



## Footpaths on the Common

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There are a lot of metalled footpaths crossing Midsummer Common. They are used by walkers (some with pushchairs and children; some with dogs on or off a lead), by joggers and by cyclists (on various types of bike). Electric bikes, scooters and invalid carriages are becoming more evident. Conflict between these different groups is increasingly common.

It is important to recognise that there are different types of metalled paths on the Common. Some are registered as *public rights of way* and shown on the Definitive Map held by the County Council (which is responsible for them). The remaining paths are the responsibility of the City Council as owner of Midsummer Common. These paths are shown on the map to the right.

Public rights of way are divided into footpaths (which let you go by foot only) and bridleways (which let you go by foot, horse or bike). It is interesting to note that there are no bridleways on the Common so there are no *public rights of way* for cyclists. But cyclists have an equal right to use the footpaths because Midsummer Common is *common land* which is open to all (except unauthorised motor vehicles). Furthermore, there are many informal paths across the grassland created by pedestrians and cyclists moving repeatedly between focal points. These informal paths tend to change through time. That is the reality.

The picture is complicated by most paths being designated as cycle paths; either as part of the *National Cycle Network* or as a *Sustran local route*. These paths are shown on the map to the left.

The growth in traffic on most paths (by pedestrians and cyclists) has drawn attention to the poor condition of many of the paths. So there are plans afoot to resurface and widen some of these paths. But widening paths produces conflict with those wishing to minimise intrusion into green spaces.

It is important to recognise that there are statutory restrictions on what can be done with footpaths on "common land" such as Midsummer Common. Under the *Cambridge University and Corporation Act 1894* the Council could "make and maintain roads footpaths and ways ... provided that in exercising the powers the Council shall not unduly interfere with, hinder or prejudice any rights of common". But the more recent *Commons Act 2006* changes the rules and prohibits the resurfacing of "common land" without the Secretary of State's consent. Resurfacing means "the laying of concrete, tarmacadam, coated roadstone or similar material, but does not include repairing an existing surface of land made of such material". This might imply that the "widening" of footpaths requires public consultation and Ministerial consent. This view was taken by the City Council when repairing the footpath in front of Brunswick Cottages on the Common - the repaired footpath was kept to its original width to avoid the need for a Ministerial submission and public consultation.

Discussions have been held with Councillors and officers in both the County and City Councils over the state of individual paths, especially the incidence of pot holes and flooding. As a result, FoMC was once asked by Councillors to look at:

- Improved drainage;
- Enhanced landscaping/planting, etc for the area around the Fort St George;
- The treatment of path edges; and
- Possibility of widening the cutter ferry path (as part of rebuilding the path).

Once FoMC has put forward proposals and priorities, the Councillor has agreed to meet with County and City officers to explore the feasibility and best sources of funding for the work.

**Please contact us if you have anything to say about the issues raised on this page.**