**

Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

J - A

J - C Back of marks

Yes/No

Usage:

During which years have you used the route?

50 years

Have there been any gaps in your usage?

No

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot? weekly

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Access to High Street - Shops (marks) Post office

Details of route:

Has the route always been the same? Direction, width, surface? When & Where if different?

yes

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No

How wide is the route?

Two person width

Landowner:

Have you ever worked for the landowner or are you a friend of the landowner? Dates.

No

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Yes

Anything else.....

Mrs Liston left house to people of Marlow - 1950's approx
Some time if you use the claimed routes.

Red etc owned for sometime

Explain procedure

Willing to attend public inquiry? Yes / No / Maybe

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature

..... Date 18/9/18

Telephone interview

Witness 73 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness:

Route:

Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.

If you close the Road Linton House they would have privacy
Route not against Linton House

Yes/No

Usage:

During which years have you used the route?

1950s

Have there been any gaps in your usage?

3 years moved away 1976 approx

By what means would you use the route and how frequently was the usage:

a) by car?

b) by bicycle?

c) on foot? weekly

d) on horseback?

e) any other means e.g. horse and cart, motorcycle?

For what purpose? Where were you going to and from?

Newtown road - Willow mead - To town Shopping
- Denton Centre - Doctors Surgery

Details of route:

Has the route always been the same? Direction, width, surface? When & Where if different?

yes

Have there ever been any stiles or gates on the route? If yes What, When & Where?

No

How wide is the route?

2.5 metres

Landowner:

Have you ever worked for the landowner or are you a friend of the landowner? Dates.

Redkite

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

No never that I've seen

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No - always been a walk ^{through} ~~tree~~

Have you seen other people using the route? If yes, when?

Yes - all the time

Anything else.....

Lived in ¹⁹³⁹ market - new town road - shortcut to claimed routes
~~past Lister's~~ Nowhere to go if route is blocked off

Close the path that goes past Lister house.
Blocked route currently

Explain procedure

Willing to attend public inquiry? Yes / No / Maybe

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature

..... Date 18-9-18

Telephone interview

Witness 7 - Route B evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness:	
Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial.	
1-D not used.	Yes/No
Usage: During which years have you used the route? 2007 moved from London	
Have there been any gaps in your usage? No	
By what means would you use the route and how frequently was the usage:	
a) by car?	
b) by bicycle?	
c) <u>on foot</u>	
d) on horseback?	
e) any other means e.g. horse and cart, motorcycle?	
For what purpose? Where were you going to and from? From home to Sainsbury - Waitrose, Bank - Shopping - route B - Bank - Market Spencer - route B - Waitrose from E-5	
Details of route: Has the route always been the same? Direction, width, surface? When & Where if different? Yes	
Have there ever been any stiles or gates on the route? If yes What, When & Where? No	
How wide is the route? 4 feet	
Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates. The listings - given to Council - Sold to redkite, Sold on from them	

<p>If so, has the landowner ever indicated to you what he thinks of use of the route by the public?</p>	
<p>Obstructions: Have you ever been stopped, turned away, or told the way is not for public use? Dates.</p> <p style="text-align: center;">No</p> <p>Have there ever been any locked gates or obstructions restricting access? If yes, where, when, could you get around them?</p> <p style="text-align: center;">No</p>	
<p>Notices: Have you ever seen any notices on or near the route? If yes, what do/did they say? Dates.</p> <p style="text-align: center;">No</p> <p style="text-align: center;">G - H No cycling</p>	
<p>Permission: Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?</p> <p style="text-align: center;">No</p> <p>Have you seen other people using the route? If yes, when?</p> <p style="text-align: center;">Yes - always</p>	
<p>Anything else.....</p> <p>walk through liston court to the High Street</p> <p>- missed it if it were to be closed.</p> <p>- Attractive route</p>	
<p>Explain procedure</p> <p>Willing to attend public inquiry? <input checked="" type="radio"/> Yes / No / Maybe</p>	
<p>I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.</p>	
Signature	<p>..... Date 18-9-18</p> <p style="text-align: right;">Telephone interview <input type="checkbox"/></p>

Witness 128 - Route A evidence

Interview Questions

If any answer disagrees with the evidence form, please clarify which is correct. If necessary, get the witness to amend the form and sign and date the amendment.

Name of witness:
Route: Check route claimed in the application is the route used. Photos of route can be useful, if necessary take a blank map for witness to mark route and initial. C-C Parallel A-E used most
Usage: During which years have you used the route? 1976 rather than 1985
Have there been any gaps in your usage? No
By what means would you use the route and how frequently was the usage: a) by car? b) by bicycle? occasionally - used by Bike most 2/3 c) on foot? occasionally 1/3 2-3 a day d) on horseback? e) any other means e.g. horse and cart, motorcycle?
For what purpose? Where were you going to and from? Between South + North of town - River - Shops - Dentist - Pub
Details of route: Has the route always been the same? Direction, width, surface? When & Where if different? yes 4 feet Road was metalled in 90s
Have there ever been any stiles or gates on the route? If yes What, When & Where? No
How wide is the route? 4 feet at narrowest
Landowner: Have you ever worked for the landowner or are you a friend of the landowner? Dates. No

Given by Mrs Liston
to People
Wycombe to Ledkite
District

If so, has the landowner ever indicated to you what he thinks of use of the route by the public?

Obstructions:

Have you ever been stopped, turned away, or told the way is not for public use? Dates.

No

Have there ever been any locked gates or obstructions restricting access?
If yes, where, when, could you get around them?

No

Notices:

Have you ever seen any notices on or near the route?
If yes, what do/did they say? Dates.

(not to dedicate as Row)
Notices on the carpark + not on route.

Permission:

Have you ever had to ask for permission to use the route? Or have you been given permission or felt like you had permission to use the route? If yes, when and by who?

No

Have you seen other people using the route? If yes, when?

Yes frequently

Anything else.....

A-E used most
Passage from High Street and used by the Public.
People walked on car park ^{Route} - Pushed to outside of car park

Explain procedure

Willing to attend public inquiry? (Yes) / No / Maybe

I hereby certify that to the best of my knowledge and belief the facts that I have stated during this interview are true. I acknowledge this form may be copied to landowners or objectors.

Signature

..... Date 19th May 2018

Telephone interview

Lempkowski, Alex

From: Lempkowski, Alex
Sent: 23 August 2018 11:24
Subject: Wildlife and Countryside Act 1981 - Section 53 Buckinghamshire County Council
Definitive Map Application for Modification Order - Marlow
Attachments: DMMO Marlow Route A & B.pdf

Dear Sir/ Madame,

**Wildlife and Countryside Act 1981 - Section 53
Buckinghamshire County Council Definitive Map
Application for Modification Order - Marlow**

The County Council has received an application to modify the Definitive Map and Statement for Buckinghamshire by showing as a footpath the route from Liston Court to New court, Marlow as shown on the attached plan between points A-B-C-D and from Cromwell Gardens to New court, Marlow as shown on the attached plan between points E-C-G-H-I-J. The application has been made on the basis of user evidence which the applicant considers to indicate the way should be recorded on the Definitive Map and Statement.

The County Council has to investigate the application and assess the available evidence to decide whether to accept or reject it. The desirability, suitability or necessity of the path as a footpath cannot be taken into account when considering the application. However, information on the following would be of assistance:

- (i) The use of the path by the public
- (ii) Any actions taken to prevent or deter the public from using the paths
- (iii) Any documentation recording the paths

Should the application be accepted, a Definitive Map Modification Order would be made. Such an Order would be open to objection and, if objections were made the matter could result in a local public inquiry. Should the application be rejected, the applicant has the right of appeal against the decision.

Please acknowledge receipt of this email and note that any comments you may wish to make should be sent to me within 28 days of its receipt.

The Freedom of Information Act 2000 provides a general right of access to all information held by Buckinghamshire County Council and the Environmental Information Regulations 2004 give a similar right of access to environmental information held by this Council. This means that the information that you supply may be disclosed to any individual and may be included in a report on the application.

Any information you provide to the County Council in relation to this application and consultation will assist the Council in determining the application. By providing this information you will be providing us with data about you i.e. name, contact details etc. This data may end up in the public domain and be referred to the Secretary of State for decisions to be made. The data will be securely retained by the County Council indefinitely under the requisite retention policy. We have a statutory duty to process these applications and we rely on your data to complete our investigations. As such, if you chose not to supply the required data then we will be unable to include your response to this consultation. Please refer to the County Council's Privacy Policy for more information <https://www.buckscc.gov.uk/services/council-and-democracy/privacy-policy/>.

Many Thanks

Alex Lempkowski

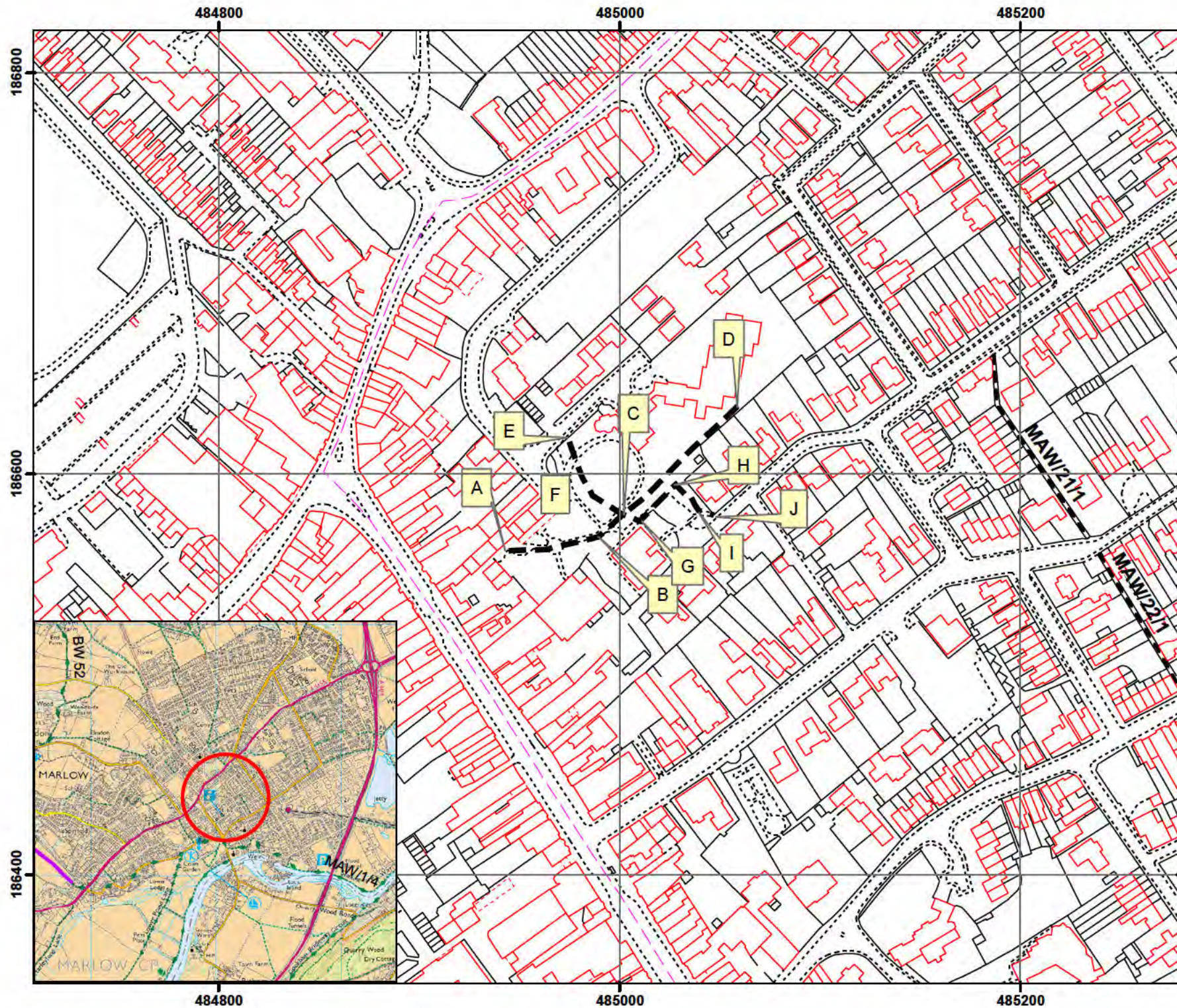
Definitive Map Officer
Transport • Economy • Environment

Direct: 01296 387746

Email: alempkowski@buckscc.gov.uk

Buckinghamshire County Council, County Hall, Walton Street, Aylesbury, HP20 1UA

Visit our Website: www.buckscc.gov.uk



118
 Wildlife and Countryside
 Act 1981
 Section 53
 Claimed Public Footpath
 Marlow

Public Rights of Way

- Route A
E-F-C-G-H-I-J
- Route B
A-B-C-D

Claimed Footpath

Parish
Boundary

Grid References

- Point A :SU8494-8656
- Point B :SU8498-8656
- Point C :SU8500-8657
- Point D :SU8505-8663
- Point E :SU8497-8661
- Point F :SU8498-8658
- Point G :SU8501-8657
- Point H :SU8502-8659
- Point I :SU8503-8658
- Point J :SU8504-8657

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From: Mark Haines [<mailto:Mark.Haines@redkitehousing.org.uk>]
Sent: 29 August 2018 14:56
To: Lempkowski, Alex
Cc: Alexander
Subject: Objection to the revised clarification of footpaths New Court

Dear Sirs,

I wish to formally object to application

18/07226/CONSA | Consultation on Modification Order under the Wildlife and Countryside Act 1981 - Section 53 to modify the Definitive Map and Statement for Buckinghamshire | Land At Garden New Court Liston Road Marlow Buckinghamshire

The proposal affects our land/buildings and one of the footpaths shown at C-D does not seem to be appropriate. I would strongly object to the reclassification and proposals being considered on this application. I would be grateful for further information/reasoning as to why footpath ladled C-D is to be reclassified as it will direct the public onto our private land/sheltered scheme

I would be happy to discuss things further if required.

Regards

Mark

Mark Haines

Head of Development

Mark.haines@redkitehousing.org.uk

Tn 01494 476312 Mob 07715574798



Red Kite Community Housing is the trading name of Red Kite Community Housing Limited, a charitable registered society which operates for the benefit of the community under the Cooperative and Community Benefit Societies Act 2014., registered in England with the Financial Conduct Authority (registration number 31322R and the Regulator of Social Housing (registration number 4682)

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Lempkowski, Alex

From: Alexander <alex@lennoxestates.co.uk>
Sent: 05 September 2018 17:44
To: Lempkowski, Alex
Cc: Justin Gurney; Mark Haines
Subject: 18/07226/CONSA - Land At Garden New Court Liston Road Marlow
Buckinghamshire
Attachments: 9.jpg; 7.jpg; 13.jpg; 4..jpg

Dear Mr Lempkowski

I am writing on behalf of Lennox Estates (New Court) Limited. We wish to formally object to the proposals being consulted upon under 18/07226/CONSA.

As landowner we were not informed in writing of the consultation. We understand that this was also the case for Red Kite Housing Association. We do not understand how that could be justified as we are stakeholders whose private land may be affected by the proposals. We are seeking legal advice as to whether this invalidates the consultation process currently underway.

We consider that the Plan prepared by the Applicant does not reflect the way in which these paths have been used by the Public. It is clear that the public have used the route **J-I-H-G-B-A** for a number of years. This route runs from Cromwell Gardens to the High Street.

However the Route **C-D** has not been used in the same manner. This route is a 'dead end' leading to Sheltered Accommodation known as New Court. What is more there have been signs in this area for a considerable number of years which delineate that these are private gardens and that members of the public should not trespass. Please see **Photo 9** attached which shows Points C-D and **Photo 7** showing the sign. The only people who use this path are residents going to their homes at New Court and their visitors. Members of the public have no reason to walk down this section unless they are accessing this property and it is clear that these are private gardens. If a representative of the Council was to stand there for a day observing they would see that the frequency of footfall lies at **J-I-H-G-B-A**.

There is also a serious error in how points **C-E** have been placed on the plan. This does not actually follow a pathway but instead butts across the middle of a piece of grass behind a flowerbed. See **Photo 13** taken from Liston Court showing this area, and **Photo 4** taken from the first floor of New Court House. There clearly is now pathway in the location shown on the Plan and the route ends up at Point E in front of a brick wall. The public have never used this route as it is not a pathway and would be nonsensical in terms of the final point E.

There is a pathway which runs behind this which is regularly used and leads out to Liston Road. This can also be seen clearly on Photo 13 and Photo 4. However it is plotted completely inaccurately on the Plan.

We would ask that our objection is given proper consideration at consultation stage.

We would be grateful if you could please confirm receipt of this email and whether these comments will be made public.

Yours Sincerely

Alexander Gilford

Alexander Gilford MRICS

Director



Roe Deer Farm, Portsmouth Road, Godalming, GU7 2JT

m: +44 (0)7910 301954

LISTON COURT LIMITED

**KENRICKS
HAMBLEDEN
HENLEY-ON-THAMES
OXFORDSHIRE
RG9 6RP**

tel 01491 571320
07860 310938

petersteward@hambleden.com

Mrs Helen Francis
Senior Definitive Map Officer
Buckinghamshire County Council
Floor 7 County Hall
Walton Street
Aylesbury
HP20 1UA

24th September 2018

Dear Mrs Francis,

**WILDLIFE & COUNTRYSIDE ACT 1981 – SECTION 53
BUCKINGHAMSHIRE COUNTY COUNCIL DEFINITIVE MAP
APPLICATION TO MODIFY THE PUBLIC RIGHTS OF WAY DEFINITIVE MAP & STATEMENT –
MARLOW**

Thank you for your letter of the 21st concerning the above application to modify the public footpaths between Liston Court and New Court, and between Cromwell Gardens and New Court.

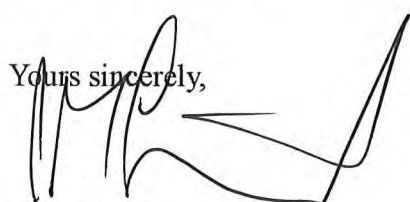
We enclose a copy of our Title Plan showing our ownership in yellow. The Claimed Footpaths marked on the plan which accompanied your letter to us do not run across our land. We believe that they run across land owned by Wycombe DC.

To the best of our knowledge, the footpaths shown on our Title Plan have been used by the public for many years and no action has been taken to prevent or deter this use.

The Claimed Footpath Route A, section EFC does not exist and is not in use. The established footpath runs parallel to EFC but a short distance to the south-west of EFC as marked on our Title Plan.

The Claimed Footpath Route B, section AB is established and in use, but the section BCD is used only for access to the Red Kite properties and is not in public use. There is a notice in place at point C stating that the route CD is private for Red Kite access only.

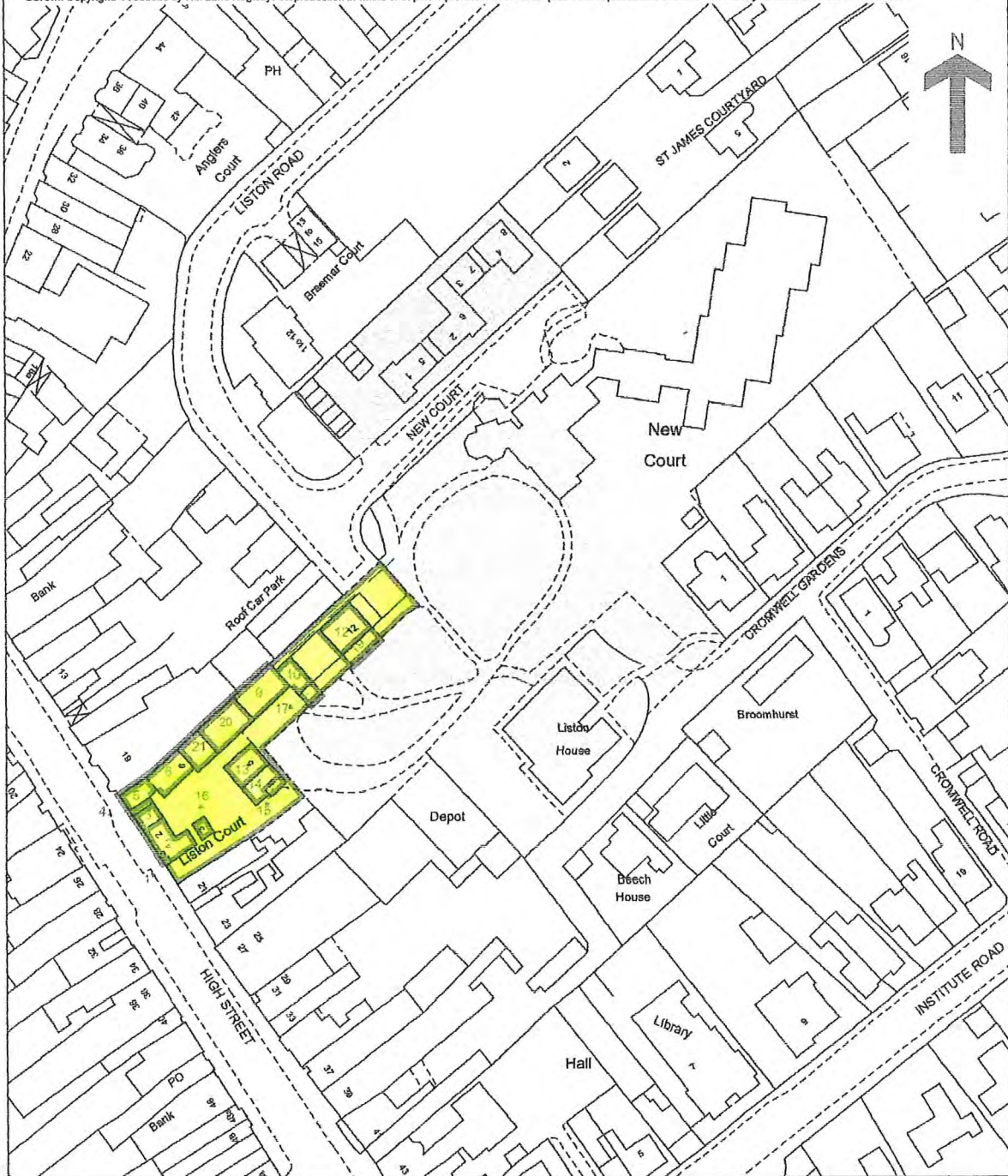
Yours sincerely,



P.M. Steward



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This is a copy of the title plan on 6 AUG 2018 at 15:38:07. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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This title is dealt with by HM Land Registry, Leicester Office.

Enquiries to: Adrian Thompson
Email: adrian_thompson@wycombe.gov.uk
Direct line: 01494 421 515
Our ref: AXT / 004446
Your ref:
Date: 19 October 2018

Mrs H Francis
Senior Definitive Map Officer
Buckinghamshire County Council
Floor 7, County Hall
Walton Street
Aylesbury
HP20 1UA

and BY EMAIL hfrancis@buckscc.gov.uk

Dear Mrs Francis,

**Application to modify the Public Rights of Way Definitive Map and Statement –
Land at and adjoining New Court and Liston House, Marlow**

I refer to your letter dated 21 September about the application which has been received by Buckinghamshire County Council for modification of the definitive map and statement in respect of this land at New Court and Liston House, Marlow.

Although, as far as I am aware, Wycombe District Council has not received notice of this application direct from the County Council, a copy of your letter has been passed to me by Red Kite Community Housing Limited. Please note that I am responding on behalf of Wycombe District Council only, and that Red Kite Community Housing may have its own views on the claimed public rights of way.

I am instructed that Wycombe District Council does not have any comment to make on most of the routes of the claimed public footpaths shown on the plan accompanying your letter, which relate to land outside its ownership. I note, however, that the route shown by dashes between the points marked "C" and "E" on your plan appears to cross over the lawn near to Liston House. This land is in the Council's ownership and registered under title number BM363532.

I am instructed there is vegetation and a lamppost lying between points "C" and "E", which would obstruct everyday access along this route on the Council's land. I am informed that these obstructions have been in their current position for upwards of twenty years.

It is this Council's position, therefore, that the obvious access between the points marked "C" and "E" would be over the established hard surface path, which is shown on the plan to the south east of the claimed route. I am instructed that the Council would have no objection to a route which followed the line of this existing hard surface path.

Democratic, Legal and Policy Services – Catherine Whitehead, Head of Service

Wycombe District Council, Queen Victoria Road, High Wycombe, Bucks HP11 1BB

Tel: 01494 461000 DX 4411 High Wycombe -1 www.wycombe.gov.uk Twitter: @wycombedc

I would ask that the County Council notes these comments when assessing the application. This Council does, of course, also reserve the right to comment further on the nature and evidence of any user claimed over its land.

I look forward to hearing further from you.

Yours sincerely,



Adrian Thompson
Property Solicitor

cc Red Kite Community Housing Limited – by email only

Enquiries to: Miss Shama Hafiz
Email: shama.hafiz@wycombe.gov.uk
Direct line: 01494 421586
Our ref: SH/18/07589/CONSA
Your ref: MRS HELEN FRANCIS
Date: 29.10.2018



Buckinghamshire County Council
Floor 7
County Hall
Walton Street
Aylesbury
Buckinghamshire
HP20 1UA

Dear Sir/Madam

Proposal: Consultation under the Wildlife and Countryside Act 1981 - Section 53
Buckinghamshire County Council Definitive Map - Application to
modify the Public Rights of Way Definitive Map & Statement - Marlow
At: New Court Liston Road Marlow Buckinghamshire
By: Buckinghamshire County Council

Thank you for consultation on the above which we received on 03.10.2018.

I would advise you that the Council wishes to comment as follows:

- 1 That Buckinghamshire County Council be thanked for consulting Wycombe District Council on the modification of this Public Right of Way. Wycombe District Council as a Local Planning Authority would like to comment as follows:

The proposed footpath differs from the existing route and is close to and/or running through trees within a conservation area. Without appropriate measures being taken to avoid harm to the trees there is the potential for the work to have a detrimental impact on their health (root severance during construction) and carries implications for their long-term retention and management. In particular a mature Wellingtonia (WDC-owned) and several prominent yews. It is not clear whether the intention is to use no-dig construction for the footpath or whether any trees need to be removed to facilitate construction but there are concerns that the footpath could be harmful to the trees health and to the public amenity they provide.

Planning and Sustainability - Penelope Tollitt, Head of Service

Wycombe District Council, Queen Victoria Road, High Wycombe, Bucks HP11 1BB

Tel: 01494 461000 DX 4411 High Wycombe -1 www.wycombe.gov.uk Twitter: @wycombedc

Yours faithfully

Penelope Tollitt

PENELOPE TOLLITT
Head of Planning and Sustainability
For and on behalf of the Council



Buckinghamshire County Council
Floor 7, County Hall
Walton Street
Aylesbury
Bucks
HP20 1UA

Reference: RJM
Enquiries to: Robert Martyr
Tel: 01494 476237
Email: robert.martyr@redkitehousing.org.uk
Date: 31 October 2018

Attn: Helen Francis-Definitive Map Officer

Dear Sirs

Wildlife and Countryside Act 1981 – Section 53
Buckinghamshire County Council Definitive Map
Application to Modify the Public Rights of Way Definitive Map & Statement – Marlow
Ref 16855WD1

Thank you for your letter dated the 21 September 2018 enclosing an annotated plan in respect of the above matter. Red Kite Community Housing is one of three land owners affected by the above application. We wish to formally object to the application to modify the Definitive Map and Statement with particular reference to the inclusion of the part of the route C-D which is over and across land owned by Red Kite Community Housing Limited. This is not a path which is used by the public as it serves only the residents of our sheltered housing scheme.

First, I would like to bring to your attention that the Notice of Application dated 21 January 2016 shows only one claimed route. The description of the Application WD1 on the County Council's web page also makes no reference to the existence of a second claimed footpath route. However, the annotated plan enclosed with your letter shows two routes, namely, Liston Court to New Court (A-B-C-D) and Cromwell Gardens to New Court, Marlow (E-C-G-H-I-J). The inclusion of route (A-B-C-D) came as a complete surprise to us and directly affects our land. Furthermore, there are significant differences between the plan attached to the Application for a Modification Order dated the 5 January 2016 as submitted by the Applicant when it is compared to the plan enclosed with your letter of the 21 September 2018. As previously stated route (A-B-C-D) is not shown at all on the Application and the route (E-C-G-H-I-J) is shown bisecting the lawn at the front of New Court rather than following the paved route around the lawn. Finally, it is impossible to commence walking the claimed route at point E as there is a brick wall at this point. This wall is believed to have existed throughout the whole of the relevant 20 year period.

Partnership • Respect • Pride • Creativity
Realising the potential in our communities

Windsor Court, Kingsmead Business Park, Frederick Place, High Wycombe, Bucks, HP11 1JU
☎ 01494 476100 ✉ contact@redkitehousing.org.uk 🌐 www.redkitehousing.org.uk 📱 @redkitehousing

Red Kite Community Housing is the trading name of Red Kite Community Housing Limited, a charitable registered society which operates for the benefit of the community under the Cooperative and Community Benefit Societies Act 2014, registered in England with the Financial Conduct Authority (registration number 31322R) and the Regulator of Social Housing (registration number 4682)

Turning to your request for information on (i) the use of the path by the public (ii) any actions taken to prevent or deter the public from using the path and (iii) any documentation recording the paths. I believe it would be helpful to explain the devolution of the land.

History of New Court House and grounds

Historically, it is understood that the land which the Application relates was the private garden of New Court House. Following the death of Mrs Nesta Sybil Forbes Liston in 1970, the property and the grounds were gifted to the Urban District Council of Marlow. The bequest is understood to have read "I DEVISE my property known as New Court Marlow aforesaid to Marlow Urban District Council absolutely but I express it as my wish that the Council should set aside a substantial part of the property as a public open space or garden for the enjoyment of the people of Marlow and that the Council should maintain it as such". Source document Marlow Society Web Site "New_Court Marlow Society History of the house.pdf"

In 1973 The Marlow Urban District Council obtained Planning permission from Buckinghamshire County Council (the planning authority at that time) for erection of 34 older persons' dwellings at the rear of New Court House Marlow under Ref: M/345/73.

On the 1 April 1974, upon Local Government reorganisation Wycombe District Council was formed and on that date became the owner of all of the property now the subject of this Application (as successor in title to the Urban District Council of Marlow). The District Council continued the use of New Court and Liston House as older persons dwellings in accordance with the permission mentioned above.

On the 13 December 2011, following a ballot of the Council's tenants, the stock of homes owned by Wycombe District Council which included all of the land to which this Application relates, i.e. New Court (with the exception of the lawns in front of the original New Court House) and Liston House older persons accommodation were transferred to Red Kite Community Housing Limited upon a Large Scale Voluntary Transfer of the Council's housing stock.

The older persons flats known as New Court are now owned and managed by Red Kite Community Housing Limited and continue to be used for that purpose. However, these buildings are now physically detached from the original historic New Court House.

Between 2016 and 2017 Liston House and New Court House were sold. However, private rights of way on foot only were reserved for Red Kite Community Housing Limited its tenants and its successors in title over and across the paths leading to and from our aged person scheme to and from Liston Road and Cromwell Gardens. N.B. Some of these paths are currently inaccessible temporarily during building work.

Contd.

Use of the pathways at New Court and Liston House throughout the relevant 20 year period:-

(1) the residents of the aged persons' housing schemes at New Court and Liston House and their visitors have used and enjoyed the private grounds of New Court and Liston House and the various paths within these private grounds with their landlord's consent under their tenancies of flats in those aged persons sheltered housing schemes first as tenants of Wycombe District Council and (since 2011) as tenants of Red Kite Community Housing Limited.

(2) access to the lawn areas fronting New Court House has been available (on foot only) from both Liston Road and Cromwell Gardens. However, this use arose under the terms of the bequest and dedication of the lawns at New Court as public open space. Implied permission must have been granted to the public to pass and re-pass (on foot only) over the pathways leading to and from the lawns in front of New Court House. This is evidence that the use of the pathways the subject of this Application is therefore "by Right" as opposed to being "As of Right".

The Current Position

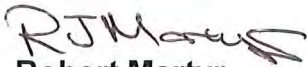
The only part of the claimed route(s) that remains in the ownership of Red Kite Community Housing Limited is the easternmost continuation of the path between points C-D on the plan enclosed with your letter. However, this land lies wholly within the private gardens reserved for the use of the residents of our aged persons scheme. There is signage at the start of this path confirming that the gardens beyond this point are private property. The path between points C-D and onwards merely lead around the private gardens of the aged persons housing scheme.

The current owner of New Court and Liston House has applied to Wycombe District Council for permission Application to amend Planning Decision 17/07754/FUL to erect metal loop fencing and new gates delineating the boundary between its land and the part of New Court remaining in the ownership of Red Kite Community Housing Limited. That application is by way of a variation to planning application 17/07754/FUL. We are not in a position to comment on the application to vary the planning permission as the application has only just been lodged. Whilst we have been notified of the making of this application the detail of the proposal is not available on the planning portal and as far as we are aware no date has been set for the matter to be considered by Wycombe District Council.

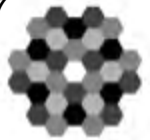
Contd.

We reserve the right to comment further on the Application to modify the Public Rights of Way Definitive Map and Statement and to make a full submission to the Rights of Way Committee or in the event that the Application goes to Public Inquiry.

Yours faithfully

A handwritten signature in black ink, appearing to read "RJMartyr". The signature is written in a cursive, slightly slanted style.

Robert Martyr
Legal Assistant



Official copy of register of title

Title number BM100919

Edition date 17.04.2018

This official copy shows the entries on the register of title on 06 AUG 2018 at 15:38:07.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 21 Sep 2018.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Leicester Office.

A: Property Register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE : WYCOMBE

- 1 (04.08.1987) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Liston Court, High Street, Marlow (SL7 1ER).
- 2 The Conveyance dated 27 March 1986 referred to in the Charges Register contains the following provision:-

"The Vendor and the Purchaser hereby agree and declare the following:-

neither the Purchaser nor those deriving title under it shall become entitled whether by implication prescription or otherwise to any right of light or air drainage way passage or any other right easement privilege or advantage of any kind to the Property which would restrict or interfere with the free use by the Vendor and those deriving title under it of the Retained Property or any part or parts thereof for any lawful purpose."

NOTE: The Retained Property referred to is tinted yellow on the title plan.
- 3 (16.10.2008) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.
- 4 (17.09.2012) The edged and numbered 12, 16 and 19 on the title plan is no longer of any significance and should be ignored since the entry in the register which gave rise to this reference has been cancelled.
- 5 (10.06.2015) The edged and numbered 6 in blue on the title plan is no longer of any significance and should be ignored since the entry in the register which gave rise to this reference has been cancelled.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

B: Proprietorship Register continued

- 1 (18.07.2012) PROPRIETOR: LISTON COURT LIMITED (Co. Regn. No. 07269570) of Kenricks, Hambleden, Henley-On-Thames RG9 6RP.
- 2 (18.07.2012) The value as at 18 July 2012 was stated to be over £1,000,000.
- 3 (18.07.2012) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 4 (18.07.2012) The Transfer to the proprietor contains a covenant to observe and perform the covenants by the landlord contained in the leases referred to in the Schedule of Notices of Leases and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following rights granted by a Deed of Grant dated 30 July 1979 made between (1) Wycombe District Council (Council) and (2) Gillian Margaret Grace Anderson (Grantee):-

"THE Council acting pursuant to Class 5 of the Community Lane General Disposal Consent 1976 issued to local authorities by the Secretary of State for the Environment in pursuance of his powers under Section 123A of the Local Government Act 1972 and of all other powers hereunto enabling it as Beneficial Owner HEREBY GRANTS unto the Grantee (a) for the benefit of the first dominant tenement and each and every part thereof the rights (except those specified) in Paragraphs 7 and 8 of the First Schedule TO HOLD the same unto the Grantee in fee simple subject to the observance and performance of the Grantee's covenants conditions and agreements herein contained and on the part of the Grantee to be observed and performed

THE FIRST SCHEDULE above referred to

The rights and easements hereby granted

 1. LEAVE and licence during the perpetuity period to enter onto the servient tenement with or without vehicles workmen materials and/or appliances for the purpose of laying and constructing:-
 - (a) a pipe for the drainage of soil and water from any buildings erected on the first dominant tenement together with such necessary manholes inspection chambers and appurtenances such pipe manholes inspection chambers and appurtenances to be laid and constructed in on and under the servient tenement in the approximate position shown by a brown line on the said plan
 2. THE right during the perpetuity period to connect pipes and lines constructed and laid on the first dominant tenement for the drainage of soil and water from and for the supply of water gas and electricity to any buildings erected on the first dominant tenement or for each and every part thereof to the pipes and lines
 3. THE right during the perpetuity period to connect the pipes and lines to the public pipes and lines lying within the servient tenement
 4. The Right of free and uninterrupted passage and running of soil and water and the right of free and uninterrupted passage and supply of water gas electricity and telephone services through and along the pipes and/or lines appropriate to each service
 5. FULL right and liberty from time to time to renew and remove all or any of the works.
 6. FULL right and liberty for the purpose of exercising the rights and for the purpose of inspecting repairing and maintaining the works but not for any other purpose whatsoever from time to time and at all reasonable times in the daytime and after giving to the Council not less than forty-eight hours written notice (except in case of emergency

C: Charges Register continued

when such notice as is reasonably practicable shall be given) with servants workmen and others and all necessary materials to enter upon so much of the servient tenement as shall be reasonably necessary for such purpose the Grantee making good all damage thereby done and (in the case of the pipes and lines) restoring and reinstating the surface of the servient tenement to the state and condition in which it was immediately prior to such entry

NOTE: The first dominant tenement referred to is tinted pink on the title plan. The brown line referred to is shown by a brown broken line on the title plan. The land in this title forms part of the servient tenement referred to

2 A Conveyance of the land in this title dated 27 March 1986 made between (1) Wycombe District Council (Vendor) and (2) Furblen Limited (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

3 The land is subject to the following rights reserved by the Conveyance dated 27 March 1986 referred to above:-

"Excepting and Reserving unto the Vendor for itself and its successors in title the owners and occupiers for the time being of all or any part or parts of the remainder of New Court High Street Marlow aforesaid (hereinafter called "the Retained Property") and its and their respective servants tenants and licensees (whether specific or implied):-

(i) the unimpeded passage and running of water soil gas and electricity coming onto or to come off from through or over all or any part or parts of the Retained Property within the period of 80 years from the date hereof (which shall be the perpetuity period applicable hereto) through and by all or any of the channels sewers drains watercourses pipes cables or wires which shall hereafter (but within such period) be laid or exist in on over or under any part of the Property with all rights easements and privileges proper for repairing maintaining and reinstating the same

(ii) the unrestricted right at all times and for all purposes to pass and re-pass on foot only over and along the pedestrian access shown on the plan annexed to the Agreement and leading from High Street Marlow aforesaid to the Retained Property and to Liston Road Marlow aforesaid

(iii) any other rights easements privileges or advantages of any kind under over or affecting the property or any part thereof to which the Vendor would be entitled if the Property and the Retained Property were in separate ownership and indefeasible rights easements privileges or advantages as at present enjoyed had been acquired under the Prescription Act 1832 or the Rights of Light Act 1959 without any obligation on the part of the Vendor to define the same.

NOTE 1: The Retained Property referred to is tinted yellow on the title plan.

-NOTE 2: Copy Plan filed.

4 The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto. The leases grant and reserve easements as therein mentioned.

NOTE: Each lease is referenced by edging and numbering in blue on the title plan unless otherwise stated in the schedule of leases.

5 (18.07.2012) REGISTERED CHARGE dated 29 June 2012.

6 (17.04.2018) Proprietor: BARCLAYS SECURITY TRUSTEE LIMITED (Co. Regn. No. 10825314) of P.O. Box 16276, One Snowhill, Snowhill Queensway, Birmingham B2 2XE.

Schedule of restrictive covenants

1 The following are details of the covenants contained in the Conveyance dated 27 March 1986 referred to in the Charges Register:-

Schedule of restrictive covenants continued

The Purchaser hereby covenants with the Vendor being a principal council for the purposes of Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 for the benefit and protection of the retained Property and each and every part thereof and so as to bind so far as may be the Property (which description shall for the purpose of this clause also include the development more particularly described in the Second Schedule to the Agreement) into whosoever hands the same may come that the Purchaser and the persons deriving title under it will at all times hereafter observe and perform the restrictions and stipulations set out in the Second Schedule hereto but so that neither the Purchaser nor those deriving title under it shall be liable for any breach of this covenant occurring on or in respect of the Property or any part or parts thereof after it or they shall have parted with all interest therein

THE SECOND SCHEDULE above referred to

Stipulations and Restrictions imposed upon the Purchaser)

1. At all times from the date hereof to keep the front and rear facades of the listed stable building and gateway within the property together with any and all boundary walls and fences in good and substantial repair and condition
2. To pay and contribute a fair proportion (to be determined by the Vendor) of the expense of making repairing and cleansing any and all party walls channels sewers drains watercourses pipes cables or wires used or to be used in common by the Purchaser and the Vendor and their respective successors in title
3. Not to make or construct or permit or suffer to be made or constructed any vehicular access from the Property to High Street Marlow aforesaid
4. Not to do or suffer to be done anything which might obstruct hinder or interfere with the free user of the pedestrian access through the Property and to the Retained Property and to Liston Road Marlow aforesaid from High Street Marlow aforesaid
5. To use its best endeavours to ensure that no trolleys or similar modes of conveyance (whether those of the Purchaser or those of its servants tenants or licensees or of persons doing business with the aforesaid persons other than members of the public using perambulators pushchairs personal hand trolleys or similar modes of conveyance) use the said pedestrian access from High Street Marlow aforesaid to the Property for deliveries or collections other than for official deliveries by employees of the Post Office or of any body succeeding the Post Office
6. Not to make or permit or suffer to be made any change to the external appearance of the Property howsoever unless any such change shall have been previously approved of in writing by the Vendor (such approval not to be unreasonably withheld)
7. Not to do or suffer to be done on the Property any act matter or thing which shall or may be or grow to be a nuisance or source or cause of injury to the Vendor.

Schedule of notices of leases

1	04.08.1987 1 (part of): 2 (part of)	Flat 1 (first floor flat and ground floor hallway and staircase)	18.07.1986 99 years from 1.10.1985	BM159374
2	17.11.2017 14 (part of)	4 Liston Court (ground floor)	13.10.2017 15 years from 1/10/2017	BM419014
3	11.02.2010 10 (part of): 17 (part of)	10 Liston Court (ground and first floor)	23.11.2009 10 years from and including	BM350906

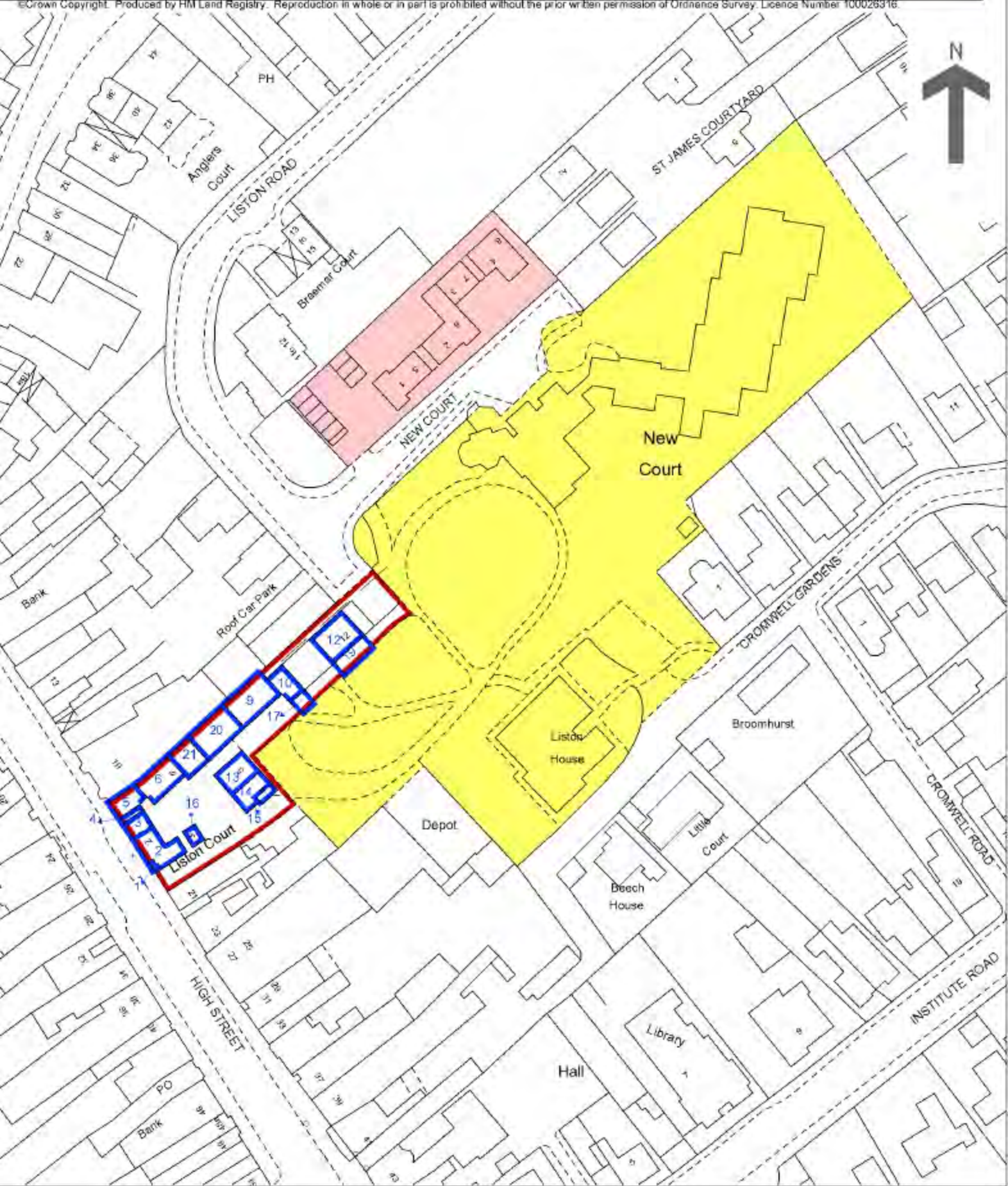
Schedule of notices of leases continued

			01.10.2010	
4	04.03.2011 9 (part of)	9 Liston Court (ground and first floor shop)	08.02.2011 15 years from 1.10.2010	BM360167
5	28.01.2013 21 (part of)	7 Liston Court (ground and first floor shop)	29.11.2012 From 30/11/2012 to 19/5/2020	BM376296
6	06.11.2013	2 Liston Court (Ground and First Floors)	28.10.2013 10 years from and including the 28.10.2013 expiring on 27.10.2023	BM384464
7	07.08.2015 5 (part of) & 6 (part of)	6 Liston Court (Ground & First Floors)	08.07.2015 10 years from and including 08.07.2015 and expiring on 07.07.2025	BM399136
8	16.11.2015 Edged and numbered 13 in blue (part of)	5 Liston Court (ground floor unit)	21.10.2015 10 years from and including 21.10.2015	BM401431
9	10.05.2016 13 (Part of):14 (Part of):15	14 Liston Court (First floor flat)	23.09.2015 125 years from 23.9.2015	BM405565
10	16.02.2017 20 (part of)	8 Liston Court (ground and first floors)	31.01.2017 10 years from and including 31.01.2017	BM412339

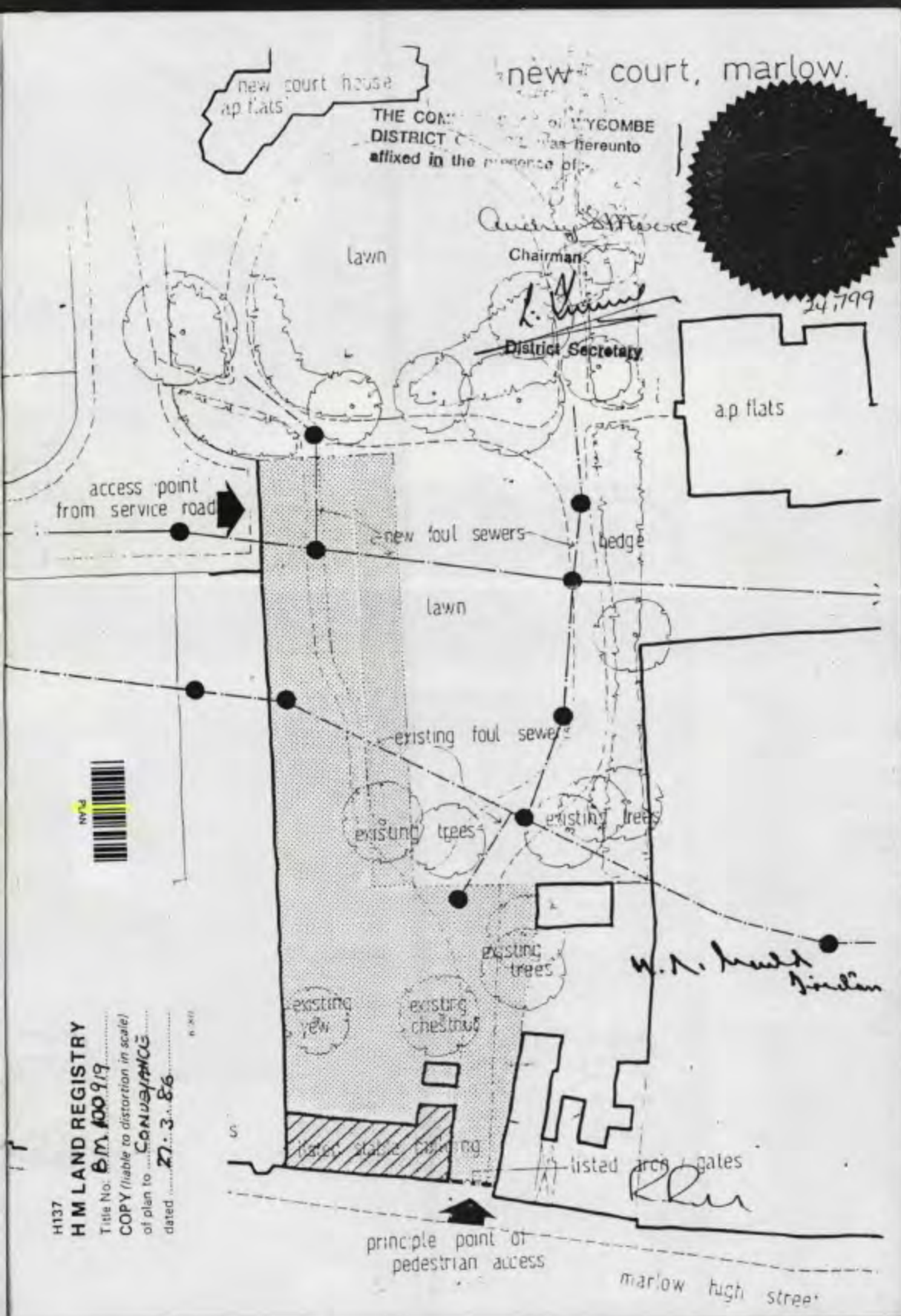
End of register



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OFFICE COPY ISSUED BY THE STEVENAGE DISTRICT LAND REGISTRY



H137
 HM LAND REGISTRY
 Title No: **B.M. 100 919**
 COPY (liable to distortion in scale)
 of plan to **CONUS/AMCS**
 dated **27.3.86**



464

SHAW & SHAW LTD.
 SHARPE HOUSE,
 LONDON, E.C.2A.

This

DEED is made the 30th day of July One thousand nine hundred and seventy-nine

BETWEEN WYCOMBE DISTRICT COUNCIL (hereinafter called "the Council") of the one part and GILLIAN MARGARET GRACE ANDERSON of Thornton House Number 14 Claremont Gardens Marlow in the County of Buckingham (hereinafter called "the Grantee") of the other part

WHEREAS :-

- (1) The Council is the estate owner in respect of the fee simple absolute in possession free from incumbrances of the servient tenement as hereinafter defined
- (2) The Council has agreed to grant to the Grantee the rights and easements hereinafter mentioned (with the exception of those specified in Paragraphs 7 and 8 of the First Schedule hereto) for the benefit of the Grantee's land situate ^{at} and being the rear portion of Thornton House aforesaid shown on the plan annexed hereto and thereon edged in purple and the said rights and easements specified in the said Paragraphs 7 and 8 for the benefit of the Grantee's remaining property situate and known as Thornton House aforesaid shown on the said plan and thereon edged in orange on the terms and conditions hereinafter appearing

NOW in pursuance of the said agreement and in consideration of the sum of TEN THOUSAND POUNDS (£10,000) paid by the Grantee to the Council (the receipt whereof the Council hereby acknowledges)

THIS DEED WITNESSETH as follows:-

1. IN this Deed where the context so admits:-

"the Council" includes the estate owner for the time being of the servient tenement as hereinafter specified

"the Grantee" includes the successors and assigns of the Grantee

"the servient tenement" means the land forming part of New Court High Street Marlow aforesaid shown on the said plan and thereon edged in yellow across which rights and easements are hereby granted

"the first dominant tenement" means the Grantee's said land shown on the said plan and thereon edged in purple

"the second dominant tenement" means the Grantee's said remaining property

"the rights" means the rights and easements specified in the First Schedule hereto

"the works" means the pipes and lines specified in Paragraph 1 of the said First Schedule and the works ancillary thereto also specified in the said Paragraph and the gate posts and fittings specified in Paragraph 8 of the said First Schedule

"the pipes and lines" means the said pipes and lines and the said works ancillary thereto

"the perpetuity period" means the period of eighty years commencing on the date hereof

2. THE Council acting pursuant to Class 5 of the Community Land General Disposal Consent 1976 issued to local authorities by the Secretary of State for the Environment in pursuance of his powers under Section 123A of the Local Government Act 1972 and of all other powers hereunto enabling it as Beneficial Owner HEREBY GRANTS unto the Grantee (a) for the benefit

SEC125

COPY

of the first dominant tenement and each and every part thereof the rights (except those specified in Paragraphs 7 and 8 of the said First Schedule) and (b) for the benefit of the second dominant tenement and each and every part thereof the rights specified in Paragraphs 7 and 8 of the said First Schedule TO HOLD the same unto the Grantee in fee simple subject to the observance and performance of the Grantee's covenants conditions and agreements herein contained and on the part of the Grantee to be observed and performed

3. THE Grantee hereby covenants with the Council as follows:-

- (a) To pay and discharge all rates water services charges taxes charges and impositions (if any) of whatsoever nature payable in respect of the works or which may become payable by reason or in consequence of this Deed and to refund to the Council any contributions made by the Council in lieu of rates water services charges taxes charges and/or impositions
- (b) Not to permit or suffer any nuisance or annoyance in the nature of a nuisance to arise or to be caused or to exist in consequence of or in connection with or arising out of the exercise of the rights or the existence of the works
- (c) To carry out the laying construction erection (all within the perpetuity period) and maintenance of the works to the reasonable satisfaction of the Council and in accordance with plans and specifications to be previously submitted to and approved in writing by the Council
- (d) To maintain and keep the works in good and substantial repair and condition to the reasonable satisfaction of the Council
- (e) Not to make any alterations or additions in or to the works without the previous consent in writing of the Council (such consent not to be unreasonably withheld)
- (f) To allow the Council at its own expense at any time or times to view the state and condition of the works and within three months (or sooner if necessary) after the receipt of any notice from the Council calling upon the Grantee to execute repairs to the works to carry out any necessary repairs (of which details shall be specified in such notice as aforesaid) to the reasonable satisfaction of the Council
- (g) To make good or (at the option of the Council) pay compensation for any damage to the servient tenement or any property of the Council (moveable or immoveable) thereon or in the vicinity of the servient tenement arising by reason of the exercise of the rights of the laying construction and erection of the works or any failure to observe any of the provision of this Deed
- (h) To be responsible for and to make good or pay compensation for any damage or injury (whether or not fatal) to any person or property arising by reason of or which would not have occurred but for this Deed or anything done or purported to be done hereunder and to keep the Council fully and effectually indemnified against all lawful and proper costs charges expenses actions claims and demands in respect of any such damage or injury And this indemnity shall extend and apply to all sums paid by the Council so as to indemnify its officers servants or agents against any proper claim maintainable at law made against them or any of them in respect of any such damage or injury and also to all sums lawfully and properly payable under any Statute Order Regulation Resolution of the Council (acting in its capacity as a local authority) or other provision having force of law to any said



officer servant or agent or the personal representatives or dependants of any such person in respect of any such damage or injury PROVIDED that the Council shall not settle any such costs charges expenses actions claims or demands or cause any such damage to be made good except with the previous approval in writing of the Grantee thereto (such approval not to be unreasonably withheld) but the reasonable expense incurred by the Council in so doing or in making any such payment shall be repaid by the Grantee to the Council on demand AND PROVIDED that the Grantee shall not be required to pay by way of indemnity any sum greater than that which would be reasonably payable in settlement having regard to the circumstances of the case (it being agreed that an amount ascertainable under any Statute Order Regulation Resolution of the Council (acting in its capacity as a local authority) or other provision having force of law is a sum reasonably so payable) and in particular (where the payment is legally enforceable) to the damages which might be recoverable at common law and

(i) To pay the proper costs of and incidental to the preparation and completion of this Deed and the duplicate thereof

4. PROVIDED ALWAYS AND IT IS HEREBY AGREED as follows:-

(1) That in default of the Grantee carrying out any works to be executed by the Grantee in pursuance of any of the terms and conditions hereof the Council may take all such steps and execute all such works and do such things as may be reasonably necessary or proper for that purpose and the Grantee shall on demand forthwith repay to the Council the cost incurred thereby

(2) That neither the Council nor any officer servant or agent of the Council nor any person acting on behalf of the Council shall be liable to the Grantee for any claims for injury (whether or not fatal) to person or loss of or damage to property (including the works) suffered by any person (including and without prejudice to the generality of the foregoing the Grantee or any officer servant or agent or person acting on behalf of the Grantee) occasioned by anything done or omitted by the Council or any officer servant or agent of the Council or any person acting on behalf of the Council upon the servient tenement or by reason of any defect in the means of access thereto

(3) That any notice required to be given or served hereunder shall be sufficiently served on the Grantee if sent by registered post or by the recorded delivery service to the Grantee at the Grantee's said address or at the Grantee's other address for the time being and shall unless or until the Council otherwise by notice in writing served upon the Grantee directs be sufficiently served on the Council if addressed to its District Secretary for the time being and sent by registered post or by the recorded delivery service to the Council at District Council Offices Queen Victoria Road High Wycombe in the said County or the Council's other principal office for the time being and (unless non-delivery is proved) a notice so sent shall be deemed to be given at the time when it ought in due course of post to be delivered at the address to which it is sent

5. THE Council hereby acknowledges the right of the Grantee to the production of the documents specified in the Second Schedule hereto and to delivery of copies thereof and undertakes with the Grantee for the safe custody of the same

6. IT is hereby certified that the transaction hereby effected does not form part of a

larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds Fifteen thousand pounds (£15,000)

I N W I T N E S S whereof the Council has caused its Common Seal to be hereunto affixed and the Grantee has hereunto set her hand and seal the day and year first before written

THE FIRST SCHEDULE above referred to

The rights and easements hereby granted

1. LEAVE and licence during the perpetuity period to enter onto the servient tenement with or without vehicles workmen materials and/or appliances for the purpose of laying and constructing:-

(a) a pipe for the drainage of soil and water from any buildings erected on the first dominant tenement together with such necessary manholes inspection chambers and appurtenances such pipe manholes inspection chambers and appurtenances to be laid and constructed in on and under the servient tenement in the approximate position shown by a brown line on the said plan

(b) a pipe for the supply of water to any buildings erected on the first dominant tenement together with any requisite ancillary apparatus such pipe and ancillary apparatus to be laid and constructed in on and under the servient tenement in the appropriate position shown by a red line on the said plan

(c) a pipe for carrying gas to any buildings erected on the first dominant tenement together with any requisite ancillary apparatus such pipe and ancillary apparatus to be laid and constructed in on and under the servient tenement in the approximate position shown by a green line on the said plan

(d) a line for the supply of electricity to any buildings erected on the first dominant tenement together with any requisite ancillary apparatus such line and ancillary apparatus to be laid and constructed in on and under the servient tenement in the approximate position shown by a blue line on the said plan and

(e) a duct for the passage of telephone wires or cables for supplying telephone services to any buildings erected on the first dominant tenement together with any requisite ancillary apparatus such duct and ancillary apparatus to be laid and constructed in on and under the servient tenement in the approximate position shown by a broken blue line on the said plan

2. THE right during the perpetuity period to connect pipes and lines constructed and laid on the first dominant tenement for the drainage of soil and water from and for the supply of water gas and electricity to any buildings erected on the first dominant tenement or for each and every part thereof to the pipes and lines

3. THE right during the perpetuity period to connect the pipes and lines to the public pipes and lines lying within the servient tenement

4. The Right of free and uninterrupted passage and running of soil and water and the telephone services right of free and uninterrupted passage and supply of water gas electricity and/ through and along the pipes and/or lines appropriate to each service

5. FULL right and liberty from time to time to renew and remove all or any of the works

6. FULL right and liberty for the purpose of exercising the rights and for the purpose of inspecting repairing and maintaining the works but not for any other purpose whatsoever from time to time and at all reasonable times in the daytime and after giving to the Council not less than forty-eight hours' written notice (except in case of emergency when such notice as is reasonably practicable shall be given) with servants workmen and others and all necessary materials to enter upon so much of the servient tenement as shall be reasonably necessary for such purpose the Grantee making good all damage thereby done and (in the case of the pipes and lines) restoring and reinstating the surface of the servient tenement to the state and condition in which it was immediately prior to such entry

7. FULL right and liberty for the Grantee and the occupiers for the time being of the second dominant tenement and their respective servants and licensees (in common with the Council and all others having the like right) at all times hereafter by day or night but on foot only to pass to or from the second dominant tenement from or to Liston Road Marlow aforesaid along the driveway constructed within the servient tenement between the points A and B on the said plan for all purposes connected with the use and enjoyment of the second dominant tenement as a private residence but not for any other purpose whatsoever

8. LEAVE and licence during the perpetuity period to erect and construct and thereafter to maintain in the south-western boundary of the second dominant tenement at a point in such boundary to be agreed between the Council and the Grantee a single gate with the necessary posts and fittings to enable the Grantee to exercise the right and easement more particularly specified in the foregoing paragraph of this Schedule

THE SECOND SCHEDULE before referred to

Documents acknowledged by the Council

<u>Date</u>	<u>Document</u>	<u>Parties</u>
30th July 1925	Conveyance	1. Walter George Langley 2. Nesta Sybil Liston
18th June 1973	Assent	1. The Public Trustee 2. The Urban District Council of Marlow
29th March 1974	Conveyance	1. The Urban District Council of Marlow 2. Norman McDonald Fowler
1st April 1974	Conveyance	1. Norman McDonald Fowler 2. The Council

SIGNED SEALED AND DELIVERED by the)
said GILLIAN MARGARET GRACE ANDERSON)
in the presence of:-)

P.H. Wood. Inim

Solicitor

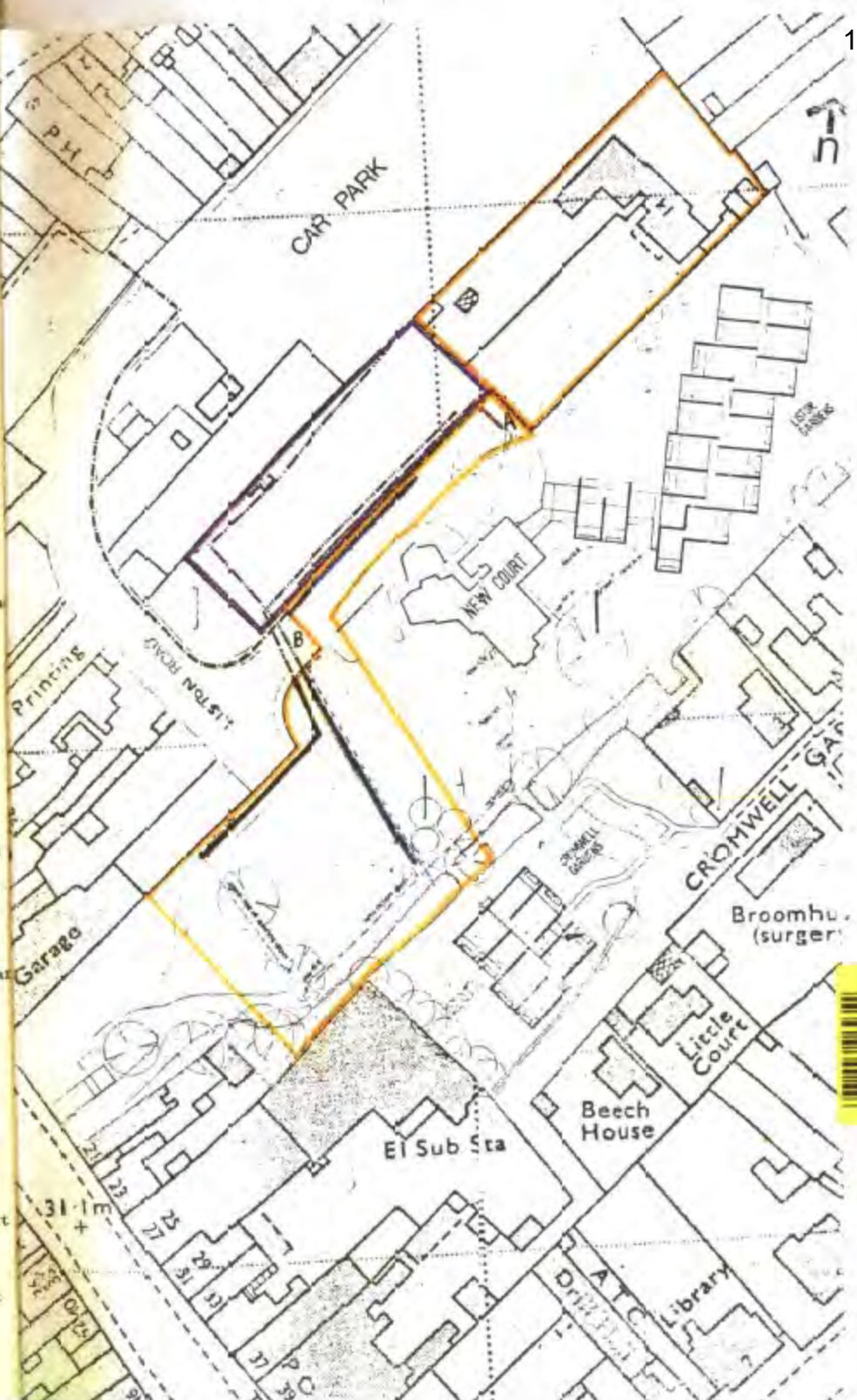
Marlow

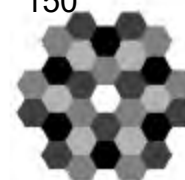
Bucks

G.M.G. Anderson



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Official copy of register of title

Title number BM363532

Edition date 23.08.2012

This official copy shows the entries on the register of title on 21 SEP 2018 at 08:35:30.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 21 Sep 2018.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Leicester Office.

A: Property Register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE : WYCOMBE

- 1 (03.08.2011) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being New Court, Liston Road and Liston House, Cromwell Gardens, Marlow.
- 2 (17.01.2012) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.
- 3 (17.01.2012) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land in title BM367394 and other land dated 13 December 2011 made between (1) Wycombe District Council and (2) Red Kite Community Housing Limited .

-NOTE: Copy filed under BM364518.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (03.08.2011) PROPRIETOR: WYCOMBE DISTRICT COUNCIL of Council Offices, Queen Victoria Road, High Wycombe, Buckinghamshire HP11 1BB.
- 2 (03.08.2011) The Conveyance to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (03.08.2011) An Indenture dated 1 February 1900 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.

-NOTE:- Copy filed.

C: Charges Register continued

- 2 (03.08.2011) The land is subject to the rights granted by a Deed dated 30 July 1979 made between (1) Wycombe District Council and (2) Gillian Margaret Grace Anderson.
-NOTE: Copy filed.
- 3 (03.08.2011) The land is subject to the rights granted by a Deed dated 10 September 1997 made between (1) Wycombe District Council and (2) Michael James Shanly, John Leonard Meyer and Union Pension Trustees (Eastern) Limited.
-NOTE: Copy filed.
- 4 (03.08.2011) The land is subject to the rights granted by a Deed dated 27 June 2005 made between (1) Wycombe District Council and (2) Copystation Limited.
-NOTE: Copy filed.
- 5 (03.08.2011) By a Deed dated 4 September 2006 made between (1) Wycombe District Council and (2) Copystation Limited the right to pass and re-pass on foot contained in the Deed dated 27 June 2005 referred to above has been varied.
-NOTE: Copy filed.
- 6 (03.08.2011) The land is subject to the rights granted by a Deed dated 7 July 2007 made between (1) Wycombe District Council and (2) Copystation Limited.
-NOTE: Copy filed.
- 7 (09.08.2011) An Indenture dated 5 October 1898 made between (1) Arthur Devereux Cripps and (2) Edmund Coster contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 8 (09.08.2011) An Indenture dated 9 September 1899 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.
-NOTE:- Copy filed.
- 9 (09.08.2011) An Indenture dated 12 November 1901 made between (1) Owen Lewis Cope Williams and (2) Thomas Anthony Hwfa Williams and others and (3) George Rolls Ward contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 10 (09.08.2011) An Indenture dated 27 August 1908 made between (1) Barnard Blake Deane and (2) John Langley contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 11 (23.08.2012) The land is subject to the rights granted by a Deed dated 21 June 2012 made between (1) Wycombe District Council and (2) Michael James Shanly, Donald Anthony Tucker and Union Pension Trustees (Eastern) Limited (as Trustees Of The Brenard Pension Scheme).
-NOTE: Copy filed under BM196074.

End of register

HM Land Registry

Official copy of
title plan

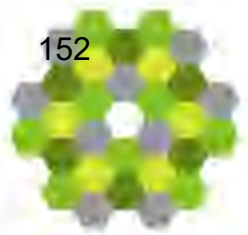
Title number **BM363532**

Ordnance Survey map reference **SU8486NE**

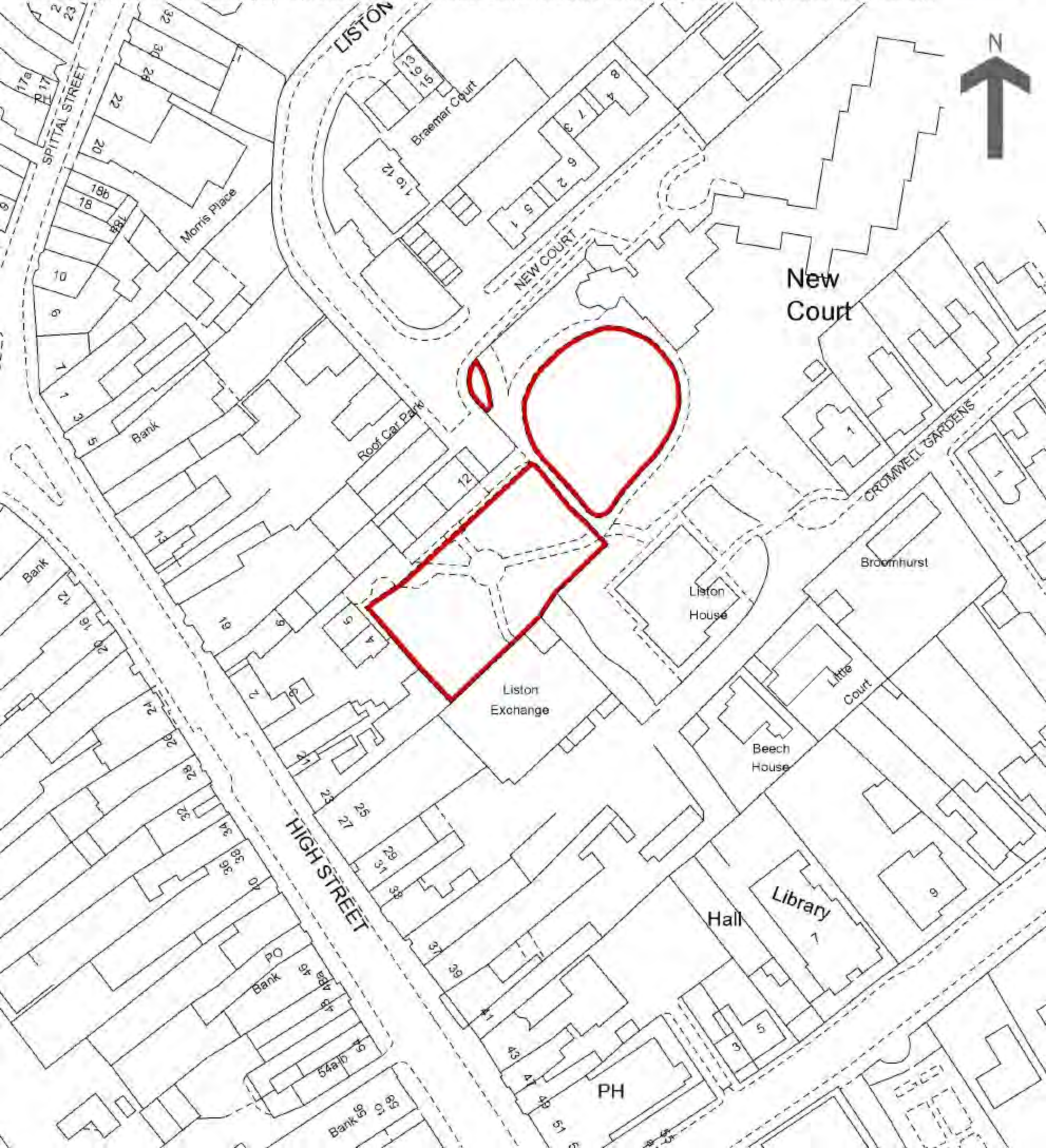
Scale **1:1250 enlarged from 1:2500**

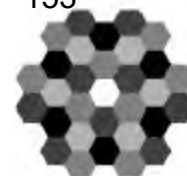
Administrative area **Buckinghamshire : Wycombe**

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Official copy of register of title

Title number BM367394

Edition date 03.10.2017

This official copy shows the entries on the register of title on 21 SEP 2018 at 08:39:58.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 21 Sep 2018.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Leicester Office.

A: Property Register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE : WYCOMBE

- 1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Liston House, Cromwell Gardens, Marlow and New Court, Liston Road, Marlow.

NOTE: The land tinted green on the title plan is not included in the title.

- 2 (17.01.2012) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 13 December 2011 referred to in the Charges Register.
- 3 (17.01.2012) The Transfer dated 13 December 2011 referred to in the Charges Register contains provisions as to light or air, boundary structures and other matters.
- 4 (04.01.2017) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 5 (04.01.2017) The land has the benefit of any legal easements reserved by a Transfer of the land edged and numbered BM411108 in green on the title plan dated 17 October 2016 made between (1) Red Kite Community Housing Limited and (2) Lennox Estates (Liston) Limited .

-NOTE: Copy filed under BM411108.

- 6 (03.08.2017) The land has the benefit of any legal easements reserved by a Transfer of the land edged and numbered BM416364 in green on the title plan dated 31 July 2017 made between (1) Red Kite Community Housing Limited and (2) Lennox Estates (New Court) Limited but is subject to any rights that are granted by the said deed and affect the registered land.

-NOTE: Copy filed under BM416364.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (17.01.2012) PROPRIETOR: RED KITE COMMUNITY HOUSING LIMITED (Co-operative Society No. IP31322R) of Windsor Court, Kingsmead Business Park, Frederick Place, High Wycombe HP11 1JU.
- 2 (17.01.2012) The price stated to have been paid on 13 December 2011 for the land in this title and other property was £316,635,909.
- 3 (17.01.2012) RESTRICTION: No disposition by the proprietor of the registered estate or in exercise of the power of sale or leasing in any registered charge (except an exempt disposal as defined by section 81(8) of the Housing Act 1988) is to be registered without the consent of -
 - (a) in relation to a disposal of land in England by a private registered provider of social housing, the Regulator of Social Housing,
 - (b) in relation to any other disposal of land in England, the Secretary of State, and
 - (c) in relation to a disposal of land in Wales, the Welsh Ministers,
 to that disposition under Section 133 of that Act.
- 4 (17.01.2012) RESTRICTION: Until 13 December 2031 no disposition of the registered estate (other than a charge) by the proprietor of the registered estate is to be registered without a certificate signed by a conveyancer that the provisions of clause 3.2 of the Transfer dated 13 December 2011 referred to in the Charges Register have been complied with or that they do not apply to this disposition.

C: Charges Register

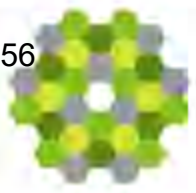
This register contains any charges and other matters that affect the land.

- 1 (09.08.2011) An Indenture dated 5 October 1898 made between (1) Arthur Devereux Cripps and (2) Edmund Coster contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 2 (09.08.2011) An Indenture dated 9 September 1899 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.
-NOTE:- Copy filed under BM363532.
- 3 (03.08.2011) An Indenture dated 1 February 1900 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.
-NOTE:- Copy filed under BM363532.
- 4 (09.08.2011) An Indenture dated 12 November 1901 made between (1) Owen Lewis Cope Williams and (2) Thomas Anthony Hwfa Williams and others and (3) George Rolls Ward contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 5 (09.08.2011) An Indenture dated 27 August 1908 made between (1) Barnard Blake Deane and (2) John Langley contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 6 (03.08.2011) The land is subject to the rights granted by a Deed dated 30 July 1979 made between (1) Wycombe District Council and (2) Gillian Margaret Grace Anderson.
-NOTE: Copy filed under BM363532.
- 7 (17.01.2012) A Transfer of the land in this title and other land dated 13 December 2011 made between (1) Wycombe District Council and (2) Red Kite Community Housing Limited contains restrictive covenants.
-NOTE: Copy filed under BM364518

C: Charges Register continued

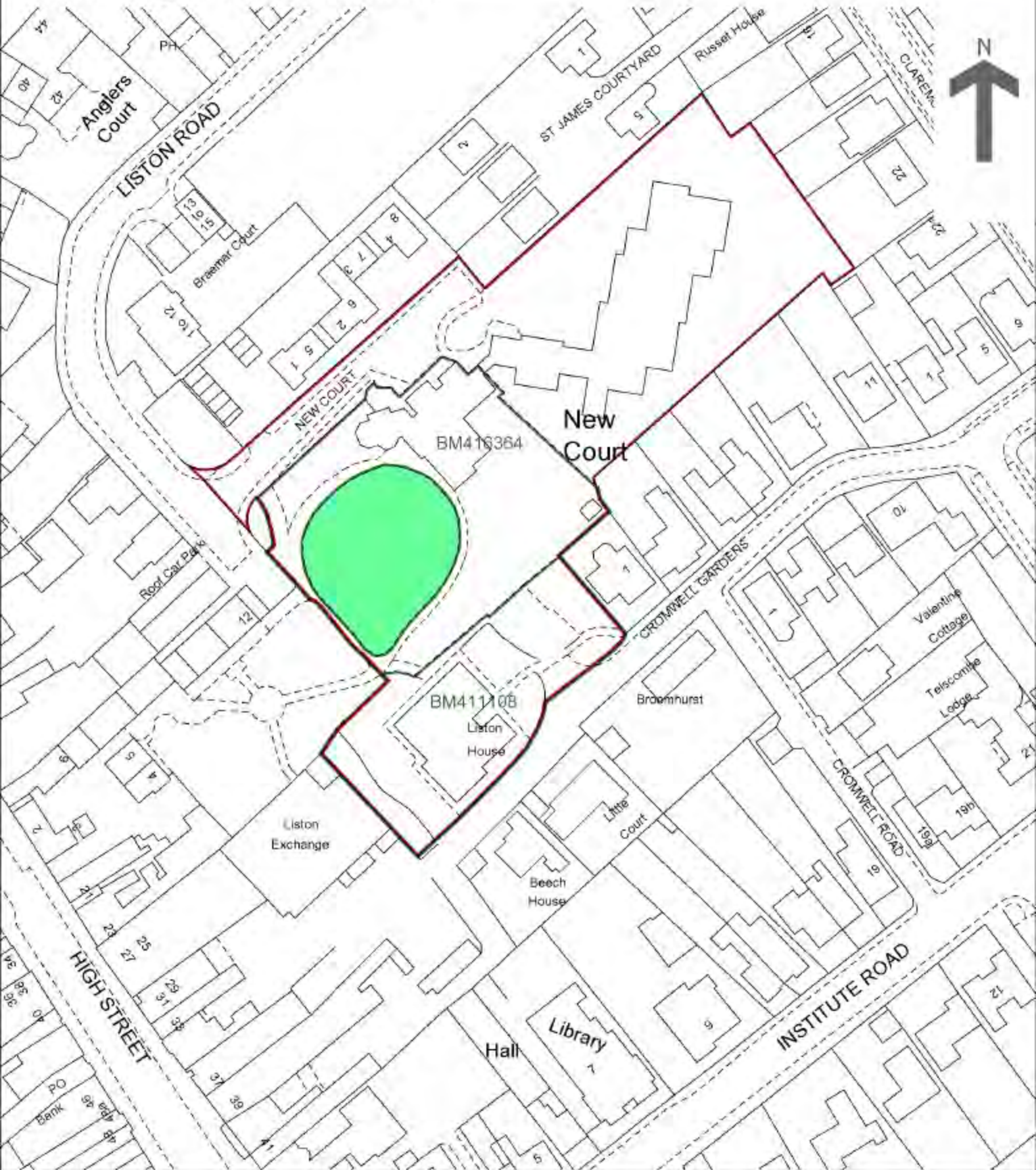
- 8 (17.01.2012) By a Deed of Rectification dated 12 January 2012 made between (1) Wycombe District Council and (2) Red Kite Community Housing Limited the land transferred in the Transfer dated 13 December 2011 referred to above was rectified as mentioned therein.
- NOTE: Copy Deed filed under BM364518.
- 9 (03.11.2016) UNILATERAL NOTICE affecting New Court House in respect of Contract for Sale dated 28 July 2016 made between (1) Red Kite Community Housing Limited and (2) Lennox Estates (New Court) Limited.
- NOTE: Copy Agreement and Plan filed.
- 10 (03.11.2016) BENEFICIARY: Lennox Estates (New Court) Limited (Co. Regn. No.10178495) of 64 Churchill Road, Slough, Berkshire SL3 7RB.

End of register



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The land tinted green is not included in this title.



THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JUN 2022 AT 12:13:48. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, LEICESTER OFFICE.

TITLE NUMBER: BM411108

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE

- 1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Liston House, Cromwell Gardens, Marlow (SL7 1BY).
- 2 (17.01.2012) The Transfer dated 13 December 2011 referred to in the Charges Register contains provisions as to light or air, boundary structures and other matters.
- 3 (04.01.2017) The Transfer dated 17 October 2016 referred to in the Charges Register contains a provision as to light or air and a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (28.03.2019) PROPRIETOR: RG SECURITIES (NO. 3) LIMITED (Co. Regn. No. 7295097) of 16-18 Warrior Square, Southend-On-Sea SS1 2WS.
- 2 (28.03.2019) The price stated to have been paid on 5 March 2019 was £115,000.
- 3 (28.03.2019) A Transfer of the land in this title dated 5 March 2019 made between (1) Lennox Estates (Liston) Limited and (2) RG Securities (No. 3) Limited contains purchaser's and vendor's personal covenants.
NOTE: Copy filed.
- 4 (10.12.2019) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 22 November 2019 in favour of Rothesay Life PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (09.08.2011) An Indenture dated 5 October 1898 made between (1) Arthur Devereux Cripps and (2) Edmund Coster contains stipulations as to building and user but neither the original deed nor a certified copy or

Title number BM411108

C: Charges Register continued

examined abstract thereof was produced on first registration.

- 2 (09.08.2011) An Indenture dated 9 September 1899 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.

NOTE:- Copy filed under BM363532.

- 3 (03.08.2011) An Indenture dated 1 February 1900 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.

NOTE:- Copy filed under BM363532.

- 4 (09.08.2011) An Indenture dated 12 November 1901 made between (1) Owen Lewis Cope Williams and (2) Thomas Anthony Hwfa Williams and others and (3) George Rolls Ward contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

- 5 (09.08.2011) An Indenture dated 27 August 1908 made between (1) Barnard Blake Deane and (2) John Langley contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

- 6 (17.01.2012) A Transfer of the land in this title and other land dated 13 December 2011 made between (1) Wycombe District Council and (2) Red Kite Community Housing Limited contains restrictive covenants.

NOTE: Copy filed under BM364518

- 7 (17.01.2012) The land is subject to the rights reserved by the Transfer dated 13 December 2011 referred to above.

- 8 (04.01.2017) A Transfer of the land in this title dated 17 October 2016 made between (1) Red Kite Community Housing Limited and (2) Lennox Estates (Liston) Limited contains restrictive covenants.

NOTE: Copy filed.

- 9 (04.01.2017) The land is subject to any rights that are reserved by the Transfer dated 17 October 2016 referred to above and affect the registered land.

- 10 (23.10.2017) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

- 11 (10.12.2019) REGISTERED CHARGE contained in a Debenture dated 22 November 2019 affecting also other titles.

NOTE: Charge reference ST224588.

- 12 (10.12.2019) Proprietor: ROTHESAY LIFE PLC (Co. Regn. No. 6127279) of The Post Building, 100 Museum Street, London WC1A 1PB.

- 13 (10.12.2019) The proprietor of the Charge dated 22 November 2019 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	23.10.2017 Edged blue (part of)	Flat 12 Liston House (First Floor)	28.09.2017 125 years from and including 1 January 2017 to 31 December 2141	BM418327

Schedule of notices of leases continued

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
2	07.11.2017 Edged blue (part of)	Flat 5 Liston House (Ground Floor)	13.10.2017 125 years from and including 1 January 2017 to 31 December 2141	BM418689
3	07.11.2017 Edged blue (part of)	Flat 6 Liston House (Ground Floor)	10.10.2017 125 years from and including 1 January 2017 to 31 December 2141	BM418706
4	10.11.2017 Edged blue (part of)	Flat 9 Liston House (First Floor)	10.10.2017 125 years from and including 1 January 2017 to 31 December 2141	BM418802
5	21.11.2017 Edged blue (part of)	Flat 11 Liston House (First Floor)	10.10.2017 125 years from and including 1 January 2017 to 31 December 2141	BM419077
6	21.11.2017 Edged blue (part of)	Flat 8 Liston House (First Floor)	10.10.2017 125 years from and including 1 January 2017 to 31 December 2141	BM419081
7	29.11.2017 Edged blue (part of)	Flat 7 Liston House (Ground Floor)	10.10.2017 125 years from and including 1 January 2017 to 31 December 2141	BM419264
8	10.01.2018 Edged blue (part of)	Flat 1 Liston House (Ground Floor)	08.12.2017 125 years from and including 1 January 2017 to 31 December 2141	BM420203
9	19.03.2018 Edged blue (part of)	Flat 13 Liston House (First Floor)	22.09.2017 125 years from and including 1 January 2017 to 31 December 2141	BM421866
10	19.03.2018 Edged blue (part of)	Flat 2 Liston House (Ground Floor)	12.03.2018 125 years from and including 1 January 2017 to 31 December 2141	BM422904
11	06.08.2018 Edged blue (part of)	Flat 4 Liston House (Ground Floor)	12.06.2018 125 years from and including 1 January 2017 to 31 December 2141	BM425530

Schedule of notices of leases continued

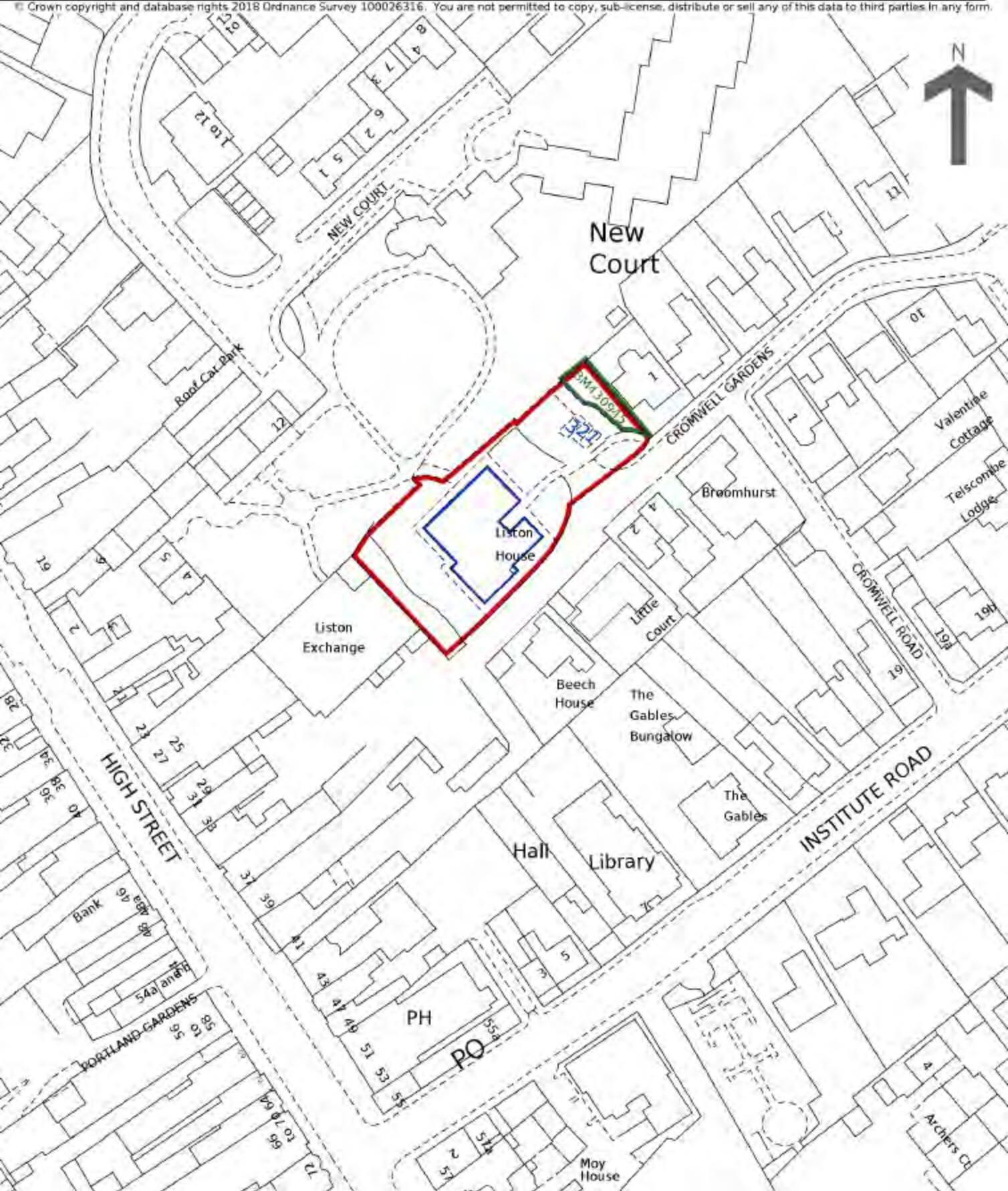
	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
12	28.08.2018 Edged blue (part of)	Flat 14 Liston House (First Floor)	26.03.2018 125 years from and including 1 January 2017 to 31 December 2141	BM426081
13	02.11.2018 Edged blue (part of)	Flat 3 Liston House (Ground Floor)	26.09.2018 125 years from and including 1 January 2017 to 31 December 2141	BM427896
14	05.03.2019 Edged blue (part of)	Flat 10 Liston House (First Floor)	04.12.2018 125 years from and including 1 January 2017 to 31 December 2141	BM431003
15	28.03.2019 1	Parking Space 3, Liston House	04.03.2019 150 years from and including 1 January 2017 expiring on 31 December 2166	BM431614
16	28.03.2019 2	Parking Space 7, Liston House	04.03.2019 150 years from and including 1 January 2017 expiring on 31 December 2166	BM431615
17	28.03.2019 3	Parking Space P7A	04.03.2019 150 years from and including 1 January 2017 expiring on 31 December 2166	BM431616
18	28.03.2019	Liston House	04.03.2019 From and including 1 January 2017 expiring on 31 December 2166	BM431311

NOTE: Unless otherwise stated, this lease takes effect as a concurrent lease in relation to the leases referred to above.

End of register

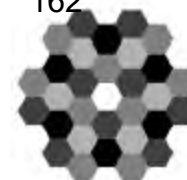


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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 June 2022 at 12:16:13. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Leicester Office.



Official copy of register of title

Title number BM416364

Edition date 09.04.2018

This official copy shows the entries on the register of title on 21 SEP 2018 at 08:31:59.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 21 Sep 2018.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Leicester Office.

A: Property Register

This register describes the land and estate comprised in the title.

BUCKINGHAMSHIRE : WYCOMBE

- 1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being New Court House, Liston Road, Marlow (SL7 1AS).

NOTE: The land tinted green on the title plan is not included in the title.

- 2 (17.01.2012) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 13 December 2011 referred to in the Charges Register.

- 3 (17.01.2012) The Transfer dated 13 December 2011 referred to in the Charges Register contains provisions as to light or air, boundary structures and other matters.

- 4 (04.01.2017) The land has the benefit of any legal easements reserved by a Transfer of land adjoining the southern boundary of the land in this title dated 17 October 2016 made between (1) Red Kite Community Housing Limited and (2) Lennox Estates (Liston) Limited .

-NOTE: Copy filed under BM411108.

- 5 (03.08.2017) The land has the benefit of any legal easements granted by the Transfer dated 31 July 2017 referred to in the Charges Register but is subject to any rights that are reserved by the said deed and affect the registered land.

- 6 (03.08.2017) The Transfer dated 31 July 2017 referred to in the Charges Register contains a provision as to boundary structures and light and air and a provision relating to the creation and/or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

B: Proprietorship Register continued

- 1 (03.08.2017) PROPRIETOR: LENNOX ESTATES (NEW COURT) LIMITED (Co. Regn. No. 10178495) of Roe Deer Farm, Portsmouth Road, Godalming GU7 2JT.
- 2 (03.08.2017) The price stated to have been paid on 31 July 2017 was £1,767,500.
- 3 (09.04.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 19 March 2018 in favour of Bridgeco Limited T/a Octopus Property referred to in the Charges Register.
- 4 (09.04.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 19 March 2018 in favour of Refcap Ventures Limited referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (09.08.2011) An Indenture dated 5 October 1898 made between (1) Arthur Devereux Cripps and (2) Edmund Coster contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 2 (09.08.2011) An Indenture dated 9 September 1899 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.
-NOTE:- Copy filed under BM363532.
- 3 (03.08.2011) An Indenture dated 1 February 1900 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.
-NOTE:- Copy filed under BM363532.
- 4 (09.08.2011) An Indenture dated 12 November 1901 made between (1) Owen Lewis Cope Williams and (2) Thomas Anthony Hwfa Williams and others and (3) George Rolls Ward contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 5 (09.08.2011) An Indenture dated 27 August 1908 made between (1) Barnard Blake Deane and (2) John Langley contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 6 (03.08.2011) The land is subject to the rights granted by a Deed dated 30 July 1979 made between (1) Wycombe District Council and (2) Gillian Margaret Grace Anderson.
-NOTE: Copy filed under BM363532.
- 7 (17.01.2012) A Transfer of the land in this title and other land dated 13 December 2011 made between (1) Wycombe District Council and (2) Red Kite Community Housing Limited contains restrictive covenants.
-NOTE: Copy filed under BM364518
- 8 (17.01.2012) By a Deed of Rectification dated 12 January 2012 made between (1) Wycombe District Council and (2) Red Kite Community Housing Limited the land transferred in the Transfer dated 13 December 2011 referred to above was rectified as mentioned therein.
-NOTE: Copy Deed filed under BM364518.
- 9 (03.08.2017) A Transfer of the land in this title dated 31 July 2017 made between (1) Red Kite Community Housing Limited and (2) Lennox

C: Charges Register continued

Estates (New Court) Limited contains restrictive covenants.

-NOTE: Copy filed.

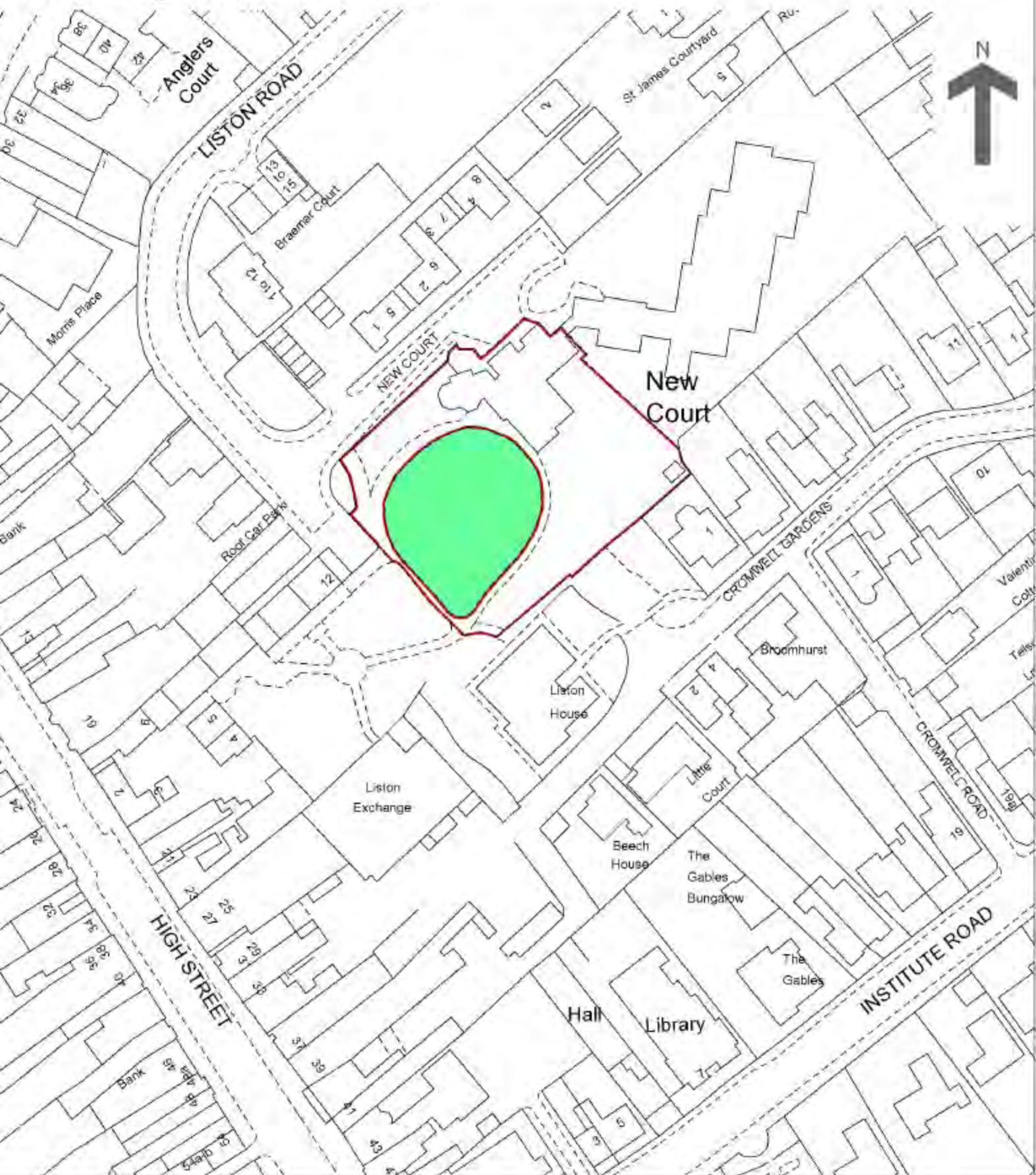
- 10 (09.04.2018) REGISTERED CHARGE dated 19 March 2018.
- 11 (09.04.2018) Proprietor: BRIDGECO LIMITED T/A OCTOPUS PROPERTY (Co. Regn. No. 06629989) of 33 Holborn, London EC1N 2HT.
- 12 (09.04.2018) The proprietor of the Charge dated 19 March 2018 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 13 (09.04.2018) REGISTERED CHARGE dated 19 March 2018.
- 14 (09.04.2018) Proprietor: REFCAP VENTURES LIMITED (Co. Regn. No. 09279006) of 6 Stamford Square, London SW15 2BF.
- 15 (09.04.2018) The priorities of the charges dated 19 March 2018 in favour of Bridgeco Limited and 19 March 2018 in favour of Refcap Ventures Limited referred to above have been regulated by a Intercreditor Deed dated 19 March 2018.

End of register



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The land tinted green is not included in this title.



THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 23 FEB 2021 AT 13:39:10. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, LEICESTER OFFICE.

TITLE NUMBER: BM431311

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

BUCKINGHAMSHIRE

- 1 (15.03.2019) The Leasehold land demised by the lease referred to below which lies within the area shown edged with red on the plan of the above Title filed at the Registry and being Liston House, Cromwell Gardens, Marlow (SL7 1BY).
- 2 (15.03.2019) The Transfer dated 13 December 2011 referred to in the Charges Register contains provisions as to light or air, boundary structures and other matters.
- 3 (15.03.2019) The Transfer dated 17 October 2016 referred to in the Charges Register contains a provision as to light or air and a provision excluding the operation of section 62 of the Law of Property Act 1925 as therein mentioned.
- 4 (15.03.2019) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:
 Date : 4 March 2019
 Term : From and including 1 January 2017 expiring on 31 December 2166
 Parties : (1) Lennox Estates (Liston) Limited
 (2) Liston House Management Limited
- 5 (15.03.2019) The Lease prohibits or restricts alienation.
- 6 (15.03.2019) The landlord's title is registered.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (15.03.2019) PROPRIETOR: LISTON HOUSE MANAGEMENT LIMITED (Co. Regn. No. 10814373) of The St Botolph Building, 138 Houndsditch, London EC3A 7AR.
- 2 (15.03.2019) The price, other than rents, stated to have been paid on the grant of the lease was £1.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 (15.03.2019) An Indenture dated 5 October 1898 made between (1) Arthur Devereux Cripps and (2) Edmund Coster contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

2 (15.03.2019) An Indenture dated 9 September 1899 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.

NOTE:- Copy filed under BM363532.

3 (15.03.2019) An Indenture dated 1 February 1900 made between (1) Arthur Devereux Cripps and (2) George Rolls Ward contains restrictive covenants.

NOTE:- Copy filed under BM363532.

4 (15.03.2019) An Indenture dated 12 November 1901 made between (1) Owen Lewis Cope Williams and (2) Thomas Anthony Hwfa Williams and others and (3) George Rolls Ward contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

5 (15.03.2019) An Indenture dated 27 August 1908 made between (1) Barnard Blake Deane and (2) John Langley contains stipulations as to building and user but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

6 (15.03.2019) A Transfer of the freehold estate in land in this title and other land dated 13 December 2011 made between (1) Wycombe District Council and (2) Red Kite Community Housing Limited contains restrictive covenants.

NOTE: Copy filed under BM364518

7 (15.03.2019) The land is subject to the rights reserved by the Transfer dated 13 December 2011 referred to above.

8 (15.03.2019) A Transfer of the freehold estate in the land in this title dated 17 October 2016 made between (1) Red Kite Community Housing Limited and (2) Lennox Estates (Liston) Limited contains restrictive covenants.

NOTE: Copy filed under BM411108.

9 (15.03.2019) The land is subject to any rights that are reserved by the Transfer dated 17 October 2016 referred to above and affect the registered land.

10 (15.03.2019) The land is subject to any rights that are reserved by LR11.2 of the registered lease/ dated 4 March 2019 and affect the registered land.

11 (15.03.2019) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

NOTE: Unless otherwise stated, the lease of the land in this title takes effect as a concurrent lease in relation to the leases referred to in the schedule of leases hereto.

12 (15.03.2019) UNILATERAL NOTICE in respect of an agreement for lease dated 23 June 2017 made between (1) Lennox Estates (Liston) Limited and (2) Liston House Management Limited.

13 (15.03.2019) BENEFICIARY: Liston House Management Limited (Co. Regn. No. 10814373) of The St Botolph Building, 138 Houndsditch, London EC3A 7AR.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	1	Parking Space P3	04.03.2019 150 years from and including 1.1.2017 expiring on 31.12.2166	BM431614
2	2	Parking Space P7	04.03.2019 150 years from and including 1.1.2017 expiring on 31.12.2166	BM431615
3	3	Parking Space P7A	04.03.2019 150 years from and including 1.1.2017 expiring on 31.12.2166	BM431616
4	Edged blue (part of)	Flat 12 Liston House (First Floor)	28.09.2017 125 years from and including 1.1.2017 to 31.12.2141	BM418327
5	Edged blue (part of)	Flat 5 Liston House (Ground Floor)	13.10.2017 125 years from and including 1.1.2017 to 31.12.2141	BM418689
6	Edged blue (part of)	Flat 6 Liston House (Ground Floor)	10.10.2017 125 years from and including 1.1.2017 to 31.12.2141	BM418706
7	Edged blue (part of)	Flat 9 Liston House (First Floor)	10.10.2017 125 years from and including 1.1.2017 to 31.12.2141	BM418802
8	Edged blue (part of)	Flat 11 Liston House (First Floor)	10.10.2017 125 years from and including 1.1.2017 to 31.12.2141	BM419077
9	Edged blue (part of)	Flat 8 Liston House (First Floor)	10.10.2017 125 years from and including 1.1.2017 to 31.12.2141	BM419081
10	Edged blue (part of)	Flat 7 Liston House (Ground Floor)	10.10.2017 125 years from and including 1.1.2017 to 31.12.2141	BM419264
11	Edged blue (part of)	Flat 1 Liston House (Ground Floor)	08.12.2017 125 years from and including 1.1.2017 to 31.12.2141	BM420203
12	Edged blue	Flat 13 Liston House (First Floor)	22.09.2017 125 years from	BM421866

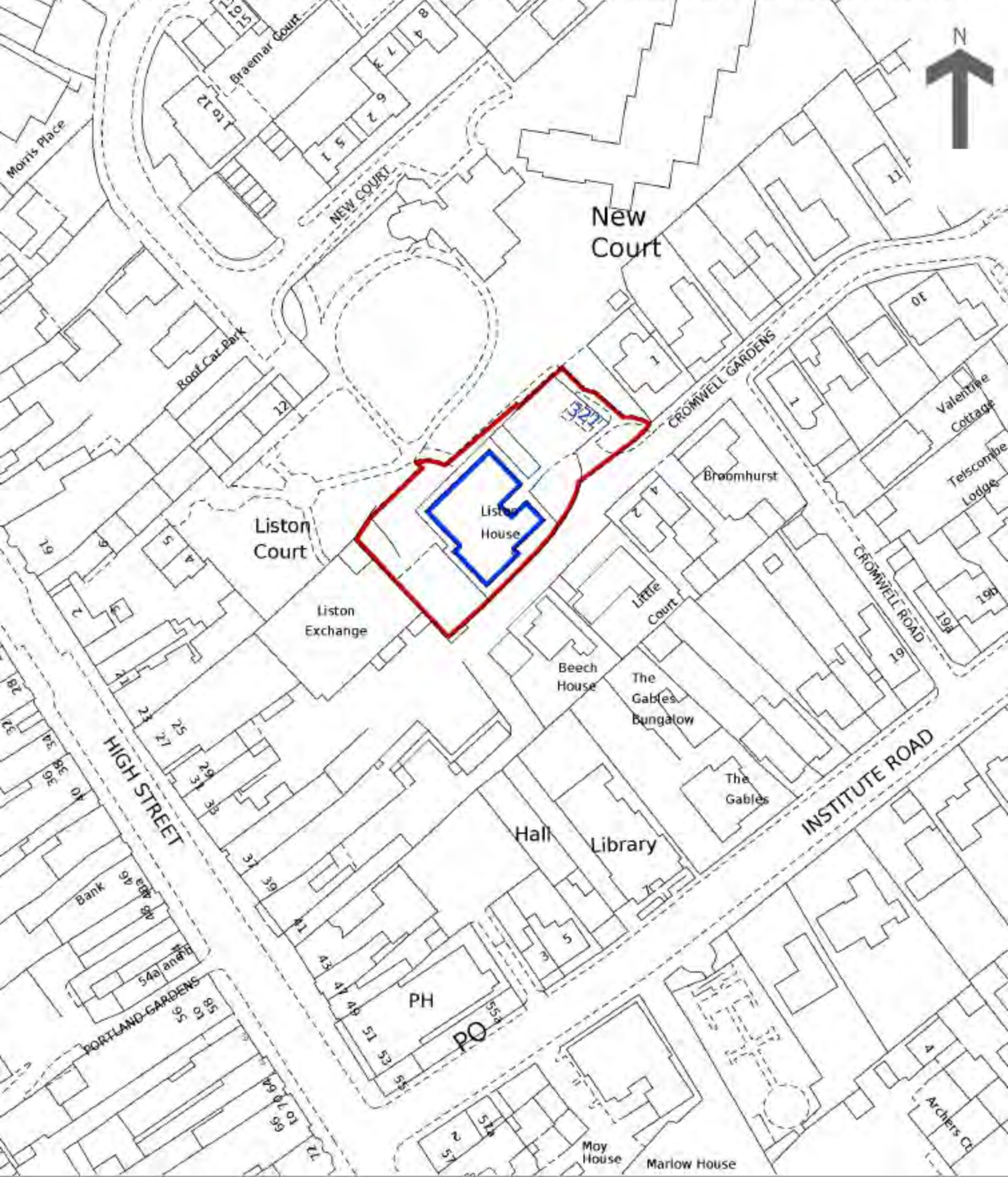
Schedule of notices of leases continued

	Registration date and plan ref. (part of)	Property description	Date of lease and term and including 1.1.2017 to 31.12.2141	Lessee's title
13	Edged blue (part of)	Flat 2 Liston House (Ground Floor)	12.03.2018 125 years from and including 1.1.2017 to 31.12.2141	BM422904
14	Edged blue (part of)	Flat 4 Liston House (Ground Floor)	12.06.2018 125 years from and including 1.1.2017 to 31.12.2141	BM425530
15	28.08.2018 Edged blue (part of)	Flat 14 Liston House (First Floor)	26.03.2018 125 years from and including 1.1.2017 to 31.12.2141	BM426081
16	Edged blue (part of)	Flat 3 Liston House (Ground Floor)	26.09.2018 125 years from and including 1.1.2017 to 31.12.2141	BM427896
17	Edged blue (part of)	Flat 10 Liston House (First Floor)	04.12.2018 125 years from and including 1.1.2017 to 31.12.2141	BM431003

End of register



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This title is dealt with by HM Land Registry, Leicester Office.



Aerial photo 2003



1:2,500



Aerial photo 2006



1:2,500



Aerial photo 2020



1:2,500