

SAVERNAKE PARISH COUNCIL

A meeting of Savernake Parish Council with the Crown Agents was held on the 14th March 2013 at 7.30pm at Jubilee Centre, Marlborough.

Present were members of the Parish Council and members of the Parish also Richard Drew, Carter Jonas, Manager of the Crown's Savernake Estate, Al Hanagan, Public Relations for the Crown Estate,

Problems Caused by the Sale of Additional Land at 22 Cadley, Marlborough, Wiltshire, which was Part of the Crown's Savernake Estate.

The Situation

On the 13th November 2012 the Crown Estate sold No. 22 Cadley and an additional piece of land between No. 22 and the primary A346 road. This additional piece of land is crossed by a well used track. The access for No. 22 is a spur off this track which continues past the rear of No. 19, the rear of the bus shelter, the frontage of the thatched cottages Nos. 21 and 20 and then as a narrow path, which was in the past blocked to stop through vehicles, and thence to the frontage of the tarpaulin and rope works of Dobie Wyatt, to join the track to Kingstones Farm.

The new owners of No. 22 have been blocking, with their caravan or cars, the continuation of the track and they say they will be fencing off this piece of additional land right up to the road. This fencing will block this very well used track known as the 'service road' and hence the only access from the main part of Cadley to the bus shelter and letter box.

An Urgent Problem which requires a solution

Richard Drew opened the discussion by saying in retrospect the Crown could have handled the sale of 22 Cadley in a different way to avoid the current difficulties. Mr Drew maintained they wanted discussion to continue and did not want the position to become polarised between the Crown and the Cadley villagers. Previous tardiness, and at other times complete lack of response by the Crown, to requests for decisions and information in this matter was pointed out.

Over the years Cadley residents have cooperated and worked with the Crown to maintain the appearance and integrity of Cadley, also bearing in mind the wishes of Lord Cardigan, all in an atmosphere of harmony. Cars have been discreetly parked out of sight where possible in accordance with the Crown's wishes. Why has the Crown now thrown this aside selling off a piece of land splitting Cadley in two? Where in the past Cadley has always looked tidy we now have an ugly village centre with a caravan which has become a semi-permanent feature piles of rubbish often a four-by-four parked and another car, all in full visibility of the road.

Richard Drew declined to answer.

For years Cadley villagers have had access from one end of Cadley to the other. The Crown has included in the sale a strip of land from No 22 to the road cutting the village in half denying ready access through Cadley. Of particular concern are the children who are now threatened with no access to the bus stop without walking in the road. To cross the A346 at the northerly end of Cadley is highly dangerous as traffic proceeding south is concealed in Cadley Dip until the last moment.

Asked if he knew there had in the past been deaths in Cadley due to the road Richard Drew appeared unaware of this and declined to answer.

The access to the A346 for 20 and 21 Cadley is a potential accident black spot. If a large vehicle is parked in the adjacent lay-by it blocks all visibility of traffic coming from the south. This is a major hazard and needs an immediate solution. The Wiltshire Traffic Police will be informed of this hazard.

If a footpath/bridle way running parallel to the closed access is placed close to the road running north-south this could be highly dangerous for riders and horses depending on experience and temperament as lorries continuously hurtle through Cadley at great speed and cars often overtake on the wrong side of the road at speeds up to 80mph. Children going to the bus stop during the busy morning traffic time between 8am and 8.30am will be forced to walk close to the road, with no intervening pavement. There have been two pedestrian deaths in Cadley on the stretch of road between the bus stop and the main entrance into the village (approximately 50 yards)

The Crown seemed unaware of the above two hazards and agreed to give these serious consideration.

Asked if the Crown had been advising the Jones's of 22 in these matters Richard Drew denied this in spite of the fact that Stuart Jones had said the Crown had given advice on dealing with the 'Cadley problem'.

Concerns were raised over the future of Cadley, Richard Drew could give no assurances over the future of Crown land:

1. If an agreement was reached with the owners of 22 Cadley to move the access (which would be for pedestrians and horse riders only) closer to the road this would only be by the good will of the current owners there would be no legal basis for this. If this cooperation were withdrawn or the property was sold to new owners there would be no obligation to continue this arrangement. Richard Drew agreed.
2. Asked if the Crown could compulsorily purchase the relevant land back from the owners of 22 to maintain access Richard Drew said the Crown would not do this. It is his decision to make?
3. Richard Drew was asked about the refusal of offers to purchase land by the owners of 20 and 21 which lies between these two dwellings and the A346. Richard Drew said it was unlikely the Crown would agree to sell this land to the owners of 20 and 21 even though the proposed purchase was intended only to maintain the appearance and integrity of Cadley as it is, and maintain the present access, currently un-official, for the benefit of Cadley villagers, service vehicles, ramblers and horse riders.
4. Richard was asked if the remaining Crown land between the dwellings and the road could become common land to protect it. He thought it very unlikely that the Crown would do this.

In conclusion there has been no material or legal progress made on the Cadley access problem. The Crown can give no assurances about future plans for Crown land in and around Cadley. They have agreed to consider serious concerns raised above. The position is that the Crown have sold the land in question and are under no obligation to do anything. Any agreements would have to be with the new owners of 22. The final arbiter of any legal based agreement would be the Land Registry. Legal action is practically not possible owing to the exemption of the Crown from much law. Any legal proceedings would have to be by common law resulting in limitless legal costs.

Comment [RDavies1]:

Unsure of distance – just a guess