

Consultation Report:

Arundel – Proposal to enter into a dedication agreement for the creation of a bridleway

1) The existing path and background to the proposal - see [plan numbered 01822 \(PDF, 667KB\)](#)

On 14 July 2020, the British Horse Society (BHS) submitted a Definitive Map Modification Order (DMMO) application to WSCC as surveying authority. The application sought to create a new length of bridleway and upgrade existing footpaths 361/1 and 3403 to bridleway status. The application is based solely on historical documentation and is currently awaiting formal investigation by the County Council. The County Council currently has a list of over 50 similar applications waiting investigation and due to the public objection element it could be several years before this application is determined.

Should the DMMO be successful, part of the route claimed by the BHS proposes to cross over land owned by the Norfolk Estate who have outline planning consent for a significant residential housing development. In acknowledging the DMMO application and the significance this may have on the development, the landowners have put forward a mutually acceptable solution to secure a length of bridleway through their development in return for the removal of the claimed bridleway insofar as it affects the development, from the DMMO application. The route being offered for dedication is largely consistent with the route claimed under the DMMO application, albeit sitting slightly further to the east.

In consultation with the applicants (the BHS) the landowner is proposing to dedicate, under Section 25 Highways Act 1980 a 3.0-metre-wide bridleway commencing on the northern edge of the proposed development and continuing south through the development terminating on Priory Lane. The proposed route is shown for identification purposes on the attached [plan numbered 01822 \(PDF 667KB\)](#). The second [plan \(PDF, 2MB\)](#) attached shows how the proposed bridleway will sit within the new development.

The proposed bridleway is considered to be the first step towards securing further bridleways in the surrounding area and the offer from the landowners in incorporating this within their development is welcomed.

2) Consultations

A copy of this consultation report has been sent to the relevant user groups and other interested parties with the request that any comments be submitted by 5 July 2023. Notice of the consultation was also included in the Members' Bulletin. Before proceeding with any legal order, careful consideration will be given to all comments received.

3) West Sussex Rights of Way Management Plan (ROWMP), Human Rights Act 1998, Equality Act 2010 and Crime and Disorder Act 1998 Implications

In considering this proposal the County Council's responsibilities under the provisions of the above have been taken into account. In particular the aims and objectives of the ROWMP.

4) The Works and Costs

The landowner has agreed to cover all costs associated with the construction of the 3.0-metre-wide bridleway. All works carried out will be subject to inspection and certification by Rights of Way Officers prior to the agreement being brought into effect.

Dedication of the bridleway under Section 25 Highways Act 1980 will secure the paths recording on the Definitive Map and Statement. Once recorded its surface will be maintainable at the public expense.

5) Overall Conclusion

The offering of this length of bridleway by the landowners is seen as the first step in improving access for non-motorised users in the surrounding location. The willingness of the landowners much appreciated.

Ami Dye
Senior Rights of Way Officer
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