

Merits of the proposals for making the Extinguishment Orders

5.6 The merits of the proposals for each of the rights of way will be considered in the following sections.

5.7 Footpath 4 Colnbrook with Poyle

This path runs from the B3378 London Road between the rear boundaries of Springfield Road properties and the grounds and garages of the Crown Meadow Estate, to join Springfield Road about 300 metres west of London Road (see map). It is a narrow path which, because it is not used, quickly becomes overgrown with vegetation including brambles and nettles, and becomes impassable. Its surface is rough and muddy. Pedestrians use Springfield Road itself as an alternative to the path. This road is wide with a hard stone surface, and is an un-adopted private street with a public right to walk along it. A safe and convenient tarmac/concrete route is also available to local residents through the Crown Meadow Estate.

The only adjacent resident who responded to the consultation strongly supported the proposed extinguishment, since he considered that it would increase the security of his property.

It is considered that the extinguishment of this path would meet the legal criteria, since it is not used even when it is cleared of vegetation. The interests of the presumed owners of the land over which the path runs would not be diminished by the order, but on the contrary, could be enhanced.

5.8 Footpath 18 Slough

This path formerly ran from Bridleway 17 Slough (Wood Lane) to join a footpath in the Royal Borough of Windsor and Maidenhead which leads to Eton (see map). The path was easily walkable and well used. However, the Jubilee River constructed by the Environment Agency now cuts across the path, leaving two unconnected sections of footpath. The Agency has recently made an order to extinguish the section of Footpath 18 which crosses land which was compulsorily purchased to construct the Jubilee River, but the terms of the legislation under which the order was made did not allow the Agency to extinguish the section of the path which runs over land which it did not purchase. No objections to this order have been received, and it will come into effect when the legal agreement dedicating the new alternative route, a public footpath/cycleway along the southern side of the Jubilee River, has been signed by the Agency and the Council.

The extreme south-eastern section of Footpath 18, which will not be extinguished by the Environment Agency order, is still needed to connect the new footpath/cycleway to the footpath in the Royal Borough. The western section of Footpath 18, however, will be a legal dead-end when the

Environment Agency's order comes into effect; it is currently obstructed by a fence at its junction with Bridleway 17.

It is considered that the extinguishment of this section of Footpath 18 would meet the legal criteria, since it can serve no useful purpose and would not be used even if the obstructing fence were removed. The interests of the presumed owners of the land over which the path runs would not be diminished by the order, but on the contrary, would be enhanced. The Council should not make an extinguishment order until the new alternative footpath/cycleway has been legally created.

5.9 Footpath 22 Slough

This path runs from Footpath 23B on the southern edge of Godolphin Playing Field, across Whitby Road, and southwards between the rear of properties in Woodland Avenue and a stream on the edge of Baylis Park, to join Woodland Avenue (see map). The section of path south of Whitby Road is very rough and muddy, with tall garden fences and walls on one side and a collapsing stream bank on the other. The path is blocked with vegetation, fallen trees and dumped rubbish. There is a much more pleasant alternative route a few metres away across the grass in Baylis Park, which is currently used by the public. There are also alternative tarmac paths through the Park a short distance away. The use of these routes by the public is safeguarded by the ownership of the Park by the Council.

It is considered that the extinguishment of the section of Footpath 22 south of Whitby Road would meet the legal criteria, since it would not be used even if the current obstructions were removed. The interests of the Council as the owner of the land over which the path runs would not be diminished by the order. None of the occupiers of the relevant properties on Woodland Avenue responded to the consultation. Their security could be perceived to be enhanced by the proposed extinguishment, although this cannot be considered as a valid reason for making an order under this section of the legislation.

5.10 Bridleway 6A Slough

This way runs south from the southern end of a cul-de-sac road on the south-western side of the roundabout at the northern end of the Huntercombe Spur to join the Huntercombe Spur about 130 metres south of the roundabout (see map). Its existence is a relict from the time when the Huntercombe Spur was constructed across Bridleway 6. The section of the bridleway crossed by the new road was diverted to run alongside the eastern side of the road as Bridleway 6B, but the section of way on the western side of the new road was legally left on its current line. On site it is not possible to see the route of the way, being blocked by fences.

It is inconceivable that the way could be of any use to the public. People from the area to the west of the roundabout wishing to use Bridleway 6B would

cross the Huntercombe Spur at the dedicated crossing point south of the roundabout, and no bridleway users would wish to walk or ride along the Spur.

It is therefore considered that the extinguishment of Bridleway 6A would meet the legal criteria, since it can serve no useful purpose and would not be used even if the obstructing fences were removed. The interests of the unknown owners of the land over which the way runs would not be diminished by the order.