

THE ASH VALLEY TRACK APPEAL, 22/10/2015.

The Ash Valley Track Appeal, was held on October 22nd 2015 and the decision was reserved.

In 1876 the Quarter Sessions proposed a new main road from Ware Upland (now known as Wareside) through the Ash Valley and as far as Hadham Mill. The then main route to Widford, passed Widford Mill and entered the village from the north of the present road either via Helham Green or from Watery Lane. It was felt that a more direct route along the valley past the Railway Station would be more convenient. The first part of the proposed new road, or west of the Station was duly completed and is used to this day, however there are doubts about whether the second half of the proposal from the east side of the Railway Station was ever completed. The proposal stipulated that the track should be 20ft wide

The issue of the Appeal arose on the favoured line for this supposed “historic” route, The Hertfordshire County Council had made an order in 2011, largely at the instance of Mr. Westley, a member of the Hertfordshire Footpath Society, that a track, not officially recognized and registered, should be accepted, as it was an historic route, not coinciding with the registered RPB 18 and Footpath 18. That request had been based on legislation to try and achieve a full, comprehensive and definitive network of paths and tracks across the whole of England and Wales. Therefore challenges such as Mr. Westley’s had to be examined carefully and great efforts made to ensure that the results were fair and accurate. Factors such as modern expediency in deciding on a practical route were to be discounted in the process, which was to that extent artificial and contrived.. The evidence for the County Council for their possible route showed one version leaving the sewerage site to the east, whilst the second version left to the north west. It all seemed vague and unspecific. The County Council did not seek the Inspectors’ views on any possible compromise over the route.

At the Ash Valley Track Appeal the evidence put forward by the objectors was established and proved the existence of RPB18 between the Coalyard (the former Widford Station). which followed the north bank of the River Ash to the junction with Wareside Footpath13 (Little Blakesware/ Lower Crackney Lane) and then crossed the River Ash at Lilley Bridge as Footpath 18, joining BR 16 which in turn lead to Pegs Lane along the south side of the river. The route then went on by track BR.12, past the Pumping Station and into Hadham Mill Meadow.

The official footpath was accepted, but disregarded in the process of trying to retrace the allegedly “historic”, although now “lost” route. The evidence in support of the latter was very slender, except in the stretch from the Coal yard/ Widford station to the junction with Wareside Footpath 13. Beyond that point. for some unexplained reason, the favoured “historic” route East of the intersection of the Little Blakesware-Widford track, was held to continue crossing the sewage farm site and leaving it initially on the site’s South side to join Peg’s Lane. That route the County Council have now dropped, substituting two similar courses but further to the East, almost to the disused quarry, then turning sharply south-westwards towards Pegs Lane, going over the bridge which crosses the River Ash at the bottom of Peg’s Lane to join the track BR12 to Hadham Mill. It appears that the two new routes across the sewerage farm site are based on a projection on part of the 1876 proposed

route, imposed over the field on which the present Sewerage Farm is sited. Why such mere speculation was considered more reliable than all those expert assessments by professional people in the 1950s ,whose work would have been based on careful investigation, is puzzling ?

As it happened the land in question had been sold twice in the years 1950 -1952, by one local land owner to another, who then conveyed the land to the Water Authority. Solicitors, land agents and surveyors and the lay owners were people with local knowledge; nothing came to light during those transactions to indicate any suggestion of fraudulent suppression of any evidence of a right of way or access, or any evidence of professional incompetence in investigating title. The professional work had been done with due diligence and there had been no sign of the alleged way. Naturally the Thames Water Authority objected to the County Council's Order of 2011, made subject to confirmation. In effect, the County Council's answer to the Water Authority's contention was that in reality there would be no right of access through the sewage farm, since a diversion order would be made to relocate the alleged historic route around the public utility's site – at no cost to the water authority. From the viewpoint of the need to restrain public expenditure using that method would be quite costly and needless, but that argument the County Council rejected. Another curiosity in the Council's evidence was the projection of possible routes to the North-West of the sewage farm; certainly that could provide a possible route, but following that trail leads in the wrong direction, away from Hadham Mill Meadow, towards Camwell Hall at the far end of Blackbridge Lane.

The hearing on October 22nd 2015 was adjourned, so that the Inspector might consider further evidence, but the opportunity for objectors to visit the site and inspect the route or any material parts of the same was refused. This was puzzling, since the area on either side of the possible and actually recognized routes is low lying and was regularly flooded. Moreover Footpath 18 which crosses Lilley Bridge had had to be closed as dangerous, a year or so previously because of erosion of the adjoining bank. The Inspector's reasoning was that he had walked the presumed "historic" route alone the previous day, had seen photographs supplied in evidence and had viewed the full extent of the surrounding area, much of which appeared to be unremarkable grassland.

We now await the Inspectors report

