

Report Title:	Footpaths 17 and 59 Cookham: diversion application
Contains Confidential or Exempt Information	No - Part I
Officer reporting:	Anthony Hurst, Parks & Countryside Manager
Meeting and Date:	Rights of Way and Highway Licensing Panel 18 th October 2021
Responsible Officer(s):	Andrew Durrant, Executive Director of Place Chris Joyce, Head of Infrastructure, Sustainability and Economic Growth
Wards affected:	Bisham and Cookham

REPORT SUMMARY

The report considers an application received from the landowner for the diversion of parts of Footpaths 17 and 59 Cookham, at Mount Farm in Cookham. The report sets out the detail of the proposed diversions, assesses the proposal against the relevant legislation (section 119 of the Highways Act 1980), and details of responses received to consultations on the proposal. The report concludes that the proposed diversions do not meet the criteria set out in the Highways Act 1980, and therefore recommends that the diversion application is refused.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That the Panel notes the report and:

- i) **The footpath diversion application for parts of Footpaths 17 and 59 Cookham, at Mount Farm, Cookham, as shown in Appendix 1, is refused.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Refuse the footpath diversion application This is the recommended option.	It is considered that the application does not meet the criteria for public footpath diversions set out in the Highways Act 1980, as detailed below. The Panel should consider the responses received to the consultation on the application, as set out in Appendix 2 to this report.

Option	Comments
<p>Accept the diversion application and publish a Diversion Order under the Highways Act 1980</p> <p>This option is not recommended.</p>	<p>If the Panel chooses to proceed with publication of a Diversion Order and objections are received and not subsequently withdrawn, the Council cannot itself confirm the Order, but may refer the Order and objections to the Secretary of State and a decision on whether the Order is confirmed would then rest with the Secretary of State or an Inspector acting on their behalf.</p>

2.1 **The application:** the diversion application submitted by the landowner is shown on the application maps attached at Appendix 1. The proposal is to divert those parts of Footpath 17 Cookham which are currently 'cross-field' footpaths to follow field-edge paths and a section of path through an adjacent area of woodland. The proposal would also entail the diversion of a short section of Footpath 59 Cookham, which connects with this part of Footpath 17.

2.2 The reasons for the diversion proposal, and details of the proposed new routes, as stated by the applicant, are as follows:

“To move paths from existing routes crossing the centre of the field to the field edge to allow more economic farming practices and create a longer circular route for public use around Mount Farm. This will also allow Beeching Grove Wood to be treated as a nature reserve with reduced public access.

The new route will follow the path of the existing Permitted Path which was established in 2013. This route runs along the northern boundary of the field, before running south along the western boundary, where it links with land owned by the National Trust, before connecting with the north-south leg of Cookham Footpath 59 which leads to Malders Lane. This creates a two mile circular route around the farm. There will be an additional section of footpath through the wood to the west which is known as Little Beeching Gove Wood. This links with National Trust open access land and the existing footpath network in the area. An additional permitted cycle path is also being proposed along the hard surfaced portion of the proposed path to create a safe, off-road circular cycling route.

The existing permitted path within the field is 3m wide and is made up of a hardcore surface with scalplings. There are no proposed changes to this surface for the diversion. The section of the proposed new footpath which passes through the woodland at Little Beeching Grove Wood will be an unmade surface between the trees. This section of the path will measure 2m wide. Trees will be cleared along the section of the footpath which runs through Little Beeching Grove Wood to create a 2m wide footpath. The surface of this section of the footpath will be unmade”

2.3 **Assessment:** the proposed diversion must be considered under the criteria set out in Section 119 of the Highways Act 1980. This requires that before making a Diversion Order the Council must be satisfied that the proposal would be in

the interests of the owner of the land and/or in the interests of the public. Before confirming an Order, the Council must also be satisfied that the proposed new route will not be substantially less convenient to the public than the existing route, and must have regard to the effect that the diversion would have on public enjoyment of the path as a whole, and the effect that the coming into operation of the diversion would have on land served by the existing right of way. The Council must also have regard to the needs of agriculture and forestry, flora and fauna, and any relevant provisions within the current “*Royal Borough of Windsor and Maidenhead Public Rights of Way improvement Plan 2016-2026*”.

- 2.4 The officers’ view is that the diversion as proposed does not meet the criteria set out above. In particular, it is considered that the diversion of the cross-field sections of Footpath 17 to follow field-edge paths would result in the loss of the sense of ‘openness’ and wide-ranging views that can be enjoyed from these sections of footpath. Additionally, the diversion of the southern leg of Footpath 17 and the east-west section of Footpath 59 would result in the loss of a short circular walk from Malders Lane; although longer routes would be available using the proposed diversions, these would be substantially less convenient for those who wish to follow the short route that is currently available.
- 2.5 It is noted from the consultation responses that a number of respondents have expressed support for the diversion proposal, and these comments should be recognised. However, other respondents have set out clear reasons why they prefer the existing footpath routes to the diversions that are proposed by the applicants.

3. KEY IMPLICATIONS

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Diversion application determined	Application not determined	Application determined	n/a	n/a	18 th October 2021

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There are no financial implications arising from this report. The administrative costs of processing the diversion application are being met by the applicant, and if the footpath diversions were to proceed all associated financial costs would also be met by the applicant.

5. LEGAL IMPLICATIONS

- 5.1 The legal tests to be applied in assessing the footpath diversion application are set out in paragraph 2.3 above. Section 119(6) of the Highways Act 1980 provides that before a diversion order is confirmed as an unopposed order the Council or the Secretary of State must be satisfied that new paths will not be substantially less convenient to the public as a result of the diversion and that confirmation is expedient having regard to the effect of the diversion on public enjoyment of the path as a whole and on land crossed by the existing path or to

be crossed by the new one. It is submitted that the public enjoyment would be adversely affected for the reasons given in paragraph 2.4 above and thus the tests for confirmation of an order cannot be met.

- 5.2 Under Section B8 of Part 6 of the Council’s Constitution (‘Terms of Reference of all other Committees, Panels and other bodies of the Council’), this Panel is empowered to exercise the Council’s functions to determine public rights of way diversion applications.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
None			

7. POTENTIAL IMPACTS

- 7.1 Equalities. An [Equalities Impact Assessment Screening Form](#) has been completed. If the diversion application is refused, there will be no negative impacts as the footpath routes will remain unchanged. If the application is accepted and the diversions were to be implemented (subject to confirmation of the Order by the Secretary of State), there may be low level impacts (both positive and negative) on some users, as set out in the EQIA screening form.
- 7.2 Climate change/sustainability. If the diversion application is refused there will be no impact on climate change/sustainability, as the footpath routes would remain unchanged. If the diversions were to proceed, there would be no material impact on climate change/sustainability, other than some tree removal associated with creation of the proposed new section of footpath through the woodland.
- 7.3 Data Protection/GDPR. All personal data has been removed from consultation respondents’ comments set out in Appendix 2.

8. CONSULTATION

- 8.1 The applicant for the diversion order placed notices on site requesting comments on the application, and all resulting comments received are set out in Appendix 2. Additionally, the Council has undertaken pre-order consultations with interested parties, and again all comments received are set out in Appendix 2.

9. TIMETABLE FOR IMPLEMENTATION

Table 4: Implementation timetable

Date	Details
18 th October 2021	Application to be determined by the Panel

10. APPENDICES

10.1 This report is supported by 2 appendices:

Appendix 1: Footpaths 17 and 59 Cookham diversion application map

Appendix 2: Consultation responses

11. BACKGROUND DOCUMENTS

None

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputy)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	23.09.21	28.09.21
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	23.09.21	
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	23.09.21	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	23.09.21	27.09.21
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	23.09.21	24.09.21
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive		
Andrew Durrant	Executive Director of Place	23.09.21	29.09.21
Kevin McDaniel	Executive Director of Children's Services		
Hilary Hall	Executive Director of Adults, Health and Housing		
<i>Heads of Service (where relevant)</i>			
Chris Joyce	Head of Infrastructure, Sustainability and Economic Growth	23.09.21	05.10.21
Alysse Strachan	Head of Neighbourhood Services	23.09.21	
<i>External (where relevant)</i>			
N/A			

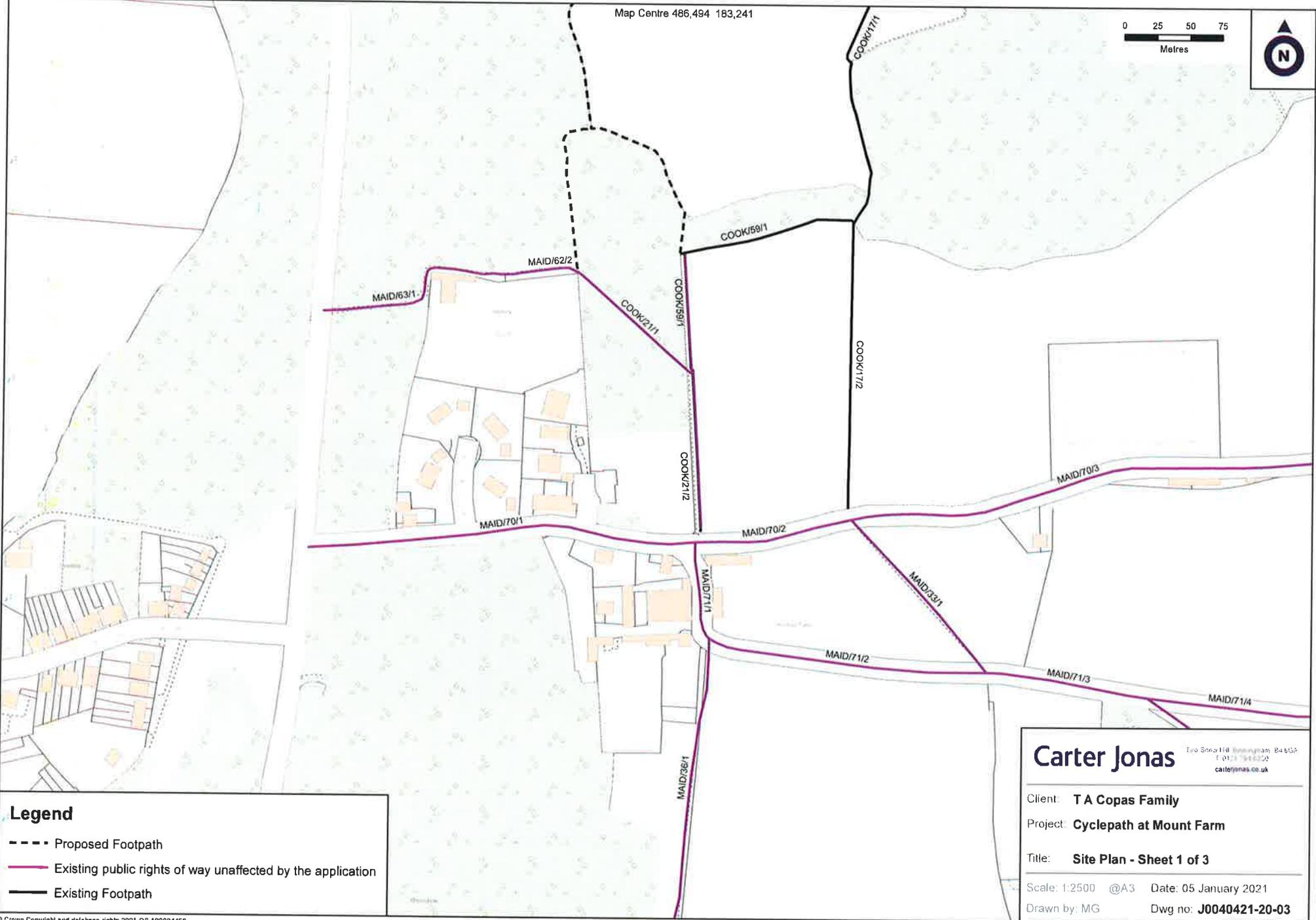
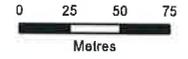
REPORT HISTORY

Decision type:	Urgency item?	To follow item?
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Rights of Way and Highway Licensing Panel decision	No	No
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Report Author: Anthony Hurst, Parks and Countryside Manager, 07775-818622

Map Centre 486,494 183,241



Legend

- Proposed Footpath
- Existing public rights of way unaffected by the application
- Existing Footpath

Carter Jonas
 Two Storey Hill, Birmingham, B4 6GA
 T 0121 764 6320
 carterjonas.co.uk

Client: **T A Copas Family**

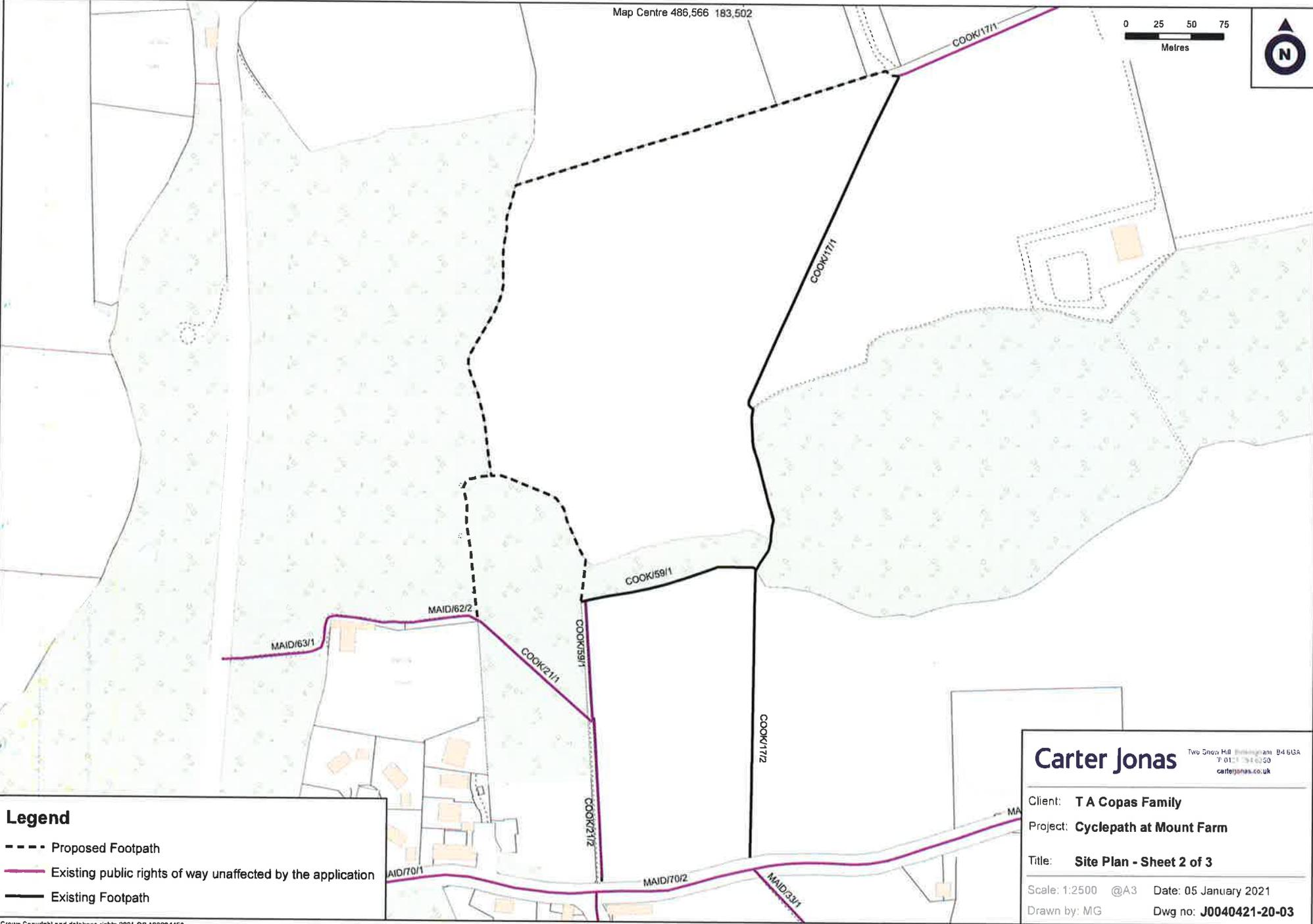
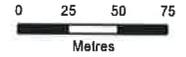
Project: **Cyclepath at Mount Farm**

Title: **Site Plan - Sheet 1 of 3**

Scale: 1:2500 @A3 Date: 05 January 2021

Drawn by: MG Dwg no: **J0040421-20-03**

Map Centre 486,566 183,502



Legend

- Proposed Footpath
- Existing public rights of way unaffected by the application
- Existing Footpath

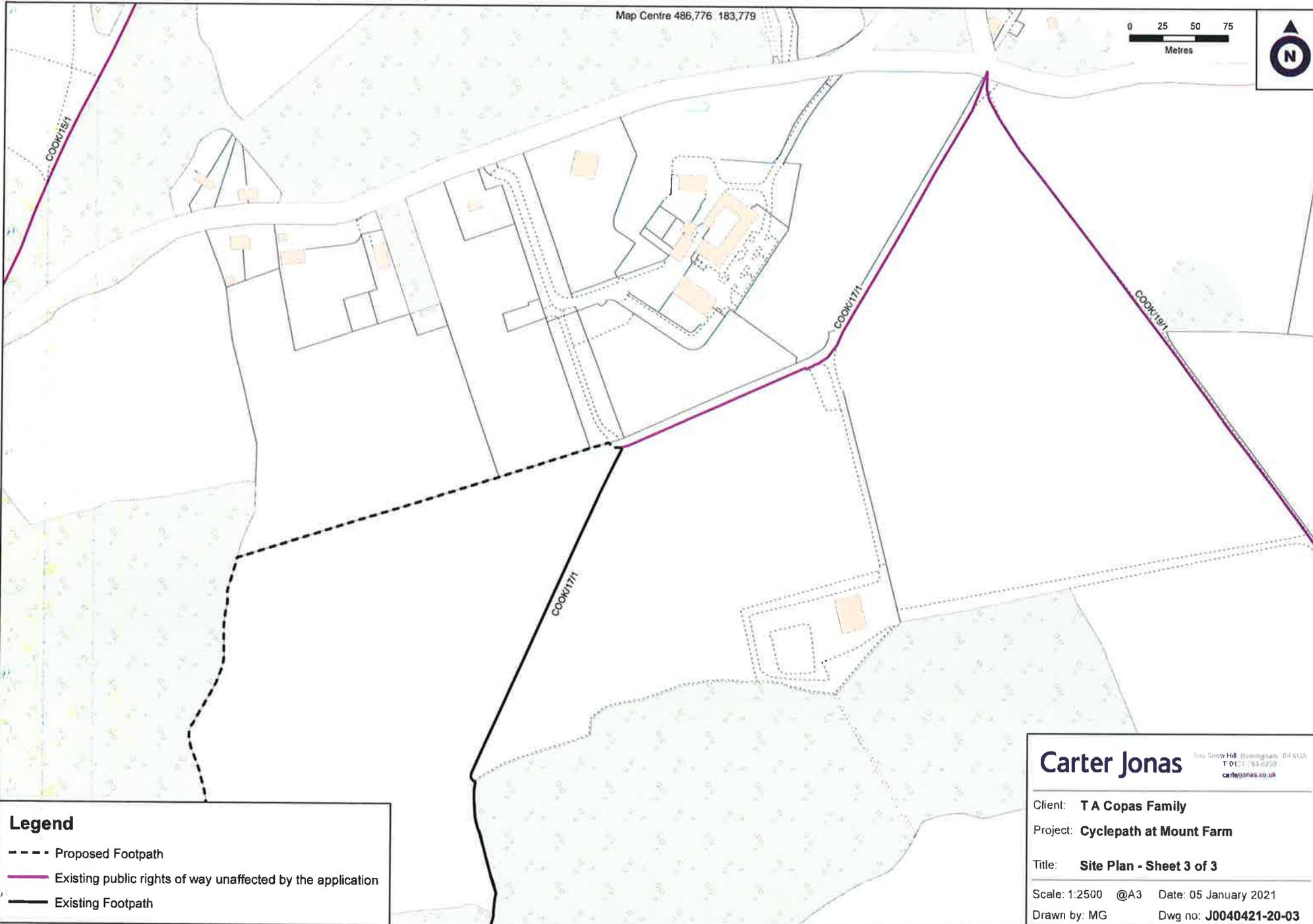
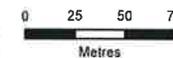
Carter Jonas Two Snow Hill, Birmingham, B4 6GA
T: 0121 354 6350
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Client: **T A Copas Family**
Project: **Cyclepath at Mount Farm**

Title: **Site Plan - Sheet 2 of 3**

Scale: 1:2500 @A3 Date: 05 January 2021
Drawn by: MG Dwg no: **J0040421-20-03**

Map Centre 486,776 183,779



Legend

- Proposed Footpath
- Existing public rights of way unaffected by the application
- Existing Footpath

Carter Jonas

Two Snow Hill Birmingham B4 6GA
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carterjonas.co.uk

Client: **T A Copas Family**

Project: **Cyclepath at Mount Farm**

Title: **Site Plan - Sheet 3 of 3**

Scale: 1:2500 @A3 Date: 05 January 2021

Drawn by: MG Dwg no: **J0040421-20-03**

Consultee comments (opposed to diversion)	
Cookham Parish Council	<p>At the full Council meeting on 2nd March, Cookham Parish Council decided to object to this proposal, which swaps a pleasant rural path across open fields, for a much longer, hard surfaced farm track, shared with farm machinery and cyclists.</p> <p>The current path is already the result of a diversion several years ago by a previous landowner which was to have made managing the field easier. This new path route was chosen with the input of stakeholders and gave good views especially eastward, to Cliveden and Hanging Wood.</p> <p>This footpath section can become muddy, especially after cultivation, and users may stray on to the crop. The proposed cycle track could already be used as an alternative, or given modern tractors with GPS, the existing path could be left unploughed.</p> <p>The proposed diversion is the present Permitted Path which is a hard surfaced track, which sadly loses the pleasant open views of the existing route.</p> <p>The hard surface of the track, whilst being solid is not viewed positively by dog walkers nor cyclists due to the loose, sharp chippings which can find their way into the paws of animals and the bicycle tyres.</p> <p>In conclusion, the proposed diversion does not offer an alternative that is at least as convenient and enjoyable as the path to be diverted, and hence we object to the diversion.</p>
Cookham Society	<p>We strongly oppose the proposed diversion. The existing route is long established and popular with walkers. It offers a direct route and much superior views to the alternative edge-hugging path proposed. We also understand from some of our female members that they feel much safer walking across the open path when they are alone and they consider that walking around the edge of the field close to woodland, does not provide the same sense of security. The footpath between Mount Farm and Hindhay Farm is shown on the 1875 OS map. The section north of Beeching Grove Wood appears to be exactly the route of the present RoW. The cross-field section south of Beeching Grove Wood has been somewhat realigned in more recent times. Ancient routes and RoWs are part of our heritage and should be protected. This is not a new proposal from the applicant. Three members of our committee visited the farm in 2015 and discussed with the applicant his wish to divert FP17 from being a cross-field path to a field edge path. From that meeting we understood that the cross-field path is no hindrance to ploughing, preparation or planting because these operations are carried out right across the field with the route of the footpath being remarked once planting is complete. Similarly, we understood that fertilising and spraying are tracked straight across the footpath. Therefore, the footpath on its present route did not form an obstruction or a cost to any of these processes. We have no reason to believe conditions have changed since 2015. When the alternative route offered is inferior to the present one, compelling reasons need to be provided even to consider diversion. Such reasons have not been provided. However, we do understand</p>

	<p>that there is a problem, particularly in wet weather, with some walkers straying off the official footpath whilst looking for firmer ground and in so doing damaging the crops. We sympathise with this and note that since our visit in 2015 a surfaced track has been created on the field edge route. If this field edge route is clearly made available as a RoW to walkers and appears on maps, apps, etc, we believe most walkers would use it in preference to the cross-field path when conditions were muddy. Information boards at either end of the cross-field route explaining why the alternative had been made available would no doubt encourage more walkers to use the field edge route. Posts at either end of the cross-field path could be put up to define the official width (2.0m) of the footpath. If the applicant would make the new field edge route available as a RoW in addition to the present cross-field route we would encourage RBWM to contribute to the cost of all necessary gates and signage.</p>
East Berks Ramblers	<p>I attach our thoughts on the changes proposed for Mount farm. We are not prepared to lose an open cross field path, for shared use of a farm track, with cyclists and probably horses. It would set a dangerous precedent encouraging the loss of similar cross field paths. A possible compromise could be straightening the section of 17/1 to form a direct line from the corner of the wood to the track. This would reduce the length to be reinstated after cultivation, or preferably left unploughed. This is as far as we could go. (word doc attached to email)</p> <p>Application to divert Cookham FP17 and part extinguish FP 59</p> <p>Consultation response from EBR</p> <p>East Berks Ramblers reject the above proposal, which would entail exchanging a pleasant rural path across open fields, for a much longer, hard surfaced farm track, shared with farm machinery and cyclists.</p> <p><u>The current path description.</u></p> <p>Footpath 17 starts at the RB Malders lane and goes straight across an open field to pass through a gate at the edge of Beeching Grove wood.</p> <p>This section of the path was diverted several years ago by a previous landowner with our agreement. It originally formed a diagonal cross shaped (X) junction with FP 21; after the diversion 21 was moved to the left hand field edge and 17 straight ahead to the wood. This made managing the field easier, and in return (by a gentleman`s agreement) the landowner refrained from ploughing up the line of the path.</p> <p>The next section of FP 17 is a pleasant, grassed path at the western edge of Beeching Grove wood.</p> <p>After leaving the wood the path goes diagonally (half right) across a large field (Catsey field), to reach the boundary hedge of Mount farm, where it becomes a surfaced track to Long lane. The path across the</p>

	<p>field has open views, especially eastward, to Cliveden and Hanging Wood.</p> <p>This section can become muddy at times, especially after cultivation, and users may stray on to the crop. The proposed cycle track could be used as an alternative, to reduce encroachment, or given modern tractors with GPS, the path could be left unploughed.</p> <p>Footpath 17 is well used by walkers and dog walkers as part of a longer walk, or a shorter circuit, since it links to Cookham RB's 70 & 71 and hence to the wider network.</p> <p><u>Proposed diversion.</u></p> <p>The Permitted Path, a surfaced track, circumnavigates the field and considerably lengthens the route between Malders lane and Long lane. The pleasant open views are lost, as is the use of the much used loop formed by the paths south of Beeching Grove wood.</p> <p>Dog walkers have reported that the track surface contains small sharp stones, which can cause damage to the paws of some animals.</p> <p><u>Conclusion</u></p> <p>Any proposal to divert or exchange a public footpath should offer an alternative that is at least as convenient and enjoyable as the path to be diverted.</p> <p>This proposal does not meet this criterion and if an application is made we will lodge an objection.</p> <p>We support the Permitted paths remaining in place, these provide a useful addition to the rights of way network, especially during wet weather.</p>
The Open Spaces Society	<p>The Open Spaces Society would object most strongly to these proposed changes. As we are unclear under which section(s) of the Highways Act 1980 it is proposed to make the changes, we cannot comment in detail and with reference to legal criteria. However, the overall effect is to remove the direct route between Malders Lane and Long Lane and to replace it with a circuitous route. It is also proposed to make part of the route (although I am unclear exactly which part) into a cycle route, which is disadvantageous to walkers unless the use is segregated—which will then have an urbanising effect. The reference to allowing Beeching Grove Wood to be treated as a nature reserve with reduced public access would appear to be specious, since FP17/1 runs along the western edge, not through the wood. We trust that you will proceed no further with these plans and will abandon them forthwith, it would be a poor use of your limited resources to spend time, effort and money on these dismal proposals.</p>
Community comments (opposed to diversion)	
1	<p>I have been a resident in Malders Lane for a great many years and have used these foot paths regularly and still do multiple times per week. I might add that I see quite a number of people using these paths, I just hope that they have emailed in also. I personally can see no reason why these paths should be done away with as farmers have to work around paths as a norm. The path to the north of the</p>

	<p>woods has always been prone to becoming very muddy and unpleasant to walk on in the winter months or after persistent rain but the fact that it is ploughed up every year does not help its cause. I know Mr Copas has seen fit to create a solid path round the edge of his field but I am sure that is as much for his benefit as anyone else. The new, widened path through the woods was certainly not put in for pedestrian traffic but most likely for farm machinery. The upgraded path is most welcome, particularly in the winter months, but not to the degree of losing the long standing original ones that he is trying to do away with. I know also he is proposing that this new path be used by cyclists as well as walkers, which if all cyclists showed consideration in attitude and speed would not necessarily present a problem, but sadly as we all know this is not always the case. This is not the first time he has tried to close at least one of the paths but I seem to remember the ramblers association jumped on it previously. I look forward with optimism that our right of passage via these paths be maintained.</p>
2	<p>I am responding to this consultation as the ex-committee member for the East Berkshire Ramblers largely responsible for the Group's publications over many years. These particular paths have been included in the 'Rambling for Pleasure' guidebooks since 1975 and 10,000 copies showing them, are in circulation. Public rights-of-way around Beeching Grove Wood were I recall, a constant topic of discussion for many years. This proposal now, is to effectively wipe them off the map and substitute a stony field-edge roadway that walkers would no doubt at times, have to share with farm vehicles. I would object strongly if an order were made; this route is clearly unpleasant to walk on, less convenient and of course, none of these FP.s could possibly be considered not necessary for public use - and thereby extinguished.</p>
3	<p>As a recreational user of the public rights of way through open fields for many years, not just since the outbreak of the pandemic, I would be disappointed to see Copas redraw the rights of passage that are in existence for no other reason than self-interest. It's not acceptable for the public rights of way to be eroded in favour of a local landowner's desire.</p>
4	<p>I have discovered the plans for restricting rights of way on Mount farm and would be grateful if you could advise me how/when I can voice my objections My daughter lives in Scotland where there's the right to roam - and you're amazed at the selfish behaviour of landowners who want to restrict access to the Earth we all must share!</p>
5	<p>I understand that you are involved in the consultation on the request to close a Public Right of way across land owned by Copas Brothers between Furze Platt and Cookham. Can you please advise how I can voice an objection to this closure please? I do not agree with the closure of a Public right of way that has been such for a very long time even if it is more convenient to the landowner – this seems a very poor precedence to set and I would wish to object in the strongest terms. I understand that there has been an effort to provide a 'convenient' pathway as an alternative, but I did not wish,</p>

Appendix 2: consultation responses

	<p>nor request, to have a tarmacked pathway there. I would be grateful if you could advise the consultation process that you refer to on signs posted there and how I may register with it.</p>
6	<p>I am writing about the 'proposed new layout' for walkers around Mount Farm and the suggestion to close the existing public rights of way across a couple of fields. Please do not allow these public footpaths to be closed. They are a public right of way and how do we know that in future the farmer will not close the permitted footpaths? I would also like to express my disappointment at how this proposal has been handled: It is not a new layout – the existing permitted footpath has been open for a number of years The signs with this so-called new layout went up a few months ago indicating information about it would be on the RBWM planning website but I have checked several times and there is nothing Until your email address was posted the only way to express a view was to scan a QR code but this is only to support the 'new' layout There are many signs posted around the permissive path but only ONE (in a not very visible location and not by the actual path) where the public footpaths are that the farmer would like to close There have been no notices from the Council about this action . Please do not allow these paths to be closed.</p>
7	<p>In response to the notices placed on land close by Hindhay Farm, I wish to add my voice to object to any change or removal of the public right of way over footpaths COOK/17/1 and COOK/17/2. I have lived in Furze Platt for over 25 years and walk almost daily on footpaths around that area. Removal of those two footpaths would materially affect my regular walks.</p>
8	<p>On my early morning walk I saw a sign saying that there is a consultation about the right of way across the fields near Malders lane. I would definitely be opposed to the rerouting of this path as it would be less enjoyable for walkers.</p>
9	<p>I have the following comments and objections regarding the proposals to divert the above paths: I can see no appropriate reason why the footpaths need re-routing when they have been in place for very many years and enjoyed by walkers such as myself without any problems or apparent issues for the landowner. The relevant paths are used only by walkers and form part of an existing circular walk which links to other footpaths. The proposed re-routing would fundamentally change this. To re-route the footpath to wide hardcore field boundary will see a mix of uses along the footpath which could pose hazards for walkers. To legitimize the re-routing of the existing footpaths to allow for more economic farming practices would set a precedent for the re-routing of all footpaths which go cross any part of any field. Moreover, the landowner has already reduced the area for planting crops by laying down a wide hardcore area along the field perimeter. The short path section through Beeching Grove Wood would not threaten wildlife as the section is so short and, apart from the narrow gated path section, the wood has been fenced off with barbed wire for many years. Rather, this short path allows walkers and wildlife enthusiasts to observe nature close up without being able to disturb it. Based on the above, I believe it is in the interests of</p>

	the community to maintain the status quo and the proposal to close the existing paths and to re-route them should be rejected.
10	I have used these paths for many years and considerably more this past year and appreciate the efforts of the owner to develop the network. I note that he would like to divert the paths across the fields and has promoted this plan with signage and a QR code to support the plan. I would like to object to the plan as a principle to protect the rights of individuals to retain the use public footpaths and to close these would set a precedent to close other rights of way.
11	My comments on the application: Although the Copas' have provided all weather paths around the perimeter of the proposed diverted fields, it is a much longer walk and the access across the field provides a quicker alternative. Not everyone has the luxury in the morning to undertake a longer walk. I appreciate during the winter months the path across the fields does become impassable at times, this has been exasperated this year with the sheer volume of people out walking due to Covid but it is also hampered at times with the farm machinery ploughing up the paths which then makes it difficult to walk over. Other paths in the vicinity are not ploughed and walking in all weathers is easier. If this application was permitted, I feel it would set a precedent for other applications in the area for example MAID/33/1 and possible application to build on, should greenbelt restrictions be relaxed. My comments on the process Although notices were placed along the footpaths, the maps were difficult to pin-point which paths were being referred to, unless you knew the area well. It would have been beneficial to have had "you are here" on the maps too. Using the "QR" supplied I followed the links hoping to be given information on how to register my objections, if they were there it was not obvious as I couldn't locate them. I feel there was no true transparency. In essence I strongly object to the proposal to rerouting the paths as feel it will be detrimental to walkers. I have lived in Maidenhead for over 50 years and this is the first time I have ever objected to anything like this, but feel so passionately about it, my liberty to choose where I want to walk without someone dictating where I can go. Copas knew when he purchased the land that these fields had paths across them, paths that have been in place for hundreds of years. I hope we will be kept in the loop and any further developments will be relayed to us more openly
12	My comments on the application: Whilst the hard-surfaced portion of the permitted path has been much used during the very wet months of December and January I have observed many people also using the routes which are proposed to be moved as soon as the drier weather arrived in February which indicates there are people which value the route across 'open fields' in spite of there being an alternative route around the fields via the perimeter route. During a 5-minute run across the field route today I passed 3 people walking the cross-field route and 2 walking the perimeter route. This supports my personal feeling that when conditions permit it is preferable to maintain the right of way across the fields since this is a significantly nicer walk across an open field than being re-directed around the periphery. If

	<p>this application is allowed to proceed I believe it will set a precedent to for further similar applications, for example, to re-route other open-country/cross-field routes such as MAID/33/1. If this application is allowed to proceed there is also a future threat that applications to build on the land will be easier should greenbelt restrictions be eased If this application is allowed to proceed, there is a risk that the owner may eventually fence in the footpaths and the paths will become more like lanes corralling walkers along hedged or fenced corridors- this is already evident on some routes. If the current permitted route around the field remains, then the pressure on the cross-field route will be reduced and there will be a less economic loss to the owner since during the wettest months walkers may choose the perimeter route - I would therefore suggest that both routes should remain. In any case, the width of the damage to the crops will be generally less in non-lockdown times as there is abnormally high traffic during the current Covid-restrictions My comments on the process I am not certain of the process regarding the informal consultation you mention and whether a more public consultation must take place if the application is allowed to proceed further.</p> <p>However, I raise the following concerns: As is its right, the owner set up notices along the route encouraging the public to scan a 'QR' code 'if supportive of the application' the QR code links to a form to support the proposal but there is no equivalent for those that object to register their comments. Further, it is very hard to find the proposal or comment on the RBWM website, in fact, I could not find it at all. Please confirm that should the application be allowed to proceed further that the proposal is fully publicised allowing those that object, as well as those that support, have their comments taken into account. In summary, I strongly object to the proposal to re-route the paths and believe that if the proposal is in any way allowed to proceed further the public should be widely and properly consulted.</p>
13	<p>I would like to comment on the application for the diversion of Cookham Footpath 17 and part of Cookham Footpath 59. I oppose the diversion particularly Footpath 17. I understand that the proposal is at the preliminary consultation stage. These paths are clearly heavily used by walkers and families all year round despite the fact that an alternative route (permitted path) was created by Copas several years ago. Having walked 17/1 and 17/2 frequently and over many years, without doubt they offer a much better walking experience than the permitted path. The views across the woods and fields, especially from north to south are fantastic, the light at all times, but especially early morning and late afternoon from March to October, is exceptional. In contrast the permitted path creeps around the edge of the field and even in summer, much of it is in shadow. Certainly an inferior route for the public. I can provide further details of my objections. Do you need this detail now?</p>
14	<p>I am not in support of the proposed changes to the Cookham 17 and Cookham 59 “to allow more economic farming practices and create a</p>

	<p>longer circular route for public use” 1. The southern part of 17 would be completely lost and hence all users young and old and less able would be prevented from taking a short trip out north on 17, west on 59 then south on 21 back to Malders Lane. This short route is very much valued by many including the residents of Malders Lane². It says Beeching Grove Wood would be treated as a Nature reserve but the Applicant wants to cut down trees in Little Beeching Grove to create a new path. Not a great move³. The arable farmland in question is no longer ploughed so no difficulty should be encountered in reinstating the paths within the statutory period. Dangers to walkers due to livestock does not appear to be a factor in this case⁴. Redirecting 17 round the edge of the field on a hard core and scalping surface is not an option. There are enough of unwanted surfaces in this rural area eg Cookham 19 plus all the roads and pavements.⁵ These ancient paths evolved through people taking the shortest route from A to B and this is still the case as many users walk or run to work or school and take the shortest route so lengthening 17 in the north around the field and changing the surface and removing it in the south is not the right thing to do. The southern end of 17 joins directly to Maidenhead 33 and 31 and this is very much a direct route from Furze Platt which must be preserved.⁶ It is safer for lone walkers to go through the middle of a field where they can see around rather than around the edge where wildlife are more likely to be disturbed by loose dogs.⁷ Exercise is very important and with events such as “Tough Mudder” being organised nationally it is very important to be able to train on natural ground .⁸ I have walked, ridden or cycled on most paths in this rural area and have no support to turning them into hard surfaces These are not paths in the town parks. I attach a cutting from the Telegraph by Helen Chandler-Wilde and research shows the many benefits of exercising on natural ground. Should this proposal be allowed It would be the beginning of all paths across fields to be redirected for no good reasons. These paths should remain in the position they have been in since they were introduced. Maidenhead 31 is a much used path in the middle of a field and it could be next on the diversion list. On 21st February I walked all the paths mentioned. Between Maidenhead 31 and Long Lane. I have never seen so many people in the countryside. I was saddened to read notices by the applicant how 17 was impassable. This was not the case. The conditions at the southern end were very good and I saw no less than 6 runners using it. The northern end was not a problem but was a little muddy where the farm machinery had crossed over it from the evenly spaced tram lines in the crop. Should the paths be upgraded to cycle paths the scalping would only be suitable for mountain bikes All ancient rights of way must be kept here. It is so close to Maidenhead with very few people arriving by car as they are able to make use of and enjoy the rural areas on their doorsteps.</p>
15	<p>I object to the planned diversion of Cookham Footpath 17 and part of Cookham Footpath 59 for the following reasons: 1) The existing route Cookham 17 is an old and established footpath which is well used and popular with local walkers. Although the section crossing the field is</p>

	<p>difficult to pass in the winter months due to ploughing work, we have endeavoured to ensure the route is continually used and that the path is clearly visible, and wish to continue to do so. 2) The new footpath created in 2016 which runs around the edge of the field is rough paved and is uncomfortable for walkers and dogs alike with sharp stone underfoot. 3) Encouraging cyclist and dog walkers to share the same routes is not relaxing or safe for either group. Cyclists do not slow to allow dogs and walkers to pass safely, and dog walkers do not like having a speeding cyclist suddenly wizz by. Dogs are not always aware of the approaching cyclist and cannot be expected to know the rules of the road. I point this out because this is a particularly new problem which has arisen due to Covid lockdown and has resulted in a huge increase of people wanting to enjoy the walks around Cannon Court Farm. As wonderful as this is, I don't expect the numbers of new walkers and cyclists to continue indefinitely as the Covid restrictions allow people to return to work and school. 4) The new paving has also allowed vehicles to traverse the footpath between Mount Farm and Beeching Grove Farm which has on more than one occasion been observed to be dangerous. Despite there being signs warning the drivers to go slowly, I have witnessed vans driving too fast around the blind bend from Mount Farm to Beeching Grove Farm. 5) Regarding the removal of trees in the wood to widen the path, this flies in the face of Government and environmental groups endeavours to plant more trees. The landowner has persistently removed trees, established hedges and scrubland from the whole of the Cannon Court Farm site resulting a drastic loss of habitat for birds and insects. I particularly draw attention to the rapid removal of nearly all the established hedgerows along Malders Lane. Where are the birds and insects are supposed to live, breed, feed and overwinter in the years until the new hedge plantings are of a size to provide shelter and habitat. We will have no birds and insects left if they are effectively exterminated in order to 'tidy' the countryside. 6) If every farmer and landowner decided they wanted to relocate a public footpath for no reason other than to make life easier for the farmer, our ancient network of paths would be mismatched and become untraversable, unless you don't mind going from A to B via X, Y and Z. I appreciate you taking the time to note the thoughts and wishes of the local people who live and work in the area, and who take an active interest in the environment.</p>
16	<p>I would like to object to the diversion of paths in the Mount Farm area because the new route makes the route to Cookham longer and diverts to a hard surface mainly in the shade. The choice of routes is also restricted by removing 17/2 and 59/1. The creation of a new permitted route around the edge of the field is to be welcomed as an additional choice for the public and it has been very popular during the wet weather when normal footpaths are muddy. However I don't think this justifies removing the right of way across the field. The cross field path is part of a wider network of paths and links with footpath 32 leading towards Cookham, in this instance the longer diversion is a disadvantage. I would be interested to know how the</p>

	<p>removal of the rights of way would help the economy of farming practices in these arable fields. The paths are minimal compared to the area of the fields and, apart from the care needed to avoid walkers when cultivating the fields, I don't know how else the paths affect farming or cost money. The longer route is being advertised as cycle path at Mount Farm. Again this could be popular and welcome as a family off road cycle route. But this would be a drawback for dog walkers and family walkers as they would always have to expect bikes appearing suddenly. Keeping the option of the cross field path would reduce the potential clash of interests. If paths 59/1 and 17/2 disappear the footpath network will be much reduced. It would leave path 21/2 as the only north-south connection in the area. In a well walked area this seems a disadvantage, forcing people to come together more than necessary. Beeching Grove Wood is already treated as a nature reserve and there is no access for the public. Footpath 17 passing one edge for about 100 metres has minimal impact on the wood. So far notices around Mount Farm have clearly shown what the planned changes involve but they only have an option to encourage approval of the plan and there is no indication of how to comment or possibly object so I feel the balance of views received will be skewed in favour of the plans. Please consider keeping the right of way open, the increased number of walkers and runners each year merit a greater choice of routes rather than less.</p>
17	<p>Reference proposed diversion of Cookham footpath 17 and part of Cookham Footpath 59; application by Mr T A Copas & Mrs B Copas. I am opposed to the proposed diversion of the above named footpaths for the following reasons. The footpaths in question are well used and it is always helpful to have the choice of several routes. If the footpaths are diverted it would increase the number of people walking in other areas such as the Little Beech Grove Wood and National Trust owned land which also has wildlife while not being closed off to the public (see my third point). The footpath merely skirts the edge of the privately owned Beeching Grove Wood and in my opinion does not in any way impede into the area of the wood which can remain a "nature reserve". I am against any unnecessary cutting down of trees, which is suggested by the diversion of footpath application to "make a 2 metre wide path through Little Beeching Grove Wood". Please let me know if you require a more detail explanation for my opposition to the above named application.</p>
18	<p>Thank you for sending me the details of Mr Copas' recent application. I wish to object to the proposal to close Cookham footpaths 17/1 and 17/2 for the reasons stated below. These paths are clearly heavily used by walkers and families all year round despite the fact that an alternative route (permitted path) was created by Copas several years ago. Having walked 17/1 and 17/2 frequently and over many years, without doubt they offer a much better walking experience than the permitted path. The views across the woods and fields, especially from north to south are fantastic, the light at all times, but especially early morning and late afternoon from March to October, is exceptional. In contrast the permitted path creeps around</p>

	<p>the edge of the field and even in summer, much of it is in shadow. Certainly an inferior route for the public. Beeching Grove Wood is already clearly signed as private and there appears to be no access to the public. It is not clear to me what difference diverting the footpath will make. I have never seen anyone in the woods during the thirty plus years I've walked the paths. The attached photos show the clear signs that it is private. The gate is padlocked with barbed wire on the top bar. However the wooden fence itself is surprisingly flimsy! Mr Copas states as a reason for his application that it will create a longer circular route for public use around Mount Farm. This is not needed as there are numerous round routes of varying lengths in that area, in the adjacent NT woods, several footpaths from Hindhay Farm (Malders Lane, Hindhay Lane) towards Cannon Court Road, the NT Brick and Tile works behind Hindhay Farm, several footpaths south from the farm towards Furze Platt, and to Pinkneys Green which can be linked to form several round walks of various lengths. I would say that this area is already one of the richest in the area for linked footpaths!</p>
Consultee comments (in support of diversion)	
Local Access Forum (fast response team)	<p>The LAF fast response team having reviewed the application, arguments for and associated maps would be happy to support the application as it stands. We would however ask that consideration be given to the opportunity to upgrade for Multi Users.</p>
Wild Cookham	<p>I'm coming back to you about this application on behalf of WildCookham. As I believe I mentioned earlier we have had some discussion with the Copas Partnership about this and about their plans for Beeching Grove Wood. We have no objection to rerouting the path but our support has been based partly on the Partnership's statement in their application that "This will also allow Beeching Grove Wood to be treated as a nature reserve with reduced public access." Our discussion with them is aiming to clarify what they mean by 'nature reserve' and at present the ball is in their court to come back to us based on some suggestions we have put forward. The term 'nature reserve' has little legal relevance and our fear is that it will simply be a means of ensuring that they can still manage it in whatever way they see fit. We note that the wood is designated as a Local Wildlife Site (a status which has limited legal weight) and we suggest that, since they have referenced the wood as one of the justifications for the diversion, you should seek clarification as to what they intend for it as a 'nature reserve' and specifically stress the LWS designation and the expectations that this brings. We have indicated our willingness to help with the surveying of the site to help maintain the LWS status, as well as the possibility of managed school visits to the site (under their control, of course) as a valuable public benefit. We should also note that the wood is one of three in close proximity which are designated as LWS - Cannon Court Wood (also owned by the Partnership) and Pigeonhouse Wood. Together these have the potential to make a valuable contribution to the Borough's Environment and Climate Strategy. We accept that this is private land and we make no assumptions about WildCookham's possible role, if</p>

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	<p>any. The key for us is that the intention for land to be a nature reserve must mean something. We are not suggesting that the owners have any specific intention at present to undermine the biodiversity of the wood but, again given their use of it as a justification for the path diversion, it should be given some extra protection. We stand ready to discuss this further - with you as well as with the Copas Partnership. Let me know if we can add anything to the above comments.</p>
Cookham Running Club	<p>I am fully in favour of the proposals. As founder of Cookham Running Club (which has 150 members) we are supportive of the efforts made by Mr Copas and family to accommodate runners, walkers and cyclists and see the new routes as a positive step to improved access.</p>
Community comments (in support of diversion)	
1	<p>I have read the plans for the diversion of the footpath and am strongly supportive of the proposal. I live very locally and my family and I use the paths daily to walk our dog. I believe the diversion and expansion of the walking loop is beneficial for the local community.</p>
2	<p>I think the proposal looks great. The new paths the Copas team have put in offer much better accessibility to the area for push chairs and wheelchair users. The fact that this will also allow for a nature reserve in the woodland is an added bonus. The existing path through the field seems unnecessary and is often difficult to navigate after even the smallest amount of rain. I hope the plans will be passed.</p>
3	<p>I walk my dog at the fields almost daily - the perimeter footpath is far less muddy than the old path. It is more accessible too so I can walk with friends. It also protects the farmers' fields because as the old path hit muddy people were walking over plants. It is such a fantastic place to walk and I would like to continue to do so respecting the farmers crops too.</p>
4	<p>I have used the proposed new footpath regularly over the last few weeks. It is a great improvement on the old one especially in muddy conditions.</p>
5	<p>I hope I am not too late with my comments on the proposed footpath changes. I fully support the closure of the path across the centre of the field and to make the permitted way a footpath with comments below. - I would have preferred to see a separate proposal for also making it a cycle path as would not support it.- I would suggest more signs about keeping to the footpath and not lettings dogs onto the fields growing crops next to the paths (the owners would not let them run about on their gardens at home growing vegetables/flowers). It is sad to see the effort done by the farmer to provide the paths is abused by dog owners. Most of the recent signs put up about keeping dogs under control have been vandalised.</p>
6	<p>I am in full support of the application to divert this footpath. I have been enjoying the path to the edge of these fields since moving to the area in 2018 and am very grateful for the recent dressing to the permitted path, especially in the wet winter months. Path erosion is something that affects most PRowS across the country and has only been exacerbated during the pandemic from heavier use. I have noticed the path COOK/17/1 has more than trebled in width during</p>

	<p>the autumn/winter months. This is also evident on the path that spurs off south-easterly from the junction between MAID/71/3 and MAID/71/4 (not part of this application) has also increased greatly in width. This path erosion is clearly detrimental to the landowner/farmer's crop yield and only adds to the increasing problem of food waste in the UK. The diversion of the footpath to the permitted path is beneficial to the local community, landowner and the environment.</p>
7	<p>Thank you for your communication regarding the diversion of public footpaths over farmland at Mount Farm, Cookham. My wife and I regularly walk along the permitted paths around the fields, especially during the pandemic lockdown periods over the past 12 months. The existing public footpaths cook 17/1 and 17/2 were all but impassable during the wet winter weather, and are so every winter. Mount Farm have provided an excellent wide and firm, dry path along the west and north boundaries of the field (crossed by cook 17/1) and linking with footpaths cook 59/1 and 21/2 to the south and cook 17/1 to the north, all paths also well maintained and always passable. The result is an excellent round walk, pleasant to use all year and in all weather via the permitted path links, cook 19/1 and Malders Lane or Hindhay Lane linking back up to Hindhay Farm. This walk has been very popular and well used during the pandemic and provides a very attractive rural walk close to Maidenhead. The route is also well used by cyclists and the paths are wide enough for both uses. Although the existing public footpaths cook 17/1 and 17/2 run across the middle of 2 fields we consider that the alternative paths provided by Mount Farm are excellent substitutes. Efficient farming is very important and I can understand how footpaths running across the middle of fields waste usable land and complicate the farming process. My wife and I fully support this application.</p>
8	<p>Thank you for your email. This proposal has my full support. I have very much enjoyed using the new foot path. It appears a very popular route given the amount of people I have observed using it. It seems very logical for the foot path to follow the perimeter of the farmers fields. I hope this is what you need, please let me know if I can offer any further support to this proposal.</p>
9	<p>Thank you for your email. I have reviewed the maps and application that you sent. I support this application, having made use of this new route at least twice per week since the summer, often more. I can assure you that it has proved very popular with dog walkers, runners, cyclists, and walkers alike. I seldom see anybody make use of the existing route across the field, and the path made of scalplings makes this route ideal in all weathers.</p>
10	<p>This is a sensible proposal that benefits both the landowner and the public. The new footpath around the field is a good one whilst the old path it replaces is often muddy and difficult. Since the path has been made available as a permitted path, we have seen a big increase in walkers in the area taking advantage of it. We walk our dog in this area almost daily. Anyone who objects to this proposal is only being contrary.</p>

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11	I have been walking these routes around Mount farm for around 15 years. I was very happy to use the permitted path around the edge of the field when it was first proposed a few years ago. This is a much more suitable all-weather track. The footpath across the field gets very muddy which means people walk at the edges further encroaching on the crops. Until a year ago when the pandemic began I would encounter at the most a dozen people on an hour circuit. At the peak of the good weather in the first lockdown there were up to 100 people in that same hour. Although this has eased it is still around 10 times previous numbers during the week. I don't go there at weekends as it is too busy. I am happy to see so many others enjoying this lovely area of countryside but it has to be compatible with the farmers livelihood. I see no reason why anyone should object to the redirection of this footpath. I am a keen walker interested in nature conservation & a habitat monitor volunteer with the national trust at Runnymede.
12	Thanks for sending me the details of the application. I have no comments to add to this proposal. (support via QR code)
13	I have reviewed the proposal. As a regular dog walker in the area, I support the proposed changes. In the recent muddy ground conditions the surfaced path at the perimeter of the field has been most welcome. I also understand that it is not optimal to have a footpath straight through the middle of a cultivated field. I support the application.
14	The footpaths have been well maintained and I agree with the proposals, causing less damage to crops and a clear route through the land
15	I don't have any comments on the application, other than to say that as a regular user of the new footpath, I think it an excellent footpath and is greatly appreciated and enjoyed.
16	I have read and understood your documents and fully agree with the suggested changes as they benefit the community and the farm.
17	Not sure what else I can say to support this. The farmer has built a proper path around the field which is safe, level and drains well. It is a vast improvement on the muddy, boggy path which went diagonally across the field. It seems to be very well used by walkers of all ages. I can't see any negative aspects to this, and there are lots of positives.
18	Please accept this email as support for the proposal that has been made by Mr and Mrs Copas. one point that has not been noted in the proposal is the access this hard-surfaced, ungated route will give to wheelchair users and parents with children in strollers or buggies. The proposed changes are a useful addition to the accessible areas of green space in the area.
19	I am very much in favour of the proposed diversion and the work that has been done to the surface of the path. The circular route around Mount Farm following the path around the perimeter of the fields has been one of our favourite walks as a family throughout the many lockdowns.
20	Thank you for your email below. I have reviewed the planned changes and have no objection

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21	<p>In essence, I would whole heartedly support this diversion application. I enjoy walking, the open countryside, and the fresh air. I am in no hurry in my outdoor walking pursuit to take a 'short cut' across the middle of a field, especially where crops are grown, and I am quite used to walking around the edges of a field where there is a footpath. In this particular case, the farmer has provided an excellent walking path, free from ruts, mud or any other obstacles, so I congratulate, and thank him for providing it. I recall that in the past, the footpath between Spring Lane and Cannon Court Road was deeply rutted, and muddy, and the path was not used much. In its present excellent form, the route is heavily used by walkers and some cyclists, and in these 'Covid days' a most welcome opportunity to get some exercise out in the fresh air. I note too, the routes around the new diverted paths around the edges of the farmland are also well used. I would hope that if the Application is successful, the farmer maintains the excellent standard of the paths.</p>
22	<p>I think the proposed change makes perfect sense. The path around the edge of the field is well maintained and a sensible route rather than cutting through the middle of a field. Farmland walks such as the Copas Farm are essential to the community. I walk there often as do many hundreds of people, I can see the edges of the crops are trampled by walkers. To avoid walking through a large field is a fair and sensible change of footpath. I am fully supportive of this change - strange to consider the current/original path is actually where it was!</p>
23	<p>Many thanks for forwarding this to me. I am afraid I have too much going on at the moment to be able to give this my proper attention, so I will have to pass on this occasion. (Support via QR code)</p>
24	<p>Have studied the enclosed footpath rerouting and am in full agreement with the proposed layout. The landowners have done a splendid job of resurfacing most of the route, and my wife can now join me using her mobility scooter.</p>
25	<p>No comments, other than that the current temporary path is fantastic and I would like it to be made permanent. I think it makes total sense to close the path across the middle of the field, as it is frequently a mud bath.</p>
26	<p>We regularly walk our dog around the Malders lane farmers field and we stick to the existing perimeter and do not cut across the field. I can fully understand why the farmers would like to do away with that path and see no reason to object. We are very grateful to be able to walk this land. It is an excellent footpath in all weathers which is a rarity in the area particularly in wet weather where other paths become flooded or treacherous from mud. We have reviewed everything attached and have no questions.</p>
27	<p>Hope you are all well? Looking at the consultation on the above footpaths in a way it makes sense, but my only one thing I would like to see these footpaths remain as public footpaths. Because knowing Mr Copas he might change his mind and then residents are not allowed use these footpath. That is one the condition I would like to see as part of the consultation that these 2 footpaths remain public footpaths?</p>