

North Creake Parish Council

Minutes of the North Creake Parish Council Extraordinary Meeting held at the Village Hall, North Creake on Thursday 24th September 2026.

Present: Councillors A.Bunkle (Chair), S.Baker and J. Robinson and L Fletcher (Clerk/RFO).

Twenty five members of the public attended the meeting.

1. The Chairman welcomed all present to the meeting.
2. Apologies for Absence: Apologies were received and accepted from Councillors J Brettingham Smith, S Sandell, J Rocklin and A Culshaw.
3. Declarations of Interests: Cllr J Robinson declared an interest as a contractor to Althorp Estate and Cllr A Bunkle declared an interest due to beating on Althorp Estate shoots.
4. Public participation: Cllr Bunkle started the public participation by giving a summary of his dealings with Althorp Estate since the installation of the Gate on the entrance to the field known as Chapel Pightle on Monday 14th September 2026. He spoke to representatives from the Estate three times on the morning of the gate going in, and emailed the estate the next day to query the installation and blocking of access to the path and expressed to them that it was a mistake in that although not currently used as a right of way the path meets the requirements under the Highways Act 1980 31(6) to be made a right of way. Cllr Bunkle told the meeting that Althorp Estate had made declarations to the County Council regarding the land the path crosses on 16/12/99 and 2/12/2005 however they have made no further declarations in the 21 years since and the path has been in use for 70 years or so.

Cllr Bunkle has put forward the case to the estate that whilst the gate had been understandably installed to stop parking on the field that access should still be allowed to use the footpath as it has been used for in excess of 20 years. Cllr Bunkle advised the meeting that he has not yet received a definitive response from Althorp Estate despite chasing them on the morning of the meeting, and despite being promised one. Cllr Bunkle stated that historically the village and Parish Council has had a good relationship with Althorp Estate.

Cllr Bunkle then opened up the meeting for public discussion and comments from the parishioners in attendance, their points summarised as follows:

- The field had recently been used by builders to access a property they were working on, this had been done by paying for a license from Althorp Estate
- Is the field in the Conservation Area? Is planning permission required for the gate?
- Law is entirely on our side for designation as a public footpath.
- OS map from 1970 shows the footpath.
- The footpath has been in use since at least the 1980s.
- Clearly links to the land the footpath crosses having been put forward as a potential development site in the KLWNBC Local Plan Scoping Consultation
- Is there a cost involved? Especially if application challenged?

- Petition.

Cllr Bunkle advised the meeting that advice from the Ramblers Association's website was that we could apply for the footpath to be legally recognised, NCC advise that if applying to do so then a specialist Rights of Way Solicitor should be used as application is likely to fail otherwise due the complexity of the application.

There was discussion around the best way to gather evidence that the path has been in continuous use for in excess of 20 years. Cllr Bunkle asked those present to email him for an Evidence of Use form, he will also make print hardcopies which he will leave in his porch for people to collect, forms should be returned to the Parish Council to collate. Cllr Bunkle informed those present that the Parish Council has managed its reserves well and should be able to move money currently ring fenced to cover costs but it may be necessary to raise extra funds.

5. It was **AGREED** for the Parish Council to make an application to get the footpath legally recognised and to take the following actions:
- Clerk to research specialist Rights of Way Solicitors, seek advice from them and request quotes
 - Cllr Bunkle to supply Evidence of Use forms if appropriate once legal advice has been obtained

There was further discussion regarding the Local Plan Scoping Consultation. Cllr Bunkle advised the meeting that the PC has responded to KLWNBC and made comments on the unsuitability of the proposed land for development due to the lack of infrastructure in the village to support it, however Councillors will not comment on plans until they are presented to the council in order to not prejudice any decision and potentially invalidate a future planning consultation decision.

Meeting closed at 19:26

These minutes are DRAFT version until approved by North Creake Parish Council

Link to Public Right of Way User Evidence form on Ramblers Website

https://cdn.ramblers.org.uk/media/files/user-evidence-witness-form.docx?_gl=1*t3vv33*_ga*MjA5Mzc2MzMzMzMS4xNzkwNDA0NjM3*_ga_7KLZPCB75D*cze3OTA0MDQ2Mzc2bzEkZzAkDE3OTA0MDQ2OTQkajYkbDAkaDA.*_gcl__au*MTc1NjA2OTAzMj4xNzkwNDA0NjQw