



**OFFICER REPORT TO LOCAL COMMITTEE  
(SURREY HEATH)**

**ALLEGED PUBLIC BYWAY OPEN TO ALL TRAFFIC (BOAT)  
ALONG HIGH VIEW ROAD, WINDLESHAM**

**15 October 2009**

**ADDENDUM**

i. The following section should read:

2.34 There is no evidence to suggest that the route was expressly created or constructed for motor vehicles. At the current time any use without lawful authority will constitute trespass against the landowner. Evidence of the route on non-definitive mapping cannot indicate anything more than its physical existence.

ii. A document supplied by Mr Trice and received on 12 October 2009 contains Land Registry information relating to 'land lying north of Cranwell Grove, High View Road Windlesham'. No accompanying plan was supplied. In the Schedule of Restrictive Covenants section 1(b) states:

*"No traction engines to be used upon any roads abutting upon or in any way forming an approach to the said piece of land".*

This in no way grants a right to the public by any other means of transport but merely states that the local roads are not to be used in the above sorts of vehicles. Section 1(c) then goes on to make it clear that the road is considered unadopted and privately maintainable.

*"To keep in repair half the road and the footpath adjoining the said piece of land until the Parochial and other Public Authorities shall take upon themselves the repairs of the same".*

iii. Bar chart Annex B has been subject to several minor corrections. These do not affect the conclusions reached.