



My Ref: FOI 6446
Enquiries to: Information Requests
E-Mail: informationrequests@barnsley.gov.uk

Dear Requester,

Re: Request for Information – Freedom of Information Act 2000

I wish to confirm that the council has completed its search for the information which you requested.

The information requested and our findings are as follows: -

I am seeking copies of any records held by Barnsley Metropolitan Borough Council, or inherited from the former Darton Urban District Council, relating to the ownership, status and disposal of the grass verge land on Intake Lane, particularly during the period 1950–1979.

Specifically, I request copies of any of the following information relating to Intake Lane:

- Council minutes, committee minutes or reports concerning a proposed road widening scheme.**
- Highway Committee, Planning Committee or Surveyor's reports referring to the retention of grass verges for future highway widening.**
- Plans, drawings, highway adoption plans or engineering schemes showing the proposed road widening.**
- Records confirming that the proposed road widening scheme was abandoned or did not proceed.**
- Conveyances, transfer deeds, agreements, resolutions or legal documents relating to the disposal or transfer of the former verge land to adjoining property owners.**
- Any schedules identifying the properties that received ownership of the former verge land.**
- Highway records identifying whether the verge land was removed from the adopted highway or ceased to be maintained as highway land.**
- Estate development plans, layout drawings or correspondence relating to the original construction of the properties on Intake Lane and the purpose of the verge land.**
- Any correspondence between the former Darton Urban District Council and residents concerning ownership of the verge land.**

We have reviewed our available highway and asset records in relation to Intake Lane. Unfortunately, due to the historical nature of the information requested, we do not hold any records relating to the matters outlined in your enquiry.

We have been unable to locate any council minutes, committee reports, plans, drawings, adoption records, conveyances, transfer documents, correspondence, or other records relating to any proposed road widening scheme, the status or disposal of

the grass verge land, or any transfer of land to adjoining property owners during the period identified.

We can however confirm that Land Registry records do not identify any registered title relating to the grass verge areas, nor do they indicate the verge land forms part of the adjoining residential properties. Had ownership of the verge land been transferred to individual property owners, this would ordinarily be reflected within the registered title information held by HM Land Registry.

Intake Lane is recorded on Barnsley Metropolitan Borough Council's List of Streets maintainable at public expense and is therefore recognised as an adopted highway. We understand that this status predates local government reorganisation in 1974. It should be noted that prior to 1974 there was no statutory requirement to maintain a formal List of Streets, and consequently no official adopted highway records from that period are available to us.

During our investigations, we located an Ordnance Survey boundary plan dated 1958. This plan shows the highway boundary adjacent to the property in question in the same position as the adopted highway extent currently recorded by the Council today. A copy of this plan, together with the current adopted highway plan, is enclosed for your information.

For completeness, if you believe the area should no longer form part of the public highway, it may be appropriate to consider an application to stop up highway land under the provisions of the Highways Act 1980. A successful stopping up order would formally remove the land from the adopted highway and result in the Council's adopted highway records and highway boundary plans being amended accordingly. Any enquiries regarding this process should be directed to highwaysearches@barnsley.gov.uk.

We would strongly recommend that independent legal advice is sought before pursuing this route. Applications of this nature involve a formal legal process and the payment of the applicable fees, and applicants should satisfy themselves of the legal implications and likelihood of success before proceeding.

Whilst we appreciate this may not fully answer all aspects of your enquiry, the historic records available to the Council do not provide any evidence of a road widening scheme taking place, the subsequent disposal of verge land, or the transfer of ownership of the verge areas to adjoining property owners.

If you have any queries about this letter, please contact Information Requests Via email.

Please remember to quote the reference number above in any future communications.

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PO Box 634, Barnsley, South Yorkshire S70 9GG

If you are unhappy with the way the Directorate has handled your request, you may ask for an internal review. Please clearly mark your correspondence 'Complaint' and address it to:

Barnsley MBC
Information Requests Team
PO Box 634
Barnsley
S70 9GG
email: informationrequests@barnsley.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Customer Services Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: <http://www.ico.org.uk/foicomplaints>

Kind regards,

Information Requests Team, Barnsley MBC

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