

APPENDIX 60

User Evidence

10. Restrictions on Use

Have there been any obstructions on the route? YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there? YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public? YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route? YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☒ go to 13a NO ___ go to 14a. By who? *public right of way.*

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant? YES ___ go to 14a NO ___ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

Parents are land owner

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space

Warwickshire
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

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WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name
AddressTown
Postcode

Daytime Telephone

Date of Birth

Occupation

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am ~~not~~ willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date: 10-2-04

Signed in the presence of

Date:

10-2-04

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map?
- b. How is it shown? *Track* *Footpath / Bridleway / Byway / Cart Road
*(delete as appropriate)
2. I believe the route is a *Public Footpath / Bridleway / Byway / ~~Open to all Traffic~~
*(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? *1957 - 2004*
- b. Where were you going from and to? *Aston Cantlow - Newtonham.*
- c. For what purpose? (eg: going to work) *pleasure.*
- d. How many times a year? *fairly often*
- e. By what means? *on foot*
(on foot or horseback, or with a motorbike, car, or tractor?)

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? *foot-horseback, landrover, motorbike tractor*
- b. How frequently? *Regular*
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? *as Map.*
- b. Where? *as Map.*
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a.. What did they say? *Bridleway sign on Bearley Rd*
- b. Where were they? *Please Keep gate shut on clay gate. as above.*
- c. When were they put up? *since 1950's*
- d. Are they still there? YES ☐ go to 10 NO ☒ go to 9e
- e. When were they taken down? *Keep gate shut when clay gate was not down.*

10. Restrictions on Use

Have there been any obstructions on the route? YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there? YES ___ NO ☒

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public? YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route? YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☒ go to 13a NO ___ go to 14a. By who? *Public Right of Way*

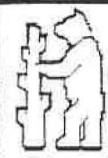
b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant? YES ☒ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*All details known***Please add a separate sheet if you need more space*

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
Planning Transport & Economic Strategy, PO Box 43, Shire Hall, Warwick, CV34 4SX		
WITNESS STATEMENT		

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant Full Name
Address

Town
Postcode

Daytime Telephone

Witness

Full Name
Address

NIGEL FRANK SUFFIELD
6. BEARLEY RD.
ASTON CANTLOW

Town
Postcode

MENLEY IN ARDEN
B95 6HS

Daytime Telephone *01789 488040*

Date of Birth *12/8/60*

Occupation *FARMER*

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / ~~I am not~~ * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

**Please delete as appropriate*

Signature of Witness

N.F. SUFFIELD
[Signature]

Signed in the presence of

Date: *10th February '04'*

Date: *10.02.04.*

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map?
- b. How is it shown? TRACK ~~Footpath / Bridleway / Byway / Cart Road~~
2. I believe the route is a *Public Footpath / Bridleway / Byway Open to all Traffic
(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? 1970 onward
- b. Where were you going from and to? ASTON CANTLOW - NEWHAM
- c. For what purpose? (eg: going to work) PLEASURE & WORK
- d. How many times a year? NUMEROUS
- e. By what means?
(on foot or horseback, or with a motorbike, car, or tractor?)
FOOT & TRACTOR

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7

a. On foot or horseback or with a motorbike, car, landrover or tractor? Foot & horseback. Since late 1980's by motorbike & landrover

b. How frequently?

Numerous

7. Stiles, Gates

Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8

a. When? Till late 1980's when chainsawed down by Land Rover Club. (about 1987)

b. Where?

Shown by ● on definitive map.
Gates shown by —
stile shown by ○

8. Diversions

Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a

a. Was the route different, if so please describe it?

9. Notices

Have there been any Notices on the route? YES ☒ go to a NO ☐ go to 10
(private - no path etc)

a.. What did they say?

Please keep gate shut.
Bridleway.

b. Where were they?

On Clap Gate
Bottom start of Bridleway at Aston Cantlow.

c. When were they put up?

d. Are they still there?

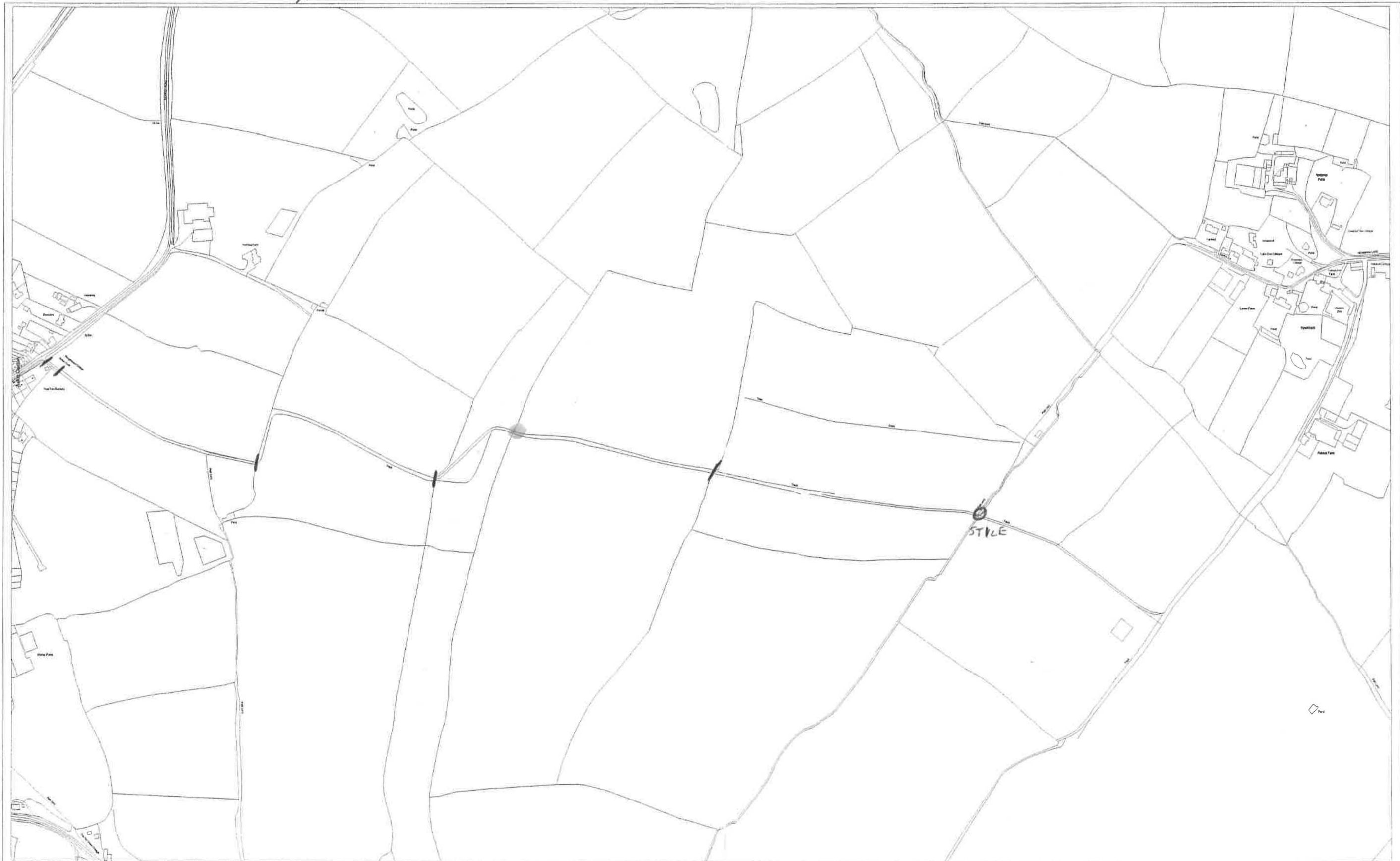
YES ☐ go to 10 NO ☒ go to 9e

e. When were they taken down?

Late 1980's when Land Rover club chainsawed Clapgate (About 1987)

NIGEL F. SUFFIELD.
N.F. SUFF.

60.6



Name		Warwickshire County Council	Department
Scale	1:5000		
		Project	
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10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☒ go to 13a NO ___ go to 14

a. By who?

PUBLIC RIGHT OF WAY

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ___ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

LAND OWNER

15. Can you give any further information such as details of ownership?

ALL DETAILS KNOWN

*Please add a separate sheet if you need more space



Planning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
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WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant

Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name ANTHONY SUFFIELD.
Address HOME LEA FARM.

ASTON CANTLOW.

Town HENLEY-IN-ARDEN.
Postcode BS56LD

Daytime Telephone 01894 88572.

Date of Birth

Occupation RETIRED FARMER.

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

A. Suffield

Date: 10-02-04

Signed in the presence of

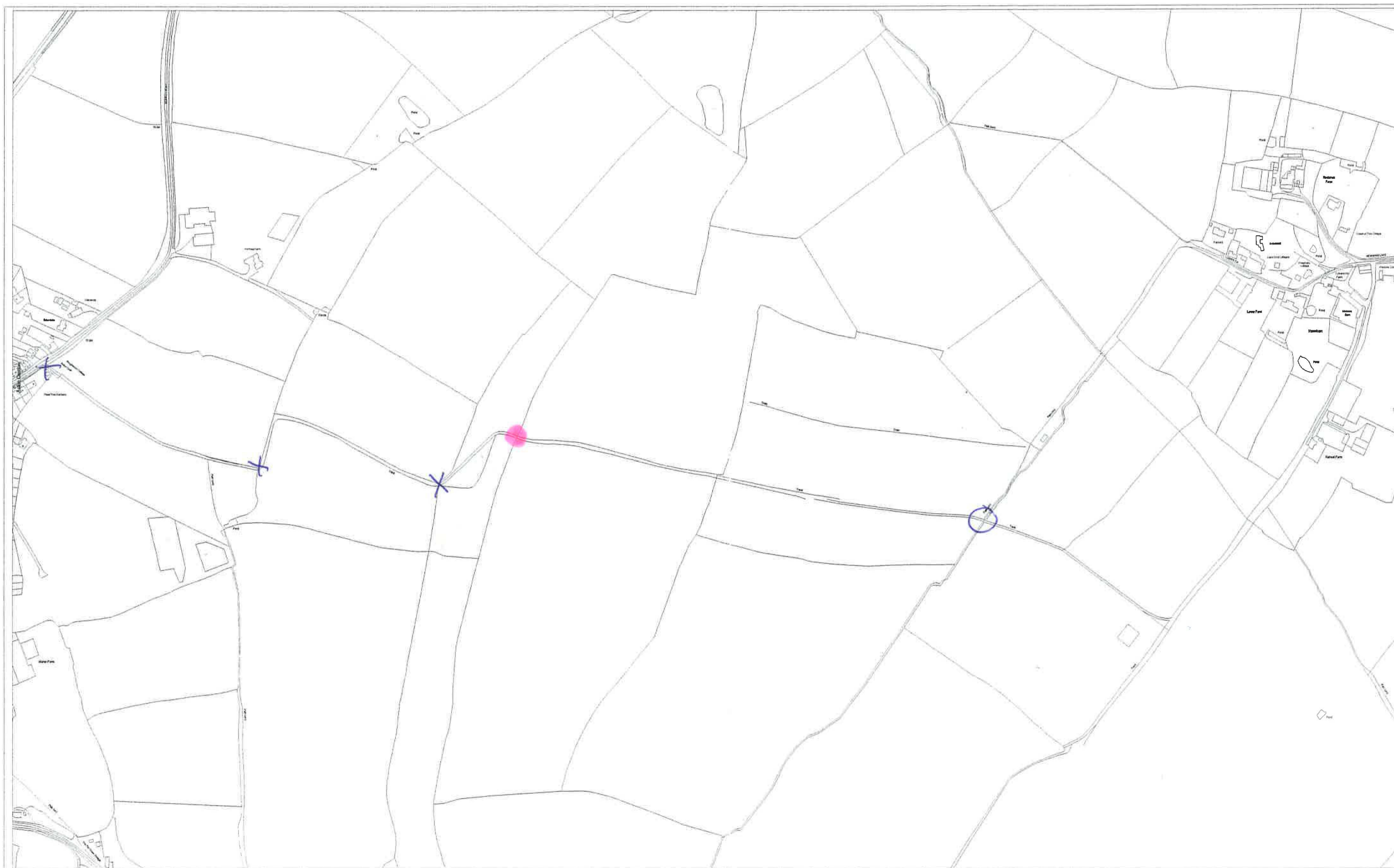
[Signature]

Date: 10-02-04

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1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? NOT SHOWN
- b. How is it shown? TRACK. ~~*Footpath / Bridleway / Byway / Cart Road~~
2. I believe the route is a ~~*Public Footpath / Bridleway / Byway~~ Open to all Traffic ~~(delete as appropriate)~~
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? FROM 1935 TO 2004.
- b. Where were you going from and to? NEWNHAM TO ASTON CANTON.
- c. For what purpose? (eg: going to work) PLEASURE & WORK.
- d. How many times a year? NUMEROUS.
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT.
PART TRACTOR FOR FARM WORK PURPOSES.

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? ON FOOT & HORSEBACK.
UNTIL LATE 1980'S. M/BIKE & LAND ROVERS
- b. How frequently? REGULAR USE.
7. Stiles, Gates
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? SEE ATTACHED MAP.
- b. Where? CHAP GATE - IN SITU UNTIL LATE 1980'S - WHEN FORCIBLY REMOVED BY A P.C. BROWN. (OFFICER) - LEADER OF OF-ROAD CLUB.
8. Diversions
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. Notices
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a. What did they say? AT JUNCTION WITH C100. BRIDLEWAY SIGN.
PLEASE KEEP GATE SHUT AT POSITION
- b. Where were they? SEE ABOVE.
- c. When were they put up? SINCE 1950'S.
- d. Are they still there? YES ☐ go to 10 NO ☒ go to 9e
- e. When were they taken down? 'KEEP GATE SHUT' SIGN REMOVED WHEN CLAP GATE CUT DOWN.



Name	
Scale	1:5000

Warwickshire County Council

Department

Project

● - HORSEWIDTH CLAPGATE.

X - SBAR GATES.

O - STILE

Date 13/11/2002

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10. Restrictions on Use

Have there been any obstructions on the route? YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there? YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public? YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route? YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant? YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

SEE MAP. I REMEMBER TRACK TO NEWNHAM FROM CROSS PIECE TO BE ONLY FOOTPATH. AS STILE WOULD ALLOW PEDESTRIANS NOT HORSES - BRIDLEWAY. WENT STRAIGHT ON. AS SHOWN ON MAP.

*Please add a separate sheet if you need more space



Warwickshire
County Council

Planning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
G

WITNESS STATEMENT

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These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant

Full Name
Address

Town
Postcode

Daytime Telephone

Witness

Full Name **MARION CLARE READ**
Address **3 THE GABLES,
ASTON CANTON**

Town **HENLEY-IN-ARDEN**
Postcode **B95 6JD**

Date of Birth

16-10-1907

Daytime Telephone **01789 488376**

Occupation

RETIRED

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not *willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Signed in the presence of

Date: **10-03-04**

Date: **10-03-04**

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your "**Witness Statement**".

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ___ go to 2
- a. What is its reference number on the Definitive Map? DON'T KNOW.
- b. How is it shown? *Footpath / Bridleway / Byway / Cart Road TRACK.
2. I believe the route is a *Public Footpath / Bridleway / Byway Open to all Traffic (PART). (delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ___
5. Have you used the route? YES ☒ go to 5a NO ___ go to 6
- a. During which years? FROM 1912. → 1990.
- b. Where were you going from and to? NEWHAM → ASION CANTLOW → NEWHAM
- c. For what purpose? (eg: going to work) PLEASURE, DAILY FOR SCHOOL (DURING TIME AT ASION CANTLOW SCHOOL, TO ATTEND CHURCH).
- d. How many times a year? SOMETIMES DAILY. OTHER'S. ON A REGULAR BASIS.
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT.

6. Have you seen other people using the route? YES ☒ go to 6a NO ___ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? ON FOOT, ON HORSEBACK. (ESPECIALLY WHEN HOUNDING OUT & ABOUT)
- b. How frequently? POSTMAN ON BIKE IN SUMMER. REGULARLY.
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ___ go to 8
- a. When? 1 STILE AT RUSH MEADOW & CROSS PIECE
- b. Where? CHAP GATE AT TOP OF NEWHAM HILL.
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ___ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ___ go to a NO ☒ go to 10
- a.. What did they say?
- b. Where were they?
- c. When were they put up?
- d. Are they still there? YES ___ go to 10 NO ___ go to 9e
- e. When were they taken down? ☒

*Please add a separate sheet if you need more space



Name		Warwickshire County Council	Department
Scale	1:5000		
MRS READ Marion C. Road MISS BOLLOCK B.M. Bullock			Project
Date 10/2/2004		Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office (c) Crown Copyright. Licence Number LA 076 880. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.	



10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___

NO ☒

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

PUBLIC RIGHT OF WAY

b. When?

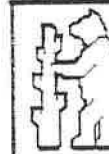
14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space

Warwickshire
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

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Please return this form to the applicant at the address below

Applicant

Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name CAROL GILLIAN DAVIS
Address 12, GUILD ROAD,
ASTON CANTLOWTown HENLEY IN ARDEN
Postcode B95 6JA

Daytime Telephone 01789 488457

Date of Birth

Occupation HOUSEWIFE

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date: 3-3-04

Signed in the presence of


Date: 3-3-04

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1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? **DO NOT KNOW!**
- b. How is it shown? ~~*Footpath / Bridleway / Byway / Cart Road~~ **TRACK**
2. I believe the route is a ~~*Public Footpath / Bridleway / Byway Open to all Traffic~~
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? **1966 — 2004**
- b. Where were you going from and to? **FROM HOME TO NEWNHAM AND BACK HOME**
- c. For what purpose? (eg: going to work) **RECREATION AND EXERCISE**
- d. How many times a year? **6+**
- e. By what means?
(on foot or horseback, or with a motorbike, car, or tractor?) **ON FOOT**

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? **ON FOOT AND HORSEBACK, AND RECENTLY 4x4 AND TRACK BIKES**
- b. How frequently? **MOSTLY WEEKENDS, AND SOMETIMES LATE AT NIGHT**
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? **I FIRST CAME TO LIVE HERE 1966**
- b. Where? ~~FROM~~ **SEE MAP.**
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☐ go to a NO ☒ go to 10
- a.. What did they say?
- b. Where were they?
- c. When were they put up?
- d. Are they still there? YES ☐ go to 10 NO ☐ go to 9e
- e. When were they taken down?



Name		Warwickshire County Council	Department	CHROL DAVIS
Scale 1:5000				
Key X SBAR GATES		Date 10/2/2004	Project	3-3-04.
HUNTING GATE & FENCE				
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10. Restrictions on Use

Have there been any obstructions on the route? YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there? YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public? YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route? YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ☒ go to 14

a. By who?

b. When?

PUBLIC RIGHT OF WAY.

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant? YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space



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Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

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WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant Full Name
Address

Town
Postcode

Daytime Telephone

Witness

Full Name *JOHN ARTHUR DAVIS*
Address *12 GUILD ROAD,
ASTON CANTON,*

Town *HENLEY-IN-ARDEN, WARCS.*
Postcode *B95 6TA.*

Daytime Telephone *01789-488-457.*

Date of Birth *19. 4. 32.* Occupation *ARTIST.*

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true. I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date: *3. 3. 2004.*

Signed in the presence of

Date:

3-3-04

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? *Do NOT KNOW.*
- b. How is it shown? ~~*Footpath / Bridleway / Byway / Cart Road~~ *TRACK.*
2. I believe the route is a ~~*Public Footpath / Bridleway / Byway Open to all Traffic~~ *(delete as appropriate)*
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? *1966 - 2004.*
- b. Where were you going from and to? *HOME AT ASTON CANTLOW - TO NEWNHAM - AND RETURN.*
- c. For what purpose? (eg: going to work) *RECREATION/EXERCISE.*
- d. How many times a year? *Six +*
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) *ON FOOT.*

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? *ON FOOT & ON HORSEBACK - RECENTLY I HAVE SEEN MOTOR CYCLES USING IT.*
- b. How frequently? *OFTEN - VEHICULAR TRAFFIC IN THE LAST YEAR OR SO.*
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? *FROM 1966, WHEN WE FIRST ARRIVED IN THE VILLAGE*
- b. Where? *SEE MAP ATTACHED.*
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☐ go to a NO ☒ go to 10
- a.. What did they say?
- b. Where were they?
- c. When were they put up?
- d. Are they still there? YES ☐ go to 10 NO ☐ go to 9e
- e. When were they taken down?



Name		Warwickshire County Council	Department	JOHN DAVIS.	
Scale	1:5000				
		Date	10/2/2004	Project	H. B. 3.3.04
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10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

PUBLIC RIGHT OF WAY.

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space



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Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
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WITNESS STATEMENT

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Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant

Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name
AddressTown
Postcode

Daytime Telephone

Date of Birth

Occupation

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Signed in the presence of

Date: 12-02-04

Date:

1202-04.

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ___ go to 2
- a. What is its reference number on the Definitive Map? DON'T KNOW.
- b. How is it shown? TRACK *Footpath / Bridleway / Byway / Cart Road
2. I believe the route is a Public Footpath / Bridleway / Byway / ~~Open to all Traffic~~ *(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ___
5. Have you used the route? YES ☒ go to 5a NO ___ go to 6
- a. During which years? 1930 → 1999.
- b. Where were you going from and to? ASTON CANTON → NEWNHAM → ASTON CANTON.
- c. For what purpose? (eg: going to work) PLEASURE PURPOSES.
- d. How many times a year? NUMEROUS.
- e. By what means? ON FOOT
(on foot or horseback, or with a motorbike, car, or tractor?)

6. Have you seen other people using the route? YES ☒ go to 6a NO ___ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? ALL., BUT ONLY SEEN MOTORBIKES & MULES IN LATTER YEARS.
- b. How frequently? NUMEROUS.
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ___ go to 8
- a. When? HUNTING GATE AT TOP OF BANK. + FARM GATES.
- b. Where? SEE MAP.
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ___ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ___ go to 10
- a.. What did they say? PLEASE CLOSE GATE ON HUNTING GATE BRIDLEWAY AT END BY BEARLEY RD.
- b. Where were they?
- c. When were they put up? DON'T KNOW.
- d. Are they still there? NO. YES ___ go to 10 NO ☒ go to 9e
- e. When were they taken down? HUNTING GATE SIGN WHEN GATE REMOVED.



Name		Warwickshire County Council	Department
Scale	1:5000		
			Project
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C. F. Parish
F. PARISH.

10. Restrictions on Use

Have there been any obstructions on the route? YES ☒ go to 10a NO ☐ go to 11

a. Type of obstruction OPEN DITCH

b. Where was the obstruction? SEE MAP.

c. When did the obstruction occur?

d. Are they still there? YES ☒ NO ☐

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public? YES ☐ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route? YES ☐ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☒ go to 13a NO ☐ go to 14

a. By who? PUBLIC RIGHT OF WAY.

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant? YES ☐ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space



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Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
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WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant Full Name
Address

Town
Postcode

Daytime Telephone

Witness

Full Name JEREMY W. HARRIS
Address RED LANE FARM,
NEWNHAM
HENLEY-IN-ARDEN,
WARWICKSHIRE

Town
Postcode

B95 6DU

Daytime Telephone 01789 488 260

Date of Birth 18.7.49

Occupation FARMING

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date: 11 FEB 04


Signed in the presence of

Date:


11/02/04

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? **D'ONT KNOW**
- b. How is it shown? **TRACK**, ~~Footpath~~ / ~~Bridleway~~ / ~~Byway~~ / ~~Cart Road~~
2. I believe the route is a ~~Public Footpath~~ / ~~Bridleway~~ / ~~Byway Open to all Traffic~~
 *(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? **1953 :- 2004**
- b. Where were you going from and to? **NEWNHAM TO ASTON CANTLOW**
- c. For what purpose? (eg: going to work) **GOING TO SCHOOL + LATERLY RECREATION**
- d. How many times a year? **NUMEROUS**
- e. By what means? **ON FOOT**
 (on foot or horseback, or with a motorbike, car, or tractor?)

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? **ON FOOT + HORSEBACK**
 AND LATER ON FROM APPROX 1990 H/BIKES + 4x4's.
- b. How frequently? **VERY FREQUENTLY**
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? **SEE ATTACHED MAP**
- b. Where?
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a. What did they say? **"PLEASE CLOSE THE GATE" @ HUNTING GATE**
- b. Where were they? **SEE MAP ENCLOSED** 
- c. When were they put up?
- d. Are they still there? YES ☐ go to 10 NO ☒ go to 9e
- e. When were they taken down? **APPROX 1990ish WITH HUNTING GATE**



Name		Warwickshire County Council	Department
Scale	1:5000		
<p>X - FIVE-BAR GATE , O - HUNTING GATE</p>		Project	
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10. Restrictions on Use

Have there been any obstructions on the route?

YES ☒ go to 10a NO ☐ go to 11

a. Type of obstruction

VERY DEEP RUTS. AFTER VEHICULAR USE FROM 1988 →

b. Where was the obstruction?

ON NEWNHAM BANK.

c. When did the obstruction occur?

AFTER TRACK USED BY KYLE'S & MOTORCYCLES.

d. Are they still there?

YES ☒ NO ☐

NOW ALL WAY DOWN TRACK

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ☐ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ☐ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☐ go to 13a NO ☐ go to 14

a. By who?

PUBLIC RIGHT OF WAY.

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ☐ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space



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Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
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WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant

Full Name
Address

Town
Postcode

Daytime Telephone

Witness

Full Name CHARLES HENRY GODFREY.
Address MANOR FARM
ASTON CANTLOW.

Town HUNLEY-IN-ARDEN.
Postcode B95 6JD

Date of Birth 28-09-17

Daytime Telephone 01789 488276

Occupation FARMER.

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date: 10-02-04

Signed in the presence of

Date: 10-02-04.

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your "Witness Statement".

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
 - a. What is its reference number on the Definitive Map? DON'T KNOW.
 - b. How is it shown? TRACK. ~~*Footpath / Bridleway / Byway / Cart Road~~
2. I believe the route is a ~~*Public Footpath / Bridleway / Byway~~ Open to all Traffic *(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
 - ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
 - a. During which years? 1939 → 1990's.
 - b. Where were you going from and to? ASTON CANTLOW → NEWNHAM.
 - c. For what purpose? (eg: going to work) CHECKING COUNTRYSIDE.
 - d. How many times a year? NUMEROUS.
 - e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT.

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
 - a. On foot or horseback or with a motorbike, car, landrover or tractor? ON FOOT & HORSEBACK.
 - b. How frequently? NUMEROUS.
7. **Stiles, Gates**

Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8

 - a. When? AT THE TOP OF NEWNHAM BANK IN 1939 6 FOOT HUNTING.
 - b. Where? GATE, REMOVED BY 4x4 MOTORMEN IN A PROX 1987/88.
WHEN LAND OCCUPIED BY MR J. TOMLIN, 5 BAR GATES WERE IN SITU FOR NORMAL STOCK FARM PURPOSES. ALL FIELDS GRASSLAND FOR CATTLE & SHEEP.
8. **Diversions**

Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a

 - a. Was the route different, if so please describe it?
9. **Notices**

Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10

 - a. What did they say? BRIDLEWAY SIGN AT JUNCTION WITH BEARLEY RD.
 - b. Where were they?
 - c. When were they put up? DON'T KNOW.
 - d. Are they still there? No. YES ☐ go to 10 NO ☒ go to 9e
 - e. When were they taken down? DON'T KNOW.

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

Public Right of Way

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space



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Wildlife & Countryside Act 1981
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Applicant

Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name
AddressTown
Postcode

Date of Birth

Daytime Telephone

Occupation

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am ~~not~~ willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Signed in the presence of

Date:

Date:

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ___ go to 2
- a. What is its reference number on the Definitive Map? DON'T KNOW
- b. How is it shown? TRACK *Footpath / Bridleway / Byway / Cart Road
*(delete as appropriate)
2. I believe the route is a *Public Footpath / Bridleway / Byway Open to all Traffic
*(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ___
5. Have you used the route? YES ☒ go to 5a NO ___ go to 6
- a. During which years? 1950 → 2004.
- b. Where were you going from and to? ASTON CANTLOW → NEWNHAM.
- c. For what purpose? (eg: going to work) TO GET FROM A → B
- d. How many times a year? MANY.
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT.

6. Have you seen other people using the route? YES ☒ go to 6a NO ___ go to 7

a. On foot or horseback or with a motorbike, car, landrover or tractor? FOOT & HORSEBACK.

b. How frequently? MANY TIMES.

7. Stiles, Gates

Do you remember any stiles or gates on the route? YES ☒ go to a NO ___ go to 8

a. When? 1950 → 1988 APPROX.

b. Where? HUNTING GATE AT TOP OF NEWNHAM BANK.

8. Diversions

Have you always followed the same route? YES ☒ go to 9a NO ___ go to 8a

a. Was the route different, if so please describe it?

9. Notices

Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ___ go to 10

a.. What did they say? BRIDLEWAY SIGN AT ASTON CANTLOW END.

b. Where were they? SEE ABOVE

c. When were they put up? DON'T KNOW.

d. Are they still there? NO. YES ___ go to 10 NO ___ go to 9e

e. When were they taken down? DON'T KNOW

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

Public right of way

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?


YES ☒ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

All details known.

*Please add a separate sheet if you need more space

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
Planning Transport & Economic Strategy, PO Box 43, Shire Hall, Warwick, CV34 4SX		
WITNESS STATEMENT		

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant

Full Name

Address

MICHAEL SUFFIELD
3, PEAR TREE GARDENS,
ASTON CANTLOW.

Town

Postcode

B95 6HT.

Daytime Telephone

01789 488040.

Witness

Full Name

Address

MICHAEL SUFFIELD.
3, PEAR TREE GARDENS
ASTON CANTLOW
Menley in ARDEN.

Town

Postcode

B95 6HT.

Daytime Telephone

01789 488040

Date of Birth

10/10/55

Occupation

Agricultural contractor

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
 I am / I ~~am not~~ * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Signed in the presence of

Date: 10-02-04

Date: 10-02-04.

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1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map?
- b. How is it shown? TRACK *Footpath / Bridleway / Byway / Cart Road
2. I believe the route is a *Public Footpath / Bridleway / Byway Open to all Traffic
(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? 1969 to present time
- b. Where were you going from and to? Aston Cantlow - Newnham
- c. For what purpose? (eg: going to work) Work & Pleasure
- d. How many times a year? numerous
- e. By what means?
(on foot or horseback, or with a motorbike, car, or tractor?)
Foot & hecker.

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? Foot & horseback & motor ~~car~~ cars & bikes Since late 1980's
- b. How frequently? regularly
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? Clap gate until late 1980's
- b. Where? Boundary at top of Bank
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a. What did they say? Bridle way & please shut gate.
- b. Where were they? (Bridle way) at Aston Cantlow road & (please shut gate) at Clap gate.
- c. When were they put up? Don't know
- d. Are they still there? YES ☐ go to 10 NO ☒ go to 9e
- e. When were they taken down? Please shut gate removed with Clap-gate.

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☒ go to 13a NO ___ go to 14

a. By who?

PUBLIC RIGHT OF WAY. BRIDLEWAY.

b. When?

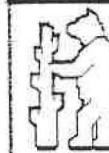
14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space

Warwickshire
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

WITNESS STATEMENT

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Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

~~Applicant~~
WITNESS

Full Name MRS. LITA ANNE MAJOR
Address 1 SETMOOR ROAD

Town ALCESTER
Postcode B49 6JY Daytime Telephone 07906 925342

~~Witness~~

IN THE PRESENCE
OF.

Full Name WILLIAM AUSTIN EVANS.
Address ROUGHWOOD COTTAGE
ASTON CANTLOW.

Town HENLEY-IN-ARDEN
Postcode BAS6HS Daytime Telephone 01789 488588

Date of Birth 10-10-43 Occupation RETIRED.

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness L. A. Major.

Date: 10-02-04

Signed in the presence of

Date: 10-02-04

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1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? DONT KNOW.
- b. How is it shown? TRACK *Footpath / Bridleway / Byway / Cart Road
2. I believe the route is a *Public Footpath / Bridleway / Byway Open to all Traffic (delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? 1957 TO 2004.
- b. Where were you going from and to? ASTON CANTLOW → NEWNHAM → ASTON CANTLOW
- c. For what purpose? (eg: going to work) PLEASURE.
- d. How many times a year? OFTEN.
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT.

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? ALL.
- b. How frequently? ONLY IN LAST 15 YRS APPROX HAVE MOTOR BIKES & LOTS USED THIS ROUTE.
7. Stiles, Gates
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? FROM 1957 → 1987 (APPROX)
- b. Where? 'CLAP' GATE AT POINT SHOWN ON MAP.
8. Diversions
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. Notices
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a.. What did they say? PLEASE KEEP GATE SHUT.
- b. Where were they? ON 'CLAP' GATE SHOWN ON MAP
- c. When were they put up? DONT KNOW.
- d. Are they still there? NO. YES ☐ go to 10 NO ☒ go to 9e
- e. When were they taken down? WHEN CLAP GATE REMOVED.

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

PUBLIC BRIDLEWAY.

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

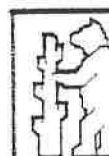
YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

I WAS BORN IN NEWNHAM & LIVED AT NEWNHAM FOR OVER 40 YEARS.
 ONLY SINCE APPROX LATE 1980'S HAVE ANY MOTORISED VEHICLES USED THE
 ROUTE & I HAVE NEVER SEEN ANY HORSE DRAWN VEHICLES USING TRACK. IN MY
 OPION TRACK FAR TOO DANGEROUS.

*Please add a separate sheet if you need more space

Warwickshire
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

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WITNESS STATEMENT

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These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name
AddressTown
Postcode

Daytime Telephone

Date of Birth

Occupation

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
 I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date: 12-02-04

Signed in the presence of

Date:

12-02-04.

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? DON'T KNOW.
- b. How is it shown? TRACK. *Footpath / ~~Bridleway~~ / ~~Byway~~ / ~~Cart Road~~
2. I believe the route is a Public Footpath / ~~Bridleway~~ / ~~Byway Open to all Traffic~~ *(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? 1945 → 2003.
- b. Where were you going from and to? ASTON CANTLOW TO NEWNHAM.
- c. For what purpose? (eg: going to work) TO VISIT FAMILY WHO USED TO RESIDE IN NEWNHAM.
- d. How many times a year? 6.
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? FOOT & HORSEBACK, MOTORBIKE & 4x4's, IN LATTER YEARS FROM LATE 1980S
- b. How frequently?
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? FROM 1945.
- b. Where? HUNTING GATE AT TOP OF BANK, VARIOUS 'BARGATES' BECAUSE CATTLE & SHEEP IN FIELDS.
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a. What did they say? BRIDLEWAY. , PLEASE SHUT GATE, WITH CHAIN. TO KEEP GATE CLOSED AT TOP OF BANK.
- b. Where were they?
- c. When were they put up? DON'T KNOW.
- d. Are they still there? YES ☐ go to 10 NO ☒ go to 9e
- e. When were they taken down? PLEASE SHUT GATE NOTICE WENT WITH GATE.

10. **Restrictions on Use**

Have there been any obstructions on the route?

YES ☒ go to 10a NO ☐ go to 11

a. Type of obstruction

Lanes

b. Where was the obstruction?

By side of road of Sharnbury

c. When did the obstruction occur?

Always been there.

d. Are they still there?

YES ☐ NO ☒

If no - when were they removed?

15 yrs ago

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ☐ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ☐ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☐ go to 13a NO ☒ go to 14

a. By who?

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ☐ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space

**Warwickshire**
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

WITNESS STATEMENT

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Please return this form to the applicant at the address below

ApplicantFull Name
AddressTown
Postcode

Daytime Telephone

WitnessFull Name ANTHONY GEORGE JONSBY
Address 2 GUILD RD
ASTON CANTLOWTown
Postcode

B95 6JA

Daytime Telephone 01789 488036

Date of Birth 15.4.1938

Occupation RETIRED

DeclarationI hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date: 14.2.2004

Signed in the presence of

Date: 14.2.2004

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
 - a. What is it's reference number on the Definitive Map? *ES341.*
 - b. How is it shown? **Footpath / Bridleway / Byway / Cart Road*
2. I believe the route is a **Public Footpath / Bridleway / Byway Open to all Traffic*
*(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
 - ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
 - a. During which years? *DURING THE PAST 60yrs*
 - b. Where were you going from and to? *Walking to Newnham*
 - c. For what purpose? (eg: going to work) *WALKS*
 - d. How many times a year? *Used to be on a Regular Basis, But owing to condition of track not so often.*
 - e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) *Foot,*

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7

a. On foot or horseback or with a motorbike, car, landrover or tractor?

b. How frequently?

*Foot or Horseback
(For some reason vehicles have
been using it more regularly)*

7. **Stiles, Gates**

Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8

a. When?

b. Where?

*Within last 15yrs
Post at side of
ridge,*

8. **Diversions**

Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a

a. Was the route different, if so please describe it?

9. **Notices**

Have there been any Notices on the route? (private - no path etc)

YES ☒ go to a NO ☐ go to 10

a.. What did they say?

b. Where were they?

c. When were they put up?

d. Are they still there?

e. When were they taken down?

*PUBLIC FOOT PATH
Hedge Way on left*

YES ☒ go to 10 NO ☐ go to 9e

**Please add a separate sheet if you need more space*

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

PUBLIC RIGHT OF WAY.

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space



Planning Transport & Economic
Strategy, PO Box 43, Shire Hall,
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Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

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WITNESS STATEMENT

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Please return this form to the applicant at the address below

Applicant Full Name
Address

Town
Postcode

Daytime Telephone

Witness

Full Name JOHN MORTON STEEDS.
Address 5 THE FLATS, GUILD ROAD

ASTON CANTHOW.

Town HENLEY-IN-ARDEN.
Postcode B95 6JA.

Daytime Telephone 01789 488872.

Date of Birth 25-3-17.

Occupation

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true. I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

J.M. Steeds.

Date: 10-3-04.

Signed in the presence of

Date:

10-3-04.

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? DONT KNOW.
- b. How is it shown? ~~*Footpath / Bridleway / Byway / Cart Road~~ TRACK.
2. I believe the route is a ~~*Public Footpath / Bridleway / Byway~~ Open to all Traffic ~~(delete as appropriate)~~
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? FROM 1922 → 80yrs 100's OF TIMES
- b. Where were you going from and to? ASTON CANTLOW → NEWNHAM → ASTON CANTLOW
- c. For what purpose? (eg: going to work) TO DELIVER GOODS ie WORKING FOR LOCAL BAKER & TO VISIT FRIENDS.
- d. How many times a year? TO MANY TO REMEMBER (DELIVERED BREAD 3 TIMES PER WK).
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT.

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? ON FOOT.
- b. How frequently? VERY FREQUENTLY. - SCHOOL CHILDREN ATTENDING ASTON CANTLOW SCHOOL USED PATH DAILY & CHURCHGOERS REGULARLY. DEATHS IN NEWNHAM, BODY CARRIED ALONG PATH TO ASTON CANTLOW CHURCH
7. Stiles, Gates
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? FROM 1922 → LATE 1980's.
- b. Where? CHAPGATE AT TOP OF WHAT WAS KNOWN AS NEWNHAM HILL.
8. Diversions
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. Notices
- Have there been any Notices on the route? (private - no path etc) YES ☐ go to a NO ☒ go to 10
- a.. What did they say?
- b. Where were they?
- c. When were they put up?
- d. Are they still there? YES ☐ go to 10 NO ☐ go to 9e
- e. When were they taken down?

*Please add a separate sheet if you need more space

10. Restrictions on Use

Have there been any obstructions on the route?

YES ☒ go to 10a NO ☐ go to 11

a. Type of obstruction

GATE

b. Where was the obstruction?

TOP OF RIDGE

c. When did the obstruction occur?

d. Are they still there?

YES ☐ NO ☒

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ☐ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ☐ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ☐ go to 13a NO ☒ go to 14

a. By who?

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ☐ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space

Warwickshire
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant Full Name
Address

Town
Postcode

Daytime Telephone

Witness

Full Name PHILLIP WOODFIELD.
Address THE HALL,

BEALLEY RD
ASDON CANLOW

Town

Postcode B95 6HR

Daytime Telephone

Date of Birth 21-7-1923.

Occupation RETIRED

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

P.L. Woodfield

Date: 15/2/04

Signed in the presence of

Date: 15/2/04

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? 15341
- b. How is it shown? ~~*Footpath~~ / Bridleway / Byway / ~~Cart Road~~
2. I believe the route is a ~~*Public Footpath~~ / Bridleway / Byway / ~~Open to all Traffic~~
*(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? OVER THE PAST 70 YEARS
- b. Where were you going from and to? WALKING TO & FROM NEWNHAM
- c. For what purpose? (eg: going to work) WALKS. (CHILDREN TO AND FROM SCHOOL)
- d. How many times a year?
- e. By what means?
(on foot or horseback, or with a motorbike, car, or tractor?) Foot

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7

a. On foot or horseback or with a motorbike, car, landrover or tractor?

Foot / Horseback

b. How frequently?

7. Stiles, Gates

Do you remember any stiles or gates on the route?

YES ☒ go to a NO ☐ go to 8

a. When?

Few Years Ago

b. Where?

AT TOP OF HILL

8. Diversions

Have you always followed the same route?

YES ☒ go to 9a NO ☐ go to 8a

a. Was the route different, if so please describe it?

9. Notices

Have there been any Notices on the route?
(private - no path etc)

YES ☒ go to a NO ☐ go to 10

a. What did they say?

PUBLIC FOOT PATH

b. Where were they?

c. When were they put up?

d. Are they still there?

YES ☒ go to 10 NO ☐ go to 9e

e. When were they taken down?

10. Restrictions on Use

Have there been any obstructions on the route? YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there? YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public? YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route? YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ☒ go to 14

a. By who?


b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant? YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
Planning Transport & Economic Strategy, PO Box 43, Shire Hall, Warwick, CV34 4SX		WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant	Full Name	
	Address	
	Town	
	Postcode	Daytime Telephone
Witness	Full Name	MICHAEL ANSLON
	Address	9 GUILD RD ASTON CANTON WARWICK
	Town	
	Postcode	B95 6 5 1 A
	Daytime Telephone	01789 488449
	Date of Birth	14-12-46
	Occupation	RETIRED

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
 I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Signed in the presence of

Date: 15/2/04

Date: 15/2/04

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? IE 5341
- b. How is it shown? *Footpath / Bridleway / Byway / Cart Road / fence
2. I believe the route is a ~~*Public Footpath / Bridleway / Byway Open to all Traffic~~
*(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ◆ From a point on a road or path.
 - ◆ Describe the direction it takes
 - ◆ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ◆ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? Past 23yrs
- b. Where were you going from and to? A/cannon to Newnham
- c. For what purpose? (eg: going to work) Walking Dogs
- d. How many times a year? 2/3 A WEEK
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) Foot

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? ALL OF THESE
- b. How frequently? WEEKLY

7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☐ go to a NO ☒ go to 8
- a. When?
- b. Where?

8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?

9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a.. What did they say? PUBLIC FOOTPATH
- b. Where were they? HALFWAY UP PATH ON LEFT
- c. When were they put up?
- d. Are they still there? YES ☒ go to 10 NO ☐ go to 9e
- e. When were they taken down?

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

It has always been a bridle way so permission not applicable.

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ___ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

My husband's family were one of some 21 land.

15. Can you give any further information such as details of ownership?

*Please add a separate sheet if you need more space



Planning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
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WITNESS STATEMENT

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Please return this form to the applicant at the address below

~~Applicant~~

WITNESS

Full Name YVONNE JEAN SUFFIELD

Address THE OLD DAIRY
BEARLEY ROAD
ASTON CANTLOW

Town HENLEY IN ARDEN

Postcode B95 6HY

Daytime Telephone 01789 488226

~~Witness~~IN THE PRESENCE
OF

Full Name LESLIE STEWART CRICAN

Address HOME FARM,
BEARLEY RD.
ASTON CANTLOW

Town HENLEY IN ARDEN

Postcode B95 6HY

Daytime Telephone 01789 488080

Date of Birth 27.01.1954

Occupation RTD POLICE OFFICER

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Y. Suffield

Date:

Signed in the presence of

[Signature]

Date: 6.3.04

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your "**Witness Statement**".

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? **E534**
- b. How is it shown? *Footpath / Bridleway / Byway / Cart Road **Track**
2. I believe the route is a **Bridleway** *Public Footpath / Bridleway / Byway Open to all Traffic *(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? **Regularly between 1935 - 2004.**
- b. Where were you going from and to? **Newnham - Aston Carters & back**
- c. For what purpose? (eg: going to work) **Walking - leisure**
- d. How many times a year? **More than 20.**
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) **Foot**

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? **on foot & horseback.**
- b. How frequently? **regularly. - in last few years**
motorcycles have been seen.
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? **Up and until mid 70's for the early**
- b. Where? **1930's there was a gate at the top and bottom of hill (Newnham).**
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it? **Never**
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☐ go to a NO ☒ go to 10
- a.. What did they say? **Not aware of any signs**
- b. Where were they?
- c. When were they put up?
- d. Are they still there? YES ☐ go to 10 NO ☐ go to 9e
- e. When were they taken down?

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

None, other than gates

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

N/A. always been bridleway

a. By who?

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ☒ go to 14a NO ___ go to 15

Family area land.

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

Warwickshire
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshireform
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WITNESS STATEMENT

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Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

~~Applicant~~

Full Name

CHRISTOPHER SUFFIELD

WITNESS

Address

THE OLD DAIRY
BEARLEY ROAD
ASTON CANTLOW

Town

HENLEY IN ARDEN

Postcode

B95 6HY

Daytime Telephone 01789 488226

~~Witness~~

Full Name

LESLIE SEAMPT CLIFF

IN THE PRESENCE
OF

Address

HOME FARM
BEARLEY RD
ASTON CANTLOW

Town

B956 HY

Postcode

Daytime Telephone 01789 488080

Date of Birth

27.01.1954

Occupation

Rtd. Police Officer

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true. I am / I am not * willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

Date:

Signed in the presence of

Date: 6.3.04.

*Please add a separate sheet if you need more space

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1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? ES34
- b. How is it shown? *Footpath / Bridleway / Byway / Cart Road TRACK
2. I believe the route is a *Public Footpath Bridleway Byway Open to all Traffic *(delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? Constantly between 1940 - 2004
- b. Where were you going from and to? General walking from Carlton to Newnham
- c. For what purpose? (eg: going to work) General walking
- d. How many times a year? More than 20 times / year
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) Walking + horseback only

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? 1940 - 1990 walking + horseback only
regularly
- b. How frequently? In last 10 years only some
times & cars.
7. **Stiles, Gates**
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? Gate / Clap Gate @ top of bottom of Newnham Hill
- b. Where? From 1935 until mid. 1970s
Sign in gate stated "Attested Cattle"
Please Close Gate.
8. **Diversions**
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it? Never been different.
9. **Notices**
- Have there been any Notices on the route? (private - no path etc) YES ☐ go to a NO ☒ go to 10
- a.. What did they say? Don't remember these ever being signs
- b. Where were they?
- c. When were they put up?
- d. Are they still there? YES ☐ go to 10 NO ☐ go to 9e
- e. When were they taken down?

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

Public Footpath.

b. When?

14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

SEE MAP - SEE NOTES ON MRS READ'S FORM (SISTER)

*Please add a separate sheet if you need more space

Warwickshire
County CouncilPlanning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SXWildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

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WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant

Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name
AddressBEATRIX MARTHA Bullock.
3 THE GABLES.
ASTON CANTLOW.Town HENLEY-IN-ARDEN.
Postcode B95 6JD.

Daytime Telephone 01789 488376

Date of Birth

15-7-12

Occupation

Retired.

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am / I am not willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

*Please delete as appropriate

Signature of Witness

B.M. Bullock

Date: 10-03-04

Signed in the presence of

Date: 10-03-04

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your **"Witness Statement"**.

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
a. What is its reference number on the Definitive Map? DONT KNOW
b. How is it shown? *Footpath / Bridleway / Byway / Cart Road TRACK
2. I believe the route is a *Public Footpath / Bridleway / Byway Open to all Traffic (PART) . (delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☐ NO ☐
5. Have you used the route? YES ☐ go to 5a NO ☐ go to 6
- a. During which years? FROM 1917 → 1990
- b. Where were you going from and to? NEWNHAM → ASTON CANNONS - NEWNHAM
- c. For what purpose? (eg: going to work) DAILY TO SCHOOL UNTIL 1926 · ATTENDING CHURCH · SUNDAY SCHOOL · TO VILLAGE SHOP ·
- d. How many times a year? SEE ABOVE
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
a. On foot or horseback or with a motorbike, car, landrover or tractor? ON FOOT, ON HORSEBACK. POSTMAN ON BIKE IN SUMMER.
b. How frequently? REGULARLY.
7. **Stiles, Gates**
Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
a. When? 1917 → STILE AT RUSH MEADOW - & CROSS PIECE.
b. Where? CLAP GATE AT TOP OF NEWNHAM HILL.
8. **Diversions**
Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
a. Was the route different, if so please describe it?
9. **Notices**
Have there been any Notices on the route? (private - no path etc) YES ☐ go to a NO ☒ go to 10
a.. What did they say?
b. Where were they?
c. When were they put up?
d. Are they still there? YES ☐ go to 10 NO ☐ go to 9e
e. When were they taken down?

10. Restrictions on Use

Have there been any obstructions on the route?

YES ___ go to 10a NO ☒ go to 11

a. Type of obstruction

b. Where was the obstruction?

c. When did the obstruction occur?

d. Are they still there?

YES ___ NO ___

If no - when were they removed?

11. Were you ever told by an owner of the land crossed by the claimed route or any one in their employment that the route was not public?

YES ___ go to 11a NO ☒ go to 12

Give Details

12. Have you ever been stopped or turned back when using the route?

YES ___ go to 12a NO ☒ go to 13

a. If so, state when, by whom and what they said

13. Have you ever been given permission to use the route? YES ___ go to 13a NO ___ go to 14

a. By who?

PUBLIC RIGHT OF WAY.

b. When?

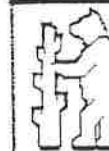
14. At the time you used the route, were you working for the owner or occupier of the land, or were you a tenant?

YES ___ go to 14a NO ☒ go to 15

a. Please give details of any instructions the owner or occupier gave to you concerning the route

15. Can you give any further information such as details of ownership?

I HAVE LIVED AT PRESENT ADDRESS SINCE 1940 & ONLY SINCE APPROX 1988/1990 HAVE I SEEN ANY VEHICLE USE THIS BRIDLEWAY. THEY CAUSE A GREAT MESS ON THE ROADWAY WITH MUD DEPOSITS & NO CONSIDERATION TO OTHER USERS.



Warwickshire
County Council

Planning Transport & Economic
Strategy, PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

WITNESS STATEMENT

By filling in this Witness Statement Form you are giving evidence that you have used a route for many years - believing it to be a Public Right of Way (Footpath, Bridleway or Byway).

These Witness Statements and relevant historical documents will be submitted to the County Council who will examine them to see if there is sufficient evidence to show a Public Right of Way exists (or perhaps to show that an existing public footpath should be recorded as a bridleway or bridleway as a byway).

Establishing that the public have a right to cross someone's private property is a serious matter, witnesses are therefore asked to answer questions as carefully and as fully as possible.

Please return this form to the applicant at the address below

Applicant

Full Name
AddressTown
Postcode

Daytime Telephone

Witness

Full Name
AddressTown
Postcode

Daytime Telephone

Date of Birth

Occupation

Declaration

I hereby declare that to the best of my knowledge and belief the answers which I have given are true.
I am ~~not~~ willing to attend a Hearing / Public Inquiry or Court to give evidence on the matter if this should prove to be necessary.

**Please delete as appropriate*

Signature of Witness

Kathleen M. Dobbs, 14-02-04.

Signed in the presence of

[Signature] Date: 14-02-04.

A claim that a route is a public right of way will be decided on the strength of the **DOCUMENTARY** evidence or the evidence of **PUBLIC USE** - or both. If you are giving evidence that you have used the route, you must complete the form as your "Witness Statement".

1. Is the route shown on the Definitive Map of Public Rights of Way? YES ☒ go to 1a NO ☐ go to 2
- a. What is its reference number on the Definitive Map? UNKNOWN.
- b. How is it shown? TRACK *Footpath / ~~Bridleway~~ / ~~Byway~~ / ~~Cart Road~~
2. I believe the route is a ~~*Public Footpath~~ / ~~Bridleway~~ / ~~Byway~~ Open to all Traffic (delete as appropriate)
3. If the route is not shown on the Definitive Map then please describe it below. Explain exactly where the route that YOU have used begins -
- ♦ From a point on a road or path.
 - ♦ Describe the direction it takes
 - ♦ Give details of the width, type of surface - grass, gravel, etc and how and where these vary
 - ♦ Finally, describe exactly where it finishes - again on a road or path.
4. Is the route you have used the same as that on the map shown to you by the applicant? YES ☒ NO ☐
5. Have you used the route? YES ☒ go to 5a NO ☐ go to 6
- a. During which years? 1940 - 1980
- b. Where were you going from and to? ASTON CANTLOW → NEWNHAM → ASTON CANTLOW
- c. For what purpose? (eg: going to work) VISITING FRIENDS & VIEWING COUNTRYSIDE
- d. How many times a year? 12+ per year.
- e. By what means? (on foot or horseback, or with a motorbike, car, or tractor?) ON FOOT

6. Have you seen other people using the route? YES ☒ go to 6a NO ☐ go to 7
- a. On foot or horseback or with a motorbike, car, landrover or tractor? ON FOOT & HORSEBACK & HAVE SEEN MOTORBIKES & LAND ROVERS IN LATTER YEARS
- b. How frequently? QUIET OFTEN, MOTORBIKES LAND ROVERS MAINLY AT WEEKENDS
7. Stiles, Gates
- Do you remember any stiles or gates on the route? YES ☒ go to a NO ☐ go to 8
- a. When? FROM MY FIRST VISIT TO LATTER YEARS. 5 BARGATES.
- b. Where? A HUNTING GATE AT TOP OF HILL.
8. Diversions
- Have you always followed the same route? YES ☒ go to 9a NO ☐ go to 8a
- a. Was the route different, if so please describe it?
9. Notices
- Have there been any Notices on the route? (private - no path etc) YES ☒ go to a NO ☐ go to 10
- a. What did they say? BRIBLE WAY
- b. Where were they? AT JUNCTION WITH BENTLEY RD.
- c. When were they put up? DON'T KNOW.
- d. Are they still there? NO YES ☐ go to 10 NO ☒ go to 9e
- e. When were they taken down? CAN'T REMEMBER.

14. Have you ever been given permission to use the route?

☐☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐☒

If yes, please give details.
(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☐☒

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Yes

No

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐☒

If yes, please give details. (What/where/when)

Yes

No

18. Did any notice or obstruction stop you using the route?

☐☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

Members of the West Midlands TRF have been using the route with vehicles for decades.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature R. Lillington

Date 9/11/06



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form

G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Richard Lillington

2. Address 51, St. Lawrence Way, Bidford-on-Avon,
Warwickshire, B50 4FG

Daytime Telephone 07981 904236

email address richard.lillington@delphi.com

3. Date of Birth 30/04/73

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒

Yes

☐

No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

Please see highlighting a map attached.

The ^{road} path starts along a hedge from the Asto Catlow end. This then follows a line around a field, alongside a ditch up to a rise through a small wood. This area was graded in the last few years.

The route then follows a hedge along the side of a field. The road then continues across the middle of a further field. Then on again through another. Finally, the route turns left into a better made (partially sealed) track into Newtham.

At the start, midpoint (across field) and end there are UCR signs.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
In that it is easily discernable,
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

UCR with vehicular rights

10. How have you used the route, and during which years?
- on foot ☐ between _____ and _____
 - on horseback ☐ between _____ and _____
 - on a bicycle ☐ between _____ and _____
 - in a vehicle ☒ between 2000 and present

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

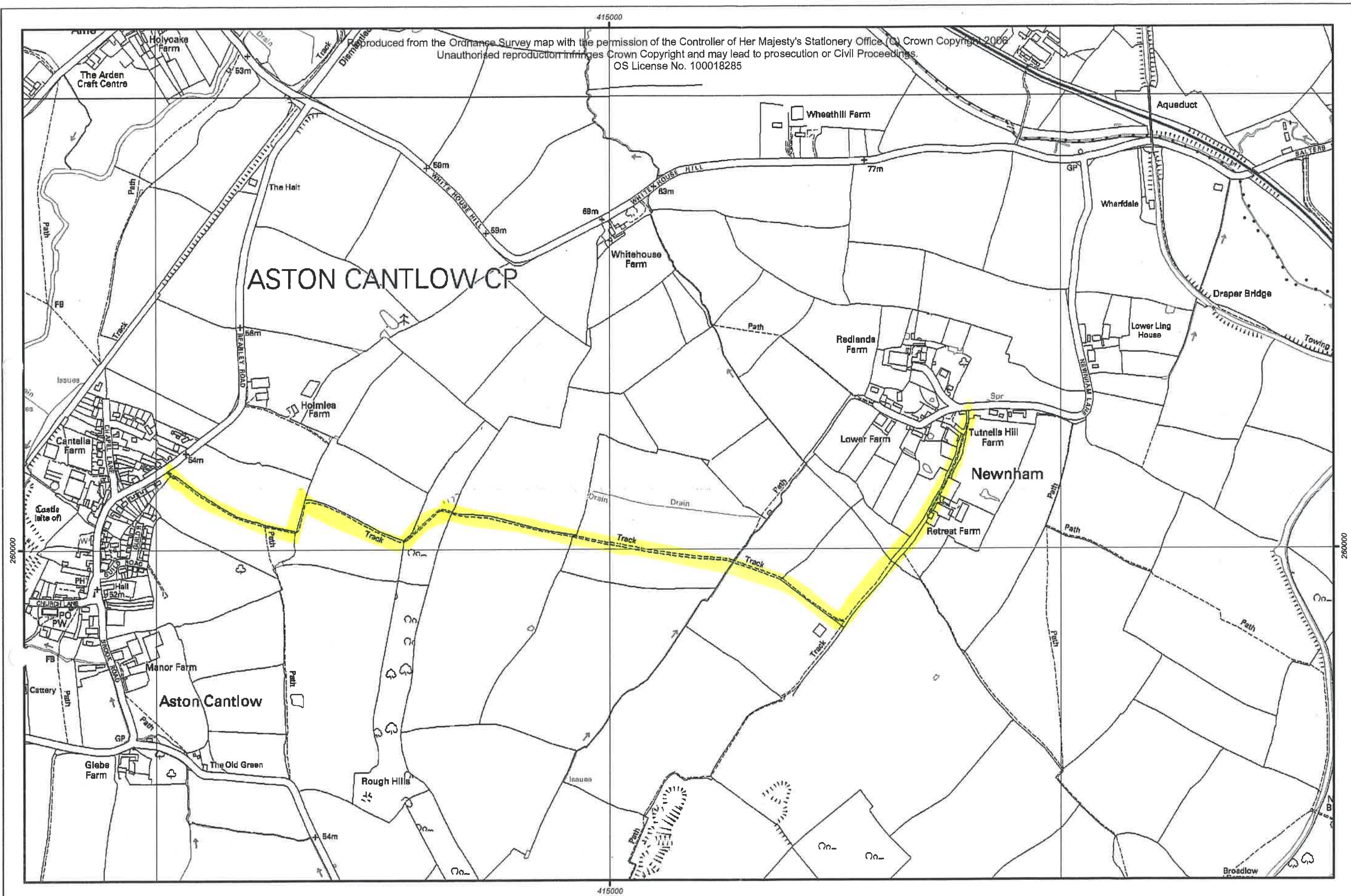
on a bicycle _____ times a day/week/month/year *

in a vehicle 6 times a day/week/month/year * - although at one time

12. For what purpose did you use the route? (e.g. going to work, shopping, leisure, etc.)
during 2003/2004 I was using the route on a weekly basis as I took it unsurfaced roads on my way home from work every Friday afternoon.
leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.



14. Have you ever been given permission to use the route?

☐☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐☒

If yes, please give details.

(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☒☐

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

VOLUNTARY RESTRAINT FROM VEHICULAR
USE (LARA) SIGNS — I PUT THEM THERE
WITH AGREEMENT OF PAUL WILLIAMS

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐☒

Yes

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☒☐

Yes

No

LARA SIGNS OF VOLUNTARY RESTRAINT

19. Please give any further information about the route.

(e.g. other people who have used it, land ownership, etc.)

WEST MIDS TRF FOR PROBABLY UPWARDS
OF 30/40 YEARS.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

Date 16 November 2006



Warwickshire
County Council

Countryside Access

22 NOV 2006

Wildlife & Countryside Act 1981

form

G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) : UCR E5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name RICHARD HAWKER

2. Address 7 POVERTY

ASTWOOD BANK, WORCS, B96 6DG

Daytime Telephone 01527 893874

email address RICHARD@7POVERTY.CO.UK

3. Date of Birth 1.1.1946

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒

Yes

☐

No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

MAP ATTACHED AND INDICATED BY
RED ARROWS.
USED BY ME IN BOTH DIRECTIONS

THIS IS A FORMER UNSURFACED
UNCLASSIFIED COUNTY ROAD, AND
THE W.M. TRF. HAVE BEEN AWARE OF
ITS NUMBER - E 5341 - BY REFERENCE
TO VARIOUS COUNTY COUNCIL SOURCES,
INCLUDING COUNTY ENGINEER'S RECORDS.

IT WAS CONFIRMED BY PAUL WILLIAMS
AT RIGHT OF WAY FORUM, 17 MARCH
1999, ITEM 13, "THAT E ROADS ARE VEHICULAR
ROUTES ALREADY RECOGNISED AND RECORDED ON THE
COUNTY HIGHWAY RECORD". THAT WOULD ALSO
APPLY @ COMPTON SCORPION; THREE GATES STUD; ARCESLOVE
AND OTHERS.

6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☐ No
If yes, describe their locations, or mark them on the map/sketch.

REMAINS OF A GATE @ A, BUT GATE
NEVER BEEN ON SITE SINCE AT LEAST
THE POST.

WCC Countryside Access - Witness Statement Form 1986 - ONLY
THE POST.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☐

UNCLASSIFIED ROAD - VEHICULAR

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1986 and 2005

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle APPROX 2 to 6 times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐☒

If yes, please give details.
(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☒☐

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

At the lower end of the route (roadside) it said that it was proposed that the route become a B.O.A.T. Then a plaque was affixed calling it an unclassified county road.

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.)

☐☒

(NOT TO MY KNOWLEDGE)

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

Members of West Midland T.R.F.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature M. P. Broome

Date 22.11.06



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form

G

Witness Statement

Please use ink on this form.

Parish and/or reference number of route (if known) E5341 Newnham Lane
Ashton Cantlow

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name M. P. Broome

2. Address S. COBSTONE DRIVE, DORRIDGE, SOLIHULL

WEST MIDLANDS B93 8DJ

Daytime Telephone 01564 774504

email address

3. Date of Birth 11.12.1944

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒

Yes

☐

No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☐ Yes ☒ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1990 and 2004
(motor-cycle)

11. How often did you use the route during the period stated in Q.10?

- on foot _____ times a day/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle 1 of 2 times a ~~day/week/month~~ year *

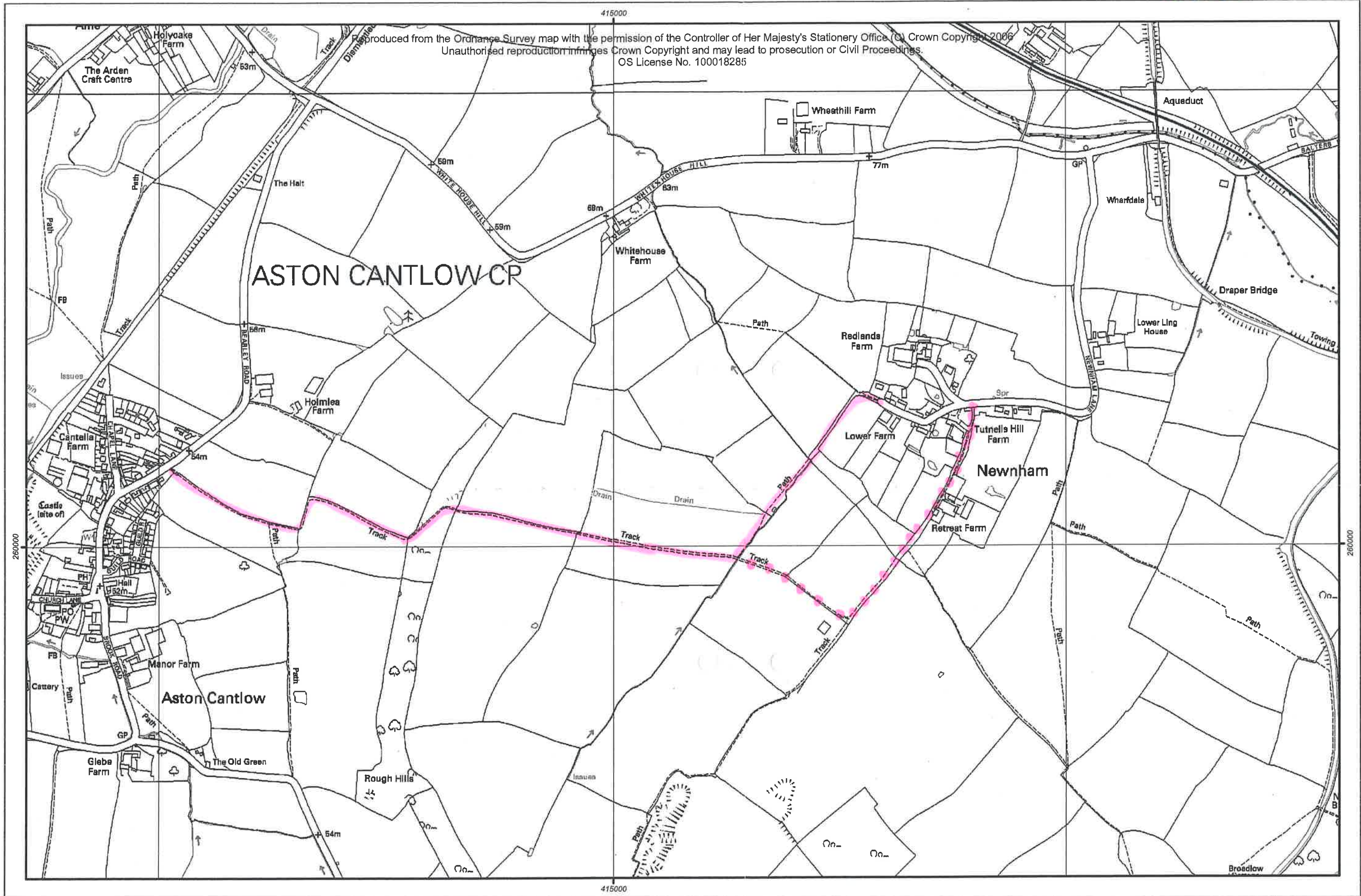
12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE AND TO TRY TO ENSURE THE ROUTE
WAS PASSABLE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No
- If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

Normal route
Occasional route

60.58



Title:
Subtitle:

Produced By:
Date:

Scale
1:8,000



0 62.5 125 250 375 500 Metres

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 **Warwickshire**
County Council
COUNTRYSIDE RECREATION

14. Have you ever been given permission to use the route?

☐
☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐
☒

Yes

No

If yes, please give details.

(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☐
☒

Yes

No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐
☒

Yes

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐
☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

ITS KNOWN AS A UCR

AND SHOWN ON TRF MAPS

BOTH WEST MIDS TRF + WORCESTER TRF

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature T. Dinsdale

Date 9.11.06



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form

G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) ES34 (U.C.R)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name TIM DINSDALE

2. Address 8 BERLETT CLOSE

WORCESTER WR3 7NL

Daytime Telephone 07929 340280

email address timothydinsdale@hotmail.com

3. Date of Birth 8.9.63

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒

Yes

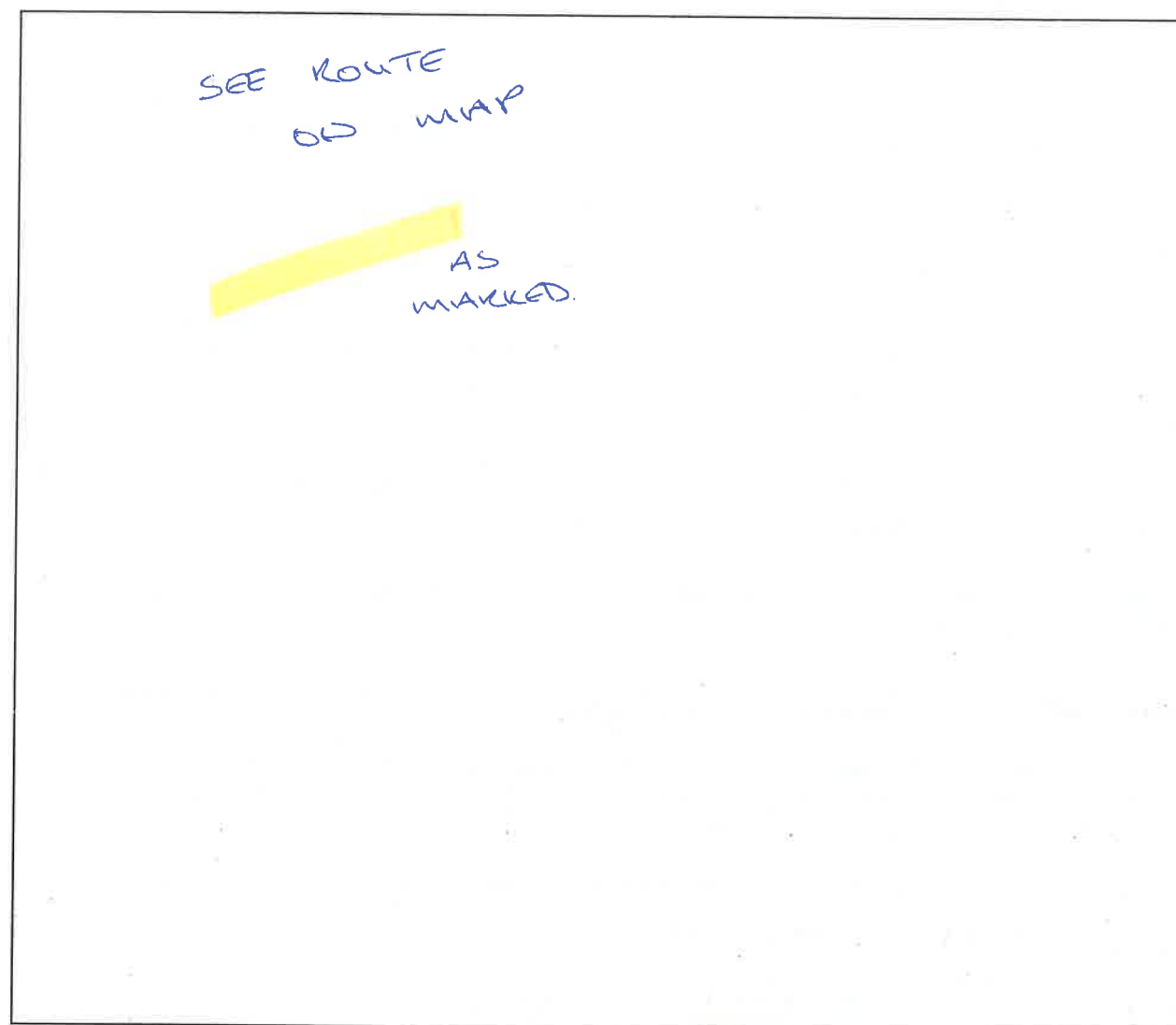
☐

No

If no, please state reason; for example, infirmity or ill-health.

IF WORK PERMITS.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☐ Yes ☒ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 2003 and 2005

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

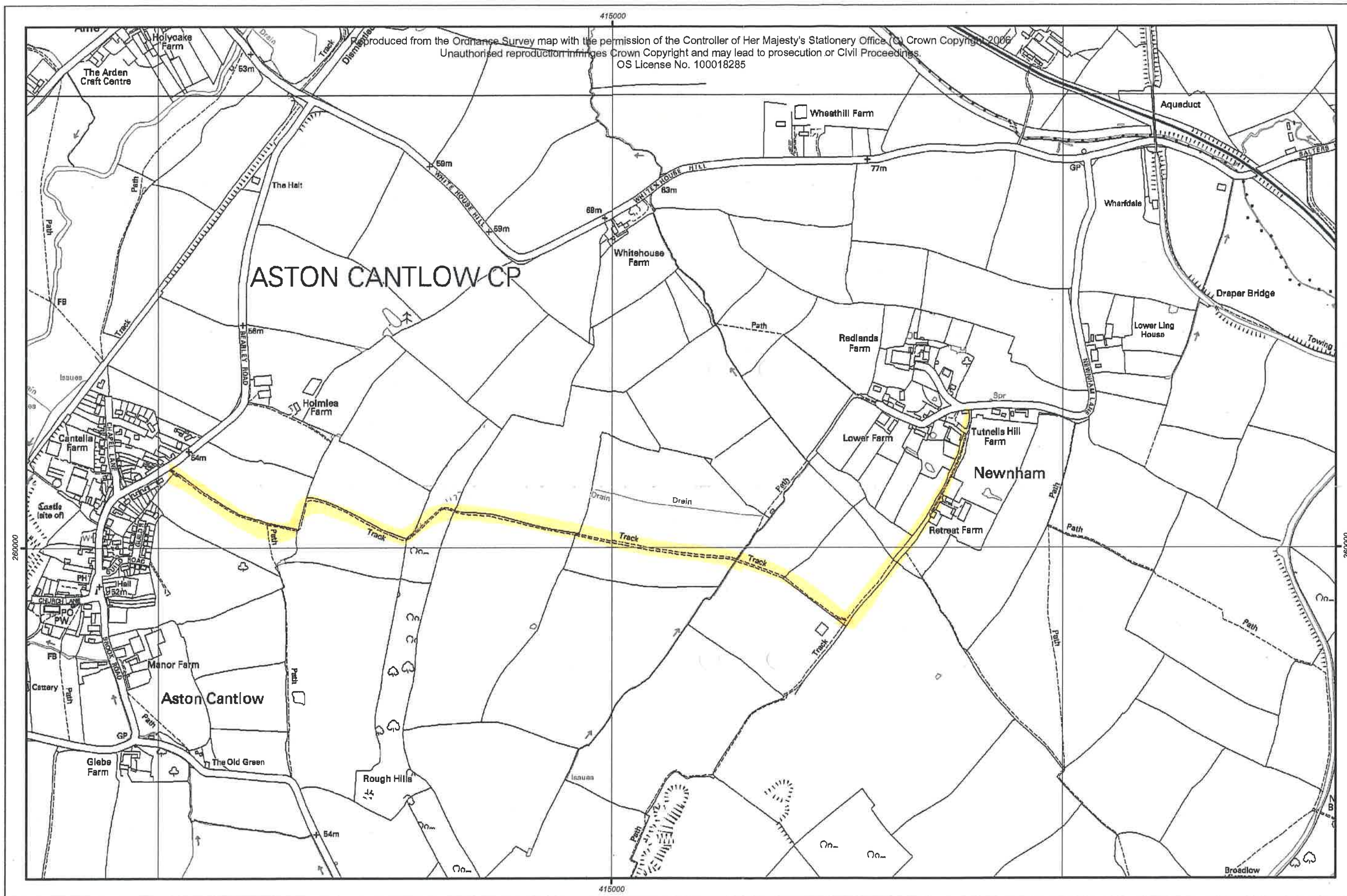
in a vehicle 2-3 times a ~~day/week/month~~/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

TRAVEL A → B

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.



Title:
Subtitle:

Produced By:
Date:

Scale
 1:8,000



0 62.5 125 250 375 500 Metres

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 County Council, 100018285, 2005



14. Have you ever been given permission to use the route?

☐☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐☒

If yes, please give details.
(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☐☒

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Yes

No

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐☒

If yes, please give details. (What/where/when)

Yes

No

18. Did any notice or obstruction stop you using the route?

☐☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

MEMBERS OF THE WORCESTERSHIRE
TRAIL RIDERS FELLOWSHIP
BETWEEN 1995 & 2006

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature DS

Date 07/11/06



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name DAVID JOHN GUNSTER

2. Address 54 HATCHAM CLOSE REDDITCH WORCS

Daytime Telephone 07960 422523

email address

3. Date of Birth 05/03/66

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒

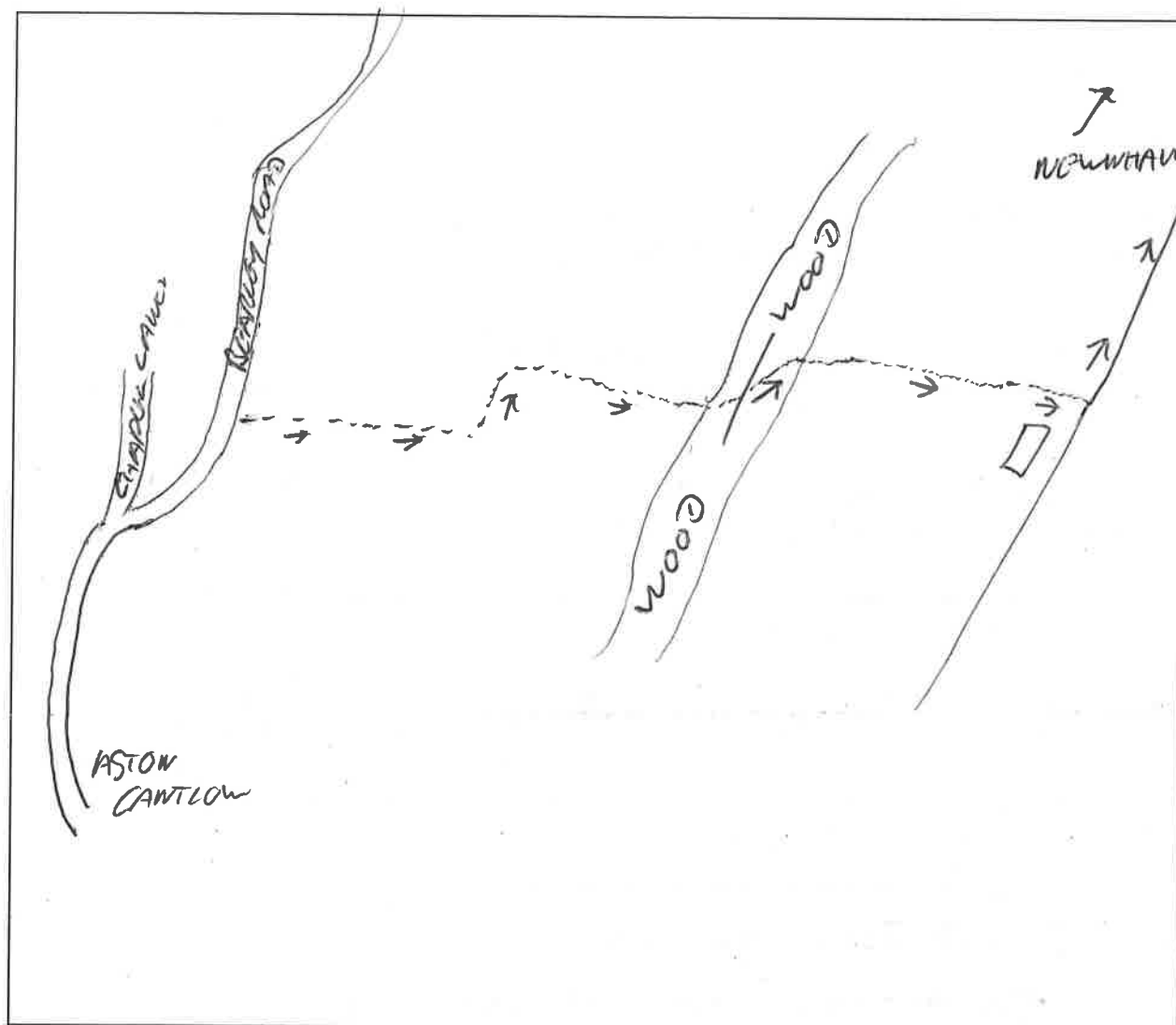
Yes

☐

No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?
- on foot ☐ between _____ and _____
 - on horseback ☐ between _____ and _____
 - on a bicycle ☐ between _____ and _____
 - in a vehicle ☒ between 1995 and 2006

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle 5 times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

SEE MAP

6. Have you always followed the route described above?

If the route was different at any time, please describe the changes, or mark them on the above map.

☒ Yes ☐ No

7. Does the route appear to be well worn?

☐ Yes ☒ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

If yes, describe their locations, or mark them on the map/sketch.

☐ Yes ☒ No



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341. NEWNHAM LANE

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name LEE PORTER

2. Address 65 FULBROOK CLOSE, CHURCHILL SOUTH,
REDDITCH, B98 8QP

Daytime Telephone 01527 66500

email address LEE@STEALTHMOTORCYCLES.CO.UK

3. Date of Birth 5.5.1975

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

14. Have you ever been given permission to use the route? ☐ Yes ☒ No
If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

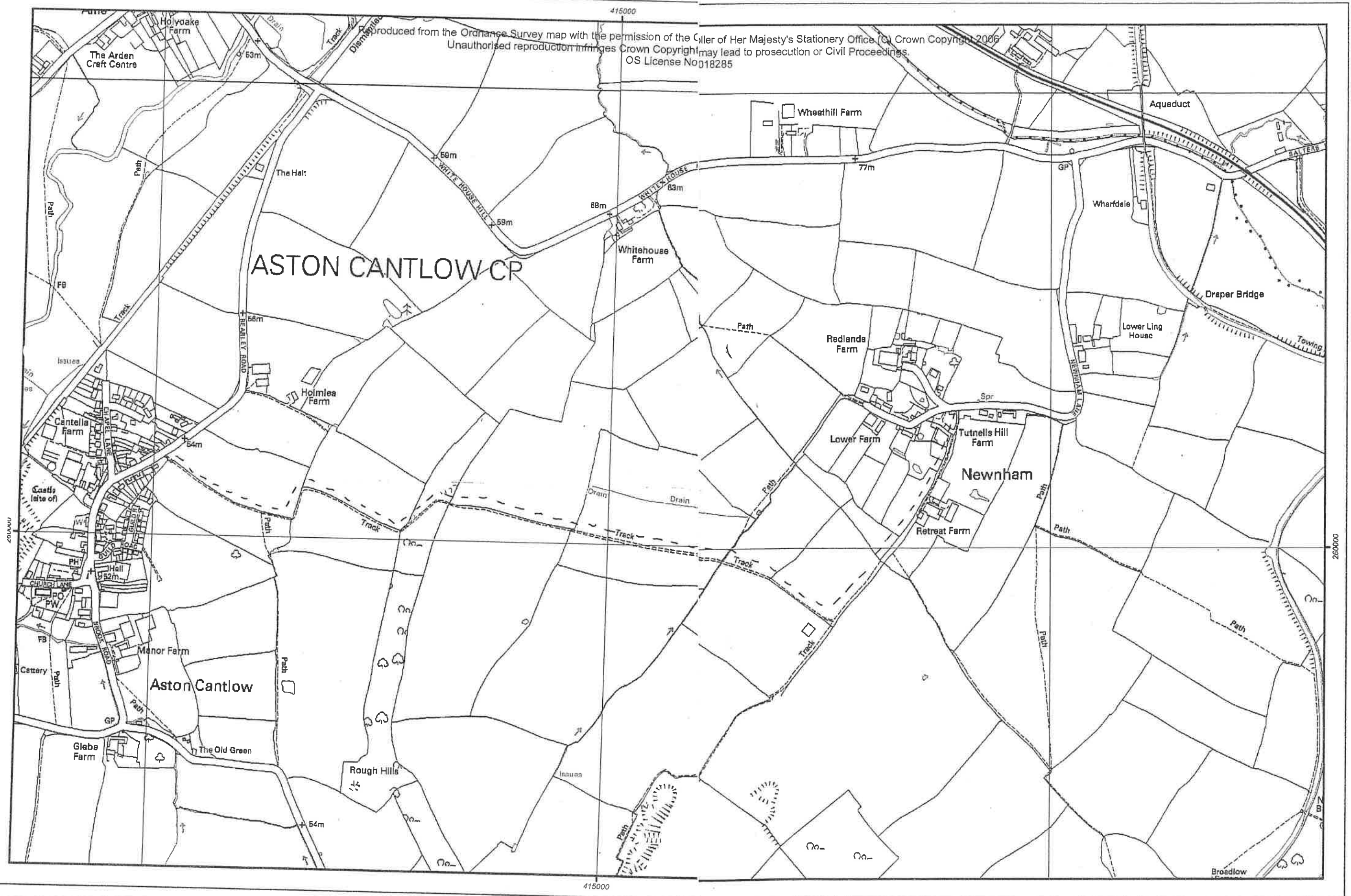
9. Do you believe the route to be a:
• footpath (for pedestrians only)? ☐
• bridleway (for pedestrians, horseriders and cyclists)? ☐
• byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒
10. How have you used the route, and during which years?
• on foot ☐ between _____ and _____
• on horseback ☐ between _____ and _____
• on a bicycle ☐ between _____ and _____
• in a vehicle ☒ between 1999 and 2006

11. How often did you use the route during the period stated in Q.10?
on foot 1 times a day/week/month/year *please delete as appropriate
on horseback _____ times a day/week/month/year *
on a bicycle _____ times a day/week/month/year *
in a vehicle 12 times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)
LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No
If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

I confirm that to the best of my knowledge and belief the information I have given is true.
Signature Date 6/11/06



Title: - - - - -
Subtitle: ROUTE TAKEN

Produced By:

Date:

Scale
1:8,000



0 62.5 125 250 375 500 Metres

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14. Have you ever been given permission to use the route? ☐ Yes ☒ No
If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature [Signature] Date 06/11/06



Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341 NEWNHAM LANE

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MR D. LAYERS
2. Address 4 THURXTON CLOSE WINTATES WEST
REDDITCH. WORE. B98 0JN
Daytime Telephone 07793449860
email address DAVID@BLWYOND.CO.UK
3. Date of Birth 29 DEC 1949

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above) ☒ Yes ☐ No
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

See MAP

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between 1983 and 2006
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between 1983 and 2006

11. How often did you use the route during the period stated in Q.10?

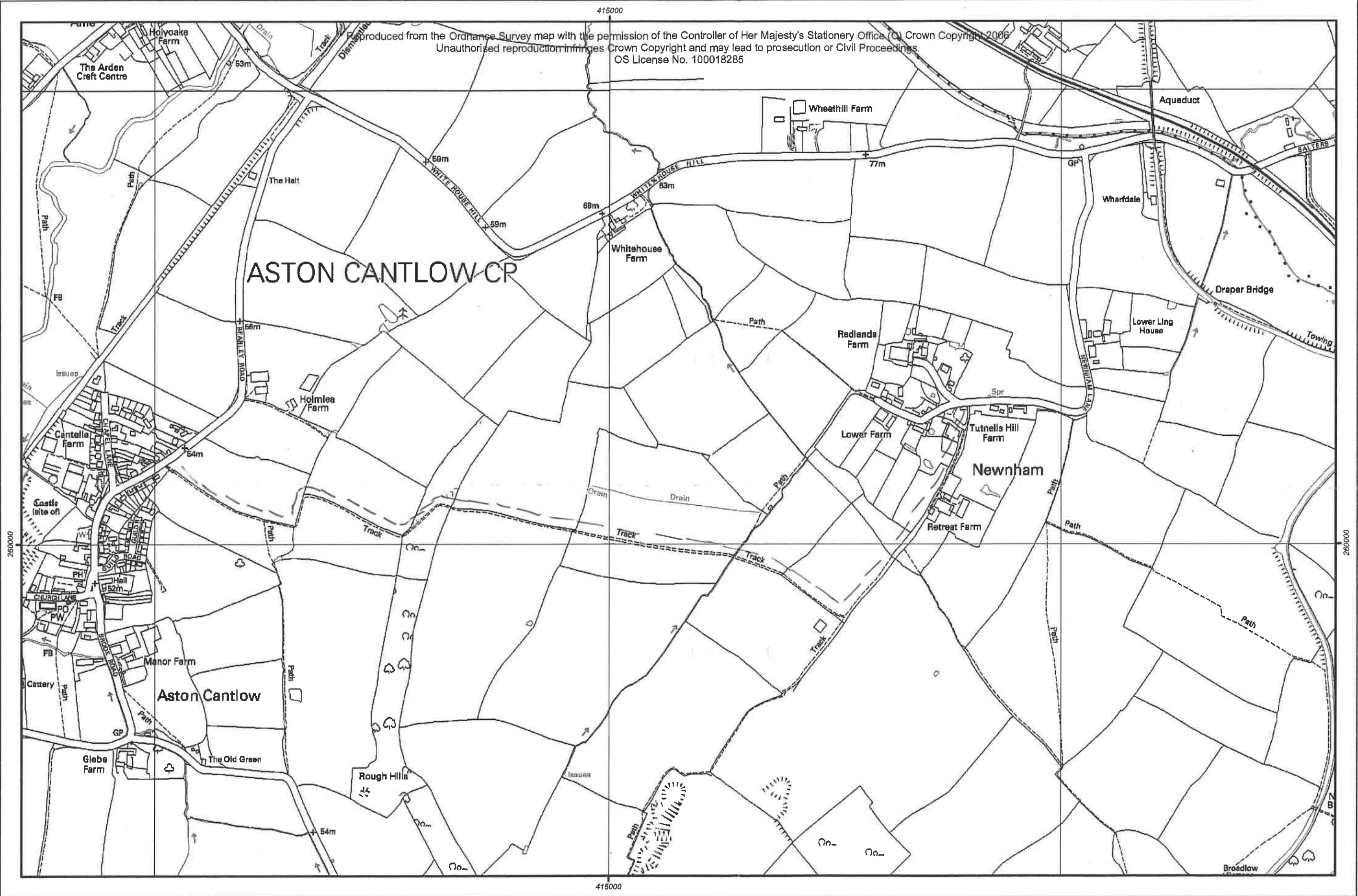
- on foot 1 times a day/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle 10 times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.



14. Have you ever been given permission to use the route? ☐ Yes ☒ No
If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature [Signature] Date Nov 7th '06



Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) not known

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name JACK HAYLOWS
2. Address 10 WHITE HOUSE WAY
SOLIHULL B91 1SE
Daytime Telephone (0121) 705 7753
email address DDDATDARE@WAREDATDEN.CO.UK (all lower case)
3. Date of Birth Oct 15th 1931

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? ☐ Yes ☒ No
(See note above)

If no, please state reason; for example, infirmity or ill-health.

I'm in the process of selling my house & we expect to be re-locating about mid December

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

I have ridden this track twice in company with fellow members of the West Midlands branch of the T.R.F., and on each occasion from west to east. I cannot recall in which years these two occasions fell, let alone on what dates. The only feature of the track that I recall is the fairly steep muddy (usually) climb up the escarpment about 500 metres from the beginning of the track. To the best of my recollection the line followed is as marked on the enclosed map.

6. Have you always followed the route described above?

☒ ☐

If the route was different at any time, please describe the changes, or mark them on the above map.

Yes No

7. ^{Did} Does the route appear to be well ^{used} worn?

☒ ☐

Yes No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

☐ ☒

If yes, describe their locations, or mark them on the map/sketch.

Yes No

not that I recall

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1985 and 1995
(motorcycle)

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle ~~_____ times a day/week/month/year *~~ twice in total
(motorcycle)

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

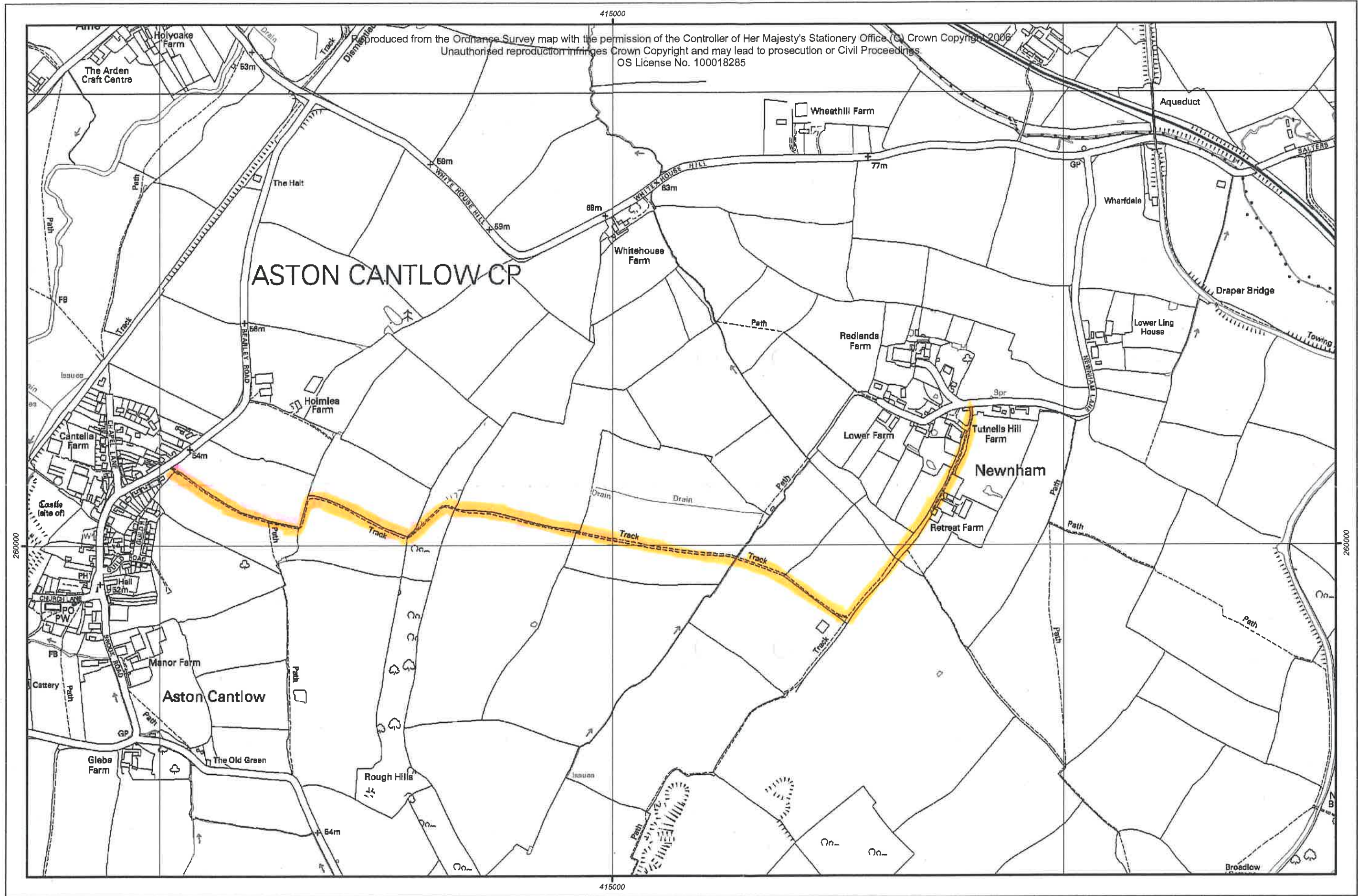
LEISURE (TRAIL RIDING WITH A GROUP OF FRIENDS)

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ ☒

Yes No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.





Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form

G

Witness Statement



Please use **ink** on this form.

Parish and/or reference number of route (*if known*) ... E5341 Newnham Lane

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name ... MR ANDRE BLUTEAU

2. Address ... 'FERNSIDE' 29 CAPE RD, WARWICK,
WARWICKSHIRE, CV34 6TP

Daytime Telephone ... 07813 936041

email address ... bloot1@tiscali.co.uk

3. Date of Birth ... 07-07-61

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)



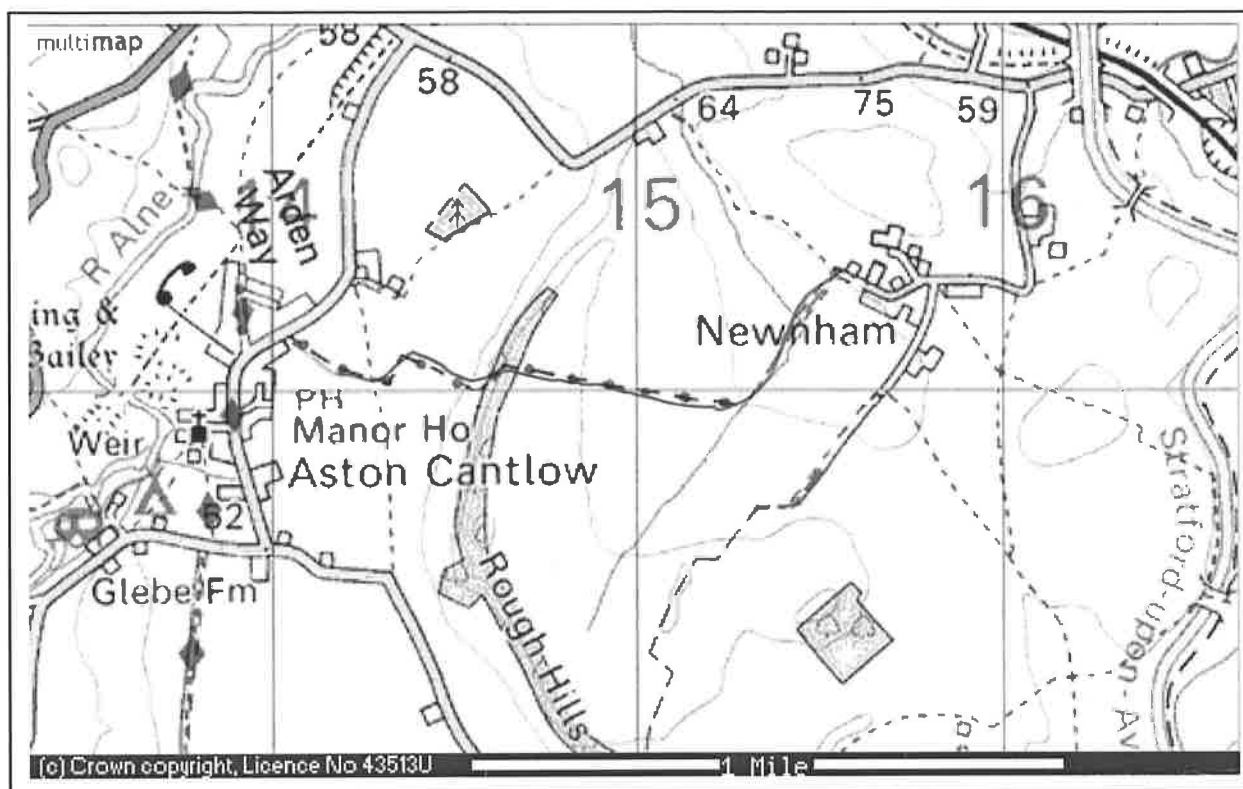
Yes



No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



The route is that of the E5341 on the List of Street of Warwickshire County Council.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- A public road or byway* open to all traffic
(*open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 2006 and 2007

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/ week/ month/ year **please delete as appropriate*

on horseback _____ times a day/ week/ month/ year *

on a bicycle _____ times a day/ week/ month/ year *

in a vehicle 2 times a day/ week/ month/ year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐
☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐
☒

If yes, please give details.

(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☐
☒

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

Yes

No

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐
☒

If yes, please give details. (What/where/when)

Yes

No

18. Did any notice or obstruction stop you using the route?

☐
☐

N/A

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature A.T. Blunt Date 05.02.08



Wildlife & Countryside Act 1981

form

G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (*if known*) ... E5341 Newnham Lane

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name ... ROBERT CHANCE

2. Address ... 9, CRANHILL CLOSE SOLIHULL,
WIMBORNE B92 8RX

Daytime Telephone ... 07773 011116

email address ... X

3. Date of Birth ... 9/1/47

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)



Yes



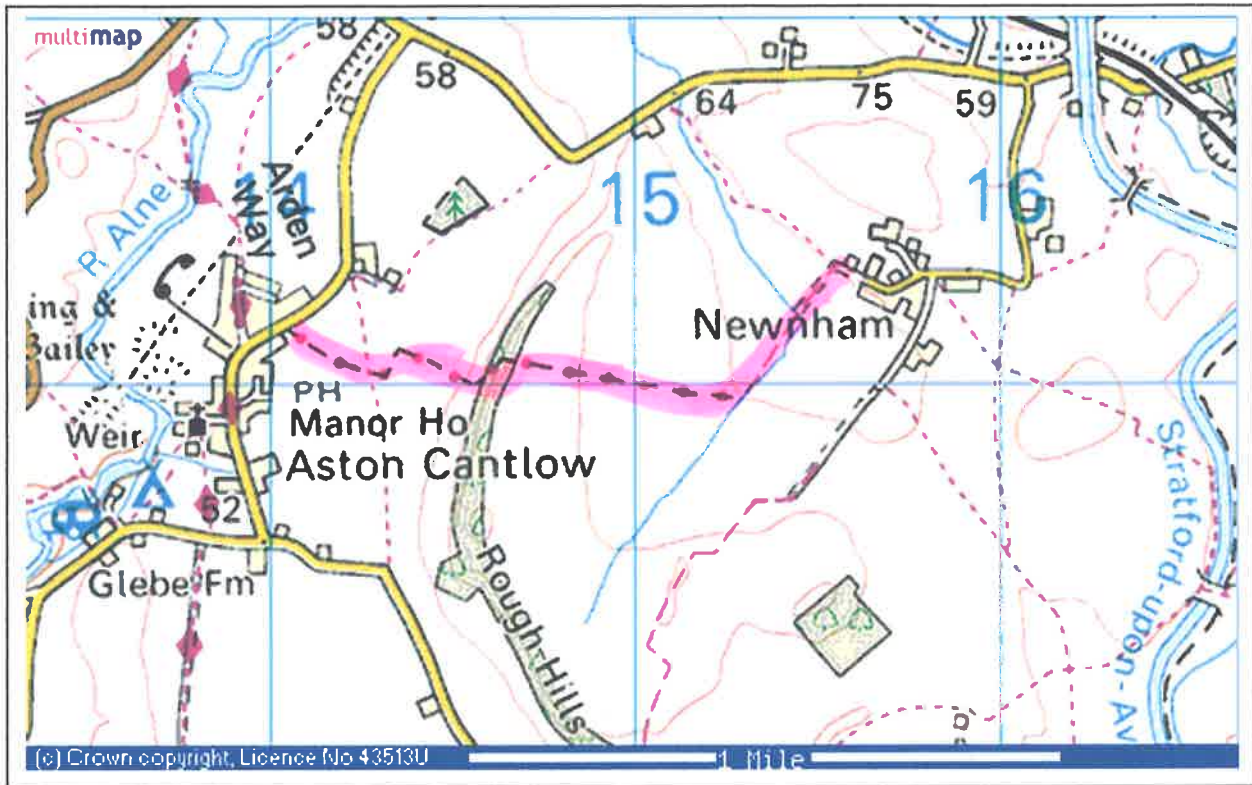
No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.

(You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



The route is that of the E5341 on the List of Street of Warwickshire County Council.

6. Have you always followed the route described above?

☒
☐

Yes

No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒
☐

Yes

No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?
If yes, describe their locations, or mark them on the map/sketch.

☐
☒

Yes

No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- A public road or byway* open to all traffic
(*open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1996 and 2008

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year **please delete as appropriate*

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle 2/1 times a ~~day/week~~/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐☒

Yes

No

If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route?

☐☒

Yes

No

If yes, please give details.

(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☐☒

Yes

No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐☒

Yes

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature  Date 5/02/08



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form

G

Witness Statement



Please use **ink** on this form.

Parish and/or reference number of route (*if known*) ...E5341 Newnham Lane

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

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If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

-
1. Name PAUL TAYLOR
 2. Address 133 SUMMERFIELD ROAD SOLIHULL
WESTMIDLANDS B92 8PZ
Daytime Telephone 0774 775467
email address A
 3. Date of Birth 18/5/1964
 4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
If no, please state reason; for example, infirmity or ill-health.

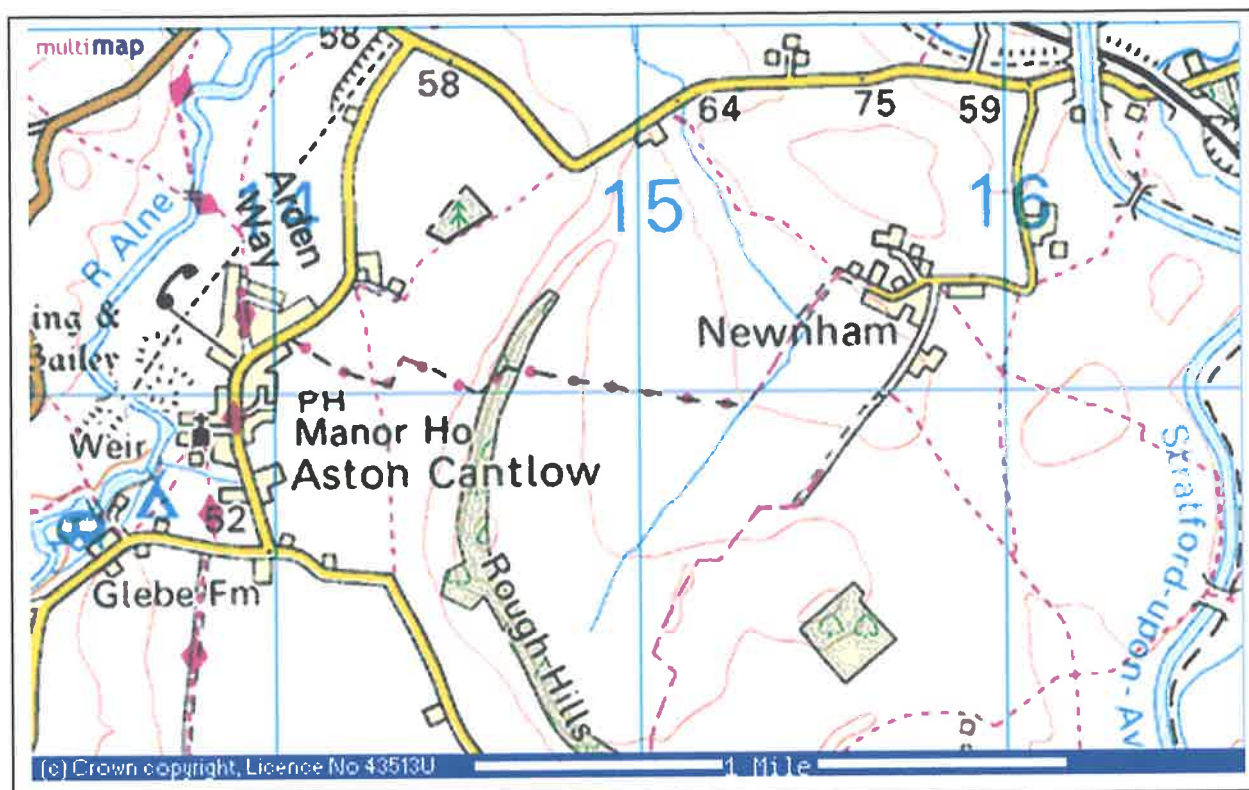


Yes



No

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



The route is that of the E5341 on the List of Street of Warwickshire County Council.

6. Have you always followed the route described above?

☒
☐

Yes

No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒
☐

Yes

No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

☐
☒

Yes

No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- A public road or byway* open to all traffic
(*open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 2001 and 2008

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year **please delete as appropriate*

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle 3 times a ~~day/week~~/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.) LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐
☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐
☒

If yes, please give details.

(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☐
☒

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

Yes

No

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐
☒

If yes, please give details. (What/where/when)

Yes

No

18. Did any notice or obstruction stop you using the route?

☐
☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature Date 6/2/2008



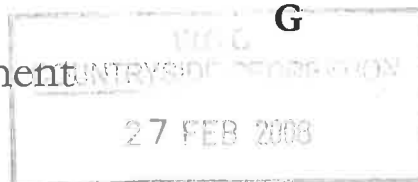
Warwickshire
County Council
Countryside Access

Wildlife & Countryside Act 1981

form

G

Witness Statement



Please use **ink** on this form.

Parish and/or reference number of route (*if known*) ...E5341 Newnham Lane

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

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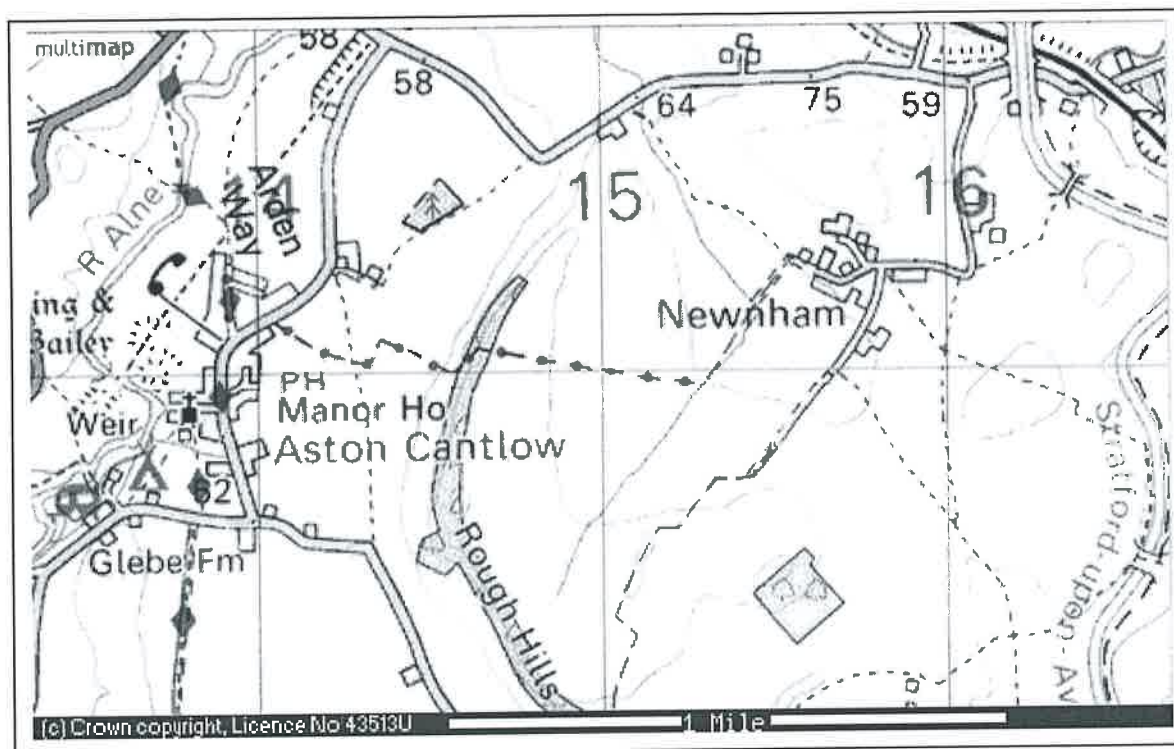
If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

-
1. NameSTEPHEN JOHN LUPTON.....
 2. Address58 GERALD ROAD.....
ALCESTON WARWICKSHIRE B49 6QQ.....
 Daytime Telephone01527 63676 WASH.....
 email addressS.J.Lupton@apvaleandson.co.uk.....
 3. Date of Birth06/12/68.....
 4. Would you be prepared to attend a Public Inquiry or Hearing
 in respect of the evidence you have given in this form?
 (See note above) ☒ Yes ☐ No
 If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.

(You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



The route is that of the E5341 on the List of Street of Warwickshire County Council.

6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

middle or route section only.

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- A public road or byway* open to all traffic
(*open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☒ between 2005 and 2007
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 2006 and 2007
MOTOR BIKES

11. How often did you use the route during the period stated in Q.10?

on foot 3x times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle 2 times a day/week/month/year *

12. For what purpose did you use the route?

(e.g. going to work, shopping, leisure, etc.)

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐
☒

Yes

No

If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route?

☐
☒

Yes

No

If yes, please give details.

(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☐
☒

Yes

No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

except

route is clearly marked & signed as an unclassified road.

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐
☒

Yes

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐
☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.,

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *Stanton* Date *18/1/08*



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form

G

Witness Statement

27 FEB 2008

Please use **ink** on this form.

Parish and/or reference number of route (*if known*) ... E5341 Newnham Lane

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This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

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1. Name Peter Gullford

2. Address 43 Haywood Road

Tyle Cross, West Midlands

Daytime Telephone 07909889140

email address

3. Date of Birth 12-1-69

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

If no, please state reason; for example, infirmity or ill-health.

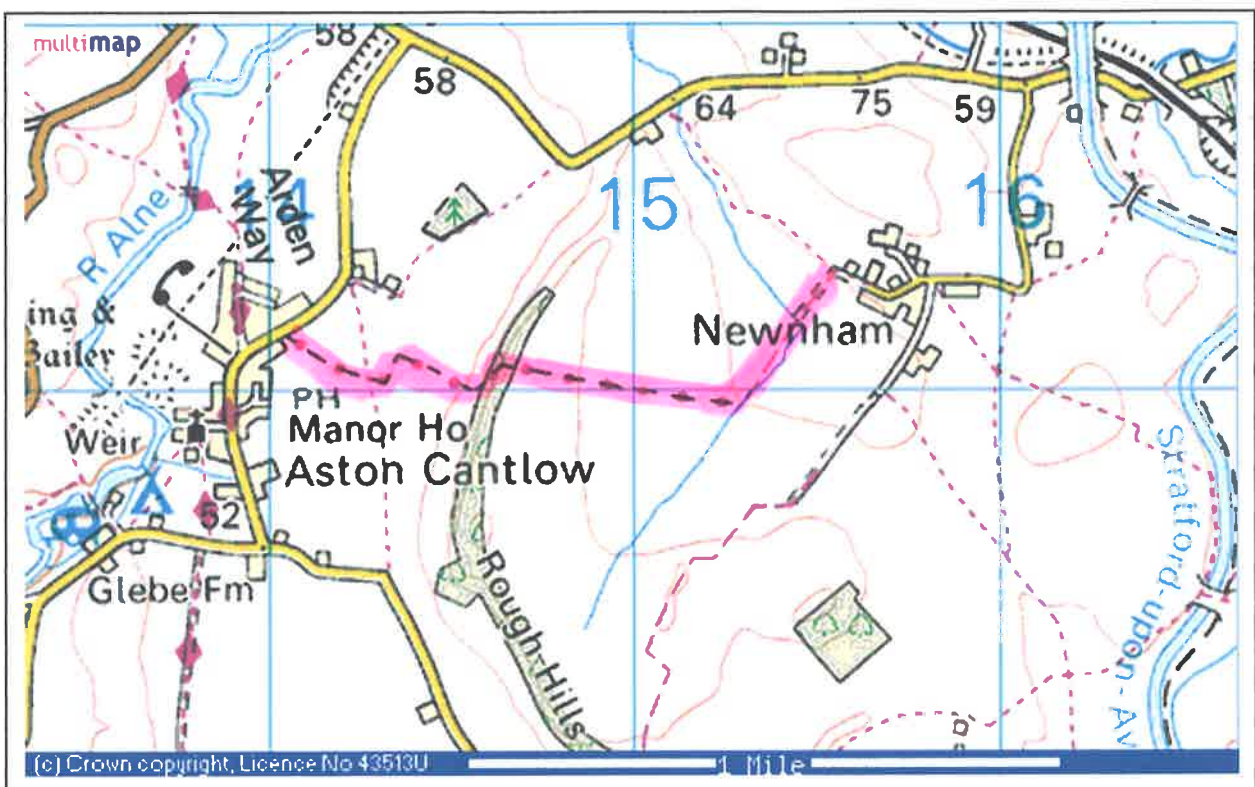


Yes



No

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



The route is that of the E5341 on the List of Street of Warwickshire County Council.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- A public road or byway* open to all traffic
(*open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1999 and 2008

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year **please delete as appropriate*

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle 2-3 ~~times a day/week/month/year~~ *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐

Yes

☒

No

If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route?

☐

Yes

☒

No

If yes, please give details.

(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☐

Yes

☒

No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐

Yes

☒

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐

Yes

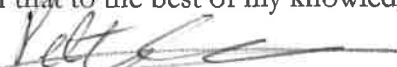
☒

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature



Date

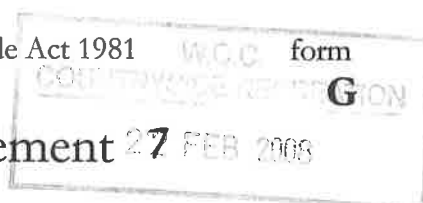
17-1-08



Wildlife & Countryside Act 1981

W.C.C. form

Witness Statement



Please use **ink** on this form.

Parish and/or reference number of route (*if known*) ...E5341 Newnham Lane

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

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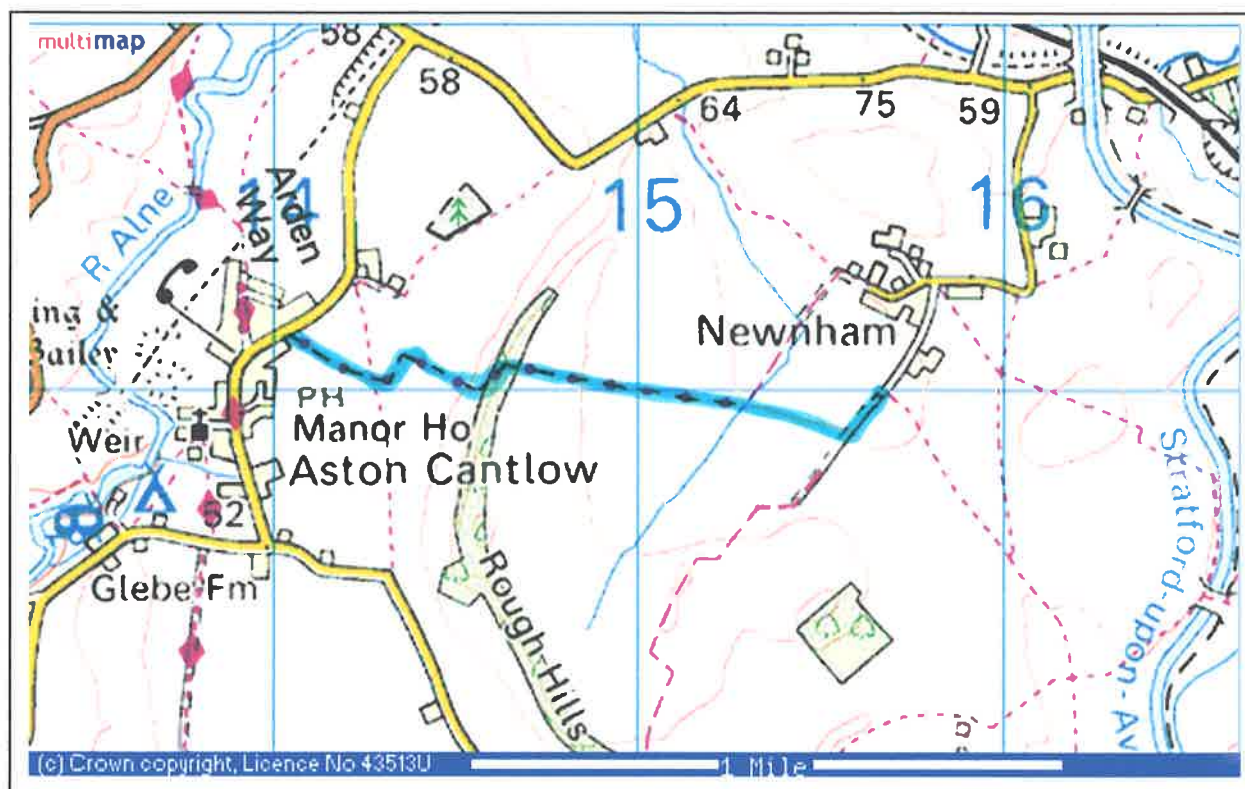
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-
1. Name DAVID WRIGHT
 2. Address 46 GERARD ROAD
 ALCESTER WARICKS B49 6QQ
 Daytime Telephone ... 01789 764175 ... or ... 07971 269388 ...
 email address DAVID.WRIGHT@ DAVID@GERARD-WAIN-FSNET
 CO-UK
 3. Date of Birth 27th MARCH 1957
 4. Would you be prepared to attend a Public Inquiry or Hearing
 in respect of the evidence you have given in this form?
 (See note above) ☒ Yes ☐ No
 If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



The route is that of the E5341 on the List of Street of Warwickshire County Council.

ROUTE

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- A public road or byway* open to all traffic
(*open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1982 and PRESENT DAY
MOTORCYCLE

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle 2 times a ~~day/week~~/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE & COMMUTING

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

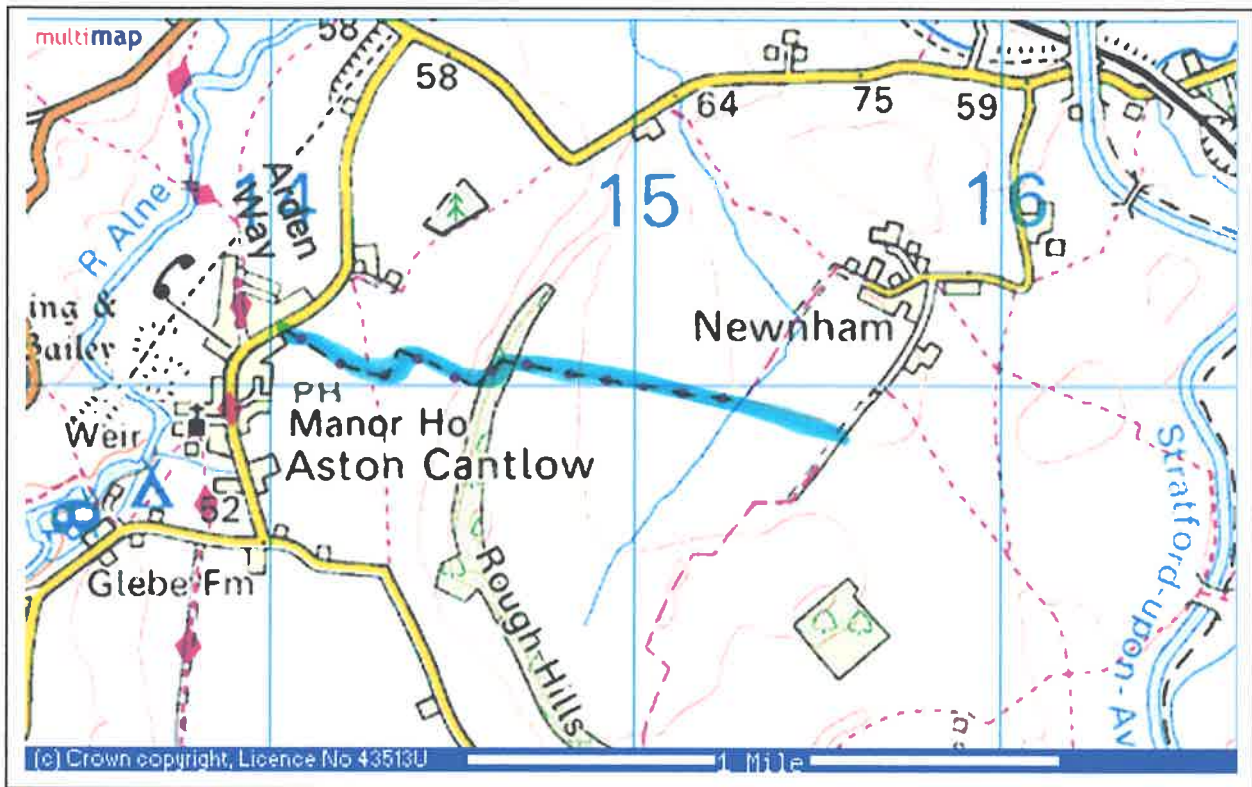
Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



The route is that of the E5341 on the List of Street of Warwickshire County Council.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☒ Yes ☐ No
If yes, describe their locations, or mark them on the map/sketch.

14. Have you ever been given permission to use the route?

☒
☐

Yes

No

If yes, who gave you permission, and when?

COUNTY COUNCIL
See 16

15. Have you ever been stopped, or turned back, when using the route?

☐
☒

Yes

No

If yes, please give details.

(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☒
☐

Yes

No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

W.C.C. UNCLASSIFIED ROAD SIGNS

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐
☒

Yes

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐
☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *M. J. Bunn* Date *06.02.08*

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- A public road or byway* open to all traffic
(*open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1982 and -Present Day.
Motor-cycle

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle Motor-Cycle _____ times a day/week/month/year * Month

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure & Commuting

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☒ between 2003 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot _____ times a day/week/month/year *please delete as appropriate
- on horseback 3 times a day/week/month/year * at least
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

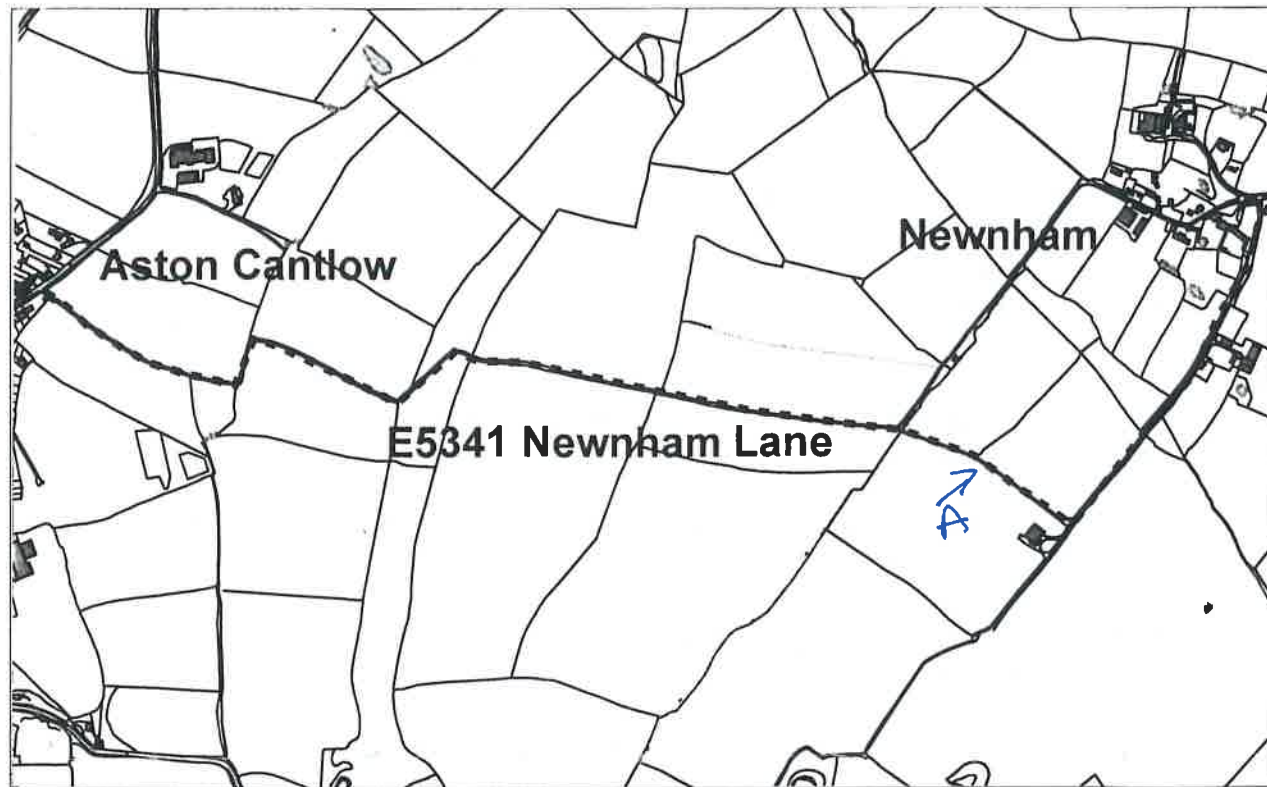
If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

- Name HILARY HOWELL
Address P4 Sherborne Way
33 Grosvenor St West Birmingham B16 8HW
Daytime Telephone 0121 246 4332
email address hilaryhowell@blueyonder.co.uk
- Date of Birth 03-02-1949
- Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No
*nb busy NHS job

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☒ Yes ☐ No

If yes, please give details.

(When, by whom, what was said, etc.)

Route closed for renovation Autumn Winter 2006 / 7 (I think)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

- for route closing
- for this change of use.

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No *

If yes, please give details. (What/where/when)

but route very hard to use at times due to deep ruts caused by 4x4s + also met 4x4s at times / v. narrow for horse + cars

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No

see above

19. Please give any further information about the route. (e.g. other people who have used it, land ownership, etc.)

see 17.

Also farmer has ploughed across route at times destroying the surface.
Area marked A

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature tailaythwell Date 12/10/08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2004 and 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 2 times a day/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure Walking.

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No


If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☒ Yes ☐ No

Right of way

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E 5341

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

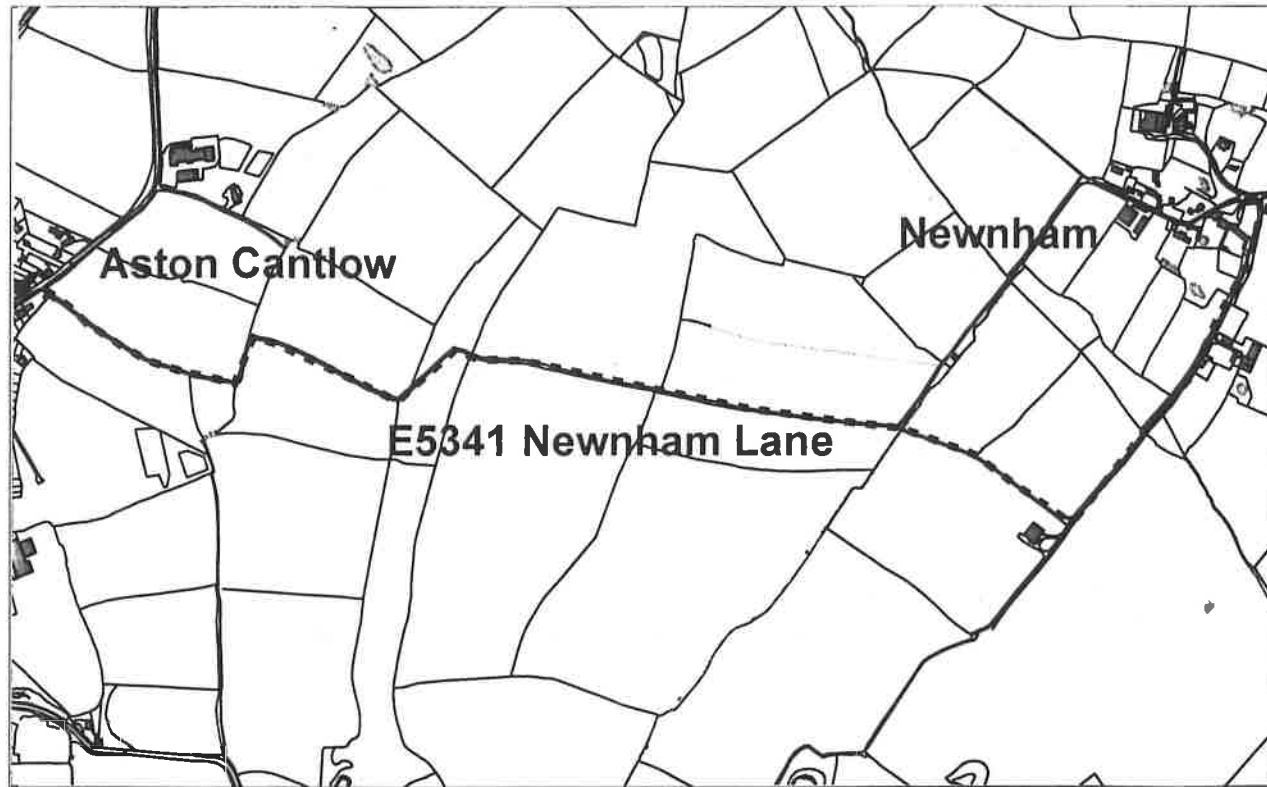
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name STEVE BARLOW
Address 29 KEYTES LANE
BARFORD CV35 8EP
Daytime Telephone 01926 624212
email address Silly as a sheep@bt internet.com
3. Date of Birth 28.6.58
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

WHILE WE USE THE ROUTE WITH LITTLE OR NO DAMAGE RESULTING, THE 4x4 DRIVERS CAUSE SO MUCH DAMAGE THE ROUTE BECOMES UNUSABLE FOR THE PEDESTRIANS & RIDERS.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

Sharon

Date

22.10.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2003 and 2008
- on horseback ☒ between 2003 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a day/week/month/year *please delete as appropriate
- on horseback 3 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?


☒

Yes

☐

No

Right of Way

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name CAROLINE ELLIS
Address 29, KAYTES LANE
Daytime Telephone 01926 624212
email address Caroline.ellis@btinternet.com
3. Date of Birth 28.01.55
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

If yes, describe their locations, or mark them on the map/sketch.

☒ Yes ☐ No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route?

☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Council message when Route was closed for repair

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.)

☒ Yes ☐ No

If yes, please give details. (What/where/when)

The rutting is very hard to negotiate

18. Did any notice or obstruction stop you using the route?

☒ Yes ☒ No

Blocked

19. Please give any further information about the route. (e.g. other people who have used it, land ownership, etc.)

The rutting caused by 4x4 are extreme and very dangerous.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature Graham Ellis Date 23.10.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☒ between 2003 and present
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot _____ times a day/week/month/year *please delete as appropriate
- on horseback 5 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?

(e.g. going to work, shopping, leisure, etc.)

Exercising horses, and riding out

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No


If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☒ Yes ☐ No

If yes, who gave you permission, and when?

Permission is granted as public right of way.

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Witness Statement	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> W.C.C. COUNTRYSIDE RECREATION 02 DEC 2008 </div>
Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX		

Please use **ink** on this form.

Parish and/or reference number of route (if known) E 5341

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

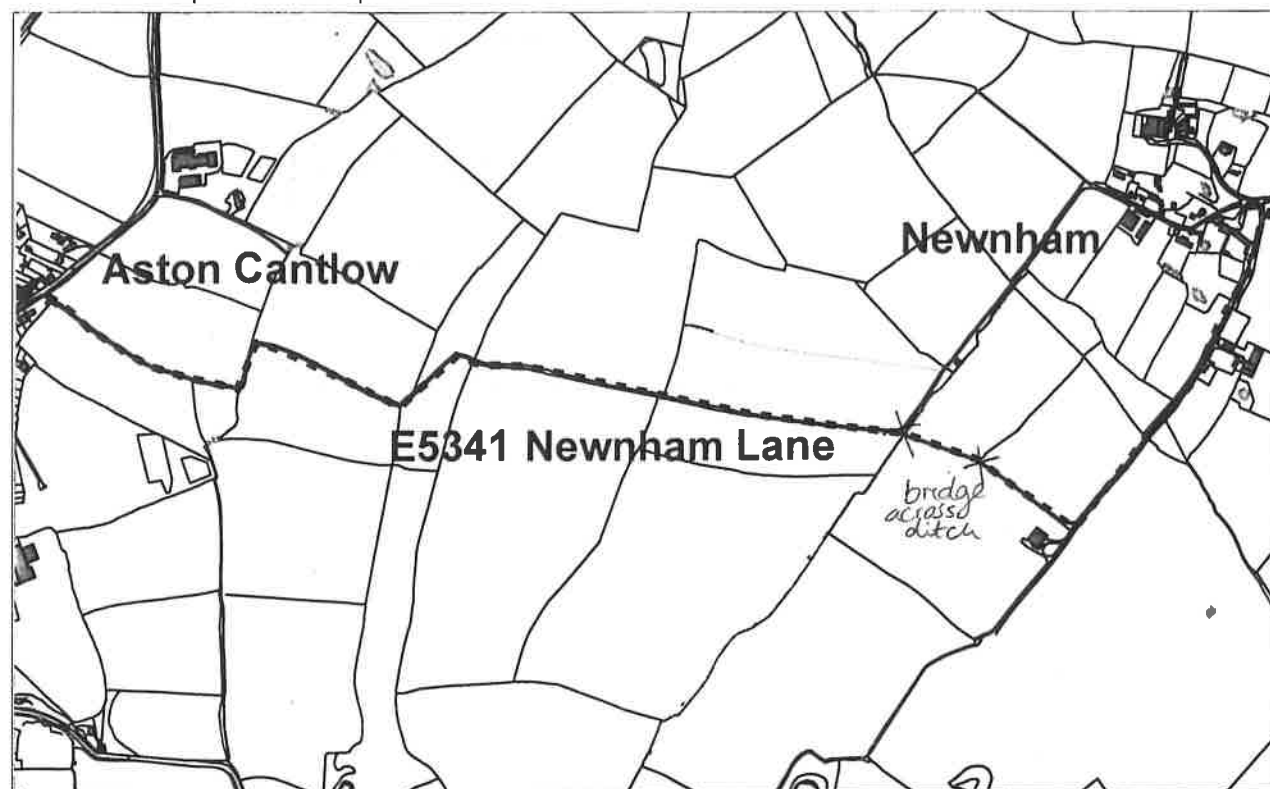
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If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name SOPHIE ELLIS
 Address WESTHAM LODGE, 36 WELLESBOURNE RD,
BARFORD, WARWICKSHIRE, CV35 8DS
 Daytime Telephone 07793 271183
 email address sophie_ellis@hotmail.com
3. Date of Birth 14.02.1986
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
 If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☒ Yes ☐ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☒ Yes ☐ No

If yes, please give details.

(When, by whom, what was said, etc.)

- 4 wheel drives blocking the route causing us to have to turn back.
- Also turned back due to extremely deep tyre tracks causing the route to be unsafe for horses.

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No

- Stopped using the route when it was blocked for refurbishment at the Aston Cantlow end of route.

19. Please give any further information about the route. (e.g. other people who have used it, land ownership, etc.)

Surface often ploughed across field making it almost impassable. Very abused route by farmer & 4x4 & motor cycles

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature S.E. Ellis Date 24.10.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☒ between **2005** and **2008**
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot _____ times a day/week/month/year *please delete as appropriate
- on horseback ☒ times a day/week/month/year * **2x1 wk**
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

NO INSTRUCTIONS GIVEN

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?

PUBLIC BRIDLE PATH



Warwickshire
County Council

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act, 1981
Definitive Map of Public Rights of Way for
Warwickshire

Witness Statement

COUNTRYSIDE RECREATION

02 DEC 2008

form

G

Please use **ink** on this form.

Parish and/or reference number of route (if known) **E 5341**

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

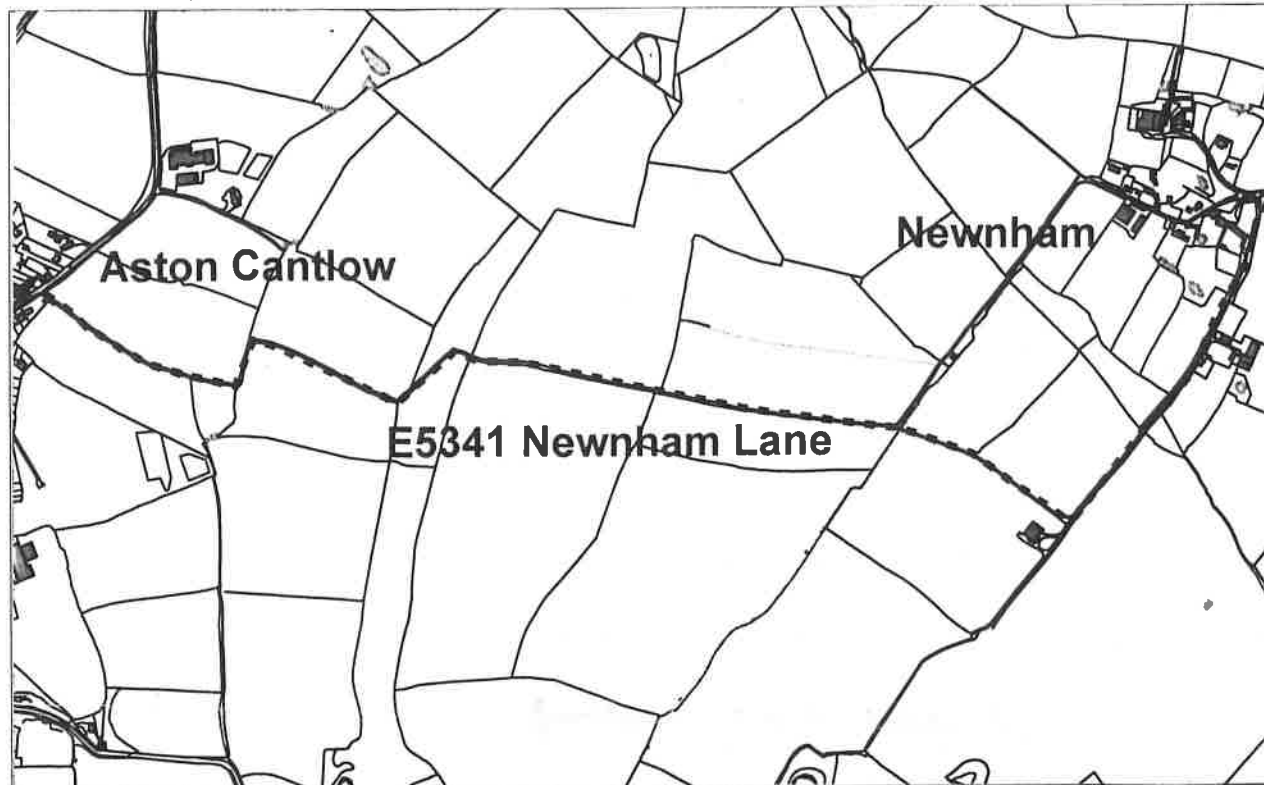
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If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name **MRS. B. TUSTAIN**
Address **CHENHURST LANGLEY RD**
CLAVERTON WARWICK CV35 8QA
Daytime Telephone **07811135674**
email address _____
3. Date of Birth **13/10/54**
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above) ☒ Yes ☐ No
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any sales, gates or bridges making the route easier to use? ☒ Yes ☐ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - ☒ ~~bridleway~~ (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

**VERY BADLY MISUSED BY
INCONSIDERATE 4x4s.**

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature BOTAK Date 3/10/08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☒ between 2007 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot _____ times a day/week/month/year **please delete as appropriate*
- on horseback 2 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No


If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?

Public Bridleway

 <p>Warwickshire County Council</p> <p>Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX</p>	<p>Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire</p> <p>Witness Statement</p>	<p>form G</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <p style="text-align: center;">WCC COUNTRYSIDE ACCESS 02 DEC 2008</p> </div>
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Please use **ink** on this form.

Parish and/or reference number of route (if known) ES341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

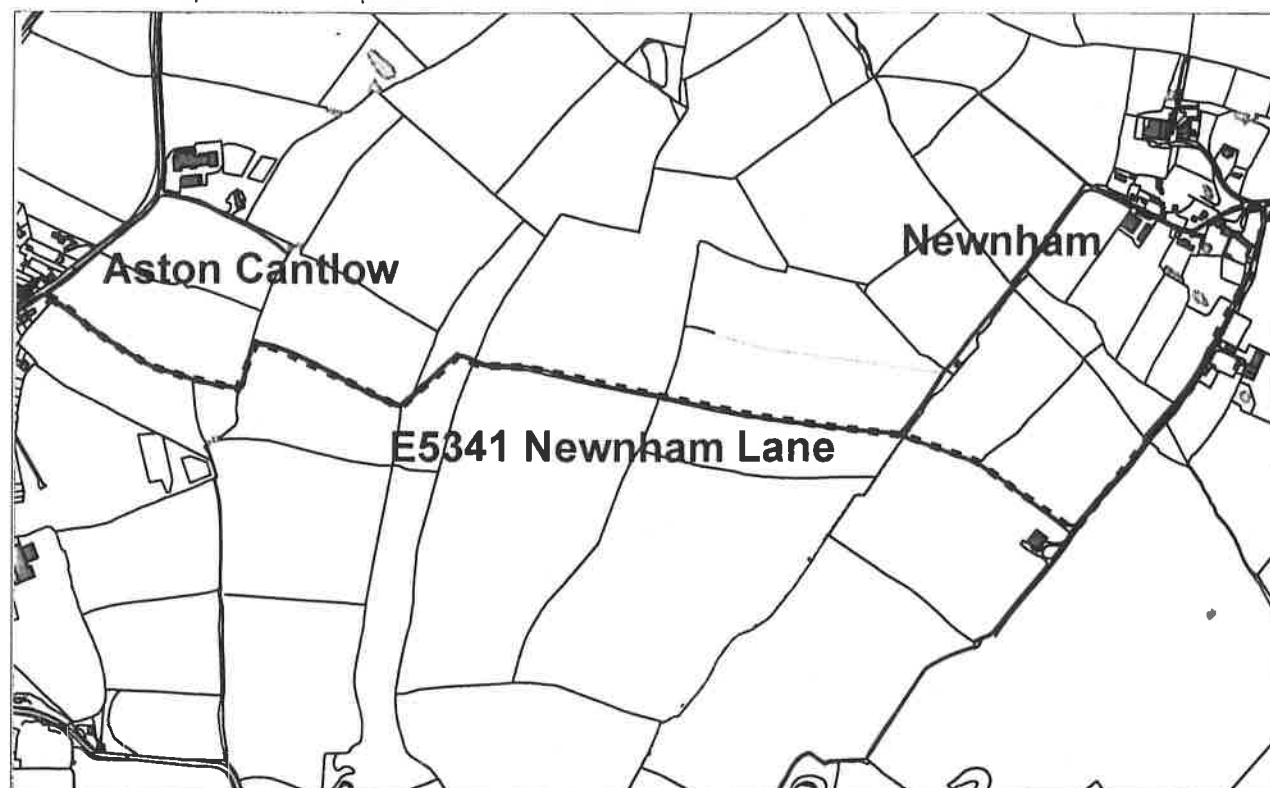
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If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Madeline Kent
Address Broadmoor Edge Lane Henley in Arden Warwickshire
BA5 5DS
Daytime Telephone 01564 744405
email address _____
3. Date of Birth 23/09/92
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above) ☒ Yes ☐ No
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

Very rutted due to 4x4s

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *Glennie Pent* Date *13th October 08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☒ between 1998 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year **please delete as appropriate*

on horseback 1/2 times a ~~day~~/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E 5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name S. J. ORTON

Address 3 GRANGE ROAD, BEARLEY
STRATFORD UPON AVON CV37 0SE

Daytime Telephone 08455 844096

email address _____

3. Date of Birth 16.03.52

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Closure notices prior to resurfacing.

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

Regularly used by horses & walkers
used by 4+4 & Motorcyclists when muddy!

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature Lynda Smith

Date 11/10/08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☒ between 1972 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback 3/4 times a ~~day~~/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?

(e.g. going to work, shopping, leisure, etc.)

walking dogs, horse riding
+ leisure walks

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐

Yes

☒

No

If yes, who gave you permission, and when?

public Bridleway + footpath



Warwickshire
County Council

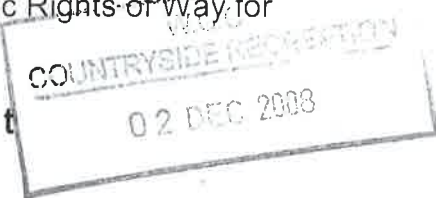
Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

Witness Statement

form

G



Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MRS MANDY PLANT

Address MANOR FARM HOUSE, WOLVERTON

STRATFORD-UPON-AVOON CV37 0HH

Daytime Telephone 01789-731088

email address _____

3. Date of Birth 26-06-61

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

(See note above)

If no, please state reason; for example, infirmity or ill-health.

WORK

☐

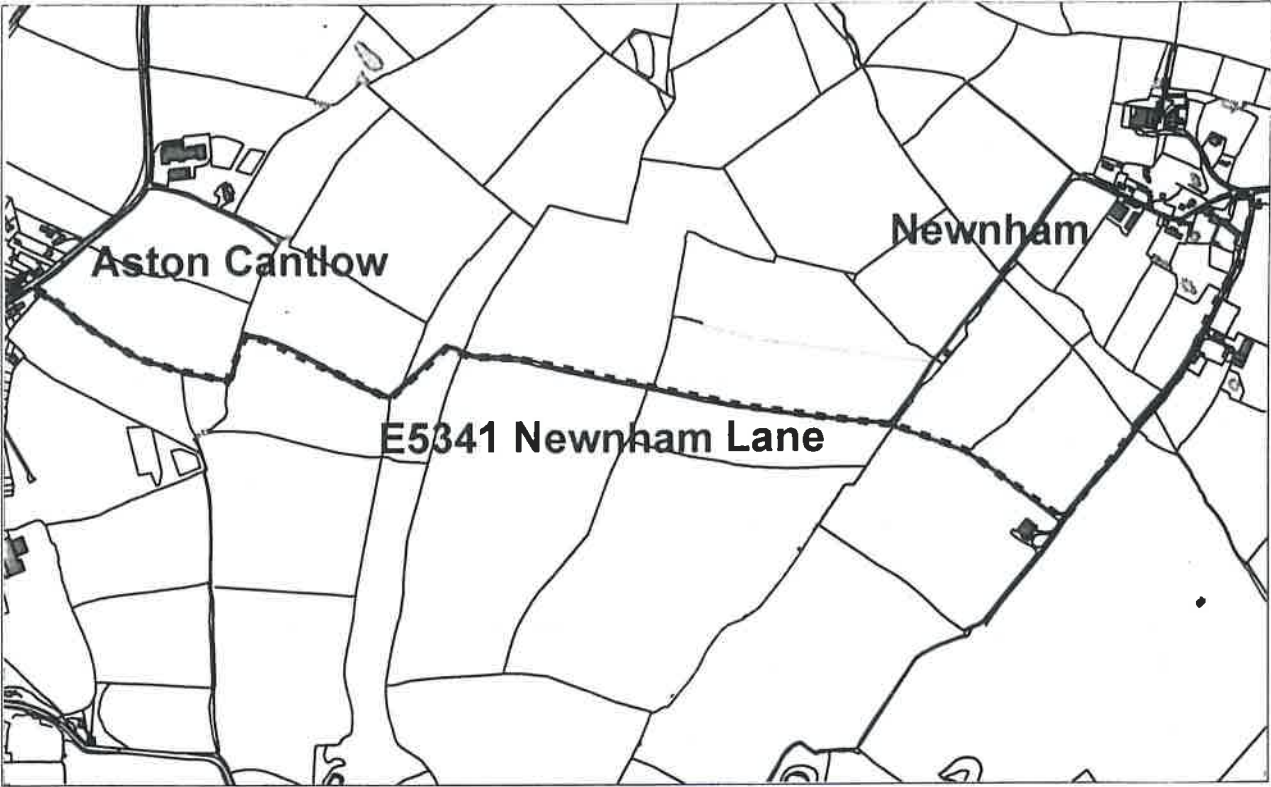
Yes

☒

No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☒
- bridleway (for pedestrians, horseriders and cyclists)? ☒ *no motorcycles or quads*
- byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)
NOTICES for resurfacing 2007

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)
regularly used by horse riders and walkers
used when muddy by 4x4 / quad bikers

I confirm that to the best of my knowledge and belief the information I have given is true.
Signature *[Signature]* Date *24-11-08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☒ between 1996 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot _____ times a day/week/month/year *please delete as appropriate
- on horseback 3-4 times a ~~day~~/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

HORSE RIDING, LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No


If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?

TOBAC BRIDLEWAY

**Warwickshire**
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement

8007 024 20
COUNTRYSIDE ACCESS
FORM

Please use **ink** on this form.

Parish and/or reference number of route (if known) E 5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

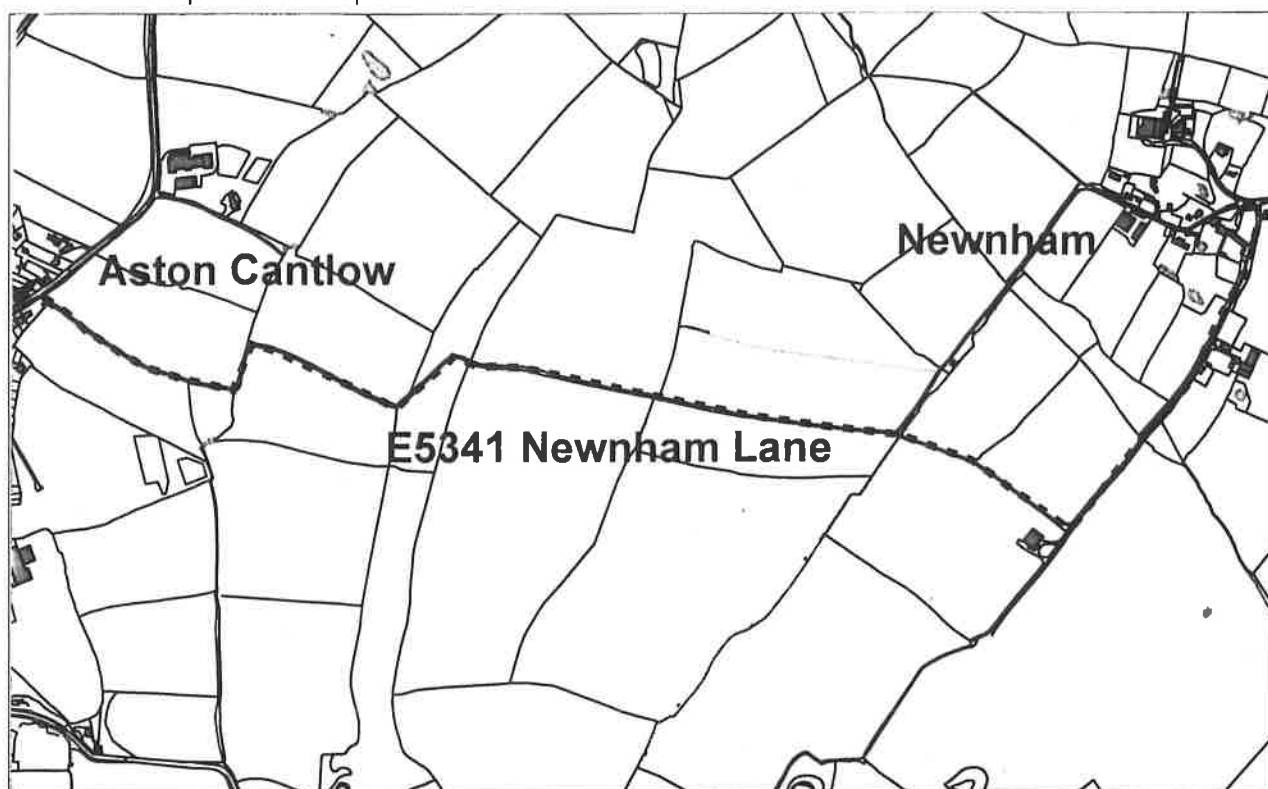
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

- Name MISS JANETTE HARPER
Address BEARLEY CROSS STABLES SAGERS LANE
WOOTTON WAGEN B95 6DN
Daytime Telephone 07970785688
email address _____
- Date of Birth 5.10.65
- Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
If no, please state reason; for example, infirmity or ill-health.
TOO BUSY AT WORK
☐ Yes ☒ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
- If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
- If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

NOTICE FOR REPAIRS TO SURFACE
IN 2007.

17. Has there ever been an obstruction on the route? ☐ Yes ☒ No
- (e.g. a fence, locked gate, barbed wire, etc.)

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

REGULARLY USED BY HORSE RIDERS +
WALKERS
USED BY 4X4 / MOTORBIKES WHEN WET
+ MUDDY FOR OFF ROAD PLAY.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature Alab Haynes Date 03.11.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1980 and 2007
- on horseback ☒ between 1996 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

on foot 5-6 times a ~~day/week/month~~/year *please delete as appropriate

on horseback 4-5 times a ~~day/week/month/year~~ *

on a bicycle _____ times a day/week/month/year *

in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure walking, horse riding

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G	<div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 80%;"> W.C.C. COUNTRYSIDE RECREATION 02 DEC 2008 </div>
Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX		Witness Statement	

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

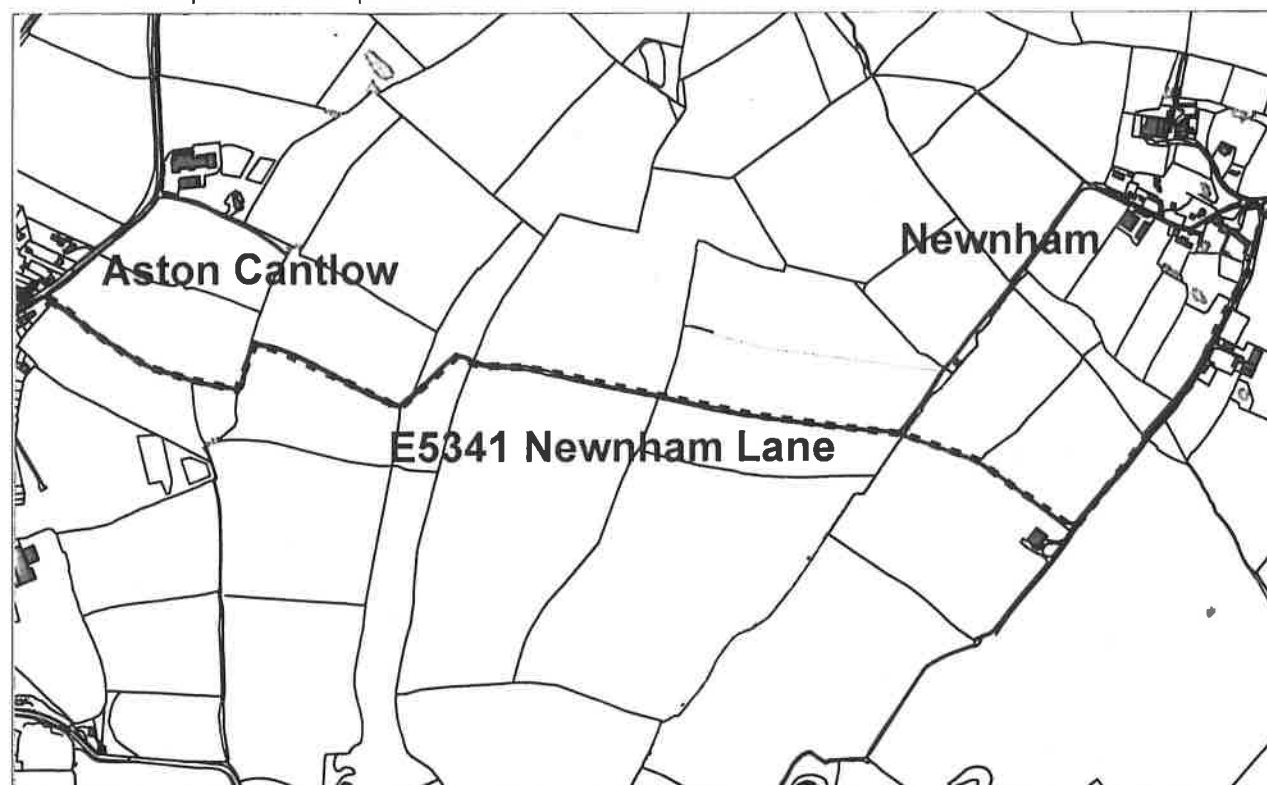
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Mrs JOLIE DAVEN
 Address ORCHARD VIEW, PRIMROSE LAKE
OVERSLEY GREEN, ALCESTER WARICKS B49 6LS
 Daytime Telephone 01899 24412
 email address
3. Date of Birth 09/05/59
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
 If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☒
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

PLANNING NOTICE BOARD

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

*Used by horseriders, local hunts, dog walkers
walkers.*

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *Julie Perry*

Date *26.11.08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1994 and 2005
- on horseback ☒ between 1994 and 2005
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 6-8 times a ~~day/week/month/year~~ *please delete as appropriate
- on horseback 20 times a ~~day/week/month/year~~ *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure Riding, walking

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No



Warwickshire
County Council

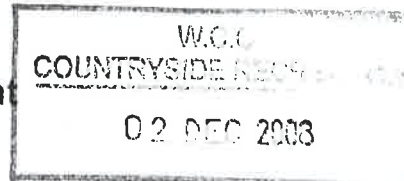
Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

Witness Statement



Please use ink on this form.

Parish and/or reference number of route (if known) ES341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Margaret Whatmore

Address Kingshead, Kings Coughton

Alester Wark B99 5PP

Daytime Telephone 01789 764700

email address _____

3. Date of Birth _____

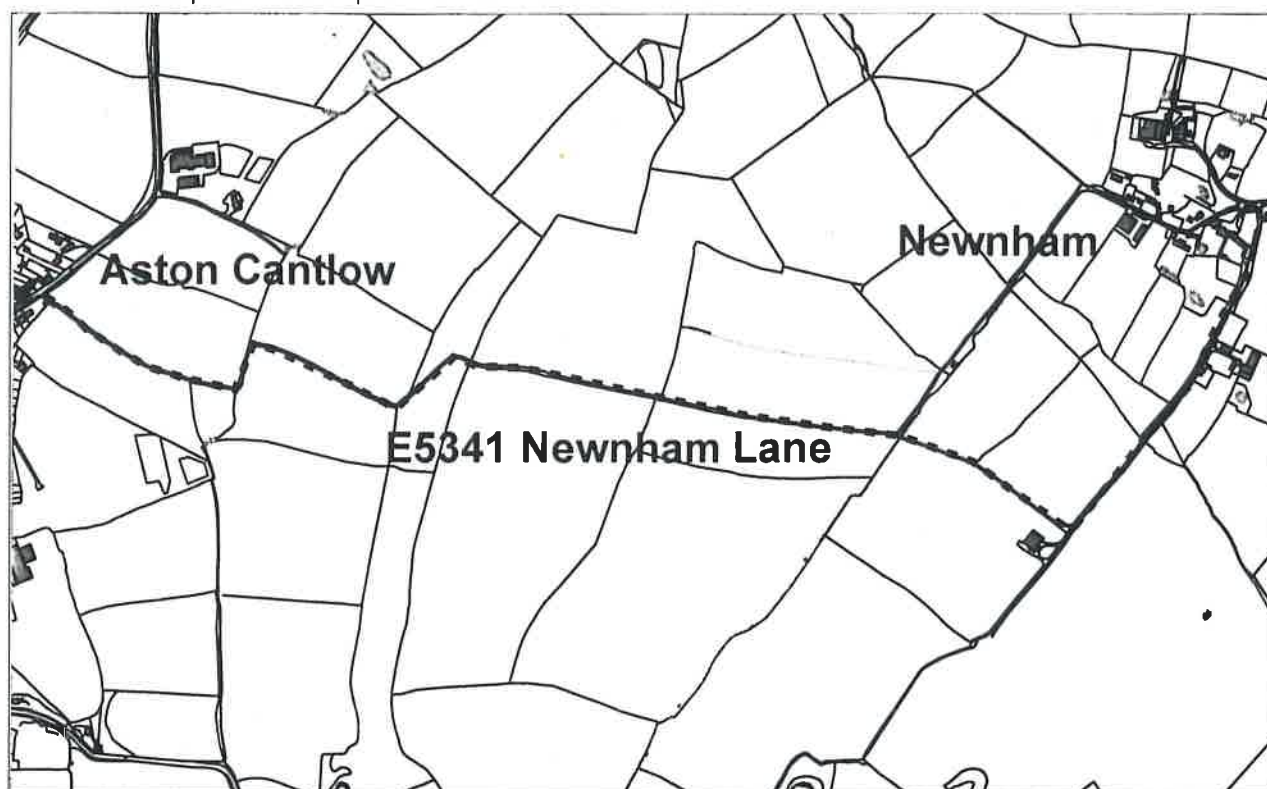
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
- If the route was different at any time, please describe the

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

Does the route appear to be well worn?

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

Were there, or are there, any stiles, gates or bridges making the route easier to use?

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)?
 - bridleway (for pedestrians, horseriders and cyclists)?
 - byway open to all traffic (open to vehicles, but mainly

Do you believe the route to be a:

footpath (for pedestrians only)?

bridleway (for pedestrians, horseriders and cyclists)?

byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Resisting

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)
- Yes ☐ No ☒

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

the surface has been damaged by
H₂O in the wet weather

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature M. L. Adams

Date 2/1/28

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2006 and now
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a ~~day~~/week/month/year * *please delete as appropriate*
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?


☐

Yes

☒

No

If yes, who gave you permission, and when?

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) ES341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

- Name MARK SOAME
Address LANOMON FARM
LANWORTH RD LANWORTH CV35 8PS
Daytime Telephone _____
email address mark@thesoames.me.uk
- Date of Birth 02-05-61
- Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
If no, please state reason; for example, infirmity or ill-health.

☐ Yes
 ☒ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

If yes, describe their locations, or mark them on the map/sketch.

☐ Yes ☒ No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐
☒
☐

15. Have you ever been stopped, or turned back, when using the route?

☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

PRESENT NOTICE

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I use the route on tracks with my dog

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *[Signature]*

Date 26.11.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between FEB 06 and NOV 08
- on horseback ☒ between FEB 08 and NOV 08
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 3 times a ~~day~~/week/month/year* *please delete as appropriate*
- on horseback 3 times a ~~day~~/week/month/year*
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure.

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

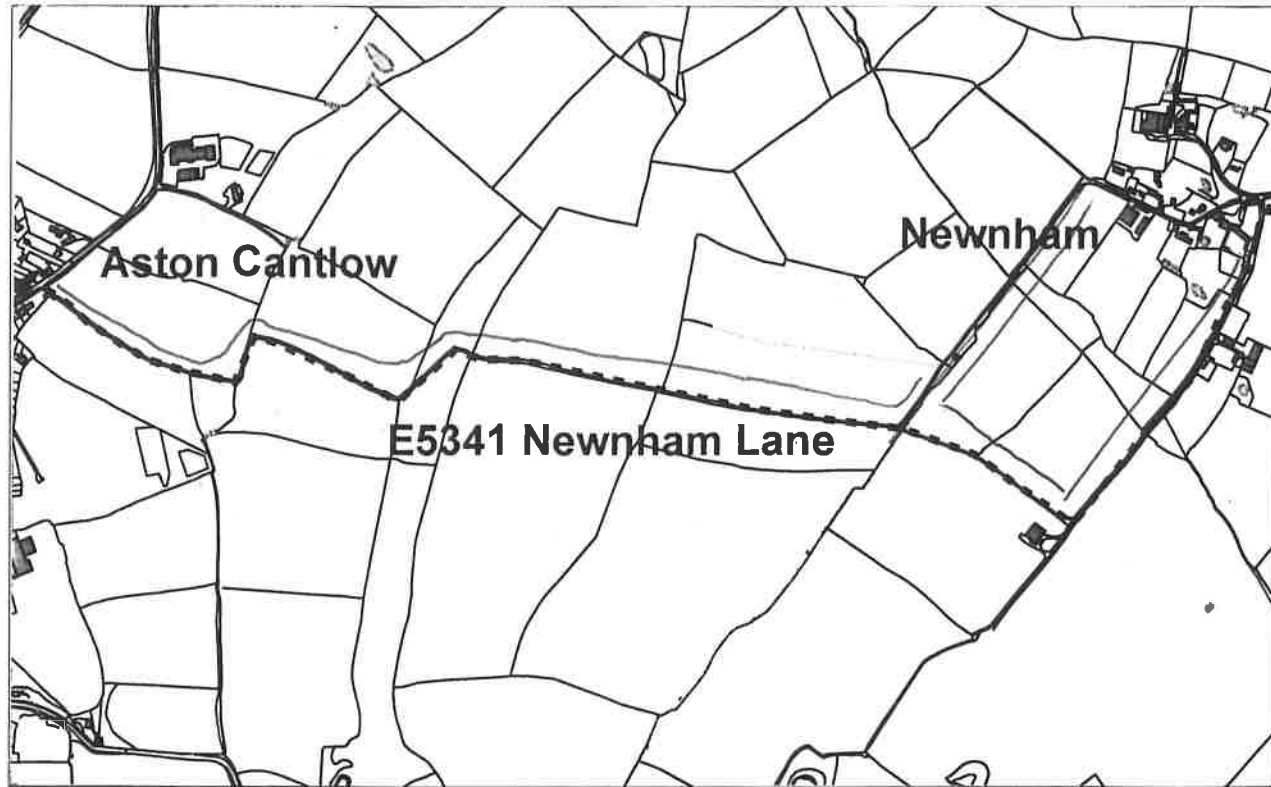
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MRS SUSAN SOAME
- Address LANGMOOR FARM
LANGLEY RD CLAVERDON CV358PJ
- Daytime Telephone _____
- email address SUSAN@thesoames.me.uk
3. Date of Birth 9.8.62
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
- If no, please state reason; for example, infirmity or ill-health.
- Young children.
- ☐ Yes ☒ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Present notice

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I use the route to walk my dog and for hacking & my horse

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *SSCane* Date *26-11-08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2001 and 2008
- on horseback ☐ between 2001 and 2008
- on a bicycle ☒ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

on foot 7-10 times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle 7-10 times a day/week/month/year *

in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E 5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

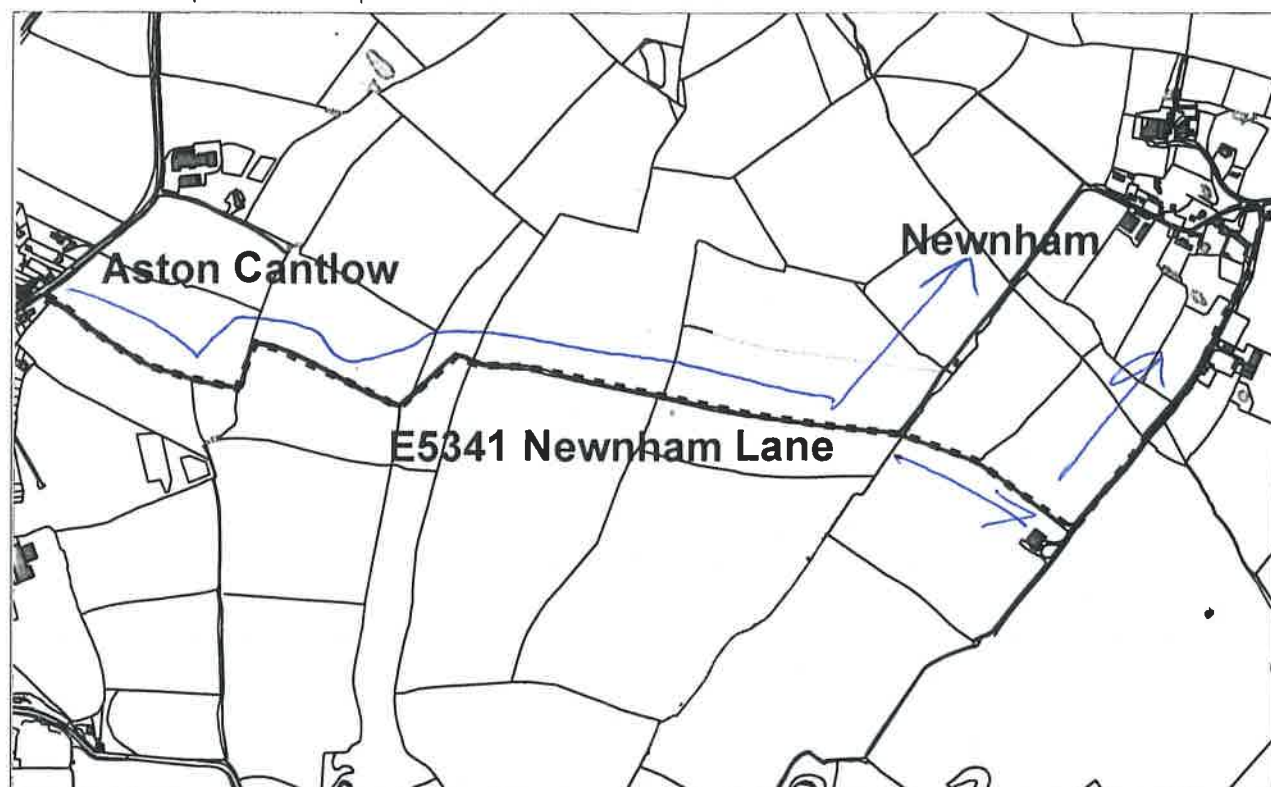
If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MICHAEL BARNESLEY
 Address 34 NORTH DRIVE
WOOTTON WAWEN B95 6EQ
 Daytime Telephone 01564 793750
 email address _____
3. Date of Birth _____
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
 (See note above)
 If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☒
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

TRACK WELL CUT UP BY 4X4
MAKING IT DIFFICULT FOR
OTHER USERS

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature W. H. H.

Date 27.11.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1996 and 2008
- on horseback ☒ between 1996 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 4-5 ~~times a day/week/month/year~~ *please delete as appropriate
- on horseback 8-10 ~~times a day/week/month/year~~ *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure & exercise

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Dr Alice Jennings
Address 121 Farleigh Road Pershore

Daytime Telephone _____

email address _____

3. Date of Birth _____

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

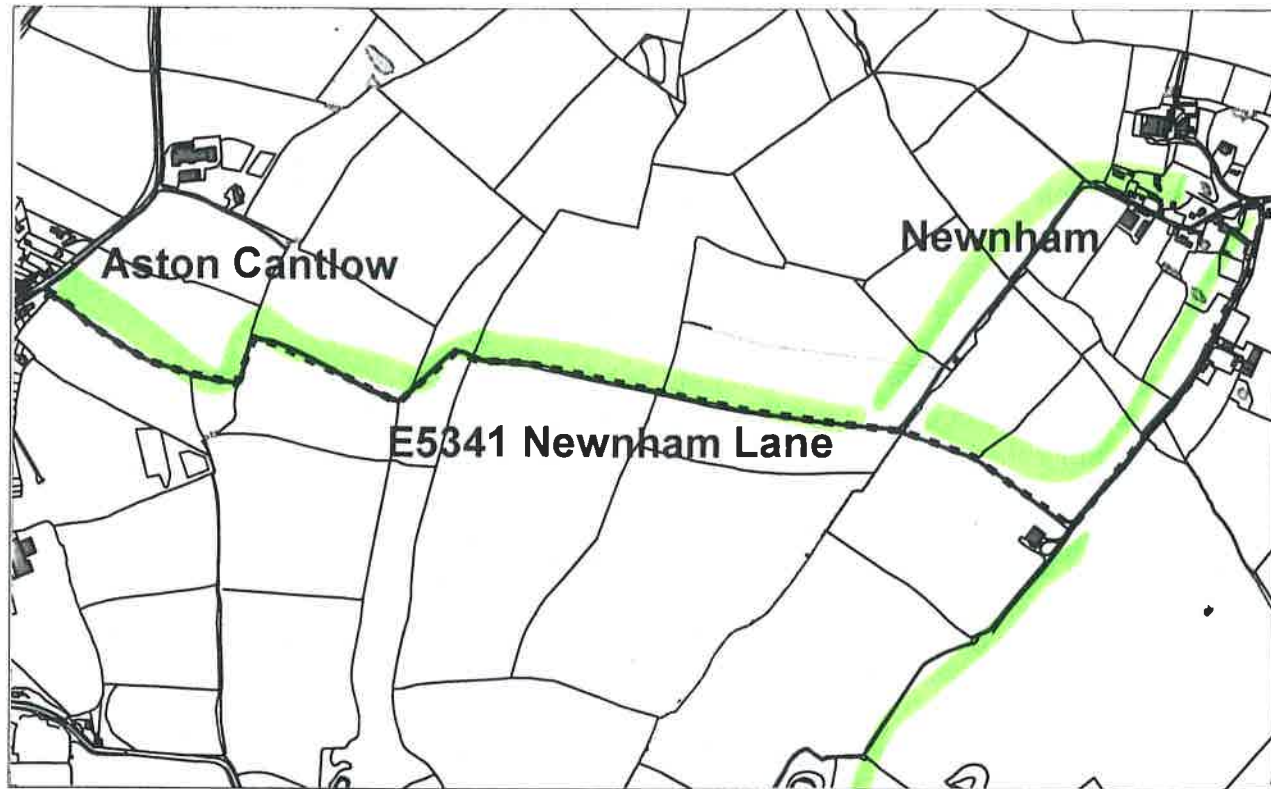
☐ Yes ☒ No

If no, please state reason; for example, infirmity or ill-health.

WALK COMMITMENT

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐
☒
☐

15. Have you ever been stopped, or turned back, when using the route?

☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☒ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Planning Notice to Surface

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

for leisure use

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

Alice Jennings

Date

26.11.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1997 and 2008
- on horseback ☒ between 1998 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 4 times a day/week/month/year *please delete as appropriate
- on horseback 4 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 <p>Warwickshire County Council</p> <p>Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX</p>	<p>Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire</p> <p>Witness Statement</p>	<p>form G</p> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> <p>W.C.C. COUNTRYSIDE RECREATION</p> <p>02 DEC 2008</p> </div>
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Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

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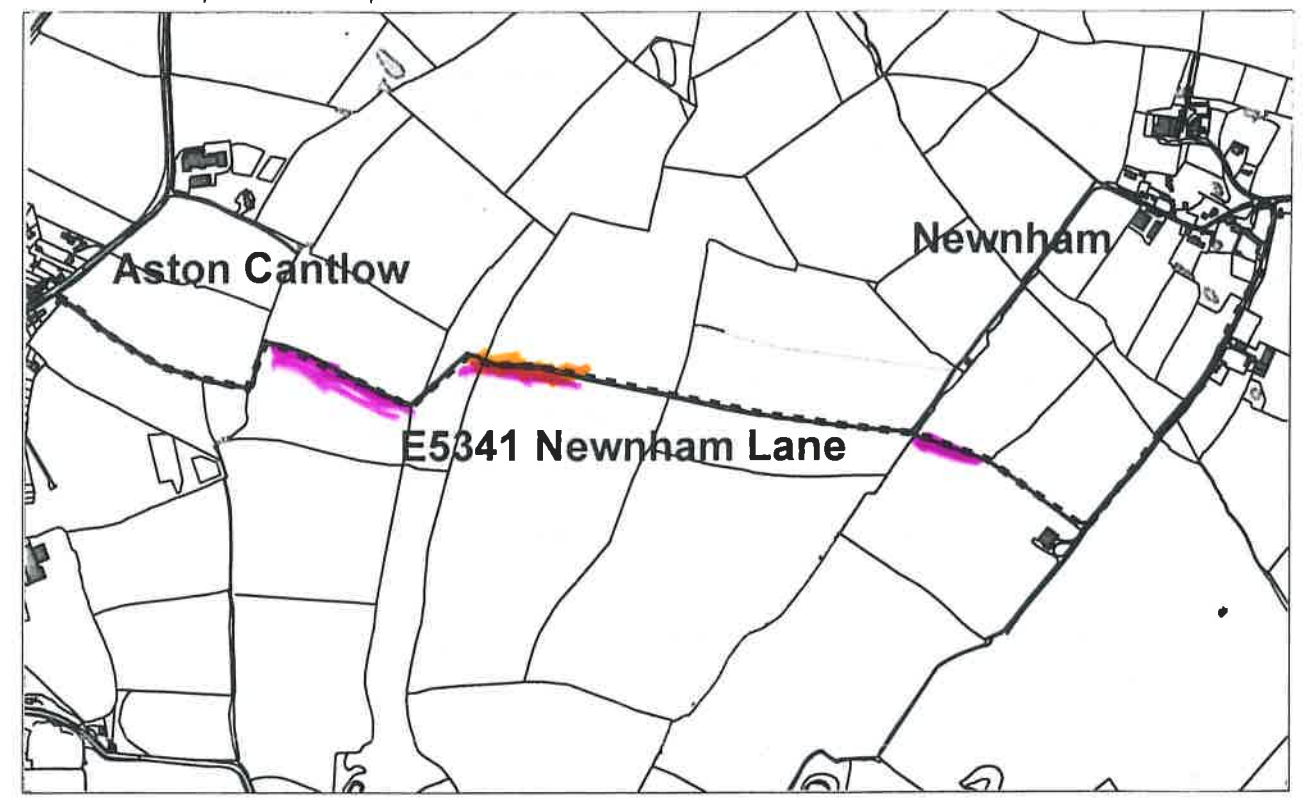
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

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1. Name Mrs Linda Caines
- Address 72 Gossey Lane
Kitts Green Bham B3 0DS
- Daytime Telephone 0121-251-8562
- email address
3. Date of Birth 1-4-58
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
If no, please state reason; for example, infirmity or ill-health.
- ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No
Boggy + Rutty.

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)
Both end when Bridle path was closed. 0.6.

17. Has there ever been an obstruction on the route? ☐ Yes ☒ No
(e.g. a fence, locked gate, barbed wire, etc.)
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)
Horse riders and Dog walkers

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *JA L Cairnes* Date *27.11.08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1972 and 2008
- on horseback ☒ between 1972 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot ☒ times 4 ~~day~~/week/month/year *please delete as appropriate
- on horseback ☒ times 4 ~~day~~/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐

Yes

☒

No

If yes, who gave you permission, and when?



Warwickshire
County Council

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

Witness Statement

W.C.C.
COUNTRYSIDE RECREATION

02 DEC 2008

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

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1. Name MRS B STEVENS

Address 25 GOULD ROAD

HAMPTON MAGNA, WARWICK, CV35 8TU

Daytime Telephone 01926 490803

email address bev@equidebt.co.uk

3. Date of Birth 26-1-63

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒

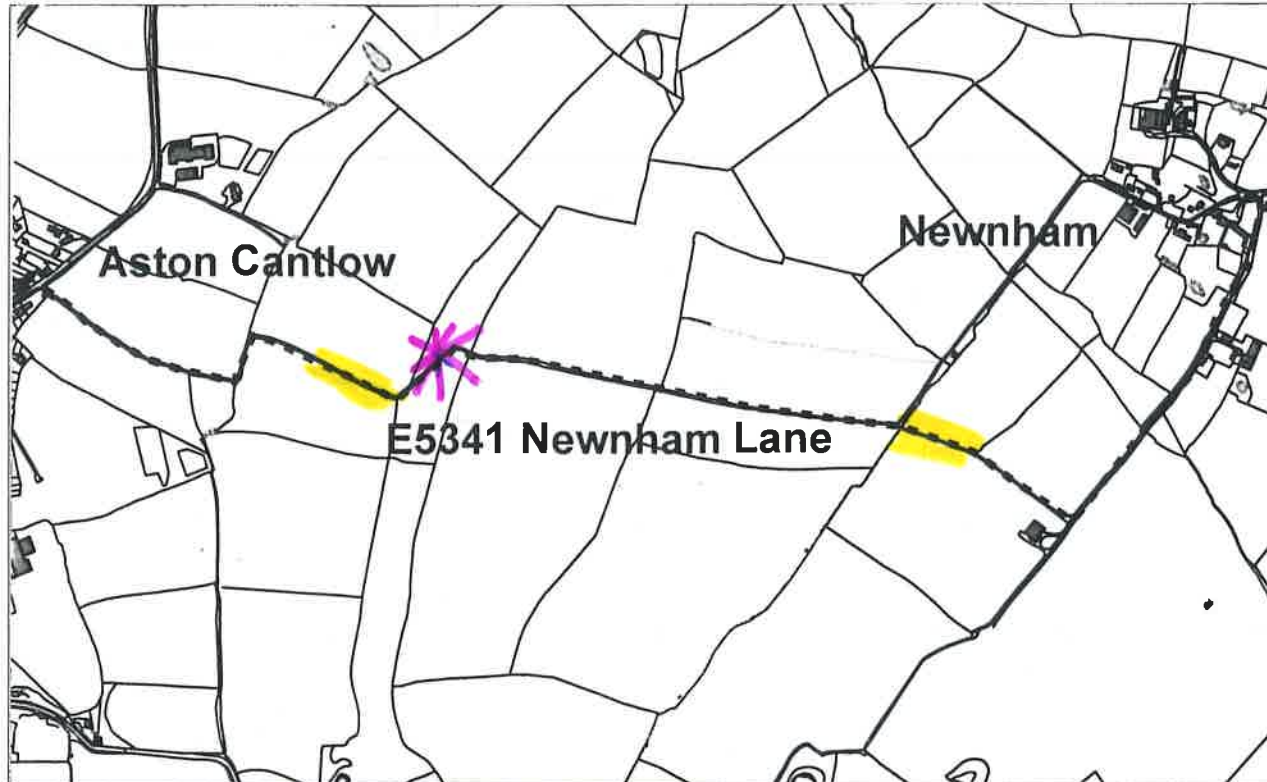
Yes

☐

No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

- Boggy with deep ruts.

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

WCC Countryside Access – Witness Statement Form

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Both ends when bridlepath closed 2 years ago.

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

Horse riders and dog users.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *B. Stevens*

Date *27.11.08*

** NB: Please see mark on the map, where approx 18 years ago there was a small hunting gate, that was no wider than a horse and rider so vehicle would not have gone through*

WCC Countryside Access – Witness Statement Form

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1997 and 2008
- on horseback ☒ between 1997 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 4 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback 4 times a ~~day~~/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form <div style="font-size: 2em; font-weight: bold; border: 1px solid black; padding: 5px; display: inline-block;">G</div>
Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX		Witness Statement <div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 80%;"> 02 DEC 2008 COUNTRYSIDE ACCESS WCC </div>

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Miss S. Jakes

Address 72 Gossey Lane, Kitts Green,

Birmingham, B33 0PS

Daytime Telephone 0121 251 8562

email address

3. Date of Birth 24/03/1987

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒ Yes ☐ No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

— boggy with deep ruts in places

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Both ends when bridleway closed
2 years ago (summer 06)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

horse riders and dog walkers

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

Jakes

Date

27/11/08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2005 and onwards 2008/9
- on horseback ☒ between u and u
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 4 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback 4 times a ~~day~~/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

riding, dog walking and taking my daughter riding.

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MISS J. BARR

Address 102 HERTFORD RD

ALCESTER WARKS B49 6AR

Daytime Telephone 01789 762037

email address

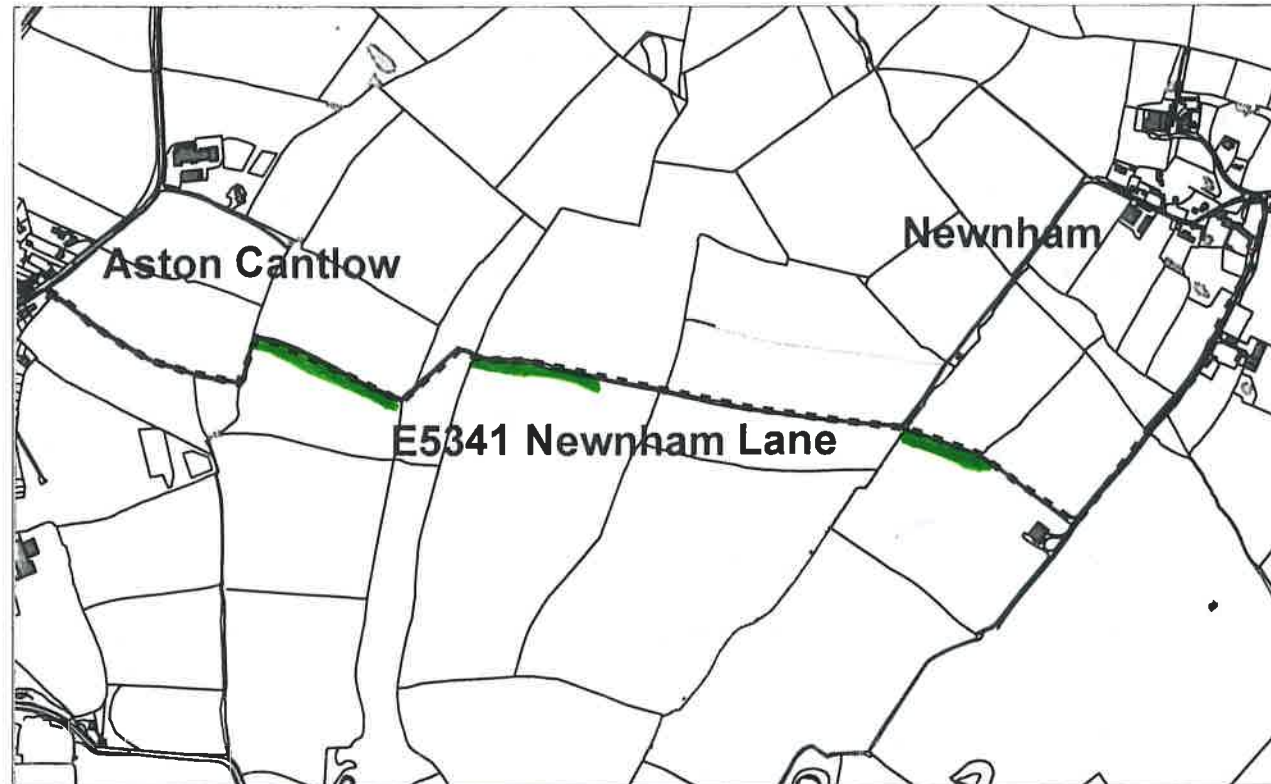
3. Date of Birth 4.7.63

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

very boggy and with deep ruts.

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Both ends of route when bridle path was closed 2 yrs ago

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

Horse riders and dog walkers.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

James Baxx

Date

27.11.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?
- on foot ☒ between 1993 and 2008
 - on horseback ☐ between _____ and _____
 - on a bicycle ☐ between _____ and _____
 - in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?
- on foot 2 times ~~a day~~/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *


12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route? ☐ Yes ☒ No
- If yes, who gave you permission, and when?



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

form **G**

W.C.C.
COUNTRYSIDE RECREATION
02 DEC 2008

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MRS. VELMA MERCER
- Address 12 AVONBROOK CLOSE
- STRATFORD-ON-AVON CV37 9LT
- Daytime Telephone 01789 205497
- email address
3. Date of Birth 28-2-1938
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? ☒ Yes ☐ No
(See note above)
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)
16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)
17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No
If yes, please give details. (What/where/when)
18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No
19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *V Mercer* Date *28.11.08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2001 and Nov 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a ~~day~~/week/month/year * *please delete as appropriate*
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐

Yes

☒

No



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

01 DEC 2008

form

G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E8341 / Newnham

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name C. L. MARLOW

Address FAIRFIELD, NEWNHAM

HENLEY IN ARDEN, B95 6DU

Daytime Telephone 01789 488171

email address C.MARLOW@AOL.COM

3. Date of Birth 21. 4. 1946

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
If no, please state reason; for example, infirmity or ill-health.

☒

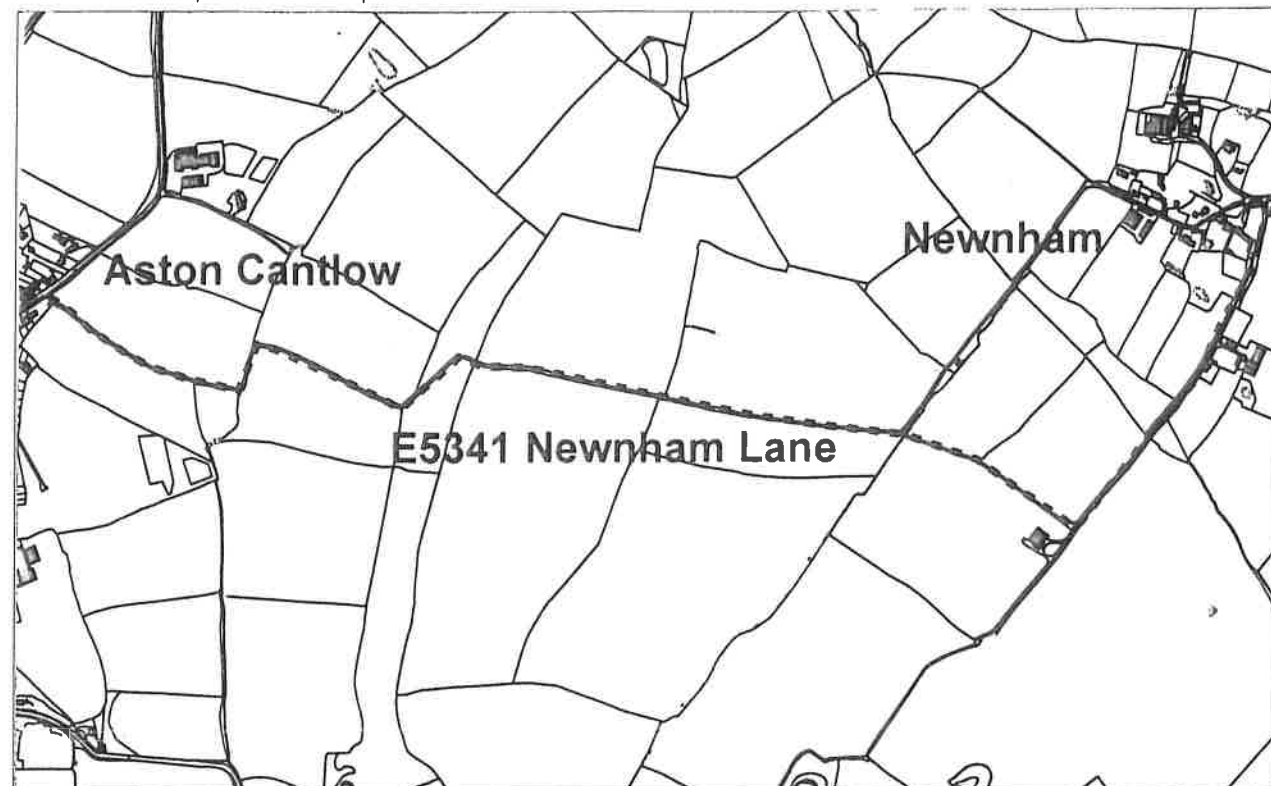
Yes

☐

No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

We have always thought that this path was a bridleway.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

[Handwritten Signature]

Date

25/11/08

14. Have you ever been given permission to use the route? ☐ Yes ☒ No
If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)
BY OTHER MEMBERS OF THE MIDLAND RIVER OWNERS CLUB LTD
& MEMBERS OF G.L.A.S.S

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature James Savage Date 12 November 2006



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) E5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

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1. Name JAMES SAVAGE

2. Address 32 AUBURN MORE CREE
REDDITCH

Daytime Telephone 01527 524995

email address SAVAGEJJ@BUSSYONDER.CO.UK

3. Date of Birth 10 MAY 1939

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒ Yes ☐ No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

SEE ATTACHED MAP.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☐ Yes ☒ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?
- on foot ☐ between _____ and _____
 - on horseback ☐ between _____ and _____
 - on a bicycle ☐ between _____ and _____
 - in a vehicle ☒ between 1985 and 2006.

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

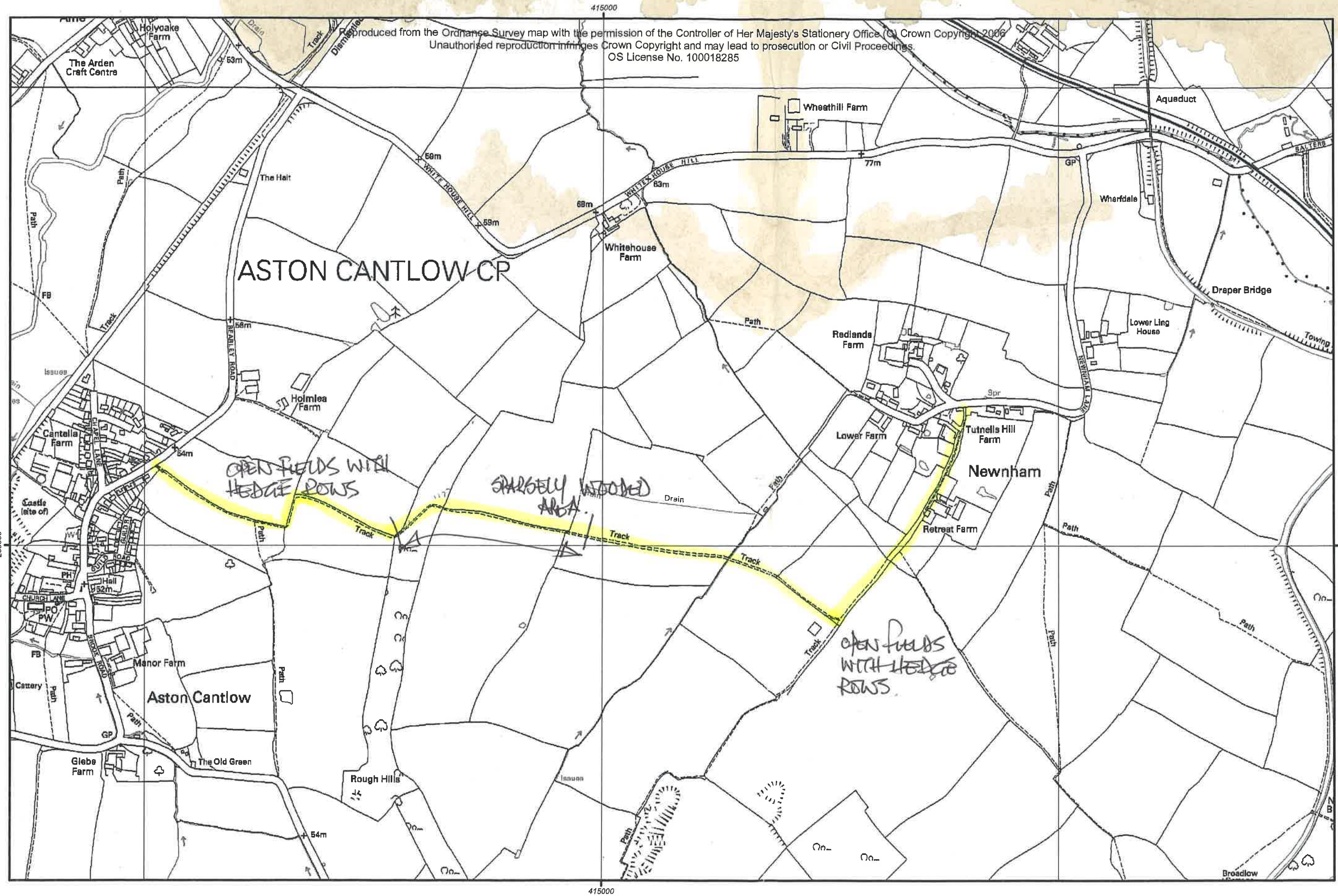
in a vehicle 2 times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

ORGANISED GREEN LANE DAY WITH
A MOTOR CLUB/C.I.A.S.S MEMBERS

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.



Title:
 Subtitle:

Produced By:
 Date:



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Tele. No: 01789 488297
E-mail: sheila.creedysmith@btinternet.com

Meadow Barn
Newnham
Henley-in-Arden
Warwickshire
B95 6DU

Dear Sir,

I am adding this letter to the document which I have completed. You ask for as much information as possible and as I live close to the road in question I feel I have the most experience of the traffic on this E road.

Firstly, it is in a very poor state of repair and with all the traffic and farm vehicles any repairs last a very short time.

When I moved to Newnham 18 years ago I was told the area was one of special interest, which it is. Obviously, people like to come to Newnham to walk and use the footpaths all around. There are many groups of walkers who come here regularly. It is also used by the horse riders from the two riding schools in the area. Quite a number of people park their cars and then walk their dogs. These are people who appreciate the beauty and quietness of the countryside.

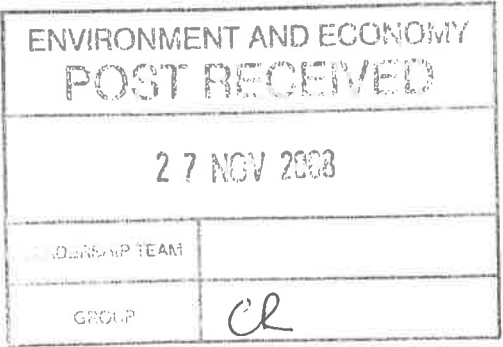
However, there are other people who just want to use it as a dirt track and make a lot of noise in the process. There is a group of off road vehicles who come in fours and fives and churn up the footpaths making it impassable for the country lovers. It is a case of a few people spoiling it for the majority.

The farmers could make life better for the walkers by repairing the paths after they have finished ploughing and harvesting their crops, the ruts are very deep when they have finished but they are the only people with the right equipment to repair the ground.

I do think it would give an enormous amount of pleasure to many people if the road became a bridal path and I can think of no reason for it being anything other than that.

Yours sincerely. Sheila Creedy Smith.

Sheila Creedy Smith



used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1992 and 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

on foot once ☒ times a ~~day~~/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?

(e.g. going to work, shopping, leisure, etc.) dog walking

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route? ☐ Yes ☐ No

If yes, who gave you permission, and when?

No permission is required



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) ES341

This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

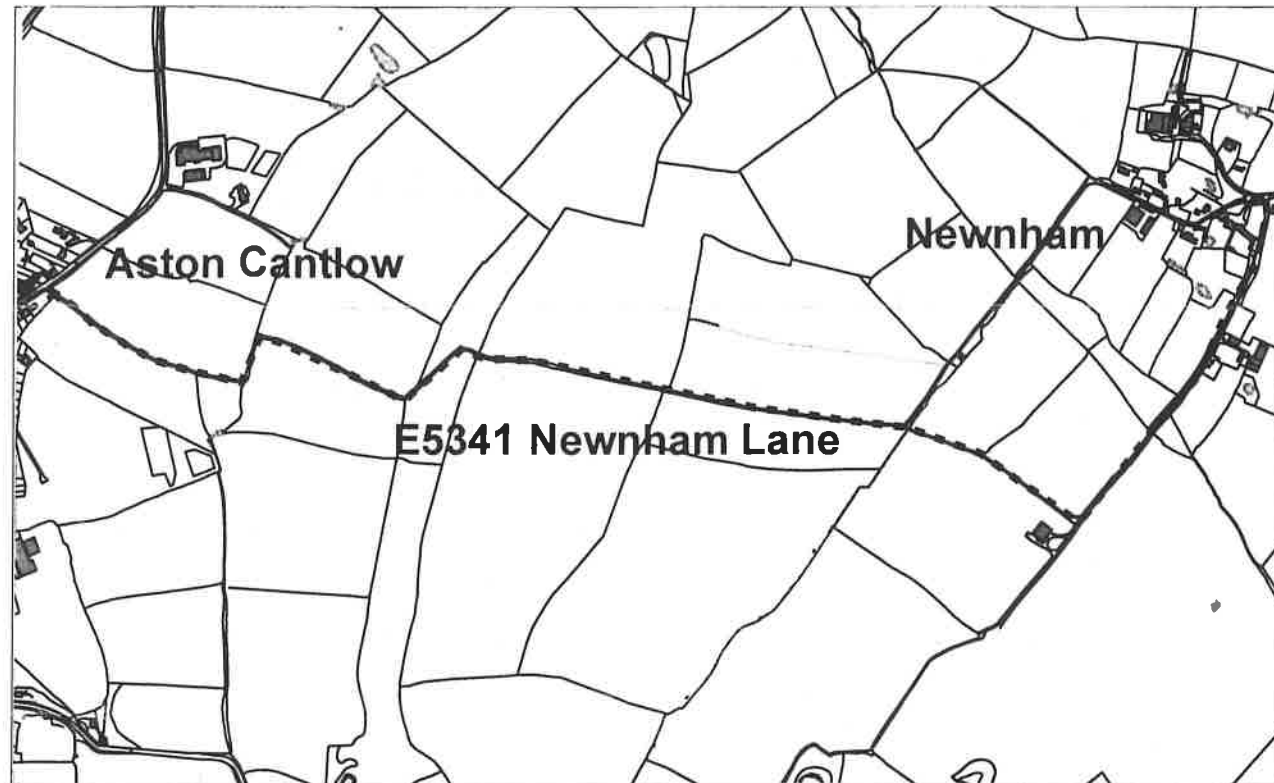
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MRS. S. CREEDEY SMITH
Address MEADOW BARN, NEWNHAM
HENLEY IN ARDEN, W'SHIRE B956DU
Daytime Telephone 01789 488297
email address _____
3. Date of Birth 19.8.1929
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above) ☒ Yes ☐ No
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☒ Yes ☐ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☒ Yes ☐ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature S. Cuddy Smith Date 27. 11. 2008

14. Have you ever been given permission to use the route? ☒ Yes ☐ No
- If yes, who gave you permission, and when?

CHECKED WITH R OF W AT
WARWICK CC.

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

YOUR UCR PLATES AT
BOTH ENDS

17. Has there ever been an obstruction on the route? ☐ Yes ☒ No
(e.g. a fence, locked gate, barbed wire, etc.)

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

MY WIFE HAS DRIVEN THE ROUTE TWICE
IN HER OWN CAR.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature R.K. Fairclough Date 8th Nov. 06



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use ink on this form.

Parish and/or reference number of route (if known) E 5341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

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1. Name ROGER K. FAIRCLOUGH

2. Address 28 SUTTON CLOSE

..... REDDITCH WORCS. B98 0JR

Daytime Telephone 01527 - 502912

email address

3. Date of Birth 22.11.42

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)



Yes



No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

SEE PLAN ATTACHED

NOTES:

- 1) ROUTE SHOWN IN YELLOW IS CORRECT ROUTE
- 2) ROUTE SHOWN IN ORANGE WAS FIRST ROUTE I USED IN THE BELIEF THAT IT WAS CORRECT.
- 3) TRACK FROM A-B RUNS ALONGSIDE FIELD BOUNDARY, IT IS GRASS COVERED AND APPROX 9' WIDE. IT IS FLAT.
- 4) B TO C CLIMBS THROUGH A WOODED SECTION. THIS WAS HEAVILY RUTTED BUT HAS RECENTLY BEEN GRADED.
- 5) C-D IS A RAISED, GRASS COVERED, RUTTED IN PLACES, FIELD ROAD APPROX 9' WIDE.
- 6) D-E IS A BASIC COMPACTED SOIL ROUTE DEFINED BY RUTS
- 7) E-F CONSISTS OF VARIOUS MATERIALS FROM HARDCORE TO CONCRETE.

6. Have you always followed the route described above? ☐ Yes ☒ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1992 and PRESENT

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

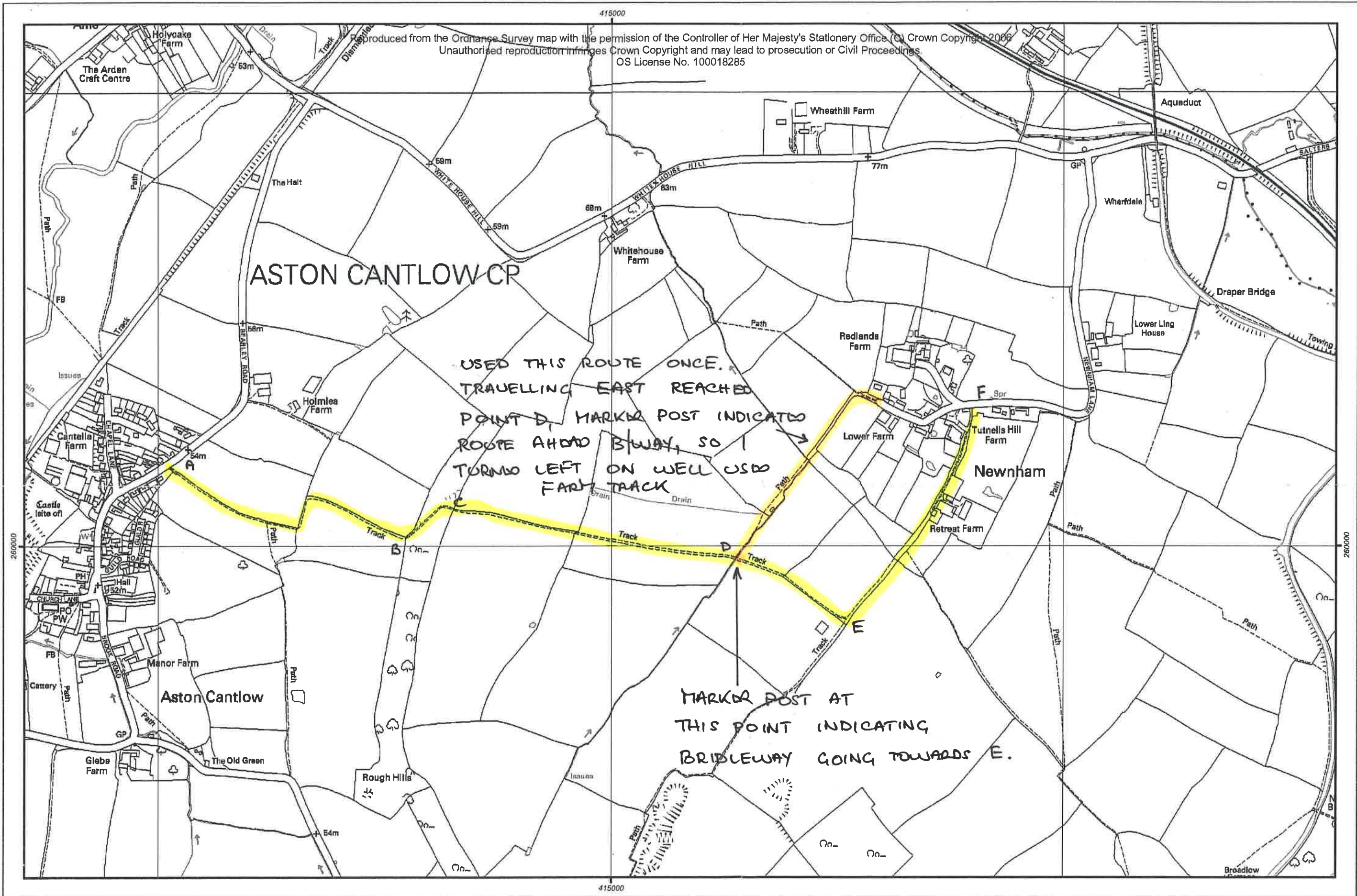
in a vehicle 4 times a day/week/month/year * IN ALL

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.



Title: E 5341
 Subtitle: STATEMENT BY R.K. FAIRCLOUGH

Produced By:
 Date: 8.11.06

Scale
 1:8,000



0 62.5 125 250 375 500 Metres

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14. Have you ever been given permission to use the route?

☐

Yes

☒

No

*Not Required
Q. No E 5341*

If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route?

☐

Yes

☒

No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☐

Yes

☒

No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐

Yes

☒

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐

Yes

☒

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

other Members of the West Mid. T.R.F.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *[Signature]*

Date *6-11-06*



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) *Leam No E 5341*

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

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1. Name *M. J. WILLIAMS*

2. Address *Ryecot, Owletts Lane*

Wick, Pershore WR10 3PB

Daytime Telephone *01386 533442*

email address

3. Date of Birth *09-06-44*

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒

Yes

☐

No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

Route as per Map in County Records office
I can't remember any gates on this Road and the
base of the road was unseparated

6. Have you always followed the route described above?

☒ ☐

If the route was different at any time, please describe the changes, or mark them on the above map.

Yes No

7. Does the route appear to be well worn?

☒ ☐

Yes No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

☐ ☒

If yes, describe their locations, or mark them on the map/sketch.

Yes No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between ¹⁹⁷⁰~~1970~~ ₁₉₇₀ and ¹⁹⁹⁰~~1990~~ ₁₉₉₀

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle ^{4/6} _____ times ~~a day/week/month/year~~ *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

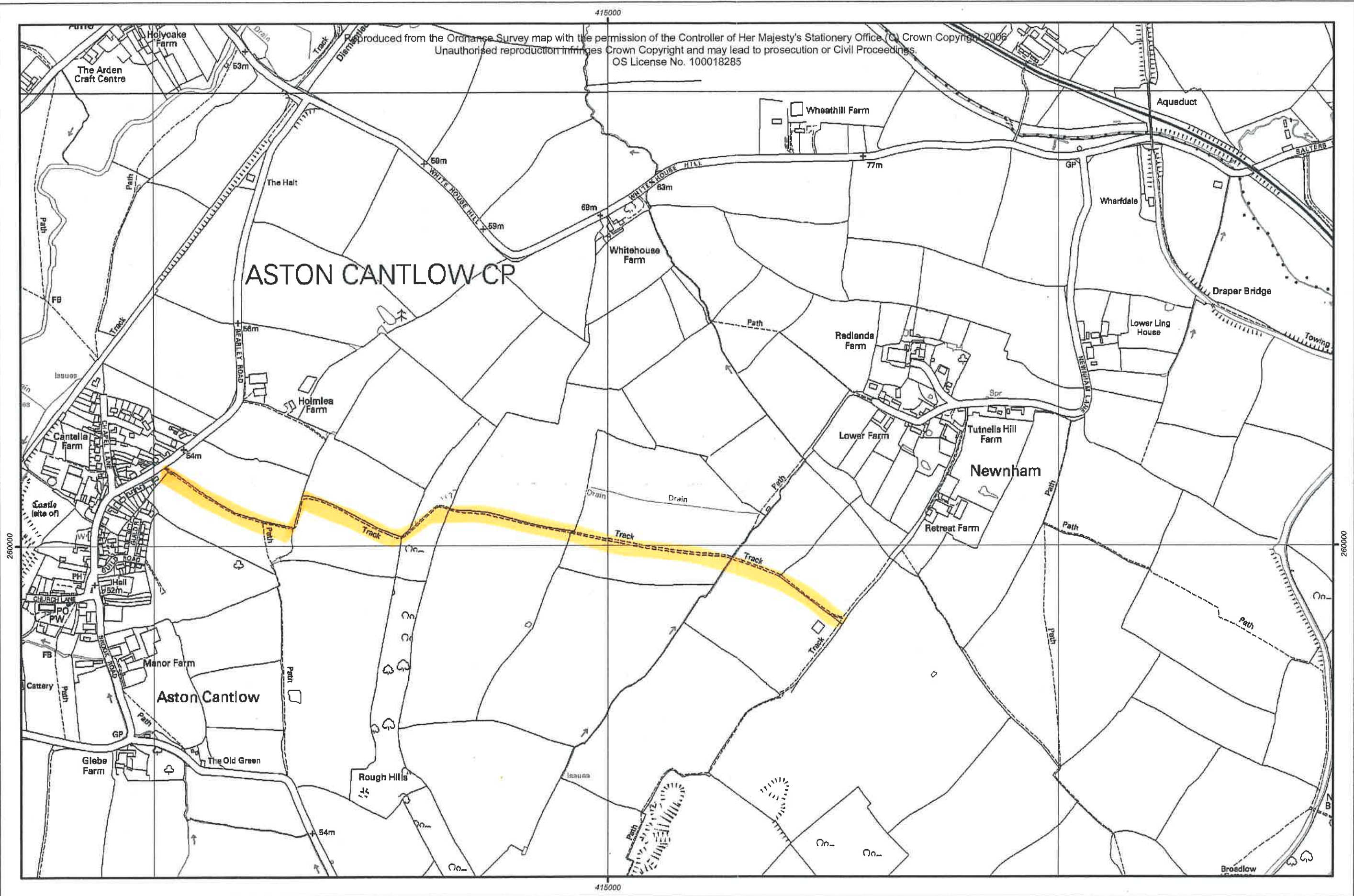
leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ ☒

Yes No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.



Title: *Route of Road ES341 as supplied by County Record office in about 1974?*

Subtitle:

Produced By:

Date:

Scale
1:8,000



0 62.5 125 250 375 500 Metres

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14. Have you ever been given permission to use the route?

☐☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐☒

If yes, please give details.

(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☐☒

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

Yes

No

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐☒

If yes, please give details. (What/where/when)

Yes

No

18. Did any notice or obstruction stop you using the route?

☐☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I am a member of the TR.F (West Midlands) and we have details of members using this route during the 1970s.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *C J O'Brien*

Date *10/11/06*



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use ink on this form.

Parish and/or reference number of route (if known) *E 5341*

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name *CHRISTOPHER O'BRIEN*

2. Address *17 OAKSLADE DRIVE, SOLIHULL,
W'MIDS, B92 9QG*

Daytime Telephone *0121-705-9417*

email address

3. Date of Birth *13/11/64*

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒

Yes

☐

No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

See attached map.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☐
- Byway open to all traffic (Mainly used by vehicles) ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1999 and 2006

11. How often did you use the route during the period stated in Q.10?

- on foot _____ times a day/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle 2 times a ~~day/week/month/year~~ *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route? ☐ Yes ☒ No
If yes, who gave you permission, and when?

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature [Signature] Date 7 NOV 06



Warwickshire
County Council

Countryside Access

08 NOV 2006

Wildlife & Countryside Act 1981

Witness Statement

form
G

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

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- Name PETER COOKSON
- Address 14 BURMAN RD
SHIRLEY, SOLIHULL B90 2BG
Daytime Telephone 0121 745 6129
email address
- Date of Birth 28-9-48
- Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? ☒ Yes ☐ No
(See note above)
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☐ Yes ☒ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?

- on foot ☐ between _____ and _____
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☒ between 1980 and 2006

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate

on horseback _____ times a day/week/month/year *

on a bicycle _____ times a day/week/month/year *

in a vehicle 2 times a ~~day/week/month/year~~ *

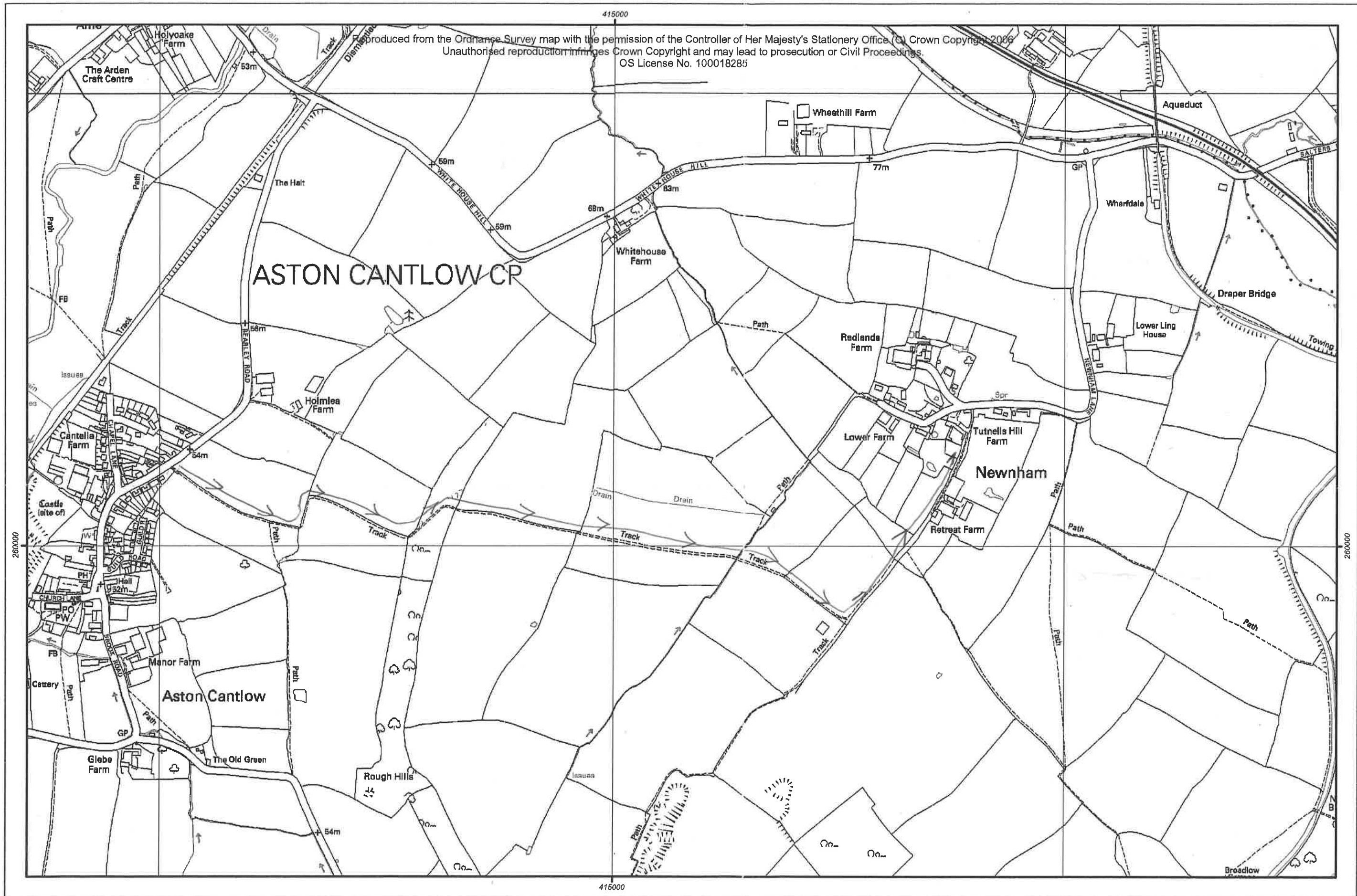
A YEAR

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)



13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.



Title:
Subtitle:

Produced By:
Date:

Scale
 1:8,000



0 62.5 125 250 375 500 Metres

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14. Have you ever been given permission to use the route?

☐☒

If yes, who gave you permission, and when?

Yes

No

15. Have you ever been stopped, or turned back, when using the route?

☐☒

If yes, please give details.
(When, by whom, what was said, etc.)

Yes

No

16. Have you ever seen any notices on or near the route?

☐☒

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Yes

No

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐☒

If yes, please give details. (What/where/when)

Yes

No

18. Did any notice or obstruction stop you using the route?

☐☒

Yes

No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature Jonathan Hughes

Date November 14th 2006



Warwickshire
County Council

Countryside Access

Wildlife & Countryside Act 1981

form
G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known)

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1. Name JONATHAN HUGHES

2. Address 71 CALLOW HILL ROAD

ALVECHURCH B487LS

Daytime Telephone 0121 - 744 2096

email address N/A

3. Date of Birth 5/6/57

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☐

Yes

☒

No

If no, please state reason; for example, infirmity or ill-health.

YES if on MONDAY or Evening
as I work for myself and cannot get away from work.

5. Description and sketch map of the route.
(You may choose to attach a map extract showing the route.)
Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.

qs on enclosed map.
have marked gates ||

6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☒ Yes ☐ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly used by pedestrians and/or horseriders)? ☒

10. How have you used the route, and during which years?
- on foot ☐ between _____ and _____
 - on horseback ☐ between _____ and _____
 - on a bicycle ☐ between _____ and _____
 - in a vehicle ☒ between 1979 and 2006

11. How often did you use the route during the period stated in Q.10?

on foot _____ times a day/week/month/year *please delete as appropriate
on horseback _____ times a day/week/month/year *
on a bicycle _____ times a day/week/month/year *
in a vehicle 5 or 6 times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No
- If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1998 and 2008
- on horseback ☒ between 1985 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 2 times a ~~day/week/month/year~~ *please delete as appropriate
- on horseback 6 times a ~~day/week/month/year~~ *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?

 <p>Warwickshire County Council</p> <p>Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX</p>	<p>Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire</p> <p>Witness Statement</p>	<p>form</p> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p>W.C.C. COUNTRYSIDE RECREATION</p> <p>01 DEC 2008</p> </div> <p style="font-size: 2em; font-weight: bold; float: right;">G</p>
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Please use **ink** on this form.

Parish and/or reference number of route (if known)

E8341 / Henham

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name CHRISTINE PHILLIPS
Address 2 THE DALE
WOODTOW WAWEN HENLEY IN ARDEN B956AZ
Daytime Telephone 01564 792925
email address _____
3. Date of Birth 30/01/1939
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

During 2007 when the path was repaired & earlier when the bank was repaired

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No

see above

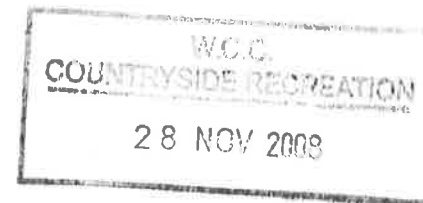
19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)
- well used by walkers & other horse riders
I usually meet some people.*

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature ... *Antin Cantlow* ... Date ... *23/11/08* ...

Andrea Boyle

*Little Ling
Newnham
Henley in Arden
Warwickshire B95 6DT
Tel / Fax 01789488291*



Mr P. Williams
Warwickshire County Council
Countryside Recreation
Unit 11
Montague Road
Warwick CV34 5LW

November 26 2008

Dear Mr Williams

I have used Newnham Lane E5341 for 50 years next spring and would like to point out two things which I think are relevant.

Until about 20 years ago there was a narrow gate (commonly called a hunting gate) at the position I have marked with a cross on the map. This gate allowed a horse and rider, pedestrian or cyclist to pass along the route but stopped all wider traffic ie. 4 wheel drive vehicles Therefore from 1959 (when I first came to live in Newnham) till approx. 1990 it was impassable to vehicular traffic.

The bit coloured in pink on the map was a stone road until about fifteen years ago when the landowner dug up all the stone and carted it away leaving the awful boggy track that users of this route have to go along at present.

Do please contact me if I can be of any further use.

Yours sincerely

Andrea Boyle

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1959 and present
- on horseback ☒ between 1959 and present
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 2 times a ~~day~~/week/month/year * please delete as appropriate
- on horseback 3 times a ~~day~~/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) ... Aston Cantlow E 534

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Andiea Boyle
Address Little Ling, Stewnham
Henley-in-Aiden, Warwickshire B95 6DT
Daytime Telephone 01789 488291
email address X
3. Date of Birth X
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☒ Yes ☐ No

If yes, please give details.
(When, by whom, what was said, etc.)

When route was closed by council in summer 2007

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Saying it was closed in summer 2007

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

See enclosed letter
Many horses use this route
and walkers

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature Andrea Boyle Date November 26 2008

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1998 and now
- on horseback ☒ between 11 and 11
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 5 times a day/week/month/year *please delete as appropriate
- on horseback 1 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
Witness Statement		
Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX		

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

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If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name B. Warden

Address 2 SWEET ST. WROXTON BANBURY

OX15 6QB

Daytime Telephone 07852275187

email address _____

3. Date of Birth 23.11.52

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

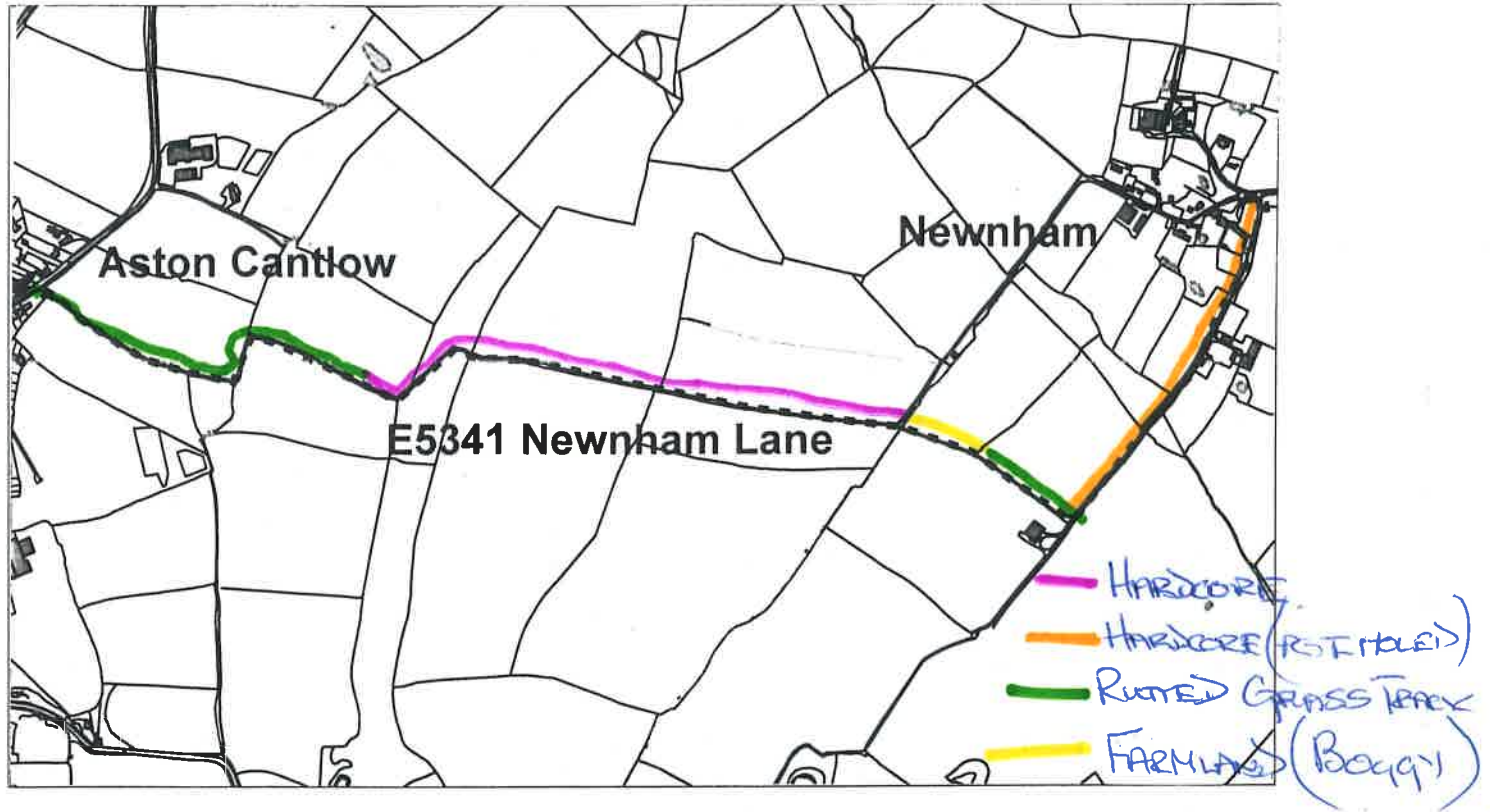
(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

If yes, describe their locations, or mark them on the map/sketch.

☐ Yes ☒ No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐
☒
☐

15. Have you ever been stopped, or turned back, when using the route?

☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

When it was closed for re-surfacing

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☒ Yes ☐ No

When closed.

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *B. Walker* Date *27.11.08.*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2003 and 2008
- on horseback ☒ between 2003 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a day/week/month/year * please delete as appropriate
- on horseback 2-3 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

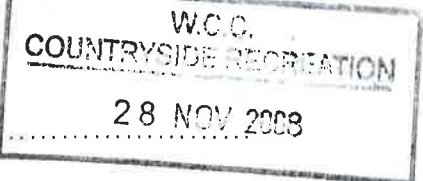
G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____



This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

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If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Charlotte Dabbs

Address 172, Lichfield Road, Shire Oak,
Walsall Wood, Walsall, West Mids

Daytime Telephone 07838

email address _____

3. Date of Birth 30/01/1985

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

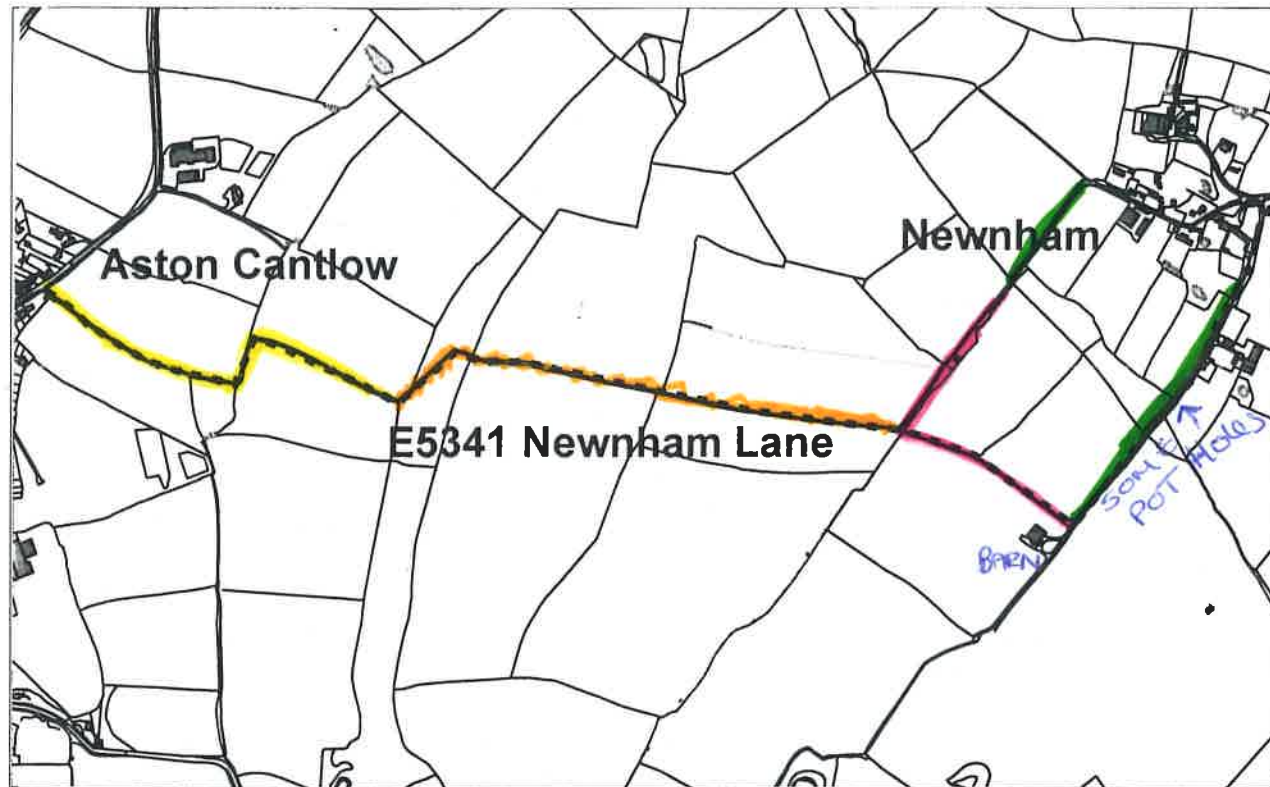
(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?
If yes, describe their locations, or mark them on the map/sketch.

☐ Yes ☒ No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐
☒
☐

15. Have you ever been stopped, or turned back, when using the route?

☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Council Notices

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I use the route to ride my horse and to walk my dog. I have seen many other horse riders and walkers on the route.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature C. Dobb

Date 26/11/08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1980 and 2008
- on horseback ☒ between 2005 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 2 times a day/week/month/year *please delete as appropriate
- on horseback 4 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

riding & walking to Aston Cantlow

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?



Warwickshire
County Council

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

W.C.C.
COUNTRYSIDE RECREATION
28 NOV 2003

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

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1. Name Mrs J. Carr-Smith

Address THE KNOLL, MILL LANE, GUEST RING

ACESTER, WARWICK B49 6JH

Daytime Telephone 01786 264477 / 01789 488235

email address j.d.carr-smith@bham.ac.uk

3. Date of Birth /

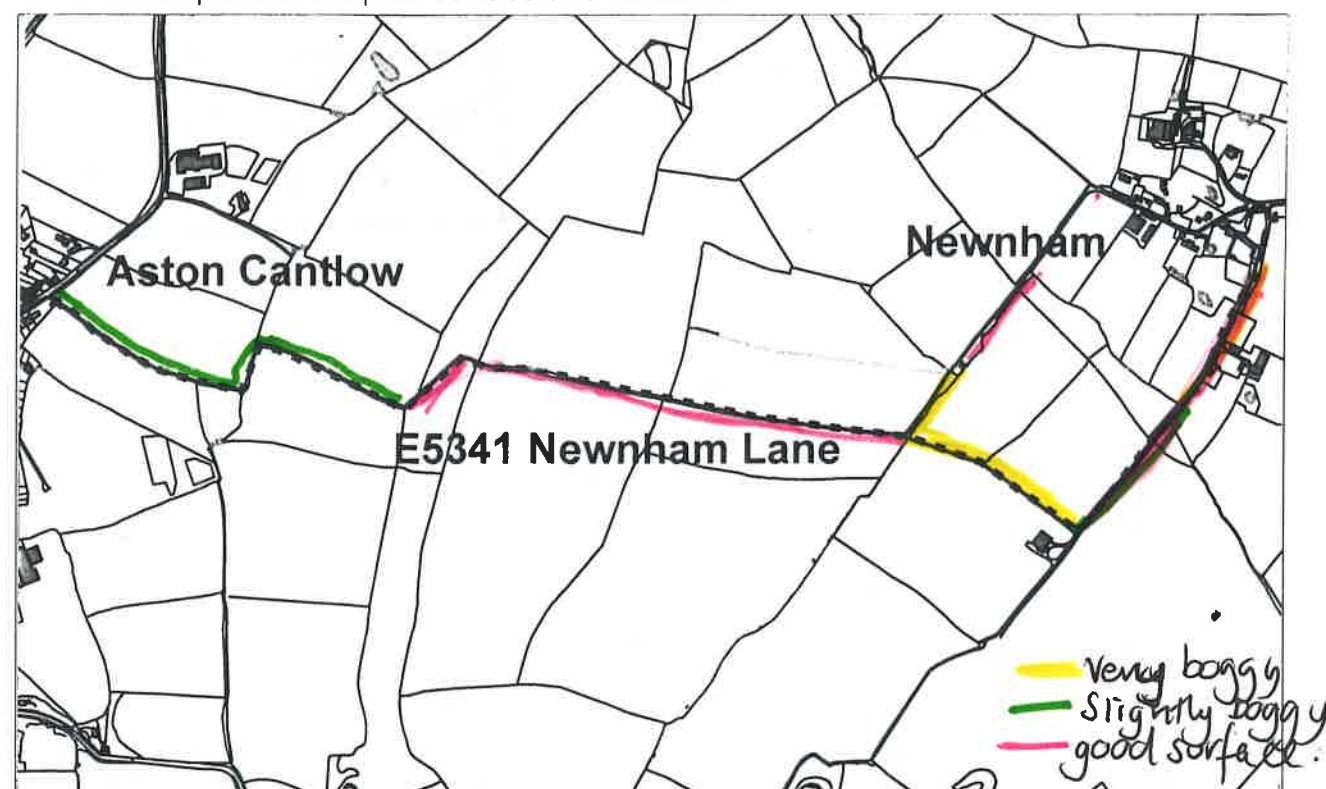
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

(See note above)
If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☒ Yes ☐ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? ☒ Yes ☒ No
(e.g. a fence, locked gate, barbed wire, etc.)

If yes, please give details. (What/where/when)

road closed (yellow area) 12 months ago? for repairs?

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

We use this route to ride our ponies for the last 3 years. I have seen quad bike, mountain bikes & landrovers also use this route.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

Janet Oak

Date

23/4/08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between Nov 06 and present Nov 08
- on horseback ☒ between " and "
- on a bicycle ☒ between and
- in a vehicle ☒ between and

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback 1 times a ~~day~~/week/month/year *
- on a bicycle X times a day/week/month/year *
- in a vehicle X times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐

Yes

☒

No

If yes, who gave you permission, and when?



Warwickshire
County Council

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MR. S. ROGERS

Address C/O UPPER CRANNILL FARM, STATFORD B,
N/R BIDFORD, WARWICKSHIRE, B50 4LL

Daytime Telephone 07980 427434.

email address

3. Date of Birth 26 —

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒

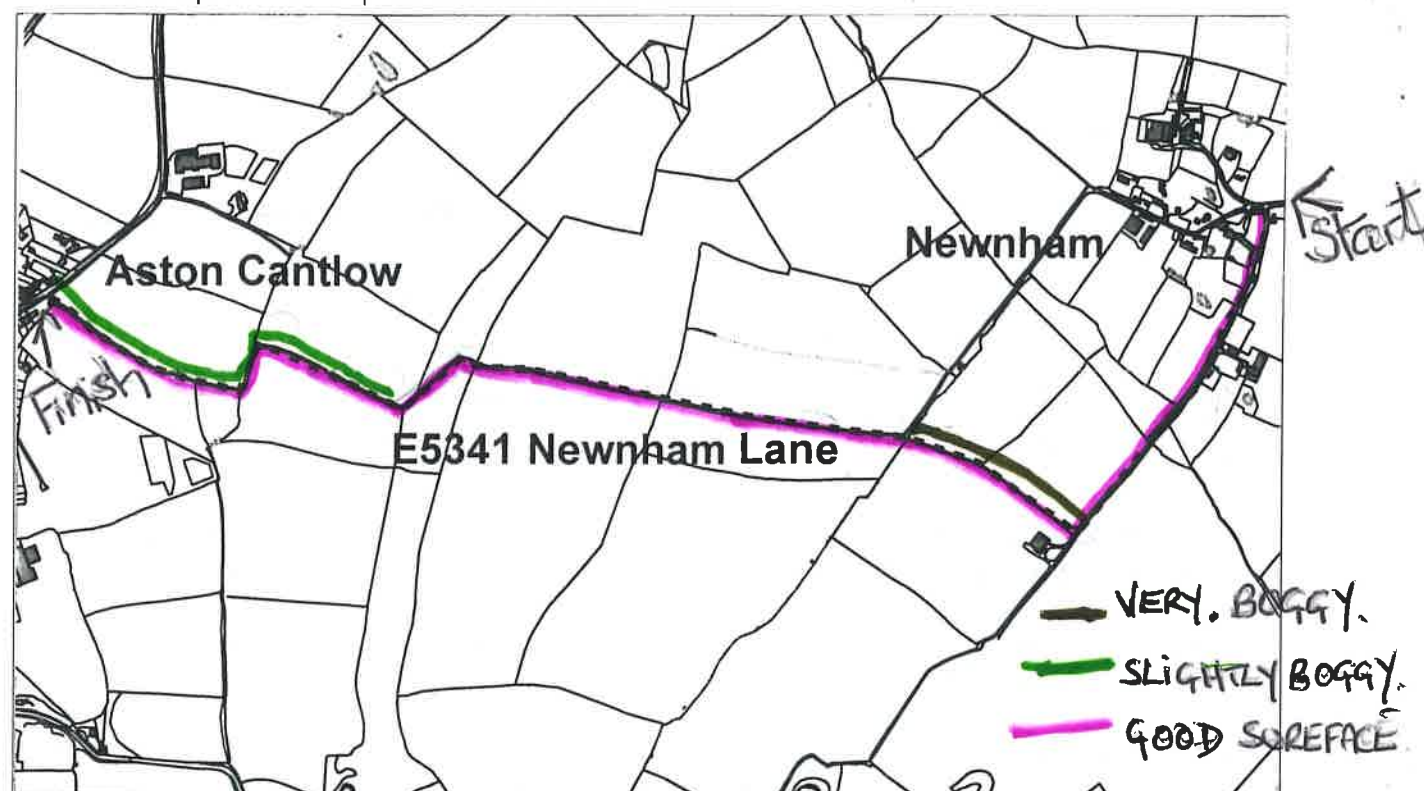
Yes

☐

No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature S. Jones

Date 23RD NOV 08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1995 and 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a day/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

for my leisure when on the days that I don't work
as I work three days a week, and when the children are at
School I use this walk to unwind, time that I can call my time
its something I would miss as I can get back in time to get my children

13. At the time when you used the route, were you, or did you
work for, any land owner, occupier or tenant of the land
over which the route runs, or any adjoining land?

☐

Yes

☒

No

If yes, please give details of any instructions given to you about the public using the
route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?


☐

Yes

☒

No

If yes, who gave you permission, and when?

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Witness Statement	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> COUNTRYSIDE RECREATION 27 NOV 2008 </div>
Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX		

Please use **ink** on this form.

Parish and/or reference number of route (if known) ES341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right
of way over the route claimed, and if so, what kind of usage the route has (on foot,
horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the
County Council has, the better a decision it can make.

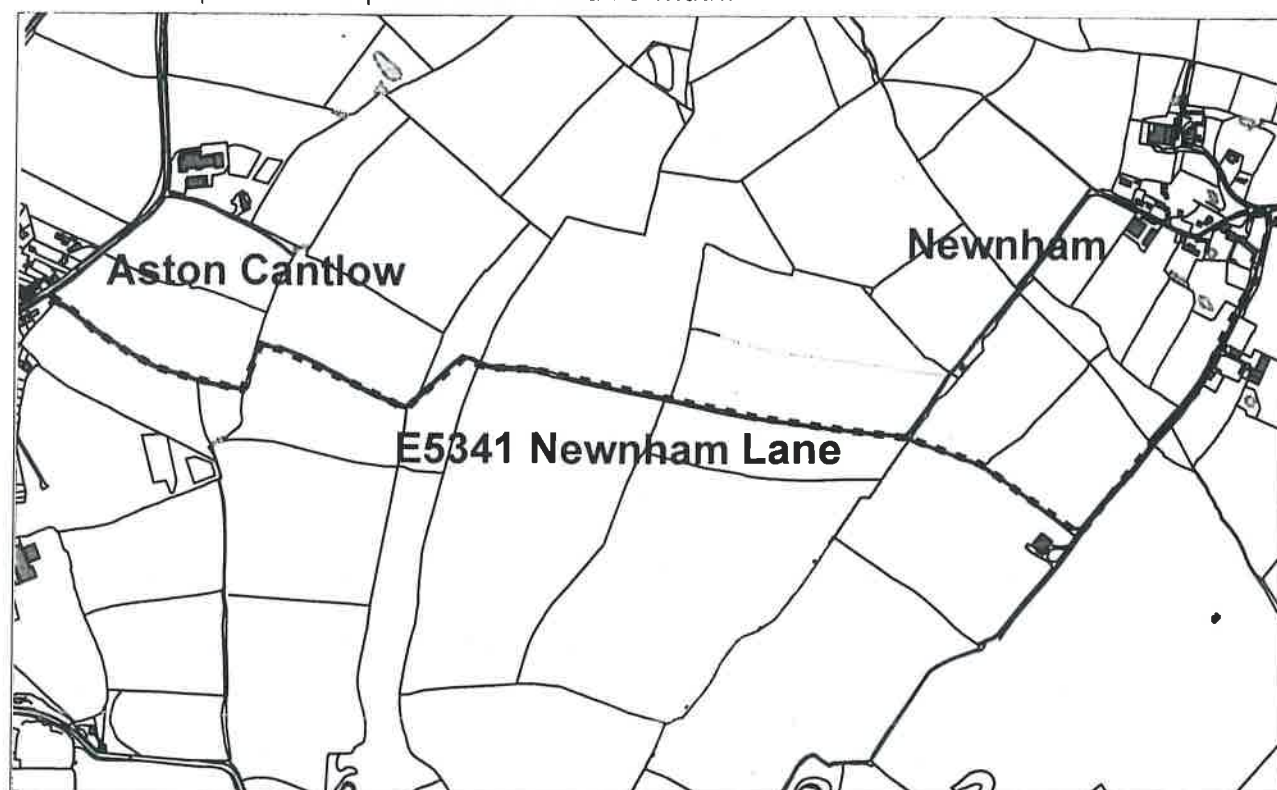
The information you give in this form will **not** be treated as confidential. The form may be
shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry
or Hearing. This will be held close to the location of the claimed route (e.g. in a Village
Hall). User evidence is of much greater value if the witness attends in person and is
prepared to answer questions on their statement. It is for this reason that you are asked if
you are prepared to attend such an Inquiry (Question 4, below).

1. Name MRS. ANGELA DENNISON
- Address ARDEN CROFT, BEARLEY, ASTON CANTLOW
B95 6HS
- Daytime Telephone 01789 488334
- email address _____
3. Date of Birth 30.04.1958
4. Would you be prepared to attend a Public Inquiry or Hearing
in respect of the evidence you have given in this form?
(See note above) ☒ Yes ☐ No
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?



Yes

No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? *yes as it gets use reglary by people and horses Keeping your view clear as to were you are walking*



Yes

No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

If yes, describe their locations, or mark them on the map/sketch.



Yes

No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly



15. Have you ever been stopped, or turned back, when using the route?



Yes

No

If yes, please give details.

(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?



Yes

No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

Mid 2007 I saw that it was closed due to some work being to the path. after they finish their work, I took my walk and thought they did a great job.

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.)



Yes

No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?



Yes

No

19. Please give any further information about the route.

(e.g. other people who have used it, land ownership, etc.)

I see a lot of people use this route through the day walkers, people walking their dogs and their children. I feel there is no need to make this a road for vehicles as both ways in and out of the village, people using these roads out or in it would be no quiter, to use a road through there and then everyone that uses this road to walk would happy and safe

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *A.E. Dennis*

Date *19. 11. 08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1992 and 2008
- on horseback ☒ between 1992 and 1993
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1-2 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback 1-2 times a ~~day~~/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

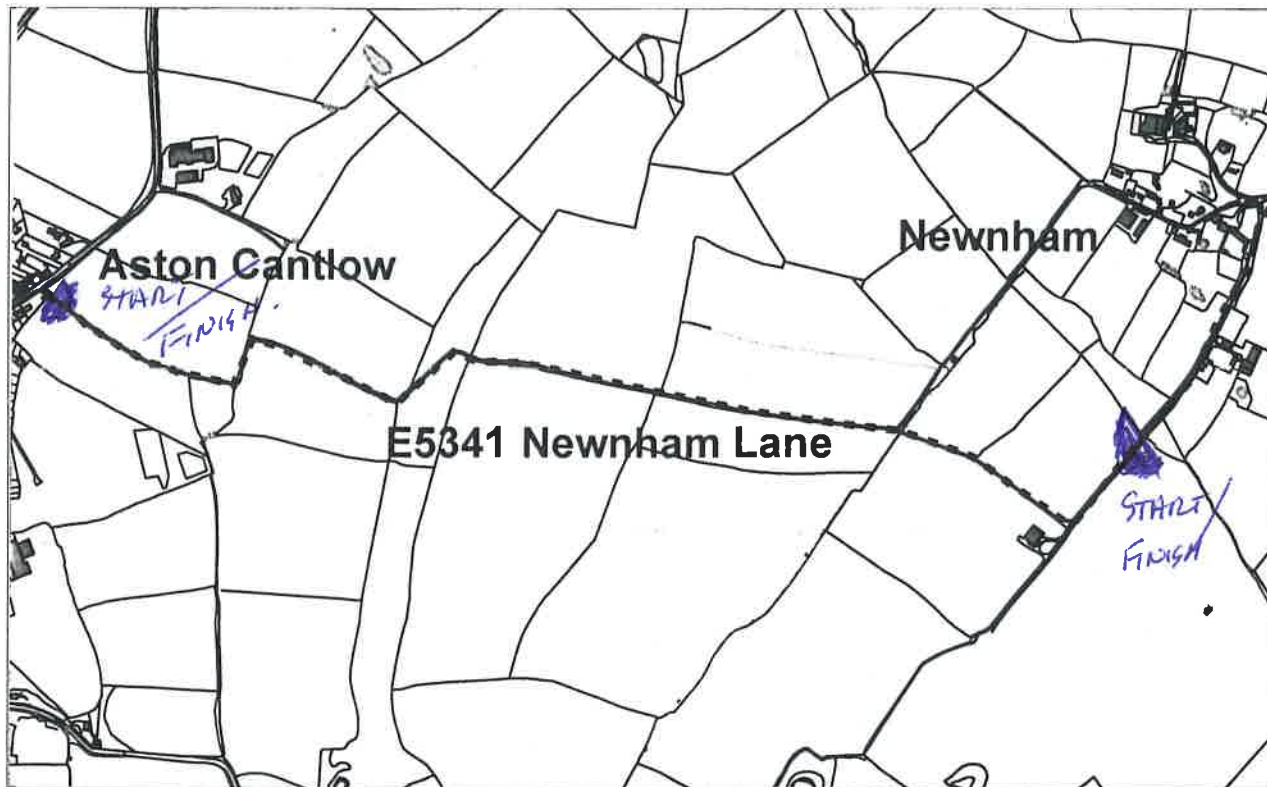
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name STEPHEN CARTMALE
Address 11 KINGHAM CLOSE, REDDITCH.
B98 0SA
Daytime Telephone 01527 528838
email address stevecartmale9@hotmail.com
3. Date of Birth 17-09-1949
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)
If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☒ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

For repairs about 12 months ago

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

We ride horses + walk on this route + have done for last 15yrs. - I have seen Quad bikes, Scramble bikes, Mountain bikes + four wheel ^{drive} motor vehicles (landrovers etc)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *[Signature]*

Date *23-11-2008*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 2002 and Nov 2008
- on horseback ☒ between 2002 and Nov 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 6 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback 6 times a ~~day~~/week/month/year *
- on a bicycle 0 times a day/week/month/year *
- in a vehicle 0 times a day/week/month/year *

12. For what purpose did you use the route?

(e.g. going to work, shopping, leisure, etc.) leisure

Riding or accompanying daughter on horse

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?



Warwickshire
County Council

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Ken Dabbs

Address Mell Green Farm, 724 Chester Road, Aldridge
Walsall West Midlands WSA 0LR

Daytime Telephone 078383 95717

email address kendabbs@hotmail.com

3. Date of Birth 22/9/1955

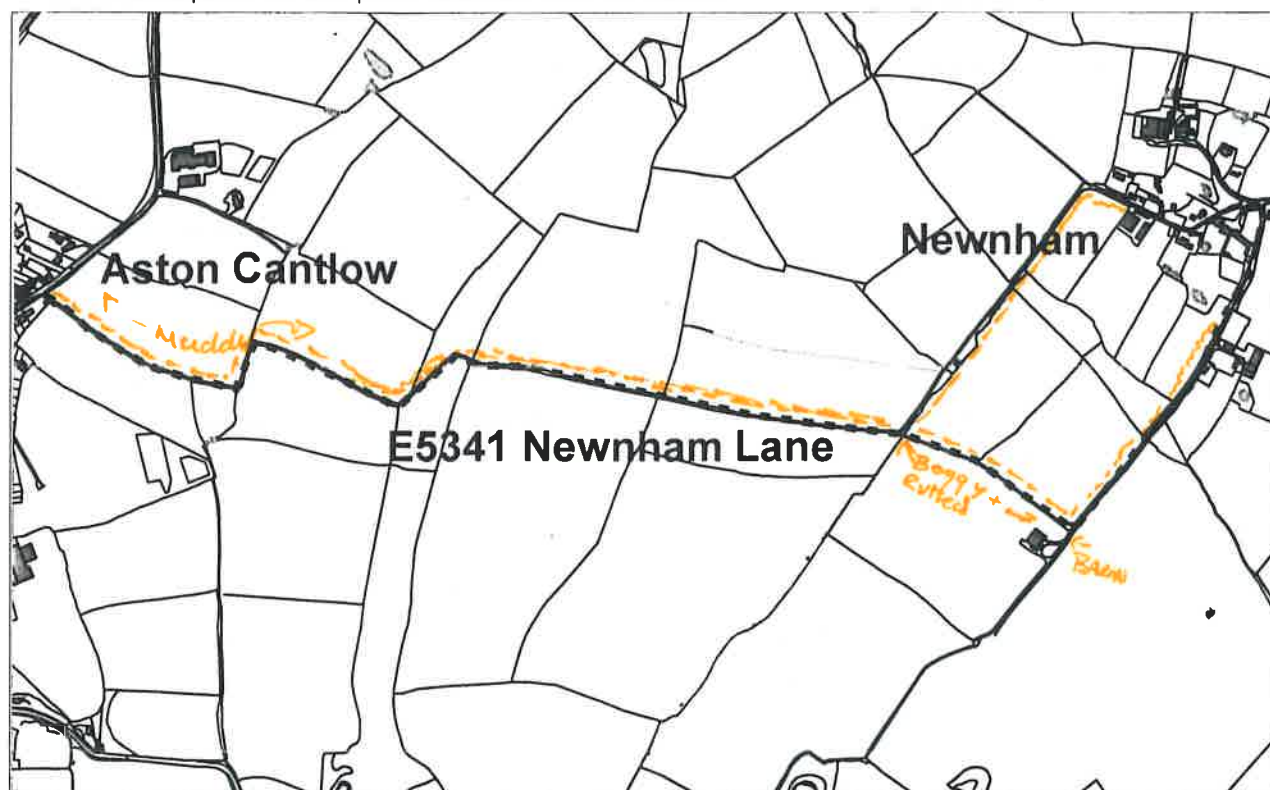
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above)

☒ Yes ☐ No

If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

Other horse riders have been seen using the path.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature 

Date 24 November 2007

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between Aug 07 and Now
- on horseback ☒ between Aug 07 and Now
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback 3 times a ~~day~~/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No



Warwickshire
County Council

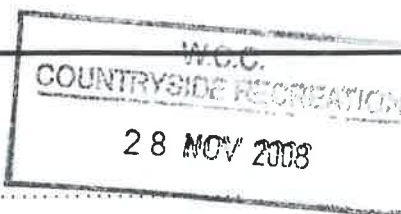
Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form

G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement



Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

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Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

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If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name Sally Wigglesworth

Address Home Farm Cottage

Cropredy Oxon

Daytime Telephone 07799 637766

email address _____

3. Date of Birth _____

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?

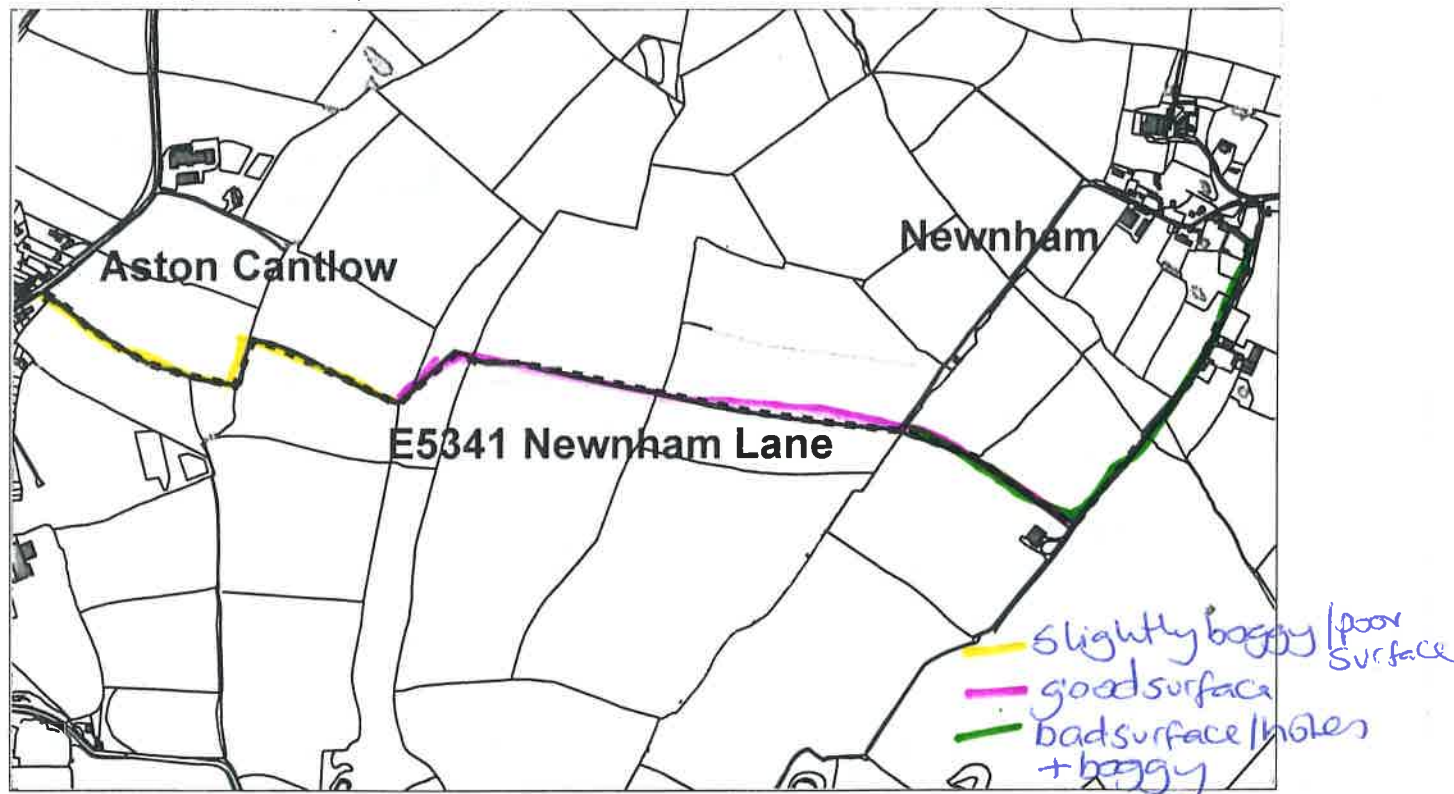
(See note above)

If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

☐

15. Have you ever been stopped, or turned back, when using the route? ☒ Yes ☐ No

If yes, please give details.
(When, by whom, what was said, etc.)

Except when the council closed for repairs

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

council notices

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I have only seen horses + pedestrians use this route in the last 18 months

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *Sally Ann Jones* Date *20.11.08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1998 and 2008
- on horseback ☒ between 2006 and 2008
- on a bicycle ☒ between 1998 and 2008
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 7 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback 2 times a ~~day~~/week/month/year *
- on a bicycle 3 times a ~~day~~/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

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- Name PAUL PHARO
 Address SIDESADDLE, HENLEY RD.
GREAT ALVE. B49 6HX.
 Daytime Telephone 01789 488692
 email address Amette@apharo.freemove
- Date of Birth _____
- Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
 (See note above)
 If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?
If yes, describe their locations, or mark them on the map/sketch.

☐ Yes ☒ No

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly

☒

15. Have you ever been stopped, or turned back, when using the route?

☒ Yes ☐ No

If yes, please give details.

(When, by whom, what was said, etc.)

when green areas are too boggy to go down or if offroad cars are coming.

16. Have you ever seen any notices on or near the route?

☒ Yes ☐ No

If yes, please give details.

(Where they were, what they said, when they were there, etc.)

on a few posts at the beginning of the route.

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☒ Yes ☐ No

yes when they shut it last year

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *A. Brown*

Date *27/11/08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1996 and 2008
- on horseback ☒ between 1996 and 2008
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot ☒ times a day/week/month/year *please delete as appropriate
- on horseback ☒ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

If yes, who gave you permission, and when?

☐ Yes ☒ No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known) _____

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

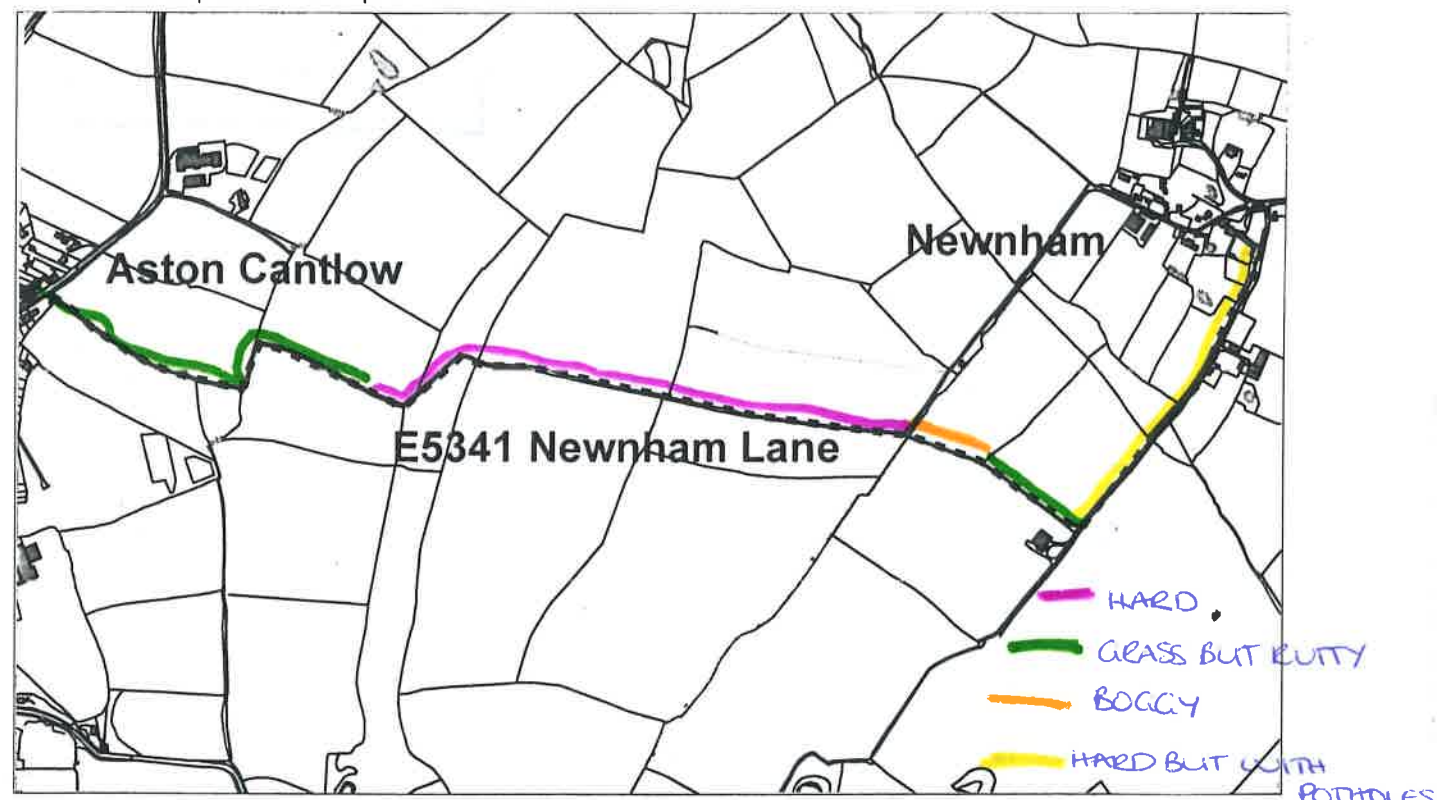
If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name ANNA MATTHEWS
 Address FAIRFAX HOUSE, WARWICK ROAD,
STRATFORD-UPON-AVON, WARCS, CV37 0NZ
 Daytime Telephone 01789 292354
 email address anngmatthews@yahoo.co.uk
3. Date of Birth 12/7/86
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
 If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:
- ☐ footpath (for pedestrians only)?
 - ☒ bridleway (for pedestrians, horseriders and cyclists)?
 - ☐ byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

when path closed for repairs.

17. Has there ever been an obstruction on the route? ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No

only when closed

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

*lots of horses & walkers, and farm traffic,
no other vehicles.*

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature *[Signature]* Date *27.11.08*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1999 and 2008.
- on horseback ☒ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 8 times a day/week *please delete as appropriate
- on horseback 6 times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)


walking dogs.
riding horses.
hunting.

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

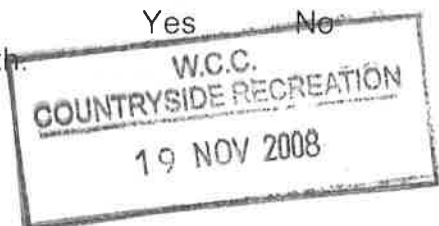
If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route? ☐ Yes ☐ No

If yes, who gave you permission, and when?

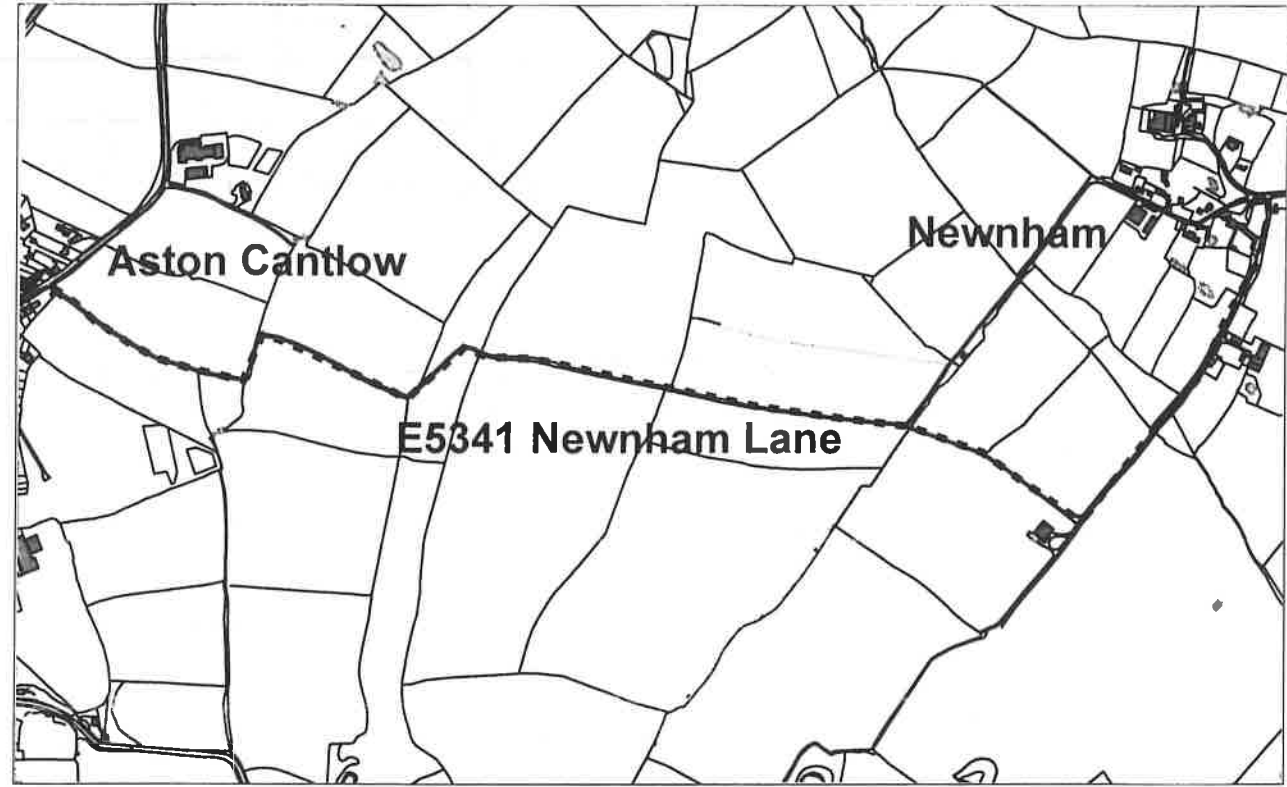
 Warwickshire County Council Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	ENVIRONMENT AND ECONOMY POST RECEIVED 19 NOV 2008	
	Witness Statement Please use ink on this form. Parish and/or reference number of route (if known) <u>Newnham. ES341.</u> This form should relate to one route only, and should be completed by one person only. Please make copies of this form if more are needed. This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles). Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make. The information you give in this form will not be treated as confidential. The form may be shown to any person who wishes to see it. If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).	LEADERSHIP TEAM	
		GROUP	<u>CR</u>

1. Name MS. K.E. BRIGGTON
 Address THATCHED COTTAGE.
NEWNHAM.
 Daytime Telephone 01789 488675/07831 603030
 email address ccomfort@dircon.co.uk
3. Date of Birth 19/03/57.
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above) ☒ Yes ☐ No
 If no, please state reason; for example, infirmity or ill-health.



5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No
If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No
If yes, please give details.
(Where they were, what they said, when they were there, etc.)

at entrance (S) to route. when repairs were done to the track. / closure of route / announcement of this etc. have seen all over

17. Has there ever been an obstruction on the route? ☐ Yes ☒ No *last 8 years.*
If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☒ Yes ☐ No
when closed for repair.

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)
People with 4 x 4 vehicles have been using it - as a consequence it is now deeply rutted and dangerous to use for riders, walkers. They use it late at night too, and frighten a couple of ladies who use on their own during the

I confirm that to the best of my knowledge and belief the information I have given is true.
Signature *[Signature]* Date *17/11/08* *week.*

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1988 and 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

DOG WALKING


13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route? ☐ Yes ☐ No

If yes, who gave you permission, and when?

PUBLIC ACCESS
PERMISSION NOT REQUIRED

 <p>Warwickshire County Council</p> <p>Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX</p>	<p>Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire</p> <p>Witness Statement</p>	<p>form</p> <div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p>W.C.C. COUNTRYSIDE RECREATION 20 NOV 2008</p> </div>
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Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

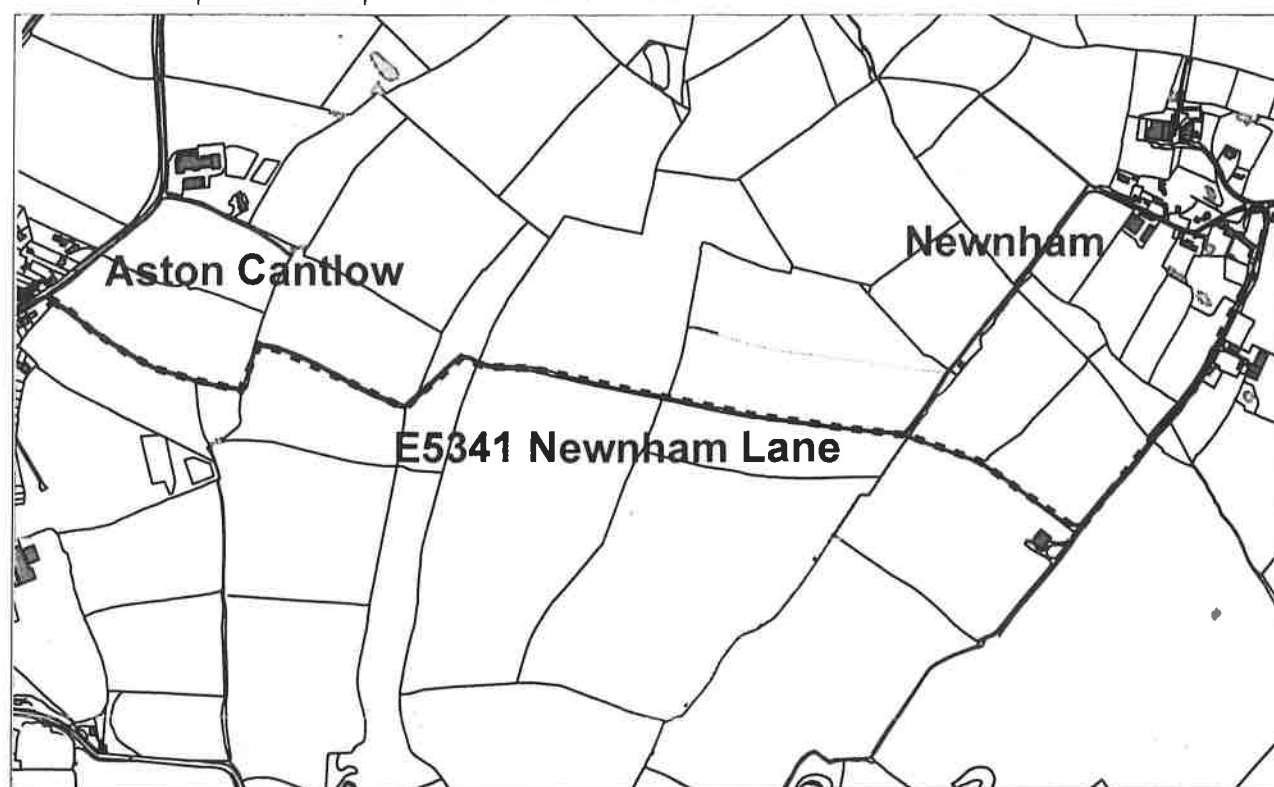
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name MRS. C. EVANS
Address ROUGHWOOD Cottage ASHON CANTLOW
HENLEY-IN-ARDEN. B95 6HS
Daytime Telephone 01789 488588
email address Caeroughwood@aol.com
3. Date of Birth 8.2.44
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above) ☒ Yes ☐ No
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
- If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☐ No
- If yes, describe their locations, or mark them on the map/sketch.
- NOT SEEN PERSONALLY

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

W.C.C. CLOSURE NOTICES. BENLLOY RD
ENTRANCE

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☐ No

If yes, please give details. (What/where/when)

THERE MAY HAVE BEEN, BUT NOT
PERSONALLY SEEN

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)
- I LIVE OPPOSITE THIS TRACK. THE LARGEST USER GROUP BY FAR ARE RAMBLERS AND DOG WALKERS. IT IS ALSO USED BY HORSERIDERS. IN RECENT YEARS, IT HAS BEEN USED BY 4X4 VEHICLES WHICH HAVE CAUSED EXTENSIVE DAMAGE TO THE SURFACE ENDANGERING OTHER USERS (AS THEY MAINLY COME AFTER EXTENSIVE RAINFALL. IN RECENT MONTHS THE USE SEEMS TO HAVE BEEN ORIENTED WITH A CONVOY OF VEHICLES GOING UP THE TRACK (ALSO AT NIGHT).

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature St. John Date 12.11.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1988 and 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 2 times a day/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Walking Dogs

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☐ No

If yes, who gave you permission, and when?

N/A



Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
G

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name WAEKINS

Address ROGWOOD Cottage, Aston Cantlow.

Henley-on-Avon B95 6HS

Daytime Telephone 01789 488 588

email address

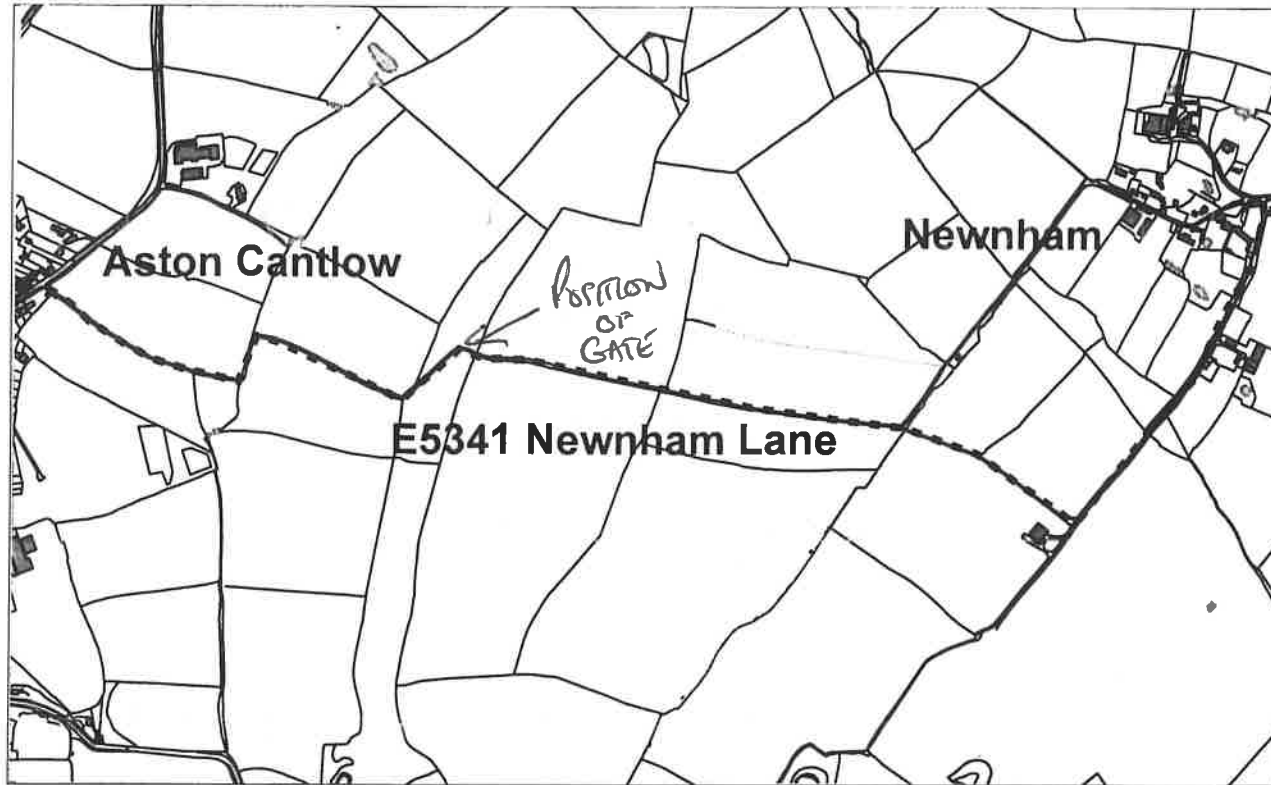
3. Date of Birth 10.10.43

4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
If no, please state reason; for example, infirmity or ill-health.

☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
- If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

LONG STRETCHES ARE IN A VERY POOR STATE DUE TO DAMAGE CAUSED BY 4x4 VEHICLES & LACK OF MAINTENANCE

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☒ Yes ☐ No
- If yes, describe their locations, or mark them on the map/sketch.

A HUNTING GATE WAS SITUATED AT MARKED POINT UP TO LATE 1980'S

9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☒
 - byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No
- If yes, please give details.
(Where they were, what they said, when they were there, etc.)

WCC. NOTICES.

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☒ Yes ☐ No

If yes, please give details. (What/where/when)

A HUNTING GATE WAS SITUATED AT MARKED POINT UP TO LATE 1980'S! UNTIL REMOVED BY 4x4 DRIVER WITH CHAIN SAW.

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

THIS TRACK IS MAINLY USED BY PEDESTRIANS, i.e. DOG WALKERS FROM VILLAGE + OTHERS. A NUMBER OF RAMBLERS ALSO USE THE TRACK. HORSE RIDERS ALSO USE THE TRACK BUT RECENTLY DUE TO SEVERE DAMAGE CAUSED BY 4x4'S MANY RIDERS ARE UNSURE OF THE SAFETY. RECENTLY VERY FEW MOTORCYCLES USE E5341.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature 

Date 6-11-08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1995 and 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 1 times a day/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Leisure - I see groups of walkers almost every weekend use the bridleway & horse riders use it daily. Also villagers use it daily for exercise. It becomes dangerous when walkers or horseriders meet off-road vehicles since there are no passing places & the bridleway is narrow.

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?

☐ Yes ☒ No


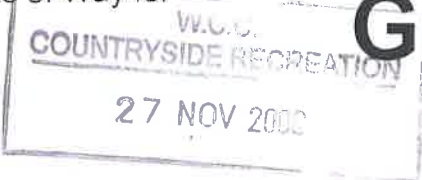
If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?

Yes No

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement 

Please use **ink** on this form.

Parish and/or reference number of route (if known) ES341

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

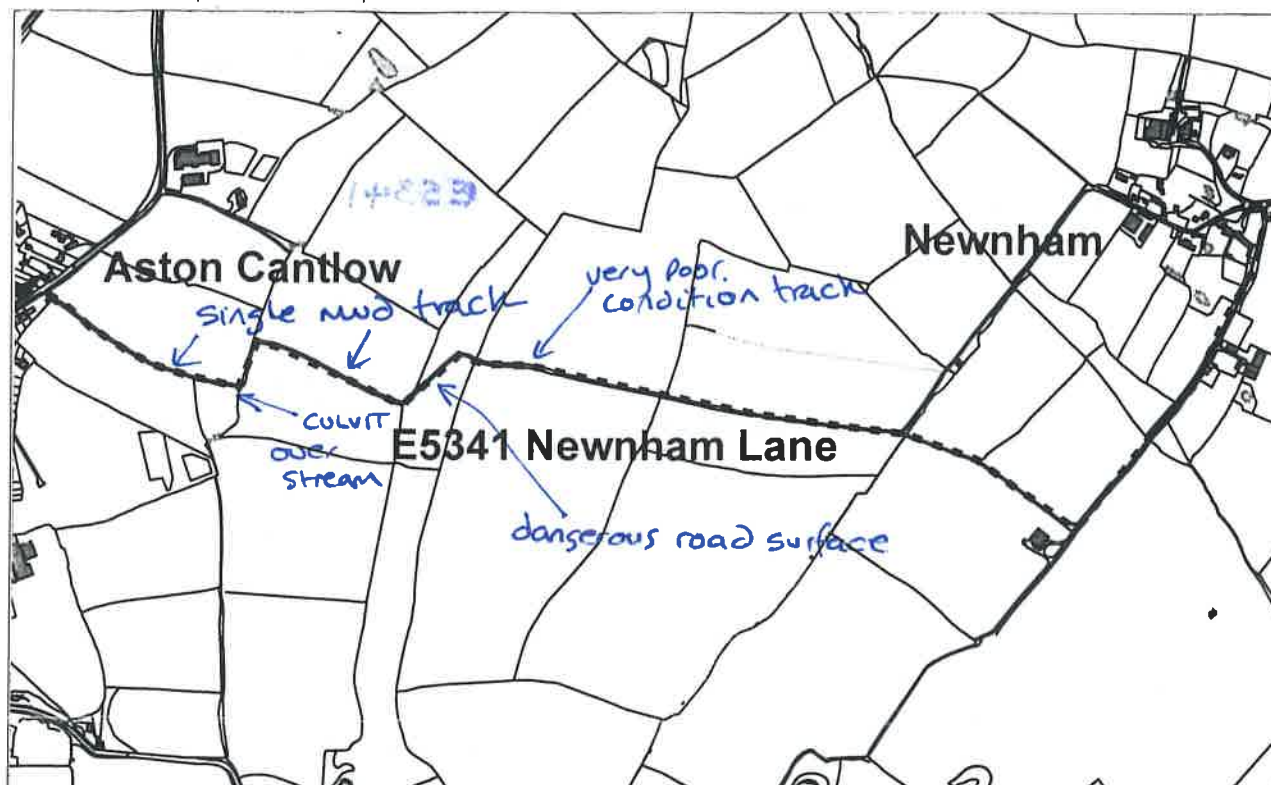
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name STEPHEN DENNISON
 Address ARDEN CROFT, BEARLEY ROAD, ASTON CANTLOW
B95 6HS
 Daytime Telephone 01789 488334
 email address _____
3. Date of Birth 30-03-1960
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form? (See note above)
 If no, please state reason; for example, infirmity or ill-health. ☒ Yes ☐ No

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn? ☒ Yes ☐ No

The road surface is dangerous for normal road vehicles. It has a mud surface and is only good for pedestrians and horses.

8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☒ Yes ☐ No

If yes, describe their locations, or mark them on the map/sketch. There are gates to the fields.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☒
- byway open to all traffic (open to vehicles, but mainly

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

I only use the bridleway on foot

16. Have you ever seen any notices on or near the route? ☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Mid 2007 There was a closed road sign which some of the very deep (18" to 24") ruts were repaired to make the route safe for horses & pedestrians.

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

The route is a single mud track and not suitable for road vehicle use. The track (bridleway) joins two small villages but a much better road exists already for road vehicles.

To make this bridleway safe for normal road traffic would be a complete waste of tax payers money since the road is not needed by local village people.

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature S. Denim Date 19.11.08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 1967 and 2008
- on horseback ☐ between _____ and _____
- on a bicycle ☐ between _____ and _____
- in a vehicle ☐ between _____ and _____

11. How often did you use the route during the period stated in Q.10?

- on foot 5 times a ~~day~~/week/month/year *please delete as appropriate
- on horseback _____ times a day/week/month/year *
- on a bicycle _____ times a day/week/month/year *
- in a vehicle _____ times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

LEISURE

13. At the time when you used the route, were you, or did you work for, any land owner, occupier or tenant of the land over which the route runs, or any adjoining land?


☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route?

☐ Yes ☒ No

If yes, who gave you permission, and when?

 Warwickshire County Council	Wildlife & Countryside Act 1981 Definitive Map of Public Rights of Way for Warwickshire	form G
	Environment & Economy Directorate, PO Box 43, Shire Hall, Warwick, CV34 4SX	Witness Statement

Please use **ink** on this form.

Parish and/or reference number of route (if known)

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right of way over the route claimed, and if so, what kind of usage the route has (on foot, horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the County Council has, the better a decision it can make.

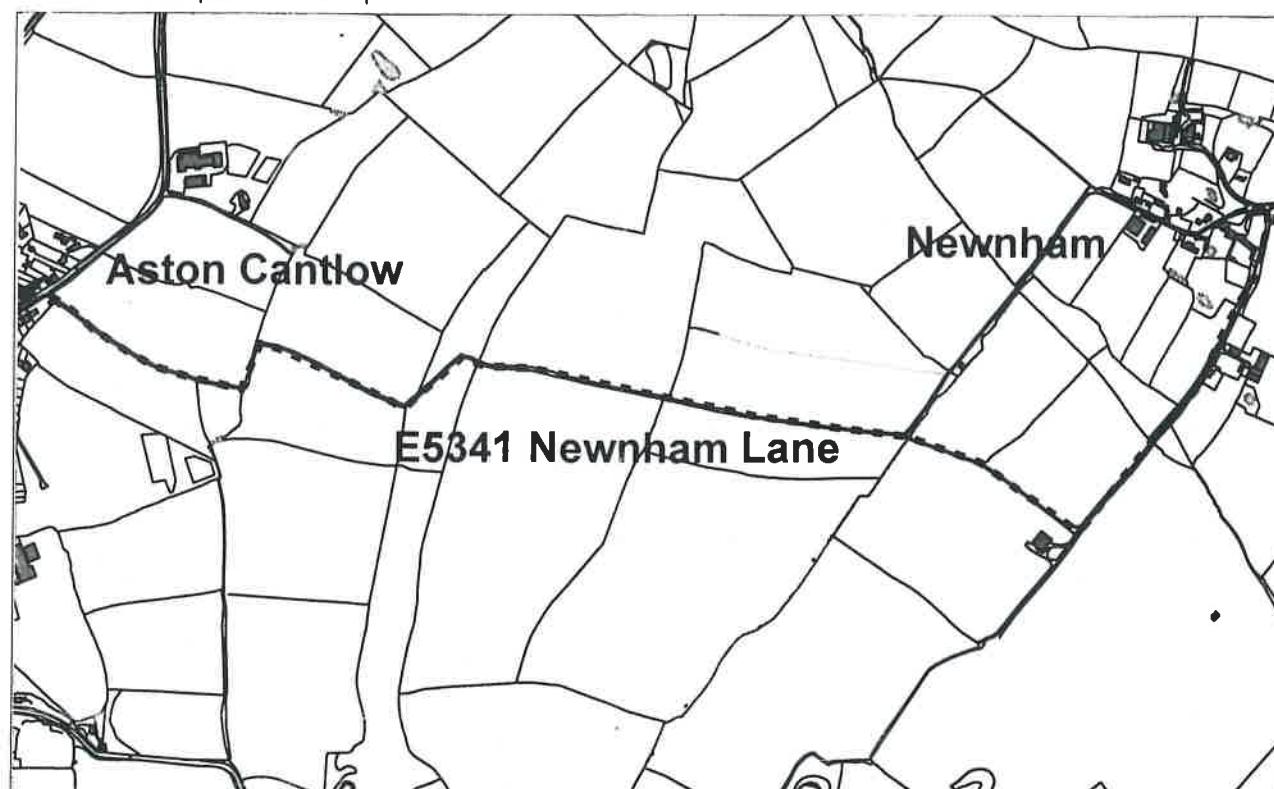
The information you give in this form will **not** be treated as confidential. The form may be shown to any person who wishes to see it.

If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry or Hearing. This will be held close to the location of the claimed route (e.g. in a Village Hall). User evidence is of much greater value if the witness attends in person and is prepared to answer questions on their statement. It is for this reason that you are asked if you are prepared to attend such an Inquiry (Question 4, below).

1. Name JOHN BUCKLEY
- Address 9 PEAR TREE GARDENS, ASTON CASTLE
HENLEY IN ARDEN, WARICK. B95 6HT.
- Daytime Telephone 01789 488477
- email address DI AT CASTLE @ AOL. COM.
3. Date of Birth 30/09/37
4. Would you be prepared to attend a Public Inquiry or Hearing in respect of the evidence you have given in this form?
(See note above) ☒ Yes ☐ No
If no, please state reason; for example, infirmity or ill-health.

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above? ☒ Yes ☐ No
If the route was different at any time, please describe the changes, or mark them on the above map.
7. Does the route appear to be well worn? ☒ Yes ☐ No
8. Were there, or are there, any stiles, gates or bridges making the route easier to use? ☐ Yes ☒ No
If yes, describe their locations, or mark them on the map/sketch.
9. Do you believe the route to be a:
- footpath (for pedestrians only)? ☐
 - bridleway (for pedestrians, horseriders and cyclists)? ☐
 - byway open to all traffic (open to vehicles, but mainly ☒

15. Have you ever been stopped, or turned back, when using the route? ☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route? ☐ Yes ☒ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

17. Has there ever been an obstruction on the route? (e.g. a fence, locked gate, barbed wire, etc.) ☒ Yes ☐ No

If yes, please give details. (What/where/when)

DEEP RUTS CAUSED BY OFF ROAD VEHICLE MAKING IT VIRTUALLY IMPASSABLE TO PEDESTRIANS. ALTHOUGH ITS CONDITION, IN PART, HAS BEEN IMPROVED BY RECENT WORK

18. Did any notice or obstruction stop you using the route? ☐ Yes ☒ No

PEDESTRIANS HAVE NEVER BEEN STOPPED FROM USING THIS ROUTE - OFF ROAD VEHICLES HAVE FOR A SHORT PERIOD DUE TO ITS ALARMING CONDITION

19. Please give any further information about the route. (e.g. other people who have used it, land ownership, etc.)

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature John

Date 5/11/08

used by pedestrians and/or horseriders)?

10. How have you used the route, and during which years?

- on foot ☒ between 04/07 and 11/08
- on horseback ☐ between _____ and _____
- on a bicycle ☒ between 04/07 and 11/08
- in a vehicle ☒ between 04/07 and 11/08

11. How often did you use the route during the period stated in Q.10?

- on foot 6 times a day/week/month/year *please delete as appropriate
- on horseback 0 times a day/week/month/year *
- on a bicycle 1 times a day/week/month/year *
- in a vehicle 6 times a day/week/month/year *

12. For what purpose did you use the route?
(e.g. going to work, shopping, leisure, etc.)

Going to work, School, leisure, shopping -
our house is located on ES341 which
means we use the route every time we
leave / enter our house.

13. At the time when you used the route, were you, or did you
work for, any land owner, occupier or tenant of the land
over which the route runs, or any adjoining land? ☐ Yes ☒ No

If yes, please give details of any instructions given to you about the public using the
route, and whether you regarded the route as public or private.

14. Have you ever been given permission to use the route? ☒ Yes ☐ No

If yes, who gave you permission, and when?

Current Road Signs and highway
laws indicate permission. Searches of
area when purchasing house indicated route
to be public highway.

WCC Countryside Access – Witness Statement Form



Warwickshire
County Council

Environment & Economy Directorate,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map of Public Rights of Way for
Warwickshire

form
G

Witness Statement

W.C.C.
COUNTRYSIDE RECREATION

02 DEC 2008

Please use **ink** on this form.

Parish and/or reference number of route (if known) ES341.

This form should relate to one route only, and should be completed by one person only.
Please make copies of this form if more are needed.

This Witness Statement will be used to help establish whether or not there is a public right
of way over the route claimed, and if so, what kind of usage the route has (on foot,
horseback, with vehicles).

Please complete this form as fully and carefully as possible – the more information the
County Council has, the better a decision it can make.

The information you give in this form will **not** be treated as confidential. The form may be
shown to any person who wishes to see it.

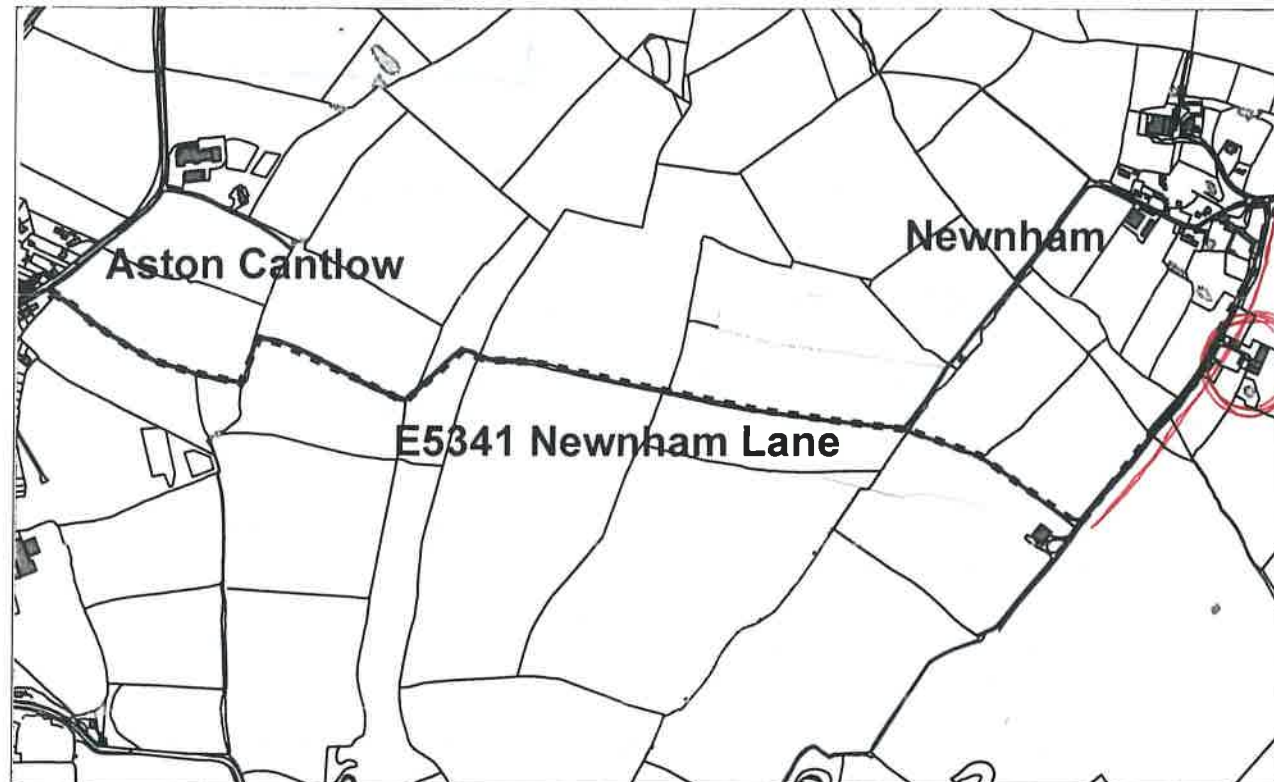
If the claimed path is contested (e.g. by a landowner) there may be a local Public Inquiry
or Hearing. This will be held close to the location of the claimed route (e.g. in a Village
Hall). User evidence is of much greater value if the witness attends in person and is
prepared to answer questions on their statement. It is for this reason that you are asked if
you are prepared to attend such an Inquiry (Question 4, below).

1. Name Richard Holmes
Address Retreat Farm
Newnham B95 6DU
Daytime Telephone 07976 685719 / 01789 488482
email address richardpholmes@mac.com
3. Date of Birth 2 / 10 / 73
4. Would you be prepared to attend a Public Inquiry or Hearing
in respect of the evidence you have given in this form? ☒ Yes ☐ No
(See note above)
If no, please state reason; for example, infirmity or ill-health.

WCC Countryside Access – Witness Statement Form

5. Description and sketch map of the route (You may choose to attach a map extract showing the route.)

Describe the route fully, and mark or label the map to show where the route starts and ends, and any features, e.g. gates, hedges, fences, signs, etc. Include a description of the path surface and its width.



6. Have you always followed the route described above?

☒ Yes ☐ No

If the route was different at any time, please describe the changes, or mark them on the above map.

7. Does the route appear to be well worn?

☒ Yes ☐ No

8. Were there, or are there, any stiles, gates or bridges making the route easier to use?

☐ Yes ☒ No

If yes, describe their locations, or mark them on the map/sketch.

9. Do you believe the route to be a:

- footpath (for pedestrians only)? ☐
- bridleway (for pedestrians, horseriders and cyclists)? ☐
- byway open to all traffic (open to vehicles, but mainly

☐

☐

☒

15. Have you ever been stopped, or turned back, when using the route?

☐ Yes ☒ No

If yes, please give details.
(When, by whom, what was said, etc.)

16. Have you ever seen any notices on or near the route?

☒ Yes ☐ No

If yes, please give details.
(Where they were, what they said, when they were there, etc.)

Highway notices - public footpath/
unclassified Road etc.

17. Has there ever been an obstruction on the route?
(e.g. a fence, locked gate, barbed wire, etc.)

☐ Yes ☒ No

If yes, please give details. (What/where/when)

18. Did any notice or obstruction stop you using the route?

☐ Yes ☐ No

19. Please give any further information about the route.
(e.g. other people who have used it, land ownership, etc.)

As we live on the route we see approx
traffic as follows:-
offroad leisure vehicles = 1 / week.
Horses = 6 / day
Other vehicles incl. ours = 8-10 / day
Walkers = 6 / day

I confirm that to the best of my knowledge and belief the information I have given is true.

Signature

Date 25/11/08

AL223/MEB/ORDER 1 2019

60.198

Warwickshire
County CouncilWildlife & Countryside Act 1981
Definitive Map and Statement of Public Rights of
Way for Warwickshire

form

4

Rights of Way, Communities,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

User Evidence Form

ABOUT YOU

Name GRETA NEEDHAM

Address 22 MARSH ROAD, WILMCOTE, STRATFORD UPON
AVON, WARWICKSHIRE CV37 9XR[But from 1950 - 2018 - WHARFDALE HOUSE, SALTERS
LANE, HENLEY WARDEN Postcode B95 6DS

Year of Birth 1950

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]Yes, See above - WHARFDALE HOUSE, SALTERS LANE, from 1950
- 2018

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- ☐ As a footpath (public rights on foot only)
- ☒ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☐ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

FROM NEWNHAM TO ASTON CANTLOW - PATH NO. AL223
(TITLE OF PLAN - AL223/MEB/ORDER PLAN-1)

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route? If you used the route by more than one method please indicate all dates.

From 1950^s To DATE (2019)

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

NO. THE ROUTE WAS A REGULAR WALKING/
DOG WALKING ROUTE THROUGHOUT MY RESIDENCE
IN SALTERS LANE, AND BY PREVIOUS FAMILY
MEMBERS FROM THE PURCHASE OF OUR FAMILY HOME
IN 1915!

3. How did you use the application route and how often? [Please the number of times you used it in the columns below]. Please give dates if your method of use changed significantly in the time you were using it.

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓	✓			
On horseback						
By pedal cycle						
By car						
Other [please specify]						

Weekly, or Monthly, depending on the weather.
 During 1970^s, I was away at university, so
 use of the footpath would have been on
 trips back home every few months. My
 use of the route has, however, been regular.

- b. Gates [state locations, indicate whether locked – and when - and show on your map]

THREE FIVE BAR GATES AT POINTS
A, B, ~~E~~ D ON DEFINITIVE MAP/^{PLAN} ATTACHED TO ORDER/
WCC NOTICE DATED 11 JULY 2019. (AL223/MEB/ORDER)

- c. Other barriers [state what they were and location, how long they were in place and show on your map]

A HUNTING GATE/FENCE AT THE TOP OF THE
ESCARPMENT (POINT E) ON THE PLAN ABOVE.

I HAVE WITNESSED HORSES RIDING THIS ROUTE.

8. Did any of the above prevent you from using the application route?

☒ No POSSIBLE TO CLIMB OVER GATES OR WALK THROUGH.
☐ Yes

If yes, please give details

.....

.....

.....

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted" etc)

☒ No
☐ Yes
☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....

.....

.....

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No

☐ Yes

If yes, by whom and when?

.....

.....

.....

14. Have you ever been stopped or turned back when using the application route?

☒ No

☐ Yes

If yes, please give details including when this happened

.....

.....

.....

15. Has anyone else ever told you that they were prevented from using the application route?

☐ No

☒ Yes

If yes, please give details including when this happened

ONLY IN THE SENSE OF STATE OF FOOTPATH / ROUTE
IN LATER YEARS, WHERE DAMAGE HAS BEEN CAUSED
BY VEHICLES

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No

☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....

.....

.....

DECLARATION**Data Protection Act 1998**

Under the Data Protection Act Warwickshire County Council has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by Warwickshire County Council to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the Warwickshire County Council's website.

Please print your name here GRETA NEEDHAM

Your: Home Telephone Number /

Mobile Telephone Number 0771 813 9983

Email Address gneedham50@gmail.com

Statement of Truth

**I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE
AND I HAVE READ THE DECLARATION ABOVE**

Your Signature:

Greta Needham

Date:

20/8/19

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available



Name		Warwi
Scale	1:5000	
		Date
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0/s sheets SP16SW, SP16SE, SP15NE



Warwickshire County Council	Department
	Project

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Application Number

Witness Number

(for office use only)



Warwickshire
County Council

Rights of Way, Communities,
PO Box 43, Shire Hall,
Warwick, CV34 4SX

Wildlife & Countryside Act 1981
Definitive Map and Statement of Public Rights of
Way for Warwickshire

form

4

User Evidence Form

RECEIVED 15 AUG 2018

COMMUNITIES GROUP

LEADERSHIP TEAM

GROUP

ABOUT YOU

Name Mr. T. ArcherAddress 'SHERWOOD ACRE'GEORGE'S ELM LANE,BIDFORD ON AVONARCESIA Postcode B50 4PLYear of Birth 1958

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

1986 - 1997 Bidford on Avon1997 - CURRENT ADDRESS

ABOUT THE APPLICATION ROUTE

How do you think the application route should be recorded?

- ☐ As a footpath (public rights on foot only)
- ☐ As a bridleway (public rights on foot and on horseback or bicycle)
- ☐ As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- ☒ As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

Describe the application route (include start and finish points and provide OS grid references if you can)

BEGINS SP141602 TO 158603. TRACK AT RIGHT ANGLE TO MAIN
ROAD THROUGH ASHON CANTON TRAVELLING LOCALLY DUE EAST, CLIMBING
UP HILLSIDE AND LEFT INTO HAMLET OF NEUNHAM.

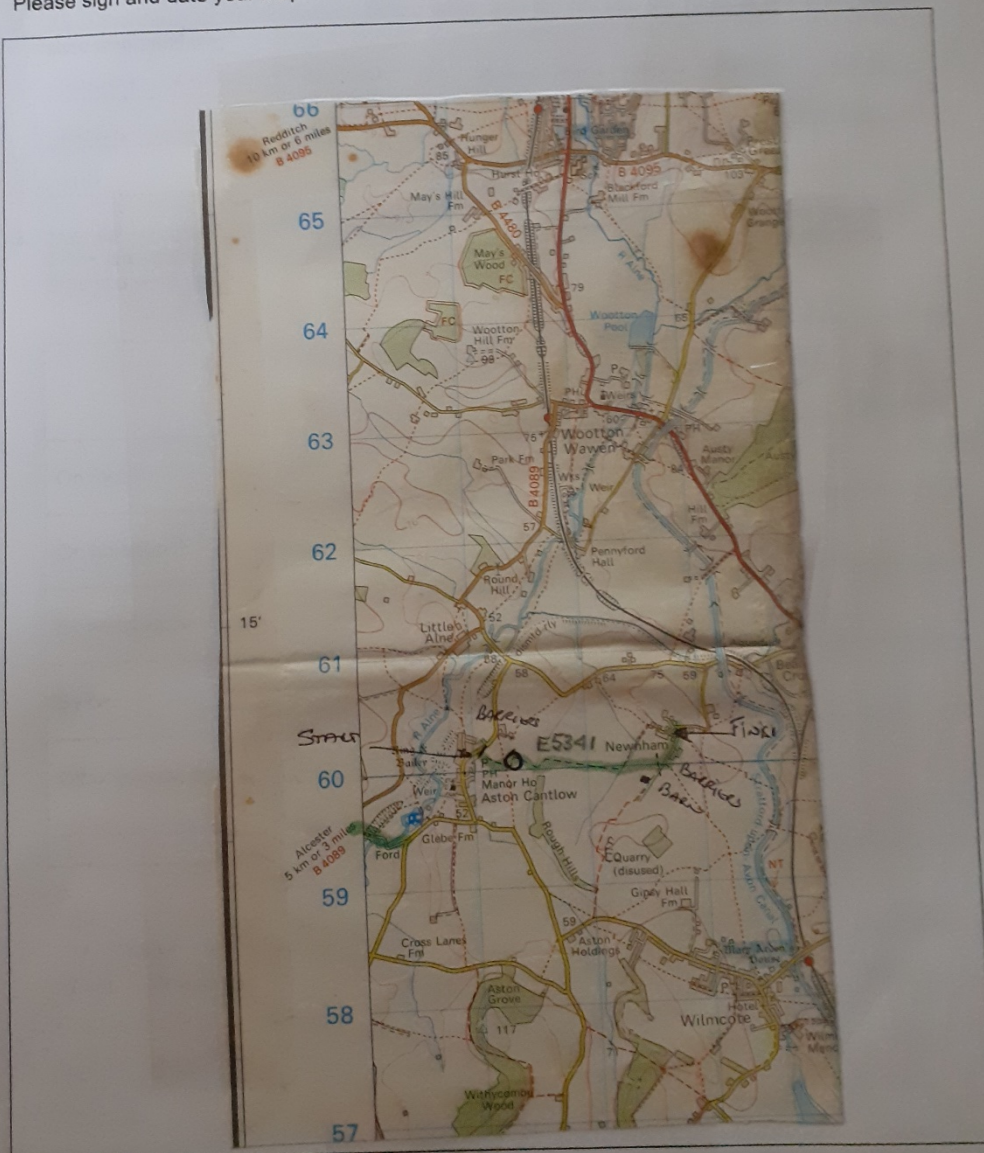
Application Number

Witness Number

(for office use only)

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please sign and date your map.



Application Number

Witness Number

(for office use only)

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route? If you used the route by more than one method please indicate all dates.

From 1988 To current 2018

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

ONLY WHEN TRO WAS IN FORCE AND WHEN REPAIRS WERE
BEING MADE FROM STOPS AT ASIAN CANTON TO HIS SIDE.

3. How did you use the application route and how often? [Please the number of times you used it in the columns below]. Please give dates if your method of use changed significantly in the time you were using it.

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot						
On horseback						
By pedal cycle						
By car				X	X	
Other [please specify]						

I USED IT MORE FREQUENTLY IN THE YEARS 1988 TO APPROX. 2000.
LESS FREQUENTLY SINCE THEN BUT STILL AT LEAST ANNUALLY.

Application Number

Witness Number

(for office use only)

4. Has the application route always followed the same course?

☒ Yes

☐ Don't know

☐ No

If no – how and when was the route altered?

.....

5. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or using it with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

APPROX. 3 METRES WIDE ALONG THE WHOLE ROUTE.

.....

6. What type of surface does the application route have? (for example grass, gravel, earth)
 [For varying surfaces, please describe with reference to your map]

IN THE EARLY YEARS JUST A HARD EARTH SURFACE, SOFTER
 ON THE SECOND HALF TOWARD BARN. SINCE REPAIRS THE
 FIRST HALF IS COMPACTED STONE/CRAVEL/GRIT.

7. Have there ever been any of the following on the application route?

- a. Stiles [state locations and show on your map]

N/A,

How long were they in place?

N/A

Application Number

Witness Number

(for office use only)

- b. Gates [state locations, indicate whether locked – and when – and show on your map]

NO

- c. Other barriers [state what they were and location, how long they were in place and show on your map]

BARRIERS LEFT IN PLACE AFTER CESSATION OF T.R.O. AND
AT BOTH ENDS OF LANE FOR A FEW MONTH. DIFFICULT TO
MOVE AS WATER FILLED.

8. Did any of the above prevent you from using the application route?

☐ No

☒ Yes

If yes, please give details

THE BARRIER AT THE START WAS DIFFICULT TO MOVE AND
IMPASSABLE OTHER THAN BY FOOT/BICYCLE OR HORSE. PLASTIC BARRIER,
WHITE OR RED, WATER FILLED. VERY HEAVY!

9. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", "No Right of Way", "Trespassers will be Prosecuted" etc)

☒ No

☐ Yes

☐ Don't know

If yes – state when and give details, including when they were present and mark their location on your map

Application Number

Witness Number

(for office use only)

10. Have you seen other people using the application route whilst you have been using it?

☐ No

☒ Yes

If yes, please provide any additional information about this

OVER THE YEARS A COUPLE OF LAND ROVERS, ONE JEEP, OVER TWO
MOTORCYCLES AND LAST TIME A GOLD RIGOR FROM WILTSHIRE

Land Ownership

11. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

☒ No

☐ Yes

If yes, provide details and dates

12. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

☐ No

☐ Yes

N/A

If yes,

a. From whom?

b. When?

Application Number

Witness Number

(for office use only)

13. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

☒ No☐ Yes

If yes, by whom and when?

.....
.....
.....

14. Have you ever been stopped or turned back when using the application route?

☐ No☒ Yes

If yes, please give details including when this happened

SEE ATTACHED SHEET Ref Ex 1
.....
.....

15. Has anyone else ever told you that they were prevented from using the application route?

☒ No☐ Yes

If yes, please give details including when this happened

.....
.....
.....

16. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

☒ No☐ Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....

Application Number

Witness Number

(for office use only)

Other Information

17. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

☐ No

☐ Yes

If yes – please provide details

I HAVE PREVIOUSLY SEEN AN OLD MAP WHICH SHOWED THE 'SALTWAY'
 RUNNING FROM THE JUNCTION OF THE FOOTPATH AND SHARP LEFT HAND
 BEND TO THE SOUTH TO THE JUNCTION OF THE FOOTPATH AND SHARP
 BEND TO THE NORTH. THE FIRST LEFT HAND BEND AND STRAIGHT
 TO THE RIGHT HAND BEND OF THE ROUTE, DO, I BELIEVE, FOLLOW THE
 HISTORIC ROUTE OF THE SALTWAY (A DISTANCE OF 100 METRES)
 CIRCLED IN BLACK.

18. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

SEE ATTACHED SHEET EX.1

19. During the investigation Warwickshire County Council may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from Warwickshire County Council about your knowledge of the application route?

☒ Yes

☐ No

20. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

☒ Yes

☐ No

APPENDIX 61

Position of Gate Map



Title: Aston Cantlow

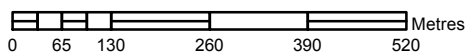
Subtitle: Removed gate position

Produced By: MEB

Date: 9/4/20



1:10,000



APPENDIX 62

NFU Letter 1



Group Secretary:
C.J.P. Moore
Assistant:
C.H. Handy

Can you give me any background on the meeting referred to below? *Chris Hollings*
The National Farmers' Union

62.1

Stratford-upon-Avon Group

9 Church Street · Stratford-upon-Avon · CV37 6HB

Telephone: Stratford-upon-Avon 205888

53-

Your Ref

Our Ref CJPM/SW

Receipt Acknowledged 29 May.
C.H.

L. W. A. Rendell Esq.,
Director of Planning and Transportation,
Warwickshire County Council,
Shire Hall,
Warks.

TRANSPORTATION									
MAY 1987									
LD	DCP	M	B	C	P	(E)	IP		

J.B.
Please see at background & discuss it with?

6th May 1987.

FOR THE ATTENTION OF MISS JULIA BROOK - COUNTRYSIDE ACCESS OFFICER → *C.H.*

Dear Miss Brook,

re: Classified Road - E5341
Aston Cantlow/Newnham - Stratford Division.

Having spoken with your office on Tuesday, 5th May, I now enclose a copy of my letter addressed to Mr. Rendell, dated 17th December last, to which there has been no reply.

As explained to your colleague, someone must get to grips with the difficulties being experienced at Aston Cantlow and from a meeting which took place on the 30th August 1985 with Mr. Peter Herbert, the Deputy Director at that time, and Mr. John Ireson, it was established there was considerable doubt as to the authenticity of this road, E5341. The original schedule prior to the Local Government Act 1929, described a 1.3 miles unmetalled "bridle road" at right angles from the Newnham to Quarry Road.

You will see from your file, Land Rover clubs and other motor-cyclists are causing a considerable annoyance to the local community and by their actions are making it almost impossible for people to use ~~as a~~ bridle path.

May I repeat the offer made in my letter of the 17th December, i.e. to meet on the site so that the situation can be explained more fully.

Yours sincerely,

C.J.P.
SECRETARY.

Deputy Director
Commence overleaf

APPENDIX 63

NFU Letter 2

The National Farmers' Union



Group Secretary:
C.J.P. Moore
Assistant:
C.H. Handy

Stratford-upon-Avon Group

9 Church Street · Stratford-upon-Avon · CV37 6HB
Telephone: Stratford-upon-Avon 205888

Your Ref

Our Ref CJPM/SW

COPY

L. W. A. REndell Esq.,
Director of Planning and Transportation,
Warwickshire County Council,
Shire Hall,
Warks.

17th December, 1986.

Dear Mr. Rëndell,

re: Classified Road E5341
Aston Cantlow/Newnham - Stratford Division.

Serious problems have been occasioned again this year by the use of the East/West line of your classified highway E5341 by motor cyclists and some Land Rover enthusiasts using the track for sporting purposes.

As a matter of urgency, is it possible for this stretch to be officially classified as a bridle path?

From discussions with your staff over several years, the knowledge of local residents, and the obvious terrain, this has never been a vehicular highway. A couple of years ago, intruders took it upon themselves to saw down the 4' bridle gate, which has existed, to local knowledge, for almost fifty years and consequently, the use of the bridle path, and it is nothing more than that, is almost impassible due to churned up ground.

If it would assist you in arriving at such decision, I would be happy to meet you in your office or on site so that the situation can be explained more fully.

Yours faithfully,

SECRETARY.

APPENDIX 64

Traffic Regulation Orders

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984, SECTION 14

EMERGENCY CLOSURE OF E5341 NEWNHAM LANE, ASTON CANTLOW

Warwickshire County Council hereby close the entire length above named road, between its junctions with Bearley Road (grid reference 41402 26017) and Newnham Lane (grid reference 41579 26030), to all traffic with the exception of pedestrians, because of likelihood of danger to the public and to prevent serious damage to the surface of the road for a period of twenty one days commencing on 5 January 2007.

This temporary closure will be continued by an Order under Sections 14 and 15 of the Road Traffic Regulation Act 1984.

An alternative route is available to vehicular traffic via Bearley Road, Whitehouse Hill and Newnham Lane.

The Council regrets any inconvenience that may be caused. The person dealing with this matter at Warwickshire County Council is Mr Simon Emson, Rights of Way Officer, Countryside Recreation (Tel. No. 01926 476942).

D G CARTER
Strategic Director of Performance & Development

Shire Hall
Warwick
5 January 2007

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984, SECTION 14

EMERGENCY CLOSURE OF E5341 NEWNHAM LANE, ASTON CANTLOW

Warwickshire County Council hereby close the entire length of the above named road to all motorised traffic to prevent serious damage to the surface of the road, for a period of twenty one days commencing on 27 November 2008.

This temporary closure will be continued by an Order under Sections 14 and 15 of the Road Traffic Regulation Act 1984.

Access to and egress from properties and land situate adjacent to the length of road to be closed will be maintained at all times.

An alternative route is available via D5341 Newnham Lane, C39 Salters Lane and C100 Bearley Lane (and in reverse order).

The Council regrets any inconvenience that may be caused. The person dealing with this matter at Warwickshire County Council is Annmarie Grace, Countryside Recreation (Tel. No. 01926 413426).

D G CARTER
Strategic Director of Performance & Development

Shire Hall
Warwick
27 November 2008

Designated Officer

APPENDIX 65

DETR Letters

**DETR***ENVIRONMENT
TRANSPORT**REGIONS*ROOM 917
TOLLGATE
HOUSE
HOULTON
STREET BRISTOL
BS2 9DJ

24-AUGUST 1998

Dear Chief Executive,

UNCLASSIFIED COUNTY ROADS

1. This letter is to advise you of the conclusions reached by Department of the Environment, Transport and the Regions on the interpretation of the term "unclassified county road" (UCR). This advice replaces previous advice, usually given in response to specific enquiries rather than a general statement, which was withdrawn in March 1998.
2. We have reached the following conclusions (with the usual proviso that the Secretary of State cannot give an authoritative interpretation of the law as only the Courts can do that) :
 - i) The Highways Act 1980 places a duty on highway authorities to maintain highways, which includes footpaths, bridleways and carriageways. Highway authorities have a further duty under section 36(6) of the Highways Act 1980 (and earlier Highways Acts) to prepare a list of highways maintained at public expense.
 - ii) The Local Government Act 1929 made provision for "unclassified roads", "classified county roads" and "county roads". The term "unclassified road" was made redundant by the Local Government Act 1972. Some routes may, however, be described as unclassified county roads (UCRs) on certain documents, including the list of highways maintained at public expense.
 - iii) In relation to an application under the Wildlife and Countryside Act 1981 to add a route to a definitive map of rights of way, the inclusion of a highway described as a UCR on the Highways Act list of highways maintained at public expense may

provide evidence of vehicular rights. However, this must be considered with all other relevant evidence in order to determine the nature and extent of those rights.

- iv) It would, therefore, be possible for a way described as a UCR on a list prepared under the 1980 Act, or elsewhere, to be added to a definitive map of public rights of way, provided the route fulfils the criteria set out in Part III of the Wildlife and Countryside Act.
3. Against this background, we have concluded that we cannot offer any guidance which is applicable in all cases on the rights that exist over routes known as UCRs. Any questions about the status of such routes, and the rights that exist over, will need to be resolved by authorities on a case-by-case basis.

SUSAN CARTER

APPENDIX 66

DETR LETTER



Mr P Williams
 Definitive map Team Leader
 Countryside Recreation
 Warwickshire County Council
 Unit 11
 Montague Road
 Warwick
 CV34 5LW

ALISON ELLIOTT
 RIGHTS OF WAY POLICY OFFICER
 COUNTRYSIDE DIVISION

DEPARTMENT OF THE ENVIRONMENT
 TRANSPORT AND THE REGIONS
 ROOM 914
 TOLLGATE HOUSE
 HOULTON STREET
 BRISTOL
 BS2 9DJ

DIRECT LINE: 0117 987 8872
 DIVISIONAL ENQUIRIES: 0117 987 8588
 FAX: 0117 987 6815
 GTN CODE: 1374

WEB SITE: www.detr.gov.uk

OUR REF: CLEG/B/1/1/05
 YOUR REF: npw/E Roads

14 MAY 2001

UNCLASSIFIED ROADS

Thank you for your letter of 6 April regarding Unclassified County Roads (UCRs). I fully appreciate your concerns about the lack of clarity and advice on the management and classification of UCRs. However periodic meetings with experts and users have failed to reach a consensus on how they should be treated.

I will try to answer your questions in turn, using your paragraph numbers, but I am afraid I cannot comment on them all.

1. The List of Streets is a record of highways maintainable at public expense. It is not, in any way, proof of vehicular rights. Indeed, it should also include footpaths and bridleways, which are publicly maintainable.
2. The term UCR was created by the Local Government Act 1929 and denotes that the way concerned is a highway maintainable at public expense. Since the term was abolished by the Local Government Act 1972 all those involved have been trying to establish an effective way of identifying and classifying them. The last meeting to discuss UCRs looked at three options:
 - a) accepting the status quo;
 - b) review all UCRs individually;
 - c) make some presumptions that all could agree.

Despite attempts to make presumptions it was finally agreed that this could not be achieved and that the original advice in the 1998 guidance should stand. In other words each case must be assessed individually. Evidence would need to be provided to establish the existence of vehicular rights.



INVESTOR IN PEOPLE

3. I agree with your statement.
4. Under s36(6) of the Highways Act 1980 it is the duty of every county council to maintain a List of Streets. I have no knowledge of how these were compiled but as s36 does not specify the detail to be included in the List, I suspect that there are differences. However, as I have already said, generally, the List of Streets alone does not establish the status of a UCR.
5. It is considered that Handover Maps provide useful references for establishing the status of a way. It is a positive indication of what a Highway Authority then believed to be the status of roads listed. However, they were principally for internal administrative use. They were not available to the public and did not purport to be a record of rights. Consequently, while such evidence will clearly weigh in favour of a particular status, its evidential weight must be seen in context with other evidence.
6. There is no duty on a surveying authority to investigate the status of unclassified roads. If, however, you have discovered sufficient evidence pertaining to that route, such as that contained in Inclosure Awards, Tithe Maps, Finance Maps etc, you would have a duty to make a DMMO and investigate further.
7. I am afraid that I cannot answer this question. I have passed it to my colleagues who are responsible for the provisions and regulations of the CROW Act.
8. I accept your logic but I cannot comment further until I have an answer to your para 7 question.
9. I need to seek further advice on this issue. I think that it is unlikely that regulations will allow this to occur but I will respond as soon as I have the answer.
10. Once again I need to seek further advice.

I am sorry that I cannot be more helpful at this moment in time. Your letter has highlighted an issue that, although not ignored, has been considered too difficult to provide definitive guidance on in the past. This is clearly unhelpful and I will be asking the Countryside Agency to reconvene the Byways Working Group to discuss what guidance we can sensibly produce.

Yours sincerely



ALISON ELLIOTT

APPENDIX 67

Natural Environment and Rural Communities Act 2006



Natural Environment and Rural Communities Act 2006

2006 CHAPTER 16

PART 6

RIGHTS OF WAY

Rights of way and mechanically propelled vehicles

66 Restriction on creation of new public rights of way

- (1) No public right of way for mechanically propelled vehicles is created after commencement unless it is—
- (a) created (by an enactment or instrument or otherwise) on terms that expressly provide for it to be a right of way for such vehicles, or
 - (b) created by the construction, in exercise of powers conferred by virtue of any enactment, of a road intended to be used by such vehicles.
- (2) For the purposes of the creation after commencement of any other public right of way, use (whenever occurring) of a way by mechanically propelled vehicles is to be disregarded.

Commencement Information

- I1** [S. 66](#) in force at 2.5.2006 for E. immediately after the coming into force of 2000 c. 37, ss. 47-50 by [S.I. 2006/1176, art. 6](#)
- I2** [S. 66](#) in force at 16.11.2006 for W. by [S.I. 2006/2992, art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, Section 66.



Natural Environment and Rural Communities Act 2006

2006 CHAPTER 16

PART 6

RIGHTS OF WAY

Rights of way and mechanically propelled vehicles

67 Ending of certain existing unrecorded public rights of way

- (1) An existing public right of way for mechanically propelled vehicles is extinguished if it is over a way which, immediately before commencement—
- (a) was not shown in a definitive map and statement, or
 - (b) was shown in a definitive map and statement only as a footpath, bridleway or restricted byway.

But this is subject to subsections (2) to (8).

- (2) Subsection (1) does not apply to an existing public right of way if—
- (a) it is over a way whose main lawful use by the public during the period of 5 years ending with commencement was use for mechanically propelled vehicles,
 - (b) immediately before commencement it was not shown in a definitive map and statement but was shown in a list required to be kept under section 36(6) of the Highways Act 1980 (c. 66) (list of highways maintainable at public expense),
 - (c) it was created (by an enactment or instrument or otherwise) on terms that expressly provide for it to be a right of way for mechanically propelled vehicles,
 - (d) it was created by the construction, in exercise of powers conferred by virtue of any enactment, of a road intended to be used by such vehicles, or
 - (e) it was created by virtue of use by such vehicles during a period ending before 1st December 1930.

Changes to legislation: There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, Section 67. (See end of Document for details)

- (3) Subsection (1) does not apply to an existing public right of way over a way if—
- (a) before the relevant date, an application was made under section 53(5) of the Wildlife and Countryside Act 1981 (c. 69) for an order making modifications to the definitive map and statement so as to show the way as a byway open to all traffic,
 - (b) before commencement, the surveying authority has made a determination under paragraph 3 of Schedule 14 to the 1981 Act in respect of such an application, or
 - (c) before commencement, a person with an interest in land has made such an application and, immediately before commencement, use of the way for mechanically propelled vehicles—
 - (i) was reasonably necessary to enable that person to obtain access to the land, or
 - (ii) would have been reasonably necessary to enable that person to obtain access to a part of that land if he had had an interest in that part only.
- (4) “The relevant date” means—
- (a) in relation to England, 20th January 2005;
 - (b) in relation to Wales, 19th May 2005.
- (5) Where, immediately before commencement, the exercise of an existing public right of way to which subsection (1) applies—
- (a) was reasonably necessary to enable a person with an interest in land to obtain access to the land, or
 - (b) would have been reasonably necessary to enable that person to obtain access to a part of that land if he had had an interest in that part only,
- the right becomes a private right of way for mechanically propelled vehicles for the benefit of the land or (as the case may be) the part of the land.
- (6) For the purposes of subsection (3), an application under section 53(5) of the 1981 Act is made when it is made in accordance with paragraph 1 of Schedule 14 to that Act.
- (7) For the purposes of subsections (3)(c)(i) and (5)(a), it is irrelevant whether the person was, immediately before commencement, in fact—
- (a) exercising the existing public right of way, or
 - (b) able to exercise it.
- (8) Nothing in this section applies in relation to an area in London to which Part 3 of the Wildlife and Countryside Act 1981 (c. 69) does not apply.
- (9) Any provision made by virtue of section 48(9) of the Countryside and Rights of Way Act 2000 (c. 37) has effect subject to this section.

Commencement Information

- I1** [S. 67](#) in force at 2.5.2006 for E. immediately after the coming into force of 2000 c. 37, ss. 47-50 by [S.I. 2006/1176](#), [art. 6](#)
- I2** [S. 67](#) in force at 16.11.2006 for W. by [S.I. 2006/2992](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, Section 67.

APPENDIX 68

S67 NERC 2006 Explanatory Notes

These notes refer to the Natural Environment and Rural Communities Act 2006 (c.16) which received Royal Assent on 30 March 2006

NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: Rights of way

Section 67: Ending of certain existing unrecorded public rights of way

181. This section extinguishes (subject to stated exceptions) unrecorded rights of way for mechanically propelled vehicles. This extinguishment prevents these rights being used to add new byways open to all traffic to the definitive map and statement for an area.
182. Some of the exceptions are set out in *subsection (2)*. Exception (a) ensures that existing rights of way for mechanically propelled vehicles are not extinguished if the main lawful use of the way for 5 years preceding commencement has been use for mechanically propelled vehicles. Exception (b) ensures that unclassified and other minor roads are not brought within the scope of the extinguishment. Exceptions (c) and (d) are identical to the exceptions in section 61. Exception (e) ensures that a where rights were created by a qualifying period of use by mechanically propelled vehicles during a period prior to 1 December 1930, those vehicular rights are not extinguished.
183. Some more exceptions are set out in *subsection (3)*. These exceptions relate to cases where an application to record a public right of way for mechanically propelled vehicles has already been lodged. Under paragraph (a), all applications made under Part 3 of the 1981 Act to record rights for mechanically propelled vehicles which were lodged before the relevant date will be preserved and dealt with under the old law. The relevant date is 20 January 2005 (in England) and 19 May 2005 (in Wales) (see *subsection (4)*). Where such applications have been lodged after the relevant date and have reached the stage of being determined by the surveying authority they will also be processed under the existing law (see paragraph (b)), as will applications in situations where landowners need the public right of way for mechanically propelled vehicles in order to access their property (see paragraph (c)).
184. In addition, *subsection (5)* ensures that where an unrecorded public right of way for mechanically propelled vehicles is relied upon at the time of commencement to enable access to land to be obtained by a person with an interest in the land or by a lawful visitor to that land, that public right becomes a private right of way for mechanically propelled vehicles for the benefit of that land. (This will only be relevant if subsection (3)(c) does not apply.)
185. This section does not apply to areas in London where there is no definitive map and statement.

APPENDIX 69

S66 NERC 2006 Explanatory Notes

*These notes refer to the Natural Environment and Rural Communities
Act 2006 (c.16) which received Royal Assent on 30 March 2006*

NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: Rights of way

Section 66: Restriction on creation of new public rights of way

179. This section limits the creation of new public rights of way for mechanically propelled vehicles. It will prevent use over a period of 20 years by any vehicle from giving rise to a public right of way for mechanically propelled vehicles in the future. Instead, new public rights of way for mechanically propelled vehicular rights will be created only if they are expressly provided for or if they relate to a road intended to be used by mechanically propelled vehicles and constructed for that purpose under an enactment.
180. *Subsection (2)* is intended to ensure that where there is illegal use of a way by mechanically propelled vehicles, that use cannot give rise to “lower” public rights of way (such as footpath, bridleway or restricted byway rights).

APPENDIX 70

2007 Informal Consultation

File copy

«Title» «FirstName» «LastName»
«Address1»
«Address2»
«Address3»
«Address4»
«Address5» «Postcode»

Environment and Economy

PO Box 43
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CV34 4SX

DX 723360 WARWICK 5

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26 November 2007

Dear «Salutation»

Investigation into the status of the Unclassified County Road E5341 Newnham Lane - Aston Cantlow

Investigation into the status of Public Bridleway AL88 – Aston Cantlow

Newnham Lane is currently recorded as an Unclassified County Road (UCR), however that term does not clarify the level of public rights which exist, including whether or not the public have a right to drive a motor vehicle along it.

At the request of Aston Cantlow Parish Council, the County Council is investigating the true status of the lane to see if it should be recorded on the Definitive Map of public rights of way as a Public Footpath, a Public Bridleway or as a Byway Open To All Traffic. Alternatively, if its use by the public for the five years prior to 2nd May 2006 was mainly with vehicles, then it would remain recorded as a UCR on the List of Streets - (the county highway record).

As Newnham Lane is recorded as a UCR on the List of Streets, it is exempt from the effects of Part 6 of the Natural Environment and Rural Communities Act 2006 (NERC). Consequently any historic public vehicular rights which might be shown to exist along the route are not automatically extinguished by that Act.

Public Bridleway AL88 has allegedly been used by vehicles to access Newnham Lane and therefore the County Council is including it in this investigation. Should any public vehicular rights be shown to exist over this route, they may or may not be automatically extinguished by the effect of the NERC Act – this will depend on whether any of the exemptions to that Act apply in the particular circumstances.

The following documents relating to Newnham Lane have been examined.....
 (Warwickshire County Record Office reference numbers in brackets - maps are referenced MA+date)

1744 Aston Cantlow Inclosure Award (no plan) (QS.9/12/1) describes 'One bridle or churchway from the said Little Alne Road....to Newnham...of the breadth of 25 feet at least between the ditches'. The road northwards from the village to the C100 Salters Lane is also mentioned but there is no road described as running westwards towards Aston Cantlow.

1776 Abergavenny Estate Plan (copy 1804)(ref:CR822)
 The line of Newnham Lane is partly shown in a manner which suggests a lower status than the routes which are now recognised as public carriageways.

1787	Carys Map	– not shown
1788	John Haywoods Map	– not shown
1793	Yates map	– not shown
1808	Smiths map	– not shown
1811	Cary's Map	– not shown
1820	Thomas Dix's Map	– not shown
1828	Pigots map	– not shown
1834	Colbys map	– not shown
1836	Walkers Map	– not shown
1861	(Circa) Weller's railway map	– not shown.

1890 Ordnance Survey Map 1:2500 scale, route marked BR on same line as the claimed route.

1895-1939 Aston Council Minute Book (CR1495(1))
 p.11/12 August 1895 noting that the bridleroad from Aston Cantlow to Newnham needed repair and that two landowners be requested to do their share.

p.17 – the bridleway be temporarily repaired from the (?) gate to the village of Newnham by forking ruts and breaking stones (this could possibly refer to the current bridleways AL88 or AL81).

P.66 December 1900 notes that the state of the bridleroad from Newnham to Aston Cantlow being inches deep in water and children going to school being wet footed all day, proposed that the clerk writes to the Surveyor, Alcester Rural District.

1905 Ordnance Survey Map 1:2500 scale, route marked as BR on the same line as the claimed route.

1910 Finance Act Map – route not excluded as a road generally would be.

1918 Aston Cantlow Estate sale documents (EAC/29) – not shown.

File copy

- 1920 Bartholomews Survey for tourists and cyclists – sheet 18 scale 1" to 2 miles. Claimed route shown as an uncoloured route – described in the key as inferior and not to be recommended.
- 1921 Warwickshire County Council Roads and Bridges Map (MA1921/1) not shown.
- 1929 Handover Maps (1929 Local Government Act) – recorded as '*Other road or Bridleway*'.
- 1951 Definitive Map Parish Survey – claimed by the Parish Council as a bridleway but the survey carries a pencil note stating the bridleway was removed because the route was an Unclassified County Road.
- 1954 Draft Definitive Map for Alcester Rural District – not shown, bridleways AL81 and AL88 are described as terminating on the Aston Cantlow - Newnham road.
- 1955 Claimed to be a bridleway omitted from the Draft Definitive Map, on basis of 'certain old maps'. Decision of 26th May 1955 ruled it appeared to be an Unclassified County Road and as such could not be included in the survey (of the Definitive Map).
- 1958 Not shown on the Modified Draft Definitive Map.
- 1960 Not shown on Provisional Definitive Map.
- 1961 Not shown on the final Definitive Map for Alcester Rural District, which like each of the preceding Draft Definitive Maps describes bridleways AL81 and AL88 as terminating on the Aston Cantlow - Newnham road.
- 1986 Letter from NFU to County Council complaining that vehicular use had started a couple of years earlier, prior to which a 4 foot wide bridleway gate had existed but had been sawn down.
- Pre -1984 Local residents witness statements of non-vehicular use prior to 1984
- Post -1984 Vehicle users witness statements of vehicular use since 1984

Documents relating to Public Bridleway AL88

Maps 1787 to 1890 do not show AL88

Aston Cantlow Parish Council Minute Book entries could also refer to AL88.

1890 1:2500 Ordnance Survey Map visible as narrow route – not labelled.

1905 1:2500 Ordnance Survey Map visible as narrow route – marked BR.

1952 Parish Survey, claimed by Parish Council as public bridleway (incorporating Newnham Lane) continuing westwards to Bearley Road, Aston Cantlow. A pencil note states the majority of the route was omitted because it was an Unclassified County Road. The claim did not include the section between AL88 and AL81 which was marked unused.

1954-1961 Shown as bridleway on the Draft, Modified Draft, Provisional and final Definitive Map for Alcester Rural District, without objections.

1991 and 1998 Definitive Map for Warwickshire - shown as bridleway.

Witness statements of vehicular use.

The mapping and other historical documents, can be viewed at the Warwickshire County Record Office, Priory Park, Warwick, CV34 4JS, Tuesday to Thursday 9.00 am to 5.30 pm (5.00 pm on Friday) and Saturday 9.00 am to 12.30 am.

Copies of the mapping and historical documents, plus witness statements, may be seen by prior appointment at the office of Countryside Recreation – telephone 01926 413421. The office is not open at weekends.

The County Council will examine the evidence quoted above and any additional evidence brought forward by this consultation. It must then decide whether it is required to make a Definitive Map Modification Order to recognise the route as a Public Footpath, Public Bridleway or as a Byway Open to All Traffic - in accordance with the provisions of section 53 of the Wildlife and Countryside Act 1981, or whether Newnham Lane should continue to be shown on the List of Streets as a Unclassified County Road because its use by the public is primarily vehicular. Similarly the status of AL88 will be considered.

Please note that any decision must be based on the interpretation of the available evidence. The County Council is not permitted to take into account the preferences of users or landowners.

Any additional evidence should reach me by Monday 21st January 2008.

Should you have any queries or wish to discuss the matter further, please do not hesitate to contact me on 01926 413421

Yours «Signoff»

P Williams
Definitive Map Officer

APPENDIX 71

2007 Informal Consultation Responses

My ref: NPW/E5341

File copy

Mrs A. Boyle
Little Ling
Newnham
Henley in Arden
Warwickshire
B95 6DT

Environment and Economy

Countryside Recreation
Unit 11
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Warwick
CV34 5LW

Tel: (01926) 413421

Fax: (01926) 413418

paulwilliamspt@warwickshire.gov.uk

www.warwickshire.gov.uk

26 September 2008

Dear Mrs Boyle

E5341 Newnham Lane Witness Statements

Following our previous telephone conversation I enclose copies of Witness Statements for you to distribute amongst your riders. We would like to receive them by 30th November and they could all be returned together if that is helpful.

I also enclose a copy of a notice which will be posted at each end of the lane and this will also appear in the Parish newsletter.

At this time the outcome of the case is uncertain but witness evidence will prove valuable, my thanks for your help in this matter.

Should you have any questions, please telephone me direct on 01926 413421.

Yours sincerely

P. Williams
Definitive Map Team Leader

My ref: NPW/E5341

File copy

Mrs G. Harper
Bearley Cross Stables
Salters Lane
Wootton Wawen
Henley in Arden
B95 6DN

Environment and Economy

Countryside Recreation
Unit 11
Montague Road
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Tel: (01926) 413421

Fax: (01926) 413418

paulwilliamspt@warwickshire.gov.uk

www.warwickshire.gov.uk

26 September 2008

Dear Mrs Harper

E5341 Newnham Lane Witness Statements

Following our previous telephone conversation I enclose copies of Witness Statements for you to distribute amongst your riders. We would like to receive them by 30th November and they could all be returned together if that is helpful.

I also enclose a copy of a notice which will be posted at each end of the lane and this will also appear in the Parish newsletter.

At this time the outcome of the case is uncertain but witness evidence will prove valuable, my thanks for your help in this matter.

Should you have any questions, please telephone me direct on 01926 413421.

Yours sincerely

P. Williams
Definitive Map Team Leader

**Homelea Farm
Aston Cantlow
Henley in Arden
B95 6LD**

5th December 2007

Mr P Williams
Definitive Map Officer
Warwickshire County Council
Environment and Economy
P O Box 43
Shire Hall
Warwick
CV34 4SX

ENVIRONMENT AND ECONOMY POST RECEIVED	
11 DEC 2007	
LEADERSHIP TEAM	
GRUP	CR

Dear Mr Williams

**Investigation into the status of Unclassified County Road E5341
And Public Bridleway AL88**

Thank you for your letter of 26th November regarding the above and I am pleased that this is being investigated. From my observations the main users are walkers, occasionally horse riders and more occasionally 4 x 4 vehicles and motorcycles. The 4 x 4s and motorcycles only seem to use it when it is really wet and they cause a considerable amount of damage to the surface.

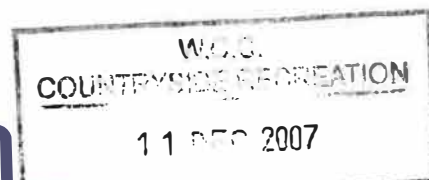
Yours sincerely



A Suffield

openreach

a BT Group business



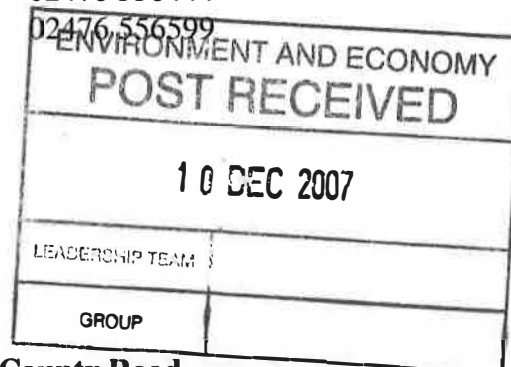
Warwickshire County Council
Environment and Economy
PO Box 43
Shire Hall
Warwick
CV34 4SX
F.A.O. P. Williams

Your Ref :

Our Ref : BCL16A/12104/07/CPB

Tel : 02476 556444

Fax : 02476 556599

4th December 2007

Dear Sir,

Investigation into the status of the Unclassified County Road
Investigation into the status of the Public Bridleway AL88 – Aston Cantlow

Thank you for your letter dated 26th November 2007 and copy of Drawing, which has been forwarded to me to assess the impact of your works on Openreach's existing apparatus in the public road / highway. I enclose plans showing the approximate position of Openreach apparatus within your area of interest.

Apparatus exists in the vicinity where Public Bridleway AL88 joins Bearley Road which could be at serious risk unless precautions are taken if any changes to the status or use of the Bridleway. Please contact our Plant Protection Officer. Should alterations be considered necessary please contact us again with a 1 – 500 scale drawing of your proposals and we will be pleased to supply yourselves with a budgetary estimate of costs.

To avoid possible damage it is recommended that a site meeting is arranged for the location of apparatus and agreement reached on any precautions considered necessary to protect or rearrange our apparatus. Please contact our Plant Protection Service by dialling 0800 917 3993 and asking for "Freefone Dial Before You Dig". This will provide you with free on-site advice and location of any Openreach apparatus. It is also recommended that mechanical excavators or borers are not used within 600mm of Openreach apparatus. Should construction take place within 200mm of Openreach plant, a sand and concrete protection will be necessary to avoid damage and disruption to services.

Please quote our reference on any future correspondence.

Yours Faithfully

Mr C.P. Brodie (Repayments Project Engineer).
Post Pt. 3.03, Little Park St., Coventry, CV1 2 JY



Warwickshire County Council
Environment and Economy
PO Box 43
Shire Hall
Warwick
CV34 4SX
F.A.O. P. Williams

Your Ref :
Our Ref : BCL16A/12104/07/CPB
Tel : 02476 556444
Fax : 02476 556599

4th December 2007

Dear Sir,

**Investigation into the status of the Unclassified County Road
E5341 Newnham Lane – Aston Cantlow**

Thank you for your letter dated 26th November 2007 and copy of Drawing, which has been forwarded to me to assess the impact of your works on Openreach's existing apparatus in the public road / highway. I enclose plans showing the approximate position of Openreach apparatus within your area of interest.

Openreach apparatus should not be affected by changes to the status to the section of Newnham Lane as highlighted in Green on your plan.

On-site advice and confirmation of the location of BT apparatus is available by contacting the Openreach "Dial-Before-You-Dig" Service on 0800 917 3993 or fax 01332 578650 giving seven days notice. Alternatively you can contact by e-mail at dbyd@openreach.co.uk . These services are free of charge.

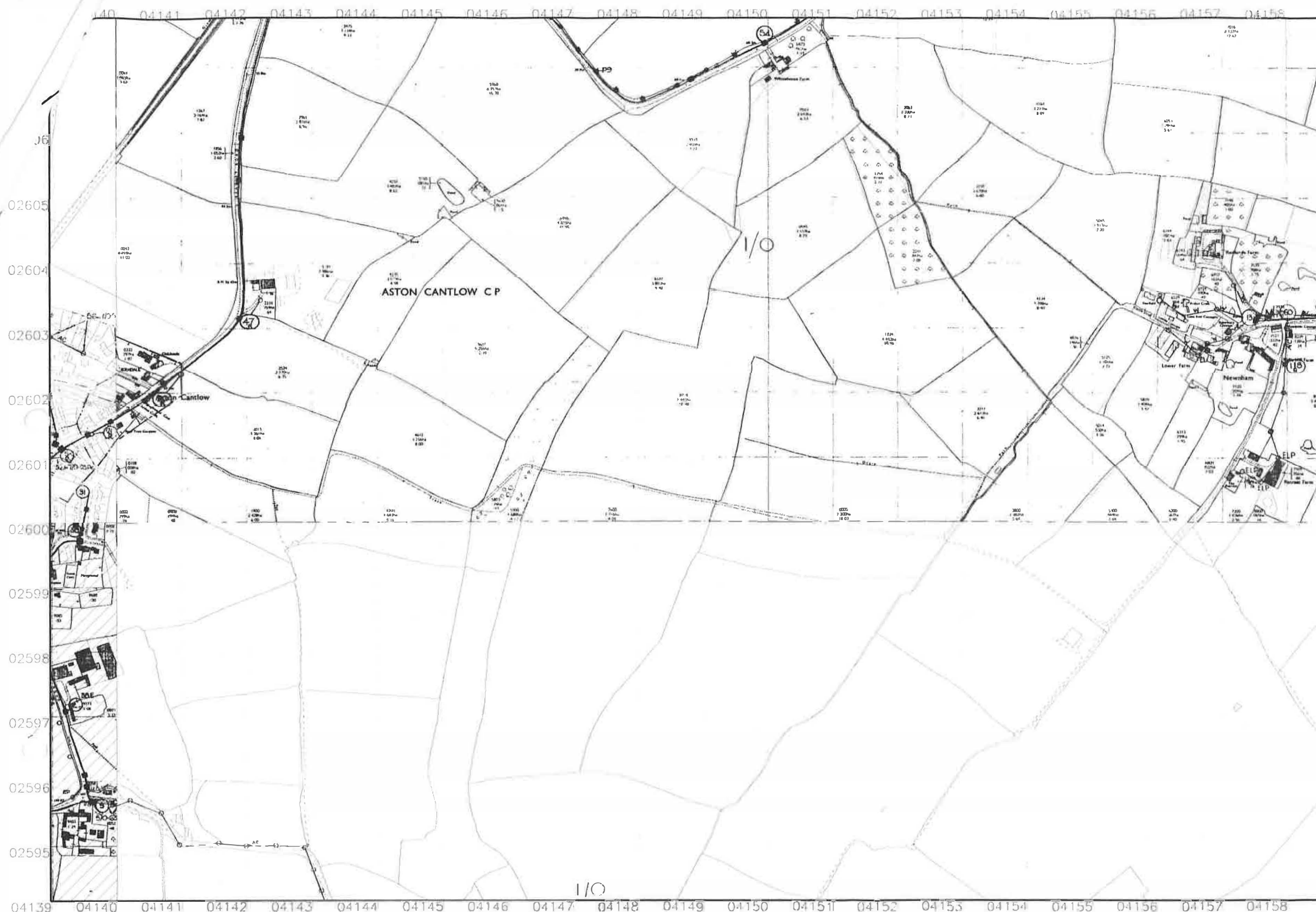
Meanwhile, if you wish to discuss your proposals further, please do not hesitate to contact me.

Please ensure you quote our reference on any future correspondence.

Yours Faithfully

A handwritten signature in black ink, appearing to be "C.P. Brodie", written over a horizontal line.

Mr C.P. Brodie (Repayments Project Engineer).
Post Pt. 3.03, Little Park St., Coventry, CV1 2 JY



KEY TO BT SYMBOLS

PLANT

- UNDERGROUND PLANT
- OVERHEAD PLANT
- JOINT BOX
- DISTRIBUTION POINT
- MANHOLE
- POLE
- CABINET
- BURIED JOINT
- JOINTING POST
- MICROCONNECT DISTRIBUTED ANTENNA
- PROPOSED U/G
- PROPOSED O/H
- PROPOSED BOX

NON PLANT

- DP BOUNDARY
- OTHER BT BOUNDARY

Other proposed plant is shown using dashed lines.

Existing BT plant may not be recorded.

Information valid at the time of preparation.

DIAL BEFORE YOU DIG

0800 917 3993

Fax – 01332 578650

Professional on-site assistance prior to commencement of excavation works

IMPORTANT WARNING:

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the event of excavations or other works being made near to BT apparatus which may exist at various depths and may deviate from the marked route.

Reproduced from the Ordnance Survey map by BT by permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office (C) Crown Copyright British Telecommunications plc 100028040

PLANT INFORMATION REPLY

Notes:

If more information is required please submit larger scale plans

openreach
BT Group business



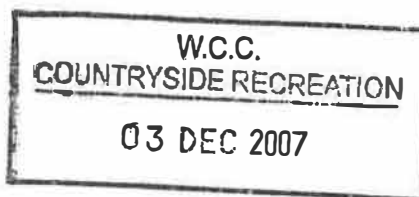
The Ramblers' Association

Working for Walkers



WARWICKSHIRE AREA

Groups: City of Birmingham
South Birmingham
Sutton Coldfield, Solihull
Mid-Warwickshire, Rugby
Castle Bromwich, Coventry
Southam, Stratford upon Avon
West Midlands Walking Group



AL88E5341 Dec 07 1

26 Priory Road
Warwick CV34 4NA
2 December 2007

Dear Sir,

AL88 and Newnham Lane, Aston Cantlow

Thank you for your consultation letter and plans of 26th November 2007 concerning the status of the above routes. These were not identified as a possible problem by Mr Menzler in his research of the 1970s and I have no further information about them.

Yours faithfully,

S. G. Wallsgrove

S. G. Wallsgrove
Area Footpath Sec.

P. Williams
Definitive Map Officer
Environment and Economy
PO Box 43
Shire Hall
Warwick CV34 4SX

APPENDIX 72

2018 Informal Consultation

Your ref:
My ref:
Your letter received:



Communities Group

Marion Borman
PO Box 43 Shire Hall
Warwick
CV34 4SX
Tel : 01926 412643
paths@warwickshire.gov.uk
www.warwickshire.gov.uk

networkalterationsuk@openreach.co.uk

23 May 2018

Dear Sirs

**Wildlife and Countryside Act 1981 Section 53
Definitive Map and Statement for Warwickshire**

Public Rights of Way (footpaths, bridleways, restricted byways and byways open to all traffic) are recorded on the Warwickshire County Council Definitive Map and Statement. The Definitive Map and Statement provides conclusive evidence of the existence of public rights.

Warwickshire County Council has a duty to keep the Definitive Map and Statement under continuous review and to amend it when evidence suggests that it is inaccurate or incomplete. These amendments are made by the use of the modification order process given under section 53 Wildlife and Countryside Act 1981.

Information alleging that a route in Aston Cantlow should be recorded on the Definitive Map and Statement has been received by Warwickshire County Council. The route is indicated in red on the attached plan – MEB/Aston Cantlow/IC Plan. The route is currently recorded on the 'List of Streets' (the Highways Act 1980 s36(6) Register) as E5341. The List of Streets is a list of routes that are maintainable at public expense – it gives no indication as to the status of any route included on it.

At this stage Warwickshire County Council is contacting parties that may have an interest in the route to request any information that they may hold about it. This information should relate only to the existence or the status of the route. No decision has been made whether the evidence suggests that an Order should be made to modify the Definitive Map and Statement.

If you have any information about the route please could you send it to the Council, to be received by 22 June 2018. After that date the County Cou

*Working for
Warwickshire*

of the available evidence. If the evidence indicates that the Definitive Map should be amended then the County Council must then make a Legal Order to reflect this.

72.2

An Order does not come into effect until it is confirmed and there will be an opportunity to object to an Order should one be made.

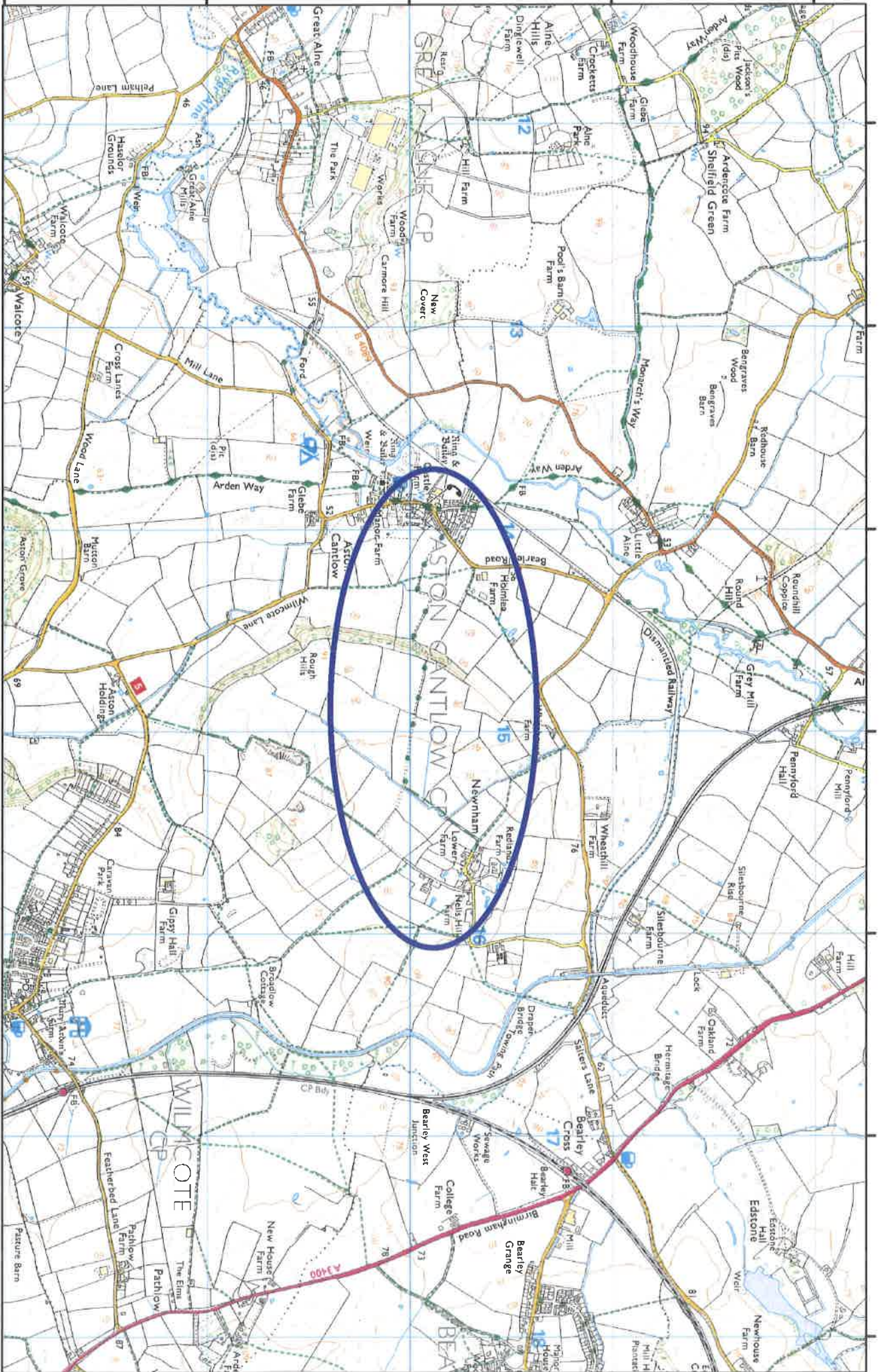
If you would like to discuss this further then please contact me. I am available on Monday to Thursday, 8:00 to 14:30 on 01926 412824 .

Yours

M E Borman

Marion Borman
Definitive Map Rights of Way Officer

258000 259000 260000 261000 262000



258000 259000 260000 261000 262000

Title: MEB/Aston Cantlow/Location

Subtitle:

Produced By: MEB

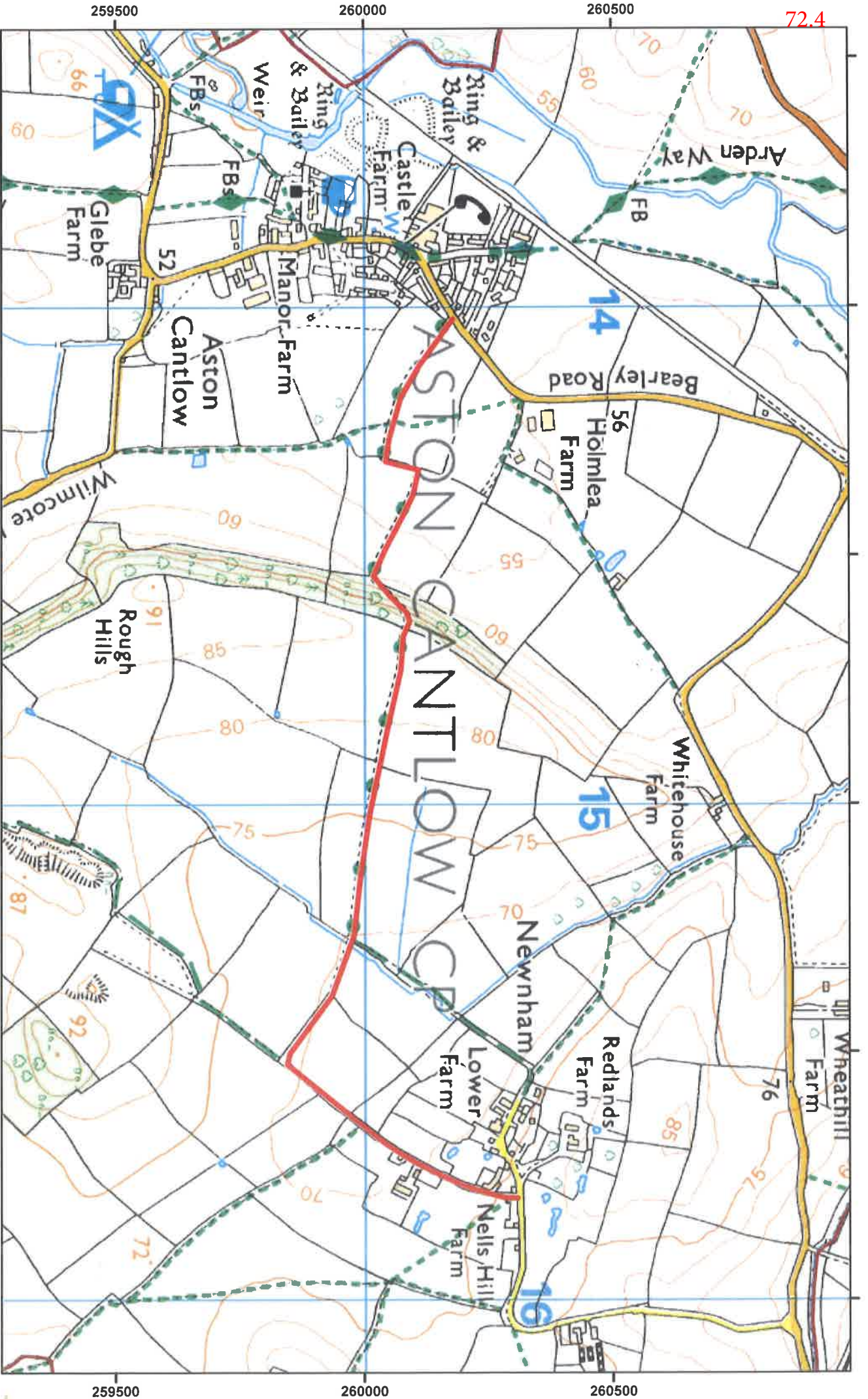
Date: 22/1/18



1:25,000



RIGHTS OF WAY



Title: MEB/Aston Cantlow/IC Plan

Subtitle:

Produced By: MEB

Date: 22/4/18

1:10,000



Consultation Route

APPENDIX 73

2018 Informal Consultation Responses

Marion Borman

From: Paula Holmes <paulaholmes@me.com>
Sent: 05 June 2018 11:08
To: Marion Borman; Country Paths
Cc: Richard Holmes
Subject: Attn: Marion Borman - Wildlife and Countryside Act 1981 Section 53
Importance: High

Dear Marion,

Thank you for your letter dated 23rd May 2018 regarding the route currently recorded as E5341. We have lived at Retreat Farm, Newnham since April 2007 and can provide details of maintenance during that time.

Upon purchasing Retreat Farm, we were advised the County Council was responsible for maintaining the lane upon which our property is accessed. It is made up of a variety of materials ranging from concrete, road shavings, rubble, gravel and mud. In 2007 we made a request for the council to fill in the potholes as they were incredibly deep and difficult to navigate. The council very kindly dropped off road shavings and provided a man with a shovel and whacker plate to fill in the potholes.

In 2008, we made another request for the potholes to be filled in. The heavy farm machinery operated by the Smith Family to access their fields at the top of the lane along with the off road vehicles with their thick treaded tyres as well as our own cars had worn down the road surface and once again the lane became difficult to navigate. We were told by the highways department at Warwickshire County Council they no longer had any budget to maintain the lane and it was now up to us. Since 2008, we have, at our own expense, purchased materials and hired equipment to maintain the lane running from the top of Newnham Lane down to our home at Retreat Farm. We carry this out once or twice each year in order for the lane to remain usable for our motor vehicles. The lane leading from our farm house up to the Green Barn (owned by the Smith Family) is repaired on an ad-hoc basis by either the Smiths or by Pete Wall, who rents a part of the barn from the Smiths in order to operate his Fencing Company.

With regard to the history of the route, talking to neighbours who have resided in Newnham for 50 years or so, it was only used by farm vehicles accessing their fields or by pedestrians/horses travelling between Newnham and Aston Cantlow. The steep slope leading down to Aston Cantlow and the deep rutted tracks across a couple of the fields make it impossible to traverse unless you are in a farm vehicle or a 4x4 which is designed especially for off-road terrain. In the past it has been closed due to the damage caused by the 'off road' vehicles which has left it unusable for horses, pedestrians and cyclists.

Without a doubt the 'off road' 4x4's and motorbikes are a nuisance. We've had experience of them speeding past our home, often in long convoys, at all times of the day and night. Not only do they treat the E5341 and surrounding fields as a playground, but they are prone to spouting verbal abuse if they are requested to slow down and drive more considerately due to the amount of children, dogs and horses who are also using the lane. When the lane has been temporarily closed, the 4x4 vehicles have still deemed it OK to use, usually in the dead of night. Upon reporting to the Police, they have been powerless to do anything as the number plates on their vehicles do not match up with the vehicles they are supposed to be on. So, these vehicles are not only causing havoc in the middle of the night for residents and damaging farmer's crops but are driving illegally. How do we stop them?

I am disappointed that current and past Aston Cantlow Parish Councillors have not carried out correct administrative procedures regarding E5341. There appears to be a 'blame culture' where nobody will take responsibility for this matter which I believe, has been ongoing for far too many years. I believe the Parish Council is in possession of 25 witness statements with DOBs dating back to 1914, which have been submitted to WCC, stating that nearly all of last century, up to about 1990 that on the boundary between Alan Tyler's top fields and the Suffield's wood on the Aston Cantlow side was fixed a "hunting gate". A hunting gate evidently is a narrow gate used solely by horses and

pedestrians. There was no need for vehicle passage due to separate land ownership and the danger of the slope on the escarpment itself at the time.

I have been advised the off-road 4x4's started using the route after the hunting gate was deliberately pulled down around 1990. The number of vehicles were then quite small, but now, due to the Internet and social media, E roads are advertised in abundance and now attract large numbers of not only 4x4's but also motorbikes.

Marion, I would be very grateful if you can acknowledge receipt of this email and if you need any further information please do not hesitate to get in touch.

Kind Regards,

Paula & Richard Holmes
Retreat Farm, Newnham, Henley-in-Arden, Warwickshire B95 6DU
T. 01789 488482 M. 07813 888193

Meadow Barn
Newnham
B95 6DU

19th July 2018

Dear Ms Borman,

Many thanks for your letter dated 23 May 2018 re the status of E5341.

We note that on the Ordnance Survey of England 3rd edition (1895/1909) a track is shown as far as retreat farm, it then continues as an unmetalled track straight towards the top of the quarry and also turns right where there is now a barn across two fields towards Aston Cantlow. Thereafter it is shown as a footpath until it reaches the Rough Hills escarpment. One would assume from this that the track was therefore used for field access not a public road.

Furthermore, our land registry deeds (WK342207, edition date 22/04/2013 and attached for reference) state:

in Note 5

“13.0501992) The land has the benefit of the following rights granted by a Transfer of land in this title dated 13 April 1992 made between (1) William Reginald Conduit Riley and Judith Mary Mottram and (2) Sheila Creedy-Smith (Transferee):-

Together with a right of way at all times for all purposes with or without vehicles over the track coloured brown on the said plan annexed hereto subject to the Transferee paying a proportionate part of the expense of keeping the said track in good repair and condition.

NOTE: The track coloured brown is that adjoining the eastern boundary and leading to its junction with the road to the north.”

Sheila Creedy-Smith was the previous owner of Meadow Barn (our current residence) and the track in question is that referred to as E5341. Our understanding of this deed determines that vehicle access on the track is subject to permission from the landowner and not public access. Similar references occur in the deeds of Tutnells Hills Farm and Retreat Cottage. Historically, it appears that as recently as the 1960s Tutnells Hills Farm, Retreat Farm, Wayside Cottage (formally Roadside Cottage) and Meadow Barn plus the fields adjoining the track in question were part of the same estate.

Yours sincerely,

Kate Sugden and Kyla Skinner

Lower Farm
Newnham
Henley in Arden
Warwickshire
B95 6DU
01789 488217
alan.tyler13@btinternet.com

21st June 2018.

Marion Borman
PO Box 43
Shire Hall
Warwick, CV34 4SX

Dear Miss Borman,

Ref:- E 5341 Pathway/Bridle Way.

I am sure you will have received many deputations and facts regarding the status of the above pathway. I don't propose to reiterate these.

I moved to Lower Farm in 1984. The previous owner highlighted to me the problems they had experienced with the abuse of this route with 4 x4 vehicles. To the point that the adjoining farmer had put a post in the path at the junction of their land to protect their crops where the reckless 4 x4 drives were showing no respect with their hand-brake turns in the fields adjacent to the path. This was sawn down by a gang of men (including a retired police officer!).

I have no objection to the path/bridleway being used by the public enjoying the countryside.

My problem is from these drivers (driving unregistered vehicles I gather, making bringing any legal action to recover costs from them impossible) showing no respect for the crops I planted, causing extensive damage and subsequent loss of income. If it continues then I shall be forced to fence off my land, at great expense, to protect them.

It is my opinion the council have a responsibility to protect the environment and preserve it for enjoyment as it was originally intended and close the road to 4 x4 off road vehicles.

I have yet to explore the possibility of claiming against the council for crop damage due to irresponsible action on their behalf in refusing to instigate protective measures in protecting the environment from abusive users.

Yours sincerely,

Alan Tyler.

Marion Borman

From: Robin Hickin <r.hickin@prduk.com>
Sent: 26 June 2018 15:00
To: Marion Borman
Cc: richard@7poverty.co.uk
Subject: RE: Paul Williams file on E5341

Importance: High

Marion

Your request for evidence re E5341 could not be completed in the time span you allotted due to the refusal to provide any information from Paul Williams research on this road when he looked into it.

I have received information from local members both in terms of use over the last 30 plus years.

I have also collected documented correspondence with the highway authority regarding both Traffic regulation orders and complaints regarding the ploughing out of the highway by the occupier of the land.

So in short:

West Midlands TRF regard this Highway on the List of Streets as a Public Carriageway for use by all Traffic.

We will continue to use it as such and will report any actions taken to prevent its use to the appropriate authorities.

We also regard your actions to, in effect, leap frog this issue in front of existing DMMO claims as a breach of duty by the authority.

Finally as regards to the completed file by Paul Williams you have refused to provide to me I will of course take this matter further as I also see this as a breach of the Environmental Information Regulations 2004 in so far as the information requested is a completed document not a draft and not currently in progress therefore not exempt from disclosure under Regulation 12(4)(d).

Robin Hickin

Westmidlands Trail Riders Fellowship

From: Robin Hickin <r.hickin@prduk.com>
Sent: 07 June 2018 11:50
To: 'marionborman@warwickshire.gov.uk' <marionborman@warwickshire.gov.uk>
Cc: john vannuffel (conservation@trf.org.uk) <conservation@trf.org.uk>; richard@7poverty.co.uk
Subject: Paul Williams file on E5341

Marion

Regarding our conversation last Thursday, just to let you know I have not as yet received a copy of your file regarding the possible reclassification of the E road compiled by Paul Williams.

As you require responses to your "consultation" by the 22nd it is important that I receive this information as soon as possible.

I am happy for you to Email me a pdf version if it helps.

Robin Hickin

WestmidlandsTrail Riders Fellowship



Virus-free. www.avast.com

Aston Cantlow E5344

tommowarcher@aol.com <tommowarcher@aol.com>

Mon 25/06/2018 06:02

To: Country Paths <paths@warwickshire.gov.uk>

Dear Ms Borman

Regarding user evidence for the UCR at Aston Cantlow I can confirm that I have used this lane in a vehicle, along with many other friends, since 1988. I was originally notified of this lane by the Rights of Way Officer of the Midland Rover Owners group, who had used it for a number of years previously. I have been 'accosted' on this lane at times by local residents, the most notable being in 1992 when a local farmer blocked my and two accomplices exiting the lane at the Aston Cantlow end. He informed me that while the lane was a public road it was only 'for the use of local people'. During a heated debate I informed him that there was not, to my knowledge, any distinction in Law on who could use a Public Highway on the basis of residency and furthermore that he was committing an offence in obstructing a Public Highway with his motor vehicle. After recording his registration number and informing him that I would be reporting the incident to the police he moved his vehicle to allow me to continue.

In 2010 I was employed by a resident who lived adjacent to the bridleway that runs from the lane at the Newnham end. He related that vehicles did occasionally use the bridleway to access the lane illegally at the junction of the bridleway and lane. He confirmed that the lane and the Public Road ran from the village at the junction before the green, although motorists that he had spoken to had been in error in using the Bridleway section, which was obviously used by farm vehicles.

I trust this information is of some benefit .

Tom Archer

E5341 Bridleway

Phil Summerfield <phil@thebusinesscoachinggroup.com>

Fri 22/06/2018 11:47

To: Country Paths <paths@warwickshire.gov.uk>

 1 attachments (3 MB)

So called E5341 image of hill google earth.JPG;

Tutnells Hill Farm
Newnham
Henley-in-Arden
West Midlands
B95 6DU
21st June 2018

Marion Borman
Definitive maps right of way officer
Warwickshire County Council

Your Ref: E5341

Dear Marion,

Thank you for your letter of 23rd May 2018 on this topic and your time on the phone.

We have lived here for over 30 years and have researched the bridleway or so called E5341 in detail.

1. There is no evidence of there ever being a road from Newnham across the fields to Aston Cantlow.
2. The 1828-1834 Cassini map 151 does not show a road from Newnham across the fields to Aston Cantlow. There is a track to the now unused quarry.
3. Your own 'List of Streets' simply mentions a street name of Newnham in a Town of Aston Cantlow. It does not define any route between the two locations, indeed, there is nothing to suggest that, it is simply a reference to the street name.
4. Given the complete absence of any historical evidence, it is likely that a mistaken assumption has been made in or since 1927 and that the footpath/bridleway from the quarry road over to Aston Cantlow should have been included in your Definitive Map.
5. Until a few years ago, Newnham did not have any street names until without any notice or discussion, a NEWNHAM LANE road sign appeared on the corner of Salters Lane. We can find no information about this sudden decision and it was certainly not supported by any historical evidence.
6. Arbitrarily calling it Newham Lane does not demonstrate or authorise any extension of the this through to Aston Cantlow.
7. In the wooded and dangerously steep section (see Google Earth attachment), some parts steeper than 1 in 4, there is insufficient visibility for vehicles to see pedestrians, horses, dogs etc ahead and totally inadequate distance or room for the vehicles to brake and stop without causing an accident. This fails all requirements of

the Highways Agency minimum stopping sight distance requirements. It also fails the Highways Agency maximum slope recommendations. DMRB Volume 6 section 1 TD9/93 No 1 Highway link design.

8. The WCC 1998 Highways Records Office working map from 1929 shows a bridleway from Newnham to Aston Cantlow.

9. The bridleway had, until recent years, a 'hunting gate' to allow pedestrians and horses access at the top of the wooded section and also a series of gates on the Aston Cantlow side. The 'hunting gate' was destroyed by unknown individuals using a chainsaw around 1985 without discussion or planning permission. WCC has previously been given witness statements from 25 residents about the bridleway and the 'hunting gate'.

10. in 1991 Aston Cantlow Parish Council provided evidence to WCC along with lifetime witness statements from 1914.

11. In 2002, WCC's definitive map team leader, Paul Williams, informed the Aston Cantlow Parish Council that the correct designation to bridleway was being fast-tracked.

In summary Marion, there is a complete absence of evidence for the bridleway ever having been designated as a road and extensive evidence for it as a bridleway and footpath. The use of this bridleway for motorsport is extremely dangerous for other users and therefore a risk to WCC.

Thank you.

Yours sincerely

P. Summerfield & M. Summerfield



Newnham - Aston Cantlow Route

Robert Green <bobgreen@rosemarycott.co.uk>

Fri 22/06/2018 10:44

To: Country Paths <paths@warwickshire.gov.uk>; Clive Rickhards <cliverickhards@warwickshire.gov.uk>; Liz Butterworth <lizbutterworth1@btinternet.com>

Ms Marion Borman
Definitive Rights of Way Officer
Warwickshire County Council
PO box 43
Shire Hall
CV34 4SX

22 June 2018

Dear Marion

Wildlife and Countryside Act 1981 Section 53 Definitive Map and Statement for Warwickshire

Further to your letter dated the 23rd of May regarding the connecting route between Aston Cantlow and Newnham, which appears on your list of streets as the E5341, I now comment that this matter has been the subject of discussion between Aston Cantlow Parish and Warwickshire County Council since 1990.

I have tried here to list the significant events that have influenced as to where we are today.

1. 1828/34 Original OS Map (Casini Historical Maps) shows Newnham and Aston Cantlow but does not show that any route between exists at all.
2. 1905 - map obtained from the Public Records Office in Kew shows that the route Newnham Aston Cantlow was designated as a BR (Bridle-road)
3. 1929 - Local Government Act transferred all route documentation from (in our case) Alcester RDC to Warwickshire CC
4. 1998 - Highways Records Office (WCC) confirmed that their (working) Map dated 1929 also shows route as BR
5. 1937 - WCC "Definitive Map" shows route as E5341 without any reason of the change of designation.
6. This is where that there appears to have been an error made. There was not and would not have been any requirement or need whatsoever to make a change. In fact nothing did change. The existing route described in the 1905 OS prevailed - no wheeled vehicles, as the intervening escarpment was dangerously steep and effectively was an ownership boundary as well, with one landowner in Newnham and one landowner in Aston Cantlow. Access to Stratford from Newnham would have been by Salters Lane to the A34 and access to Aston Cantlow by a gentler gradient than the escarpment albeit a longer journey via Whitehouse Hill. Access to Stratford from Aston Cantlow would have been through Wilmcot and elsewhere through Wootton Wawen and Bearley. So the only communication "need" was between the two communities.
7. Up until about 1985 on the Aston Cantlow side the route was gated by a series of gates as the land was used as part of a dairy farm. On the Newnham side, no gates evidently existed.
8. At the top of the escarpment, and the boundary between what is now Tyler/Suffield land, existed a "Hunting" or "Clap" gate. This was for pedestrian and equine access only, and not wide enough for a vehicle.

9. Up until around 1985, the route for the previous two hundred years was only used for the following school children attending Aston Cantlow School; Aston Cantlow Church attendance; Food and a Village Bakery; the Kings Head Public House; Wilmcote Quarry workers on foot or horseback during previous centuries. Unconfirmed, but possibly valid are funeral processions from Newnham to the Church. (One way only)
10. From 1937 the definitive map shows the route as road, but was not known locally as such and was not deployed as such.
11. Around 1985, an event took place, which, was both illegal and all changing for this community. One evening, relevant Aston Cantlow landowners heard a chain saw operating in their woods on the escarpment, and went to investigate. Only to find a group of men cutting down the supporting posts of their Hunting Gate at the top of the escarpment. Enquiring on what authority this was being carried out, they were told that the route was a road and that this Hunting gate restricted vehicle movement and therefore was being removed. The landowners were unhappy with this action needless to say and suggested calling the Police. The reply was not to bother as he, (the spokesman) was the Police. Evidently, a retired Police Officer. Whilst offensive and provocative no further action was taken by the landowners. The occasional 4X4 was not a problem perhaps, they thought.
12. However, this proved not to be the case, and increasingly the damaged caused by repeated traversing by Land Rovers essentially became a problem. The "road" then become impassable by other users. The escarpment had become 125 metres of deep ruts and mud. To the Land Rover drivers, this was seriously good sport.
13. Access was, and is, totally unlimited day and night, and any volume of traffic.
14. Between 1991 and 2000, repeated representations were made by the Aston Cantlow Parish Council (documentary evidence available) to Warwickshire County Council as to the Parish's conviction that this route was not a road and that village witnesses were prepared to attest that in their lifetime (from 1914 the earliest) that this was the case. Warwickshire County Council proved evasive and reluctant to face the issue. An absolute convoy of Officers, Councillors and the local MP were passing the buck, effectively to put in to the issue into the "too difficult" box. Again, documentary evidence is available.
15. In 2000 the County Council effectively cornered by their indecision said "provide the proof".
16. In 2001 approximately twenty five long time residents signed witness statements (documentation provided by WCC) that the route had not been a "road" in their lifetime – that is, until the 1990 Land Rover invasion – and that all during their lifetimes their had been a series of field gates and a Hunting gate prohibiting vehicle movement.
17. Having completed this exercise in 2002/3, and submitting the WCC completed documentation to the authority, the Parish Council were then told that the wrong forms had been used, and the exercise need to be repeated with the correct forms.
18. **On the 2nd of October 2002, Paul Williams the Definitive Map Team Leader - Warwickshire County Council wrote to the then Parish Council Chairman to the effect that the re-designation to "bridleway" would take between 10 to 15 years, but assured the PC Chairman that Aston Cantlow Parish was on the County's "fast track". Adding that due to building works access to the County Records Office would not be available until the end of March 2003.**
19. In 2004, twenty-three Witness Statements were submitted to Warwickshire County Council as evidence that the route had been erroneously designated a "road" and that the correct designation was that of "bridleway" as recorded in 1905.
20. Again, the issue was met with evasion – meetings – correspondence – change of personnel - meetings and further evasion. Again, documentary evidence is available.
21. During the 10 to 15 year commitment, the witness statements and associated paperwork were then lost by WCC.
22. In 2006 the road was closed prior to partial repair at a cost of some Forty Thousand Pounds, as the route at the time was impassable by all users except the off-road Land Rovers.

23. In 2016 the road was closed again for a period of 18 months to enable WCC to undertake extensive repairs.
24. However, the only repairs were by the local landowner for his own convenience, in filing a 10 metre by 3metre wide by 600mm pond which had be clawed out by repeated 4x4 use.
25. During the second “closure” period, repeated 4x4 vehicles perpetrated night-time access. On one occasion, the 4x4 vehicle decided that driving through fields of crop was a good idea. Three local men tried to block his exit, but were forced to dive to safety as it was clear that the vehicle was not going to stop. Attempted murder?. Reports were made to the Police with a vehicle number. No action was taken on the basis that the vehicle could not be traced.
26. On the 6th of March 2017, I wrote to Peter Endall the Warwickshire County Council lawyer expressing my concerns with respect to this and other related events to which I have not received an acknowledgement or reply. However my letter has subsequently been accessed on the WCC database – albeit in a redacted state so it must have be received, read and filed. However I am concerned that the redacted copy does include my personal details, we already have had commented by the Green Laners that “we know where you live”.
27. In 2017, the route re-opened and the Land Rovers returned.
28. 2017 Through the Parish Council repeated requests have been made to WCC to have the route re-designated as a bridleway as previously promised by WCC in 2002.
29. Additionally, through our County Council Councillor, Clive Rickard, as well as the above, assurances from WCC Highways, concerning pedestrian - cyclist – and horse riding access and safety have been sort, ie a risk assessment. Nothing has been received.
30. Our concern now turns to the gradient the route takes in climbing a steep escarpment and the safety of a mixed use road deployment, which, rises 25 metres in a distance of around 100 metres with no safety measures whatsoever.
31. I'll paint a picture:
- 32.
33. Travelling from Aston Cantlow to Newnham in a two and a half ton 150hp 4x4 – day out – Green Laning in Warwickshire – good fun – free of charge courtesy of Warwickshire CC - £30 elsewhere in a farmers field
34. Road surface – unstable mud and stone – 600mm deep rut to the right
35. Slope 25% ie 1 in 4
36. Vision – OK when you get around the corner – but otherwise 3m
37. Carriageway 3m wide – sharp left - enough for a Land Rover – not bothered about herbaceous overhanging bushes and bodywork scratches
38. No pedestrian safe space – no equine safe space either – no mixed use safety measures for next 150 metres
39. Severe drop to the left – steep bank on the right
40. Speed – up to 60 MPH
41. No problems for a Land Rover 110.
42. Select bottom gear and FWD if optional – known adverse slope – keep revs high – don't want to stall in front of mates
43. Extra wide tyres with super block tread grabbing for extra grip
- 44.
45. OR
46. Motor bike riders who think that they're competing on a speedway circuit, the skidding road marks afterwards are the evidence.
47. And then what?
- 48.
49. 1) Around the corner - Family – two children – one in pram – dog on lead.
50. No where to go.....
- 51.

OR

52. 2) Horse rider – surprise high noise – unexpected movement – somewhere **to** go this time – but without rider.....

Enquiry?

53.

54. Not our fault mate – Warwickshire County Council said it was OK!

55.

56. Personally, I would not sign off a Risk Assessment for above scenario.

57.

58. Evidently, neither would the WCC Highways Dept either. Through my County Council Councillor, I've asked three times for a risk assessment to be undertaken on the E5341 and received nothing. So, you can't help but conclude that there must be some serious Health and Safety concerns.

Concluding

- This route has been mistakenly allocated as a road and the fact that it took from 1937 to 1985 for this to be exposed with “menaces” and criminal damage. Now supported by a second set of twenty-three, witness statements referred to above sent to the Definitive Way Officer in January of this year. More are currently available if needed.
- The escarpment route is a danger to other uses when deployed for “mixed use” – vehicles, horses, cyclists, and pedestrians. Additionally the continual damage caused to the remaining portion of the road by 4x4s - ie creation of ruts in an un-metalled track fundamentally presents a permanent Health and Safety issue to all others.
- My community, through our Parish Council, is united and committed to ensuring that the incorrect re-designation of this route in 1937 be rectified and that it be returned to its proper and logical status as a bridleway, as evidenced by the significant numbers of witness statements provided by long term residents in the area, and all other supporting arguments outlined above.
- We therefore strongly urge the County Council to act accordingly as a matter of real urgency, so that further destruction of farmland and danger to pedestrian and equine users can be avoided and the peace of residents restored. If the necessary support in addressing this long overdue problem by the Council is refused or delayed, residents in the area will have no alternative but to take other steps to ensure that the future safety of all concerned is restored.
- We are seeking the strong support of the Parish Council at its 8th of August meeting to take this matter forward.

Yours sincerely

Robert Green

Hunting Gate Picture A5341

Robert Green <bobgreen@rosemarycott.co.uk>

Tue 03/07/2018 21:00

To: Country Paths <paths@warwickshire.gov.uk>

 1 attachments (3 MB)

Hunting Gate .jpg;

Dear Marion – sorry for delay, but now attach a photo of a picture where the hunting gate stood, not dated specifically, but the artist says around 1990, which was after the event when a group of individuals cut the two hunting gate posts down.

The two trees still exist, although the fence detail has changed.

The artist is John Davis who is a well known local country artist and lives in Aston Cantlow, and who to my knowledge specialises in “architectural” pictures, so detail and accuracy therefore being important.

The hunting gate referred to in the witness statements sat in the fence line shown left to right, together with of course two gate posts.

As you can see, the remaining fences shown a distinct narrowing of the carriageway, and corroborates and supports the witness statements previously submitted – that a narrow gate existed.

A wooden gate post might be 7”x7” and the gate hinge 3” ie, 10” in total. Therefore 20” to accommodate both sides. Allowing for the two posts and a 48” hunting gate – the total gap needed would be 68” or 6ft 6ins in total.

Assuming the perspective to be reasonably accurate, I would contend that the picture supports my evidence previously submitted.

The land owners have suggested excavating the ground to locate the remnants of the posts. As it is not contested at the moment, would that be worthwhile?

Regards

Robert Green



REFINED
ALL CHANGES
NOW
VS
(2005 ETC)
EASON

APPENDIX 74

Decision Document

Definitive Map Modification

Newnham Lane, Aston Cantlow

Introduction

Although no application has been received by Warwickshire County Council to add a route to the Definitive Map and Statement, evidence has been produced which alleges that a route should be added.

The route in question is recorded on the List of Streets (the s36 Highways Act list) as E5341. The List of Streets is purely a record of highways maintainable at public expense and does not provide any indication as to status.

Opposing views exist as to the true status of the route, some regard the route to be a vehicular road and others regard it as being a bridleway based on historical knowledge. A decision has been made to resolve this issue by using the Definitive Map Modification process. This process entails examining the available evidence, both historical and user, and reaching a decision on the status based purely on the evidence and any applicable legislation and case law.

If the evidence suggests that a Definitive Map Order should be made to modify the Definitive Map and Statement for whatever status, then such an Order will be made. If there is no evidence then no order will be made.

The definitive map process allows for all parties to present evidence supporting their case and then should an order be made that they disagree with to present their case at public inquiry for an independent decision to be made.

Location

The route can be found to the east of the village of Aston Cantlow, terminating in the village of Newnham. It runs between C100 Bearley Road and D5341 Newnham Lane.

It starts on the Bearley Road (Grid reference SP 2402 6017) and runs generally in an easterly direction to a point south of the hamlet/village of Newnham where it turns to head in a generally northerly direction to its junction with D5341 Newnham Lane (Grid Reference SP 1578 6030).

The route runs through mainly agricultural land either on headland or cross field but it does run up a steep slope through a small area of woodland.

Legislation

The status of the route is being considered under the Wildlife and Countryside Act 1981 (WCA) as part of the duty placed on the Highway Authority to keep the Definitive Map and Statement under continuous review (s53 WCA). Evidence has been submitted that alleges that the route should be recorded on the Definitive Map

and Statement and the investigation intends to determine whether the evidence supports or does not support that allegation.

The effect of the Natural Environment and Rural Communities Act 2006 may need to be considered.

Evidence and Interpretation

Historical Documentary Evidence

Historical Mapping

Henry Beighton 1725 - Route not shown

Cary 1787 – The route is not shown.

John Haywood 1788 - The route is not shown.

Yates 1789 – Route not shown

Noble (engraved Cary) 1789 – Route not shown

Cary – Route not shown.

Smith 1808 – Route not shown

Dix 1820 – The route is not shown.

Greenwood 1820-1821 – The route is not shown. Greenwood is generally a reliable and it would be expected that a route such as this one would be indicated.

Greenwoods 1827 – Route not shown.

Greenwoods 1830 – Route not shown.

Walker 1836 – Route not shown

Pigott – Route not shown

Weller c1861 – Route not shown

Historical Documents

Proposal for Inclosure including Aston Cantlow Inclosure Act – CR1886/1247

The proposal document presents the demands of Lord Brooke for his fair entitlement of the common fields of Aston Cantlow in proportion to his tithes and that any lands allotted will be close together.

Within the documents was a copy of the Inclosure Act dated 1744. There is mention of how highways were to be dealt with:

"Provided nevertheless, That convenient Gap and Openings shall be left in each of the said Lots and Shares, to continue for the Space of Twelve Calendar Months next ensuing the Execution of the said Instrument of Writing, for the Passage of Cattle, Carts and Carriages, in, by and through the same, unless the several Parties interested shall agree, that the same shall be sooner fenced in, made up and inclosed.

Provided nevertheless, and it is hereby Declared and Enacted, That the said Commissioners, or and Five or more of them, shall and may ascertain, set out and appoint private Ways to and from the new Inclosures, so to be made as aforesaid, of the Breadth of Twenty-five Feet at the least, with Directions for repairing and maintaining the same and also shall and may ascertain, set out and appoint publick Ways and Roads through the said Inclosures, with the Assizes and Breadth thereof, so all publick Roads to be made shall be and remain Forty Feet broad at the least, between the Ditches, and that it shall not be lawful for any Person thereafter to use any Roads or Ways, either public or private, over the said new Inclosures, either on Foot, of with Horses, Cattle or Carriages other than such Roads or Ways as shall be so ascertained, set out and appointed.

Provided always, That there shall be a Gate set up at each End of every Lane, which shall be made and appointed as and for a publick Road over any Part of the said Inclosures, and such Lanes and Gates so to be made and erected respectively, shall be repaired and maintained at the common Charge of the Parish of Aston Cantlow aforesaid, in such manner as the public Roads in the said Parish were and are repaired and maintained at and immediately before the passing this Act."

The Inclosure Award itself sets out a route as:

"One Bridle or Churchway from the said Little Alne Road in meadow furlong field near (Daviss Close) up the said two ?part furlong field through Newnham Millway field and Water place Lays to Newnham Sally Lanes end of the breadth of twenty five feet at least between the ditches in the way the same now is ????? and ????? anciently been used".

It sets out another route as:

"One other footway from Aston Cantlow aforesaid called Churchway beginning at the northwest side of the cottage plot herein allotted to John Robers through the same and into and over new ? and part of the said Little Alne Meadow furlong field herein allotted to the said Elizabeth Huchell up to Newnham Hill thence thoughte said Newnham Millway field then through the south end of the allotment of the said Francis Charles in Little Meadow and Wenne price from thence to Newnham Town as the same hath been heretofore and now is used."

There is no mention of any road being set out between Aston Cantlow and Newnham.

There is no contemporary inclosure map available. A map was created using the information given within the inclosure and using early Ordnance Survey maps. From the re-creation it appears that the Bridle or Churchway mentioned matches the current route.

The date of the inclosure award is 1744 and the use of mechanically propelled vehicles would not be considered within the definition of carriage.

Plan of Lord Abergavenny's Estate 1804 – CR882

Only part of the route appears to be shown on the plan. It is depicted in a significantly different manner to other current public roads, suggesting a lower status route. The alignment depicted is slightly different, certainly towards the eastern end at Newnham, to the current alignment. Current roads are shown as much wider and clearly bounded on either side - the route is shown as running through fields and is relatively narrow.

Survey of Estates of Thomas Wood 1874

The route is not indicated on the larger map showing all of the holdings of Thomas Wood. It is also not shown on the individual plan of Tutnel Field Farm. The route would run through plots 145 (Cross Piece), 133 (Cosset Meadow) and 132 (Cow Pasture). There is a thin section of land indicated from plot 134 (Hither Bittam) which goes to the farm buildings but is not open to the road through Newnham. The road is shown with a slightly darker colouring. No mention is made in the associated schedule for Tutnel Field Farm of any route.

Rough Plans of Aston Cantlow 1859 – DR259/14/1-3

There is a rough hand drawn pencil sketch of Newnham which is fairly crude in its depictions of the area. The route may be indicated but its positioning, as with other features, is not precise.

The sketch of the Aston Cantlow area does not shown the route.

Copy of Plan One Deed 1858

The route is shown passing through plots 5 (Farm Piece), 7 (Farm Piece Meadow), 8 (Long Ground) and 11 (Newnham Hill). It is annotated with Bridle Road.

Sale Catalogue Aston Cantlow Estate 1918 – DR679/24

The route forms part of the land within Lot 2. It is not separately delineated on the plan but is indicated on the base mapping, passing through plots 199 (Cross Piece), 200 (Goset Meadow), 201 (Cow Pasture) and 238 (Foredrift) and shown with the lettering BR. There is no mention within the description of the lot of the route.

It would be expected that if the route were a public road then it would be excluded from the sale of the estate. The route clearly falls within the sale lots.

Ordnance Survey

CS 2500 1st Edition 1881-1890

A route is indicated on the map. It starts at Aston Cantlow where it meets the road going to the village – there is a solid lined boundary i.e. the route is not directly open onto the road. This could suggest that a gate existed at this position. The route is shown by double pecked lines (through fields numbered 228, 199, 200 and 201 and through the wooded area numbered 212) except in some cases where it is close to field boundary when a single pecked line is used (field numbers 213, 198 and 201). It is indicated by the letters B.R. At points where the route crosses field boundaries there are also solid lines across the route indicating the possibility of gates. To the south of the village of Newnham the route has a junction with another route drawn in a similar manner (field number 201) and then heads in a northerly direction. The notation of it changes from a double pecked line to that of double solid lines (numbered 238). Where the route reaches Newnham, it appears to pass through an area of land which has no indication of a route. This area of land appears to be linked (via the use of tie bars) with a larger number of plots relating to number 243. The boundary with the route passing into Newnham from the east appears to be a solid boundary indicating a hedge/fence line with the possibility of a gate.

CS 2500 2nd Edition 1900-1905

The depiction of the route on the second edition Ordnance Survey map is similar to that on the first edition. The route is indicated with the lettering BR. At the Newnham end, where it passes through part of plot 243, the route is shown as a double pecked line curling through the plot (rather than in a direct line to the route joining from the east as is available on the ground now).

CS 10560 1st Edition 1884-1897

The depiction on the map is similar to that of the CS 2500 1st Edition. The route is indicated with the lettering BR.

CS 10560 2nd Edition 1900-1906

The route is depicted in a similar way to that of the CS 2500 2nd Edition.

Finance Act and Handover

1910 Finance Act Map

The route is shown on the base map with the notation of BR. It passes through plots 840 and 837. It is not excluded from any plot but other current roads including the D5341 Newnham Lane are excluded. There is no deduction for Rights of Way.

1927 Handover

The route is shown on the base map with the notation of BR. It is coloured brown (although it does appear to be a slightly darker brown than other routes) and is numbered 72. The alignment of the route at the eastern end is different to the alignment currently available. The surrounding brown routes are numbered in the 50s which may be significant in the way that the status of this route was considered.

Number 72 is shown in the Schedule under the heading 'Other roads, including Bridle Roads' and the further subheading 'unmetalled'. The notation in the Schedule gives no indication of the status of the route, other than it falls under the heading of 'other roads and bridle roads'. It is possible that the surveyor regarded the route as a bridle route and added it because it was an appropriate place to do so.

Definitive Map

1950s Parish Survey

The Parish completed the survey of routes they believed to be Rights of Way within Aston Cantlow. The disputed route is shown in red and numbered in part as 22, part as number 24 and part as "NOT USED". It is indicated with the letters BR. A number of field gates are shown with the letters FG. Part of the section numbered 22 is now bridleway AL88. Part of the section numbered 24 is now AL81 (southwards from its junction with the disputed route). There is a pencil drawn arrow and notation saying Uncl Co Rd (Unmetalled) drawn onto the map, which may or may not related to the disputed route. It is not clear when this handwritten note was done or by whom it was done.

The associated schedule describes the route with symbol B.R, although this has been circled at later date and has the inscription Partly Unmetalled County Road in a different hand to the rest of the schedule. The route has been used throughout living memory and of hard road in places, padded track in others or width 4-5 ft. Gates were mentioned at various places and the condition was very rough in places with no obstructions.

The route was walked in September 1951 and it is clear that at that time the parish thought the route was a bridleway. The pencil remarks mentioning the unmetalled county road were added later at an unknown time.

1960s Definitive Map

The disputed route is not shown on any iteration of the Definitive Map as it was created in the 1950s and 1960s.

The draft map is drawn on a base which indicates part of the route with the letters FP. The route is notated by a dashed line and the notation BR. The dashed line starts at Aston Cantlow with its junction with Bearley Road and terminates at the junction with AL88. Bridleway AL81 is shown as a cul-de-sac. There is a hand drawn dashed line with the lettering Uncl. Co. Rd above it indicating the route.

The parish council raised an objection to the Definitive Map in respect of the missing bridleway. The decision was that the route was a county road (i.e. recorded elsewhere) and therefore the Definitive Map would not be changed.

The modified map shows the route on the base map with the lettering BR but it is not drawn as a Public Right of Way as others are. AL88 and AL81 are both shown as cul-de-sac routes.

The provisional and the final Definitive Map shows the route on the base map with the lettering FP but it is not drawn on as other Public Rights of Way are.

There are a few possibilities why the route is not drawn on the first Definitive Map. One possibility is that the route was known to be described on the List of Streets and therefore there was no need to record it on another document. It is unclear when the extrapolation that a route recorded on the Handover Record would be a road when it was clear from the headings that any route could have the status of bridleway. Another possibility is that the route was regarded as being a vehicular route and should not be on the Definitive Map. What can be determined is that it is not possible to say why the route was not recorded on the Definitive Map.

The fact that the route is not recorded on the first Definitive Map and Statement is not sufficient evidence to suggest that the route must be a vehicular road.

User Evidence

User evidence forms were submitted by 75 people over a number of years. The first forms were received in 2004(18), others in 2006 (13), in 2018 (1) and the remainder in 2008 (43).

At the close of the latest consultation (2018) one further user evidence forms was submitted. One respondent did state that he had information from members as to use as well as other pertinent information but this evidence was not provided and therefore was not able to be taken into consideration during the decision making process.

User evidence has been provided by 75 users who completed user evidence forms. Of these 47 have used the route on foot, 27 on horse, 1 on bicycle and 35 with mechanically propelled vehicles.

The date of first use, within the forms, was 1912 with the majority of final use being in 2008 when the last user evidence forms were submitted. The one user evidence submitted after the consultation shows later user. Some use appears to have finished in 2004 but this was at the date that those user evidence forms were submitted. Some of this use will have continued.

Use with mechanically propelled vehicles, as shown in the user evidence forms, appears to have commenced in the early 1970s, although this is disputed, with the majority of use from the late 1980s. The evidence of mechanically propelled vehicles

conflicts with that of other local users and of the landowners who stated that there was no use by such vehicles until a gate along the route was removed.

Informal Consultation

A consultation was carried out in 2018, following one in 2007. Although the 2007 consultation could have been used as the basis for a decision whether to make an Order or not, it was felt appropriate given the time difference to conduct another one.

One email was received from a user group representative. This stated that the belief of that group was that the route was vehicular – no evidence was provided to support this belief. It was also stated that there was information from local members regarding use over the last 30 or so years but no evidential support was given. As no evidence was provided at the time of the consultation or in the period since that date, it cannot be taken into consideration in the determination of status.

Other correspondence was received which provided information about the route. In particular mention was made of the gate at the top of the incline and when and how it was removed. This information corresponds with evidence given by users.

Gate Removal

A letter was received from the NFU in 1986 which provides information of the removal of the gate 'a couple of years' before and which requests that the route be officially classified as a bridleway.

This letter corroborates the evidence provided by users and the landowners who stated that there was a gate in place until the early 1980s. The landowners stated that the removal was without permission and that threats were made against them if they should replace the gates. The landowners were told that the gates were an obstruction preventing use with mechanically propelled vehicles.

Repair of the route

Many site visits were made over a number of years following complaints about the surface of the route. Remedial work was undertaken to make the route suitable for users of all types.

Traffic Regulation Orders

A Traffic Regulation Order was placed on the route in 2007 to prevent serious damage to the route and applied to all users except for pedestrians.

Two Traffic Regulation Orders were placed on the route in 2008 to prevent serious damage to the route and was applicable to all motorised vehicles.

The route was listed on the List of Streets and of unknown status. It was not unreasonable to prevent motorised vehicles from using the route because they had been using it and damage was being caused by them. The use of Traffic Regulation Orders does not give evidence of the status of the route but merely reflects the

reality of the use and the need to prevent further damage. This use by mechanically propelled vehicles is evidenced through the use evidence forms.

DETR Letters

Two letters were received from the DETR, one in August 1998 and one in May 2001. Both of these letters were concerned with the treatment of Unclassified County Roads. The first letter (the Carter letter) stated that the term “unclassified road” was made redundant by the Local Government Act 1972. It goes on to say that inclusion of a highway described as a UCR on the Highways Act list of highways maintained at public expense may provide evidence of vehicular rights but this must be considered with other relevant evidence to determine the nature and extent of those rights. It would therefore be possible for such a way to be added to the Definitive Map and Statement if it fulfilled the criteria of the Wildlife and Countryside Act. The status of such routes and their rights has to be resolved on a case-by-case basis but the appropriate authorities.

The second letter states that List of Streets is a record of highways maintainable at public expense and that “it is not, in any way, proof of vehicular rights” and should include footpaths and bridleways which are publicly maintainable.

These letters show that each route has to be treated on a case by case basis and that the appearance of a route on the List of Streets is not conclusive evidence that the route carries vehicular rights.

Natural Environment and Rural Communities Act 2006

The Natural Environment and Rural Communities Act 2006 (NERC) has an effect on this case.

The route is not recorded on the Definitive Map and Statement but is recorded on the List of Streets. Although s67 (1) states that an existing public right of way for mechanically propelled vehicles is extinguished if it is not shown on a definitive map and statement, this is subject to the provisions of s67(2) which states that s67(1) does not apply if any of the tests apply. s67(2)(b) is applicable. There is no evidence that the route was created as a right of way for mechanically propelled vehicles (s67(d) and s67(e)). The evidence submitted does not suggest that the main lawful use of the route for 5 years prior to commencement was use for mechanically propelled vehicles s67(2)(a) and there is no evidence that it was created by virtue of use by mechanically propelled vehicles before 1st December 1930.

If s67 NERC is considered then there is the possibility that the mere recording on the List of Streets would preserve the rights for mechanically propelled vehicles.

However, s66 NERC needs to be considered. This states that no public right of way for mechanically propelled vehicles is created after commencement unless expressly done so. s66(2) states that for the purposed of the creation after commencement, use (whenever occurring) of a way by mechanically propelled vehicles is to be disregarded.

Analysis of information

The route is not shown on early large scale mapping. Although this does not preclude the status being that of a vehicular route it does suggest that it was not an important route. In the later mapping (Greenwoods for example), which are more detailed than some of the earlier ones, it would be expected that if the route were vehicular it would be shown, possibly as a cross road. The lack of evidence for a route does indicate that if one did exist it was not regarded as being significant and possibly not vehicular.

The lack of an Inclosure Map does mean that it is not possibly to be absolutely certain of the location of any awarded plots, although the major roads still exist and can be used as a good guide to the plots. The first edition Ordnance Survey provides a good basis for the reconstruction of the awarded plots because the fields it depicts are a good representation of those set out at the time of the inclosure. It is therefore possible to reconstruct the Inclosure awards fairly accurately. This is particularly the case when estate maps are also used. The Inclosure Award sets out a churchway from Aston Cantlow to Newnham which falls into two elements: a bridleway; and a footpath. This corresponds with the early Ordnance Survey maps where the routes into Newnham from Aston Cantlow are a bridleway with a footpath branching from it. There are no roads set out in the Inclosure which have any resemblance to the route and most can be identified as current roads.

The early Ordnance Survey maps indicate that the route was believed by the surveyors to be a bridleway. The depiction of a route on an Ordnance Survey map is not conclusive proof that the route is public or of the status indicated but does provide good supporting evidence. The alignment and the status of the route is consistent on the early Ordnance Survey maps.

Estate maps either do not show the route or indicate it as a bridleway.

The Finance Act map does not show the route as being excluded from surrounding hereditaments. The fact that it is not excluded does not preclude the route from being a public road but when taken with the other available evidence does suggest that it is of a lower status. There was no deduction for Rights of Way.

The handover record depicts the route on the map with a description in the Schedule falling under the heading of "other roads or bridleroads". This information needs to be taken in to consideration alongside the other evidence. The recording of routes on the Handover Record varies from district to district and is not consistent. Appearance on the Handover Record does not mean the route was believed to be vehicular, but purely that it was a route maintained at public expense. The heading does mean that the route may have been regarded as a bridleway and that the appropriate place to record it was on that record.

The parish surveys, produced by the parish, indicate that the route was regarded as being a bridleway. Parish minutes, of an earlier date, support this view particularly when the maintenance of the bridleway is concerned. The parish also appealed

about the absence of the route as a bridleway from the Draft Definitive Map and Statement.

The historical evidence is consistent with the status of a bridleway, notwithstanding its exclusion from the first Definitive Map and Statement. That exclusion appears to have been due to a misunderstanding of the purpose of the handover record and it is only after that time has there been any suggestion that the route was of a higher status. The status of the route to the parish was not in doubt until it was challenged by the removal of the gate and mechanically propelled vehicles started using the route.

As the historical evidence suggests that the route was a bridleway then the user evidence needs to be considered to determine whether a higher right has come into being.

The evidence provided about the gate shows that it was forcibly removed and was challenged at the time of removal. The landowner alleges that he was threatened at the time with police action for blocking a route i.e. that the route was recorded on the List of Streets and was therefore vehicular and the gate was blocking the route. This suggests that the start of the main use with mechanically propelled vehicles was started through force.

There are a number of possible dates when the status of the route may have been called into question. These are the removal of the gate, the letter received from the National Farmers Union on behalf of the landowner, the first appeal for the user information or the consultation.

The removal of the gate in about 1984 was a challenge to the status of the route particularly as it was after that time that use of the route started with mechanically propelled vehicles. If 20 years before that date was taken for evidence of use to show that the route should be of a higher status then there is little evidence to show that use with mechanically propelled vehicles occurred in the period between 1964 and 1984. In the same way, using the letter from the NFU as the calling into question, there would have to be use shown between 1966 and 1986. If either of these two dates are used then there is no evidence to show that the route came into being as a route for mechanically propelled vehicles.

There was correspondence about the route between the parish council and the highway authority between 1996 and 2000 questioning the status and state of the surface of the route.

If as an alternative, the date of 2004 when the first user evidence was submitted, then the twenty year period for dedication of a right of way under the Highways Act 1980 s31 would run from 1984 to 2004. There is some evidence of use prior to 1984 but this has to be tempered with the information regarding the removal of the gate and the overgrown nature of the route. There is the possibility that if the 2004 date was used that there may be evidence of dedication of the route as vehicular.

The date likely to be considered as the calling into question would be the removal of the gate and the use from that date. There would not be sufficient use to show that the route had become vehicular.


s66 NERC is applicable. Evidence of user, whenever it occurred, cannot be used to show the creation of a vehicular route after commencement.

The status of the route was historically a bridleway. Evidence of user cannot be used to show the creation of a route for mechanically propelled vehicles following NERC. In addition, there is not adequate user evidence for the period prior to the calling into question of the status of the route. The recording of the route on the List of Streets, although potentially preserving vehicular rights under s67 NERC, does not in itself prove that the route was vehicular but merely that it was a highway maintainable at public expense.

Conclusion

The evidence in this case shows that the route is a bridleway and an Order should be made to add the route to the Definitive Map and Statement as a bridleway.

Signed


Traffic Manager

Date 30/4/19

APPENDIX 75

Landowner Decision Letter

Communities Group

Marion Borman
County Highways
PO Box 43 Shire Hall
Warwick
CV34 4SX
Tel: 01926 412824
paths@warwickshire.gov.uk
www.warwickshire.gov.uk

Date 2 May 2019

Dear Sir,

Wildlife and Countryside Act 1981 Section 53

Definitive Map and Statement for Warwickshire

After the consultation regarding the status of a route in Aston Cantlow evidence was examined as part of the process of determining the application. The evidence included research at the County Record Office into the historical background of the area and the interviewing of some of those people who submitted user evidence forms as part of the application.

After examining the evidence, the conclusion has been reached that the evidence supports the contention that a bridleway could reasonably be alleged to exist.

A Definitive Map Modification Order will be made to add a Bridleway to the Definitive Map and Statement

Yours sincerely

Marion Borman

Definitive Map Rights of Way Officer

*Working for
Warwickshire*

APPENDIX 76

Newspaper Advert





Date: 4.7.19 Op: Bernie
 Revise: 2:
 Size: 140x51mm DAM AH: Leah

Workflow

Pub: Evesham & Stratford Observer

PLEASE CHECK SIZE IS CORRECT

1311238 Warwick CC PN x51

10:46 Thu, 04 Jul 2019

**WARWICKSHIRE COUNTY COUNCIL
 NOTICE OF MODIFICATION ORDER
 SECTION 53 OF THE WILDLIFE AND
 COUNTRYSIDE ACT 1981
 WARWICKSHIRE COUNTY COUNCIL
 THE DEFINITIVE MAP AND STATEMENT FOR
 THE COUNTY OF WARWICKSHIRE 1998
The Warwickshire County Council Definitive Map
 Modification Order
Parish of Aston Cantlow SHEETS SP16SW,
 SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223**

The above Order made on 10 July 2019 if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (GR SP 1402 6017). It runs gen. ESE for approx. 318m to a point labelled B (GR SP 1431 6004), then gen. N for approx. 75m to a point labelled C (GR SP 1432 6011), then gen. ESE for approx. 237m to a point labelled D (GR SP 1454 6000) and then gen. NNE for approx. 112 m to a point labelled E (GR SP 1462 6008), then gen. E for approx. 947m to a point labelled G (GRSP 1552 5984) and then generally NE for approx. 544m to its junction with D5341 Newnham Lane labelled point H (GR SP 1579 6030). The width of the route is 3m.

The surface of the route is stoned between points A (GR SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (GR SP 1552 5984) and H (GR SP 1579 6030). Remainder surface unspecified.

A copy of the Order and Map may be seen free of charge during normal office hours at the office of Warwickshire County Council, Shire Hall, Warwick, CV34 4SA and may be bought there at the price of £5.77. Copies may also be seen during normal office hours at the office of Stratford-on-Avon District Council, Elizabeth House, Church Street, Stratford-upon-Avon, Warwickshire, CV37 6HX, the Stratford library and on the following website: www.warwickshire.gov.uk/pathorders.

Any representation or objection relating to the Order must be sent in writing to the Strategic Director, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX to arrive no later than 23 August 2019 and applicants are requested to state the grounds on which it is made.

If no representations or objections are duly made to the Order, or any part of it, or if any so made are withdrawn, the Warwickshire County Council, instead of submitting the Order to the Secretary of State, may itself confirm the Order. If the Order is submitted to the Secretary of State for the Environment, in whole or in part, any representations and objections which have been duly made and not withdrawn will be sent with it.

**S. Duxbury, Head of Law and Governance,
 Shire Hall, Warwick. Dated 11 July 2019**

APPENDIX 77

Order Notices

NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order Parish Of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE

Order No. 1 2019 Path No. AL223

The above Order made on 10 July 2019 if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 544 metres to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

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Dated 11 July 2019
Shire Hall, Warwick

S. Duxbury
Head of Law and Governance

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223

To: Seymour Smith and Sons Ltd
 of: Forde Hall Farm, Forde Hall Lane, Tanworth in Arden, Solihull, B94 5AZ

The above Order made on 10 July 2019, if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 544 metres to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

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Dated 11 July 2019

S. Duxbury

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223

To: A.J. and D.J. Tyler
of: Lower Farm Newham, Henley-in-Arden, B95 6DU

The above Order made on 10 July 2019, if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 544 metres to its junction with D5341 Newham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

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NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223

To: A & B M Suffield and Sons
of: Homelea Farm, Aston Cantlow, Henley in Arden, B95 6LD

The above Order made on 10 July 2019, if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 544 metres to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

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Dated 11 July 2019
Shire Hall, Warwick

S. Duxbury
Head of Law and Governance

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223

To: Kyla Skinner and Catherine Anne Sugden
of: Meadow Barn, Newnham, Henley-in-Arden, B95 6DU

The above Order made on 10 July 2019, if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 544 metres to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

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Any representation or objection relating to the Order must be sent in writing to the Strategic Director, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX to arrive no later than 23 August 2019 and applicants are requested to state the grounds on which it is made.

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Environment, in whole or in part, any representations and objections which have been duly made and not withdrawn will be sent with it.

77.6

Dated 11 July 2019
Shire Hall, Warwick

S. Duxbury
Head of Law and Governance

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223

To: Phillip John Summerfield and Mary Alison Summerfield
of: Tutnells Hill Farm, Newnham, B95 6DU

The above Order made on 10 July 2019, if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 544 metres to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

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Dated 11 July 2019
Shire Hall, Warwick

S. Duxbury
Head of Law and Governance

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223

To: Richard Peter Holmes and Paula Louisa Holmes
of: Retreat Farm, Newnham, Henley-in-Arden, B95 6DU

The above Order made on 10 July 2019, if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 54 metres to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

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Dated 11 July 2019
Shire Hall, Warwick

S. Duxbury
Head of Law and Governance

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

WARWICKSHIRE COUNTY COUNCIL

The Definitive Map and Statement for the County of Warwickshire 1998

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
ORDER No. 1 2019 Path No. AL223

To: Heart of England Forest Limited
of: Colletts Farm Office, Dorsington, Stratford upon Avon, CV37 8AU

The above Order made on 10 July 2019, if confirmed as made, will modify the Definitive Map and Statement for the area by:

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1.

It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (grid reference SP 1552 5984) and then generally north east for approximately 54.4 metres to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres.

The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

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Dated 11 July 2019
Shire Hall, Warwick

S. Duxbury
Head of Law and Governance

TO THE LANDOWNER/OCCUPIER OF THE LAND

IMPORTANT THIS COMMUNICATION AFFECTS YOUR PROPERTY

NOTICE OF MODIFICATION ORDER

Section 53 of the Wildlife and Countryside Act 1981

The Definitive Map and Statement for the County of Warwickshire 1991

THE WARWICKSHIRE COUNTY COUNCIL

DEFINITIVE MAP MODIFICATION ORDER

Parish Of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE

Order No. 1 2019 Path No. AL223

The above Order made on 10 July 2019 if confirmed as made, will modify the Definitive Map and Statement for the area by: -

Adding a Public Bridleway, AL223, in the District of Stratford-on-Avon and the Parish of Aston Cantlow, to be added, shown as a solid green line between points A and H on plan reference AL223/MEB/OrderPlan-1. It starts from its junction with C100 Bearley Road labelled point A (grid reference SP 1402 6017). It runs generally east south east for approximately 318 metres to a point labelled B (grid reference SP 1431 6004), then generally north for approximately 75 metres to a point labelled C (grid reference SP 1432 6011), then generally east south east for approximately 237 metres to a point labelled D (grid reference SP 1454 6000) and then generally north north east for approximately 112 metres to a point labelled E (grid reference SP 1462 6008), then generally east for approximately 947 metres to a point labelled G (SP 1552 5984) and then generally north east to its junction with D5341 Newnham Lane labelled point H (grid reference SP 1579 6030). The width of the route is 3 metres. The surface of the route is stoned between points A (grid reference SP 1402 6017) and F (grid reference SP 1492 6003) and between points G (grid reference SP 1552 5984) and H (grid reference SP 1579 6030). Remainder surface unspecified.

The Order and the Order map may be seen free of charge at the offices of Warwickshire County Council, Shire Hall, Market Square, Warwick CV34 4SA from 8am - 5.30pm on weekdays, (5pm Fridays) and 9am - 4pm Saturdays. A copy of the Order and Order Plan may be bought there at the price of £5.13. A copy may also be viewed at www.warwickshire.gov.uk/pathorders.

Any representation or objection to the Order must be sent in writing to the Strategic Director for Communities, P O Box 43, Shire Hall, Warwick CV34 4SX, not later than 23 August 2019. Please state the grounds on which they are made. If no representations or objections are made to the Order, or to any part of it, or if any so made are withdrawn, the Warwickshire County Council instead of submitting the Order to the Secretary of State *may itself* confirm the Order. If the Order is submitted to the Secretary of State for the Environment in whole or in part, any representations and objections which have been made and not withdrawn, will be sent with it. Representations or objections may become publicly available and therefore the names and addresses of those persons making representations or objections would also be made publicly available.

Dated 11 July 2019
Shire Hall, Warwick

S Duxbury
Head of Law and Governance

CONTACT THE Rights of Way Team 01926 412824

APPENDIX 78

Secretary of State Dispensation



The Planning Inspectorate

3/A Hawk Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5502
Customer Services: 0303 444 5000
Fax 0117 372 6153
e-mail: clive.richards@planninginspectorate.gov.uk

Marion Borman

Rights of Way Definitive Map Officer, Rights
of Way Team
Transport and Highways
Communities
Warwickshire County Council

Your Ref: AL223/MEB

Our Ref: Dispensation File

Date: 16 May 2019

By Email Only

Dear Marion Borman

WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53
WARWICKSHIRE COUNTY COUNCIL
ADDITION OF A BRIDLEWAY, PARISH OF ASTON CANTLOW, WARIWCKSHIRE

I am directed by the Secretary of State for the Environment, Food and Rural Affairs to refer to your letter of 15 May 2019 requesting dispensation concerning the service of notice on owners and occupiers in respect of the above Order.

It is noted that, despite your extensive enquiries, you have not been able to ascertain the ownership of the land in question. In these circumstances and in accordance with paragraph 3(4) of Schedule 15 to the Wildlife and Countryside Act 1981, the Secretary of State hereby directs that it is not necessary for your Council to serve notice on the owners and occupiers of the land over which the Order route runs as required by paragraph 3(2)(b)(i). Your Council's attention is drawn to the requirements in paragraph 3(4) regarding the manner in which the notice should be addressed and displayed.

Should the above Order be submitted to the Secretary of State for determination in the future would you please ensure that a copy of this letter is enclosed with the necessary documentation.

Yours faithfully

Clive Richards

PLANNING INSPECTORATE

APPENDIX 79

Order Responses

Supporters of the Order.

Debbie Bassett,
Thomas Walton,
Greta Needham,
Jeremy Harris,
David Hannaford,
R Samuda,
Anna Stutcliffe,
Jennifer Court
Di Buckley
David and Jan Doyle,
Richard and Paula Holmes,
Phil Summerfield
Andrea Boyle
Aston Cantlow Parish Council
Ben and Fiona Harris
Corrine Edwards
Chris Wade
Kate Sugden
Mary Summerfield
Robert Green
Tim Price
Bill Evans
Tony Barnett
Tony and Catherine Barnett
Adam and Sarah Harris

Objectors to the Order

Glass – Chris Mtichell and Hobson *
A. Coulson
Stephen Dallimore
Robin Hickin
Sam North
George Stepney
Jon Stone
Dan Trewitt
M. Whitehouse
David A. Wright
Martin Young
Chris Yarwood
Simon Reid
Garret Felton *
M. J. Field
D. Hayter
Simon Cattle
Andrew Peers
M. J. Williams
Clive Craddock

Adrian Young
Hodology Limited
Richard Lillington
Alan Jeffers
Jeffrey Annand
Nicholas Hargrave
Richard Hawker
TRF *
Michael Jaye

Aknowledgments

Cadent
Openreach
BBT

bridlepath Newnham to Aston Cantlow

Andrea Boyle <ablittleling@live.co.uk>

Fri 23/08/2019 10:24

To: Country Paths <paths@warwickshire.gov.uk>

I. Andrea Boyle of Little Ling, Newnham, Henley in Arden, Warwickshire supports the order No 12019 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Mr and Mrs O Sutcliffe
Arden Croft
Aston Cantlow
Bearley Road
Henley in Arden
B95 6HS

The Strategic Director
Communities Group
Warwickshire County Council
Shire Hall Warwick
CV34 4SA

Sent by First Class Post & Email:
wls@warwickshire.gov.uk; and
paths@warwickshire.gov.uk

13 August 2019

Dear Sirs

The Warwickshire County Council Definitive Map Modification Order
Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE
Order No.1 2019 Path No. AL223 ("the Order")

Support for the above modification

I write in respect of the above Order and will refer to the Path as "the Track".

My husband and I are the registered owners of Arden Croft, Aston Cantlow, Bearley Road, Henley in Arden, B95 6HS ("Arden Croft"). Arden Croft is situated opposite the entrance to the Track on Bearley Road.

This representation is to register our complete endorsement of the classification of the Track as a Public Bridleway.

We have lived at Arden Croft for over four years and during this time the Track has regularly been used for recreational purposes by young families, horse riders, cyclists and dog walkers. In general the Track being a peaceful and safe place for undertaking these activities.

On occasion the Track is used by motorised vehicles e.g. motorbikes and cars. This use is incongruous with the nature of the Track meaning that it is unexpected and potentially dangerous, given the vulnerability of the other users.

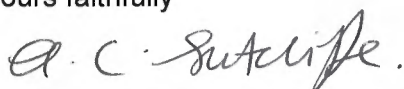
Further the motorised vehicles have on a number of occasions used the Track at unsociable hours e.g. late in the evening and in the small hours of the morning. The vehicles have travelled in convoy revving their engines, with lights on full beam without any consideration for the local residents or habitat.

I can not see any benefit to the community or the rural area (which in poor weather has been known to be severely damaged by motorised vehicles) of allowing vehicular and other kinds of motorised traffic to use the Track.

I hope that this letter makes our strong support clear and would be grateful if you could kindly acknowledge safe receipt and confirm when a decision has been made.

In the meantime if there is anything else that I or my neighbours can do to support the modification, then please let me know.

Yours faithfully



ANNA CHRISTINE SUTCLIFFE

07887 761 341

01789 488 976

Anna Sutcliffe
Senior Associate

**WRIGHT
HASSALL**
SOLICITORS

Direct: 01926 884607
Fax: 01926 885588
 @wrighthassall
 annasutcliffewrighthassall

anna.sutcliffe@wrighthassall.co.uk

Olympus Avenue, Leamington Spa, Warwickshire CV34 6BF

Aston Cantlow Definitive Map Modification Order No1 2019 Path No. AL223

Liz Butterworth <lizbutterworth1@btinternet.com>

Fri 23/08/2019 09:36

To: Country Paths <paths@warwickshire.gov.uk>

For the attention of Marion Borman

I am writing to confirm that Aston Cantlow Parish Council firmly supports the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Regards

Liz Butterworth

Clerk to Aston Cantlow Parish Council



Virus-free. www.avast.com



Country Paths <paths@warwickshire.gov.uk>

Bridlepath

1 message

Debbie Bassett <debbiebassett2000@yahoo.co.uk>

27 August 2019 at 09:58

Reply-To: Debbie Bassett <debbiebassett2000@yahoo.co.uk>

To: "paths@warwickshire.gov.uk" <paths@warwickshire.gov.uk>

I, Debra Bassett of Wayside Cottage, Newnham Lane, Newnham, B95 6DU supports the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Kind regards

Debra Bassett

Opus Interiors

01789 488899

Unit 1

The Arden Centre

Little Alne

Warwickshire

B95 6HW

Newnham - Aston Cantlow proposed re-designation to Bridleway

fiona Harris <fi804@hotmail.co.uk>

Thu 22/08/2019 19:56

To: Country Paths <paths@warwickshire.gov.uk>

Dear Madam,

Ben and Fiona Harris of Wheathills Farm, Salters Lane, Aston Cantlow, Henley in Arden, B95 6JX, wish to support the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

We have lived on the outskirts of Aston Cantlow and Newnham for 5 years and i did once enjoy a Dog walk or Horse Ride along the path that joins Aston Cantlow to Newnham but can now not do so due to many factors. These being :

- The path is too rutted to push my baby in his pushchair across the path to enjoy a walk and to show him the landscapes and also introduce him to wildlife. I have several friends in Newnham and Wilmcote and we use to be able to meet half way this can no longer happen. It just too dangerous in the fear that we might tip our buggies over or fall ourselves.

- I was a regular Horse Rider that use to use the path on a regular basis to get to additional bridle paths around the area or just to enjoy a quite hack. I was finding that I was having to pick my time to ride to avoid the 4x4 activity as i have had far too many near misses with my equine and the speed that they travel up and down the path, not to mention the noise that the vehicle makes.

- There has also been an increase of litter which i have seem then drop when i have been trying to access the path to enjoy a quite walk or hack and have been interrupted with 20 or so scramble bikes coming at fast speed.

- The state that the path is in now it is far too dangerous for me to even consider taking my horse across there as i fear what damage she might do to herself.

I do hope that this is carried through and the path is defined as a Bridleway only.

If you require any further information then please do not hesitate to contact me.

Many Thanks

Best Wishes

Fiona

Ben & Fiona Harris
Chill Quick Refrigerated Trailer Hire
Wheathills Farm
Salters Lane
Aston Cantlow
Henley In Arden
B95 6JX
01789 488523 / 07952380316

79.9
Roughwood Cottage
Aston Cantlaw.
Monley-in-Arden.



Works
01789 488588
22.8.19.

Attn Marian Borman.
Def. Map. Rights of Way Office

Ref. Order No 1. AL223.

Dear Marian.

I write in support of the application to change the status of what is known as ES341. Aston Cantlaw > Newtham road.

I have been a resident in Aston Cantlaw for 30/40 years & the track was never used by any form of motor vehicle & motorcycle until a gate post was illegally removed by a person visiting in 1980's.

It is therefore only right that it be returned to a bridleway. As long as the use of horses & motorcycles which has led to anti-social behaviour & problems for local residents & farmers.

Yours Sincerely
Bill Evans

FW: Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

Chris Wade <chriswade@chriswade.org.uk>

Fri 23/08/2019 06:51

To: Country Paths <paths@warwickshire.gov.uk>

I, Christopher Wade of Mistletoe Barn, Snitterfield Road, Bearley CV37 0EX support the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Chris Wade

T : 01789 730370

F : 01789 731092

M : 07776 228108

Aston Cantlow Definitive Map Modification Order No1 2019 Path No. AL223

Liz Butterworth <lizbutterworth1@btinternet.com>

Fri 23/08/2019 09:36

To: Country Paths <paths@warwickshire.gov.uk>

For the attention of Marion Borman

I am writing to confirm that Aston Cantlow Parish Council firmly supports the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Regards

Liz Butterworth

Clerk to Aston Cantlow Parish Council



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Country Paths <paths@warwickshire.gov.uk>

Newnham - E road - FAO Marion Borman

1 message

Jenny Court <Jenny_Court@nfumutual.co.uk>

22 August 2019 at 15:01

To: "paths@warwickshire.gov.uk" <paths@warwickshire.gov.uk>

Classification: Public

I, Jennifer Court, of [60 Cannors way, Stratford upon Avon, CV37 0BJ](#) supports the Warwickshire County Council Order No 1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

I have kept my two horses at a livery yard on Newnham lane for a number of years and have personally had many negative experiences due to 4x4s and off road motor bikes using this 'road'. Firstly the 4x4s dig huge tyre tracks into the mud and create large divets which make it not only slippy and unsafe for the horses to walk along but also local walkers many with children and dogs.

The off road bikes drive along here far too fast and have spooked my horses on many occasions causing them to shy or often gallop off nearly unseating me and causing a serious accident not only with risk of injury to myself but if the horse then gets loose could run off down the road and cause a car accident or hit a car and cause significant injury to those involved (they weigh 600kg). Some of the bikers do slow down and show some consideration but unfortunately most seem to think it's their right of way to be there and rarely slow down at all. Not only this but once they have come off this 'road' and onto Newnham lane which you will know if a single track lane with many bends then drive far too fast down the lane again which could cause a nasty accident.

Not only is it my own welfare that is of concern here but there are now small children where I keep my horse who like to go for rides out on their small ponies, if a child were to be hurt by this that would be very tragic considering it is completely avoidable.

I look forward to hearing your response on this, and should the decision be made to keep this as a 'road' and not added to the bridleway map I will look forward to hearing your reasoning for this.

Kind regards

Jennifer

Jennifer Court

Direct Resourcing Consultant – Customer Services

Direct Dial: 01789 455064

Mobile: 07966 121485

HR Service Centre: 01789 202777

Working days: Tuesday, Thursday & Friday



Group HR

NFU Mutual, Tiddington Road, Stratford-Upon-Avon, Warwickshire, CV37 7BJ



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<http://www.nfumutual.co.uk>

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79.14

Country Paths <paths@warwickshire.gov.uk>

Fwd: Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

1 message

Di Buckley <diatcantlow@aol.com>

23 August 2019 at 16:11

Cc: paths@warwickshire.gov.uk

Subject: FW: Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

Diane and John Buckley of 9 Pear Tree Gardens, Aston Cantlow ,Henley in .arden, B95 6HT. [support the Warwickshire County Council Order No1 2019 Path No AL223](#) in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

 Phil Summerfield1



Country Paths <paths@warwickshire.gov.uk>

Newnham/Aston Cantlow Bridleway, Path No. AL223.

1 message

daviddoyl@aol.com <daviddoyl@aol.com>
To: paths@warwickshire.gov.uk

22 August 2019 at 11:32

Attention of Marion Borman.

We wished to email regarding the deliberations to do with this Bridleway and we understand that you are dealing with this matter. We write to support this route being made a Public Bridleway only.

As longstanding Residents of Newnham (18 years) it is with some regret that we have witnessed an alarming increase in the use of this Bridleway as a 4x4 race traffic effectively for those who enjoy off roading. I do have some sympathy with them having always enjoyed doing a little offroading myself. Unfortunately the way that users in this category behave has shifted somewhat dramatically over the last few years and most seem happy to ruin this pastime for all by travelling down this route seemingly intent upon causing as much physical damage as possible to the route and just generally creating a loud and unpleasant nuisance to locals and other users of this Bridleway.

Evidence shows we believe that this route was originally identified and intended as a "bridleway" in the 1901 definitive map and only when gates were cut down in about 1991 were other forms of traffic able to enter.

Under the "Local Authority" Act responsibility was transferred from Alcester RDC to Warwickshire County Council who re-issued the definitive map showing the route as a road - and this was a mistake that is now just being perpetuated. This mistake needs to be rectified at the earliest and the route put back to a bridlepath only.

There was always a series of field gates on the Aston Cantlow side, and also the route was historically gated at the top of the escarpment with a "Horse only" gate until they were cut down

The WCC hold around 25 affidavits or witness statements by Aston Cantlow residents we understand stating that in their lifetime from around 1905 that the route was not a road, and had not been used as such until the 1990's and the illegal gate removals.

The route is now in the main impassable safely by all other users – pedestrians (the elderly, mothers with prams, children etc) – cyclist – horse-riders because it is in such poor condition. Some would say it is in a dangerous condition. What is then perpetuating this is that the only users who can safely use this Bridleway is "off road vehicles" and this is clearly unacceptable when all other users cannot make use of the amenity of a Bridleway.

There is no need for another "Road" as such between Aston Cantlow & Newnham because a proper Road already exists. There is a clear and demonstrable need for a Bridleway though.

79.16

We would hope that common sense will prevail and this Bridleway will be designated as such once and for all.

Kindest Regards

David & Jan Doyle
Lower Ling House,
Newnham
Warwickshire
B95 6DT.

Tel. 0771 813 9983
Email: agneedham50@gmail.com

(DELIVERED BY HAND ON 23/8/19)

22 Marsh Road ^{79.17}
Wilmcote
Stratford Upon Avon
Warwickshire
CV37 9XR

21 August 2019



Dear Ms. Borman,

AL 223/MEB/ORDERPLAN-1

+ WCC NOTICE DATED 11 JULY 2019.

PARISH OF ASTON CANTLOW, Sheets SP16SW,
SP 16SE + SP 15NE.

Please find attached a completed witness statement supporting the proposed re-designation of the above route as a bridleway. Please also note that I will ^{also} email ~~you~~ you at paths@warwickshire.gov.uk to confirm my support of your proposed Modification Order as contained in the WCC Notice dated 11 July 2019.

I look forward to hearing from you.

Yours sincerely,
Greta Needham

To Marion Borman, Communities Group, Shere Hall, Warwick
CV34 4SA



Country Paths <paths@warwickshire.gov.uk>

AL223 Bridleway

1 message

david@davidhannaford.com <david@davidhannaford.com>
To: paths@warwickshire.gov.uk

23 August 2019 at 15:30

I, David Hannaford of [23 Guild Road Aston Cantlow B95 6JA](#) support the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.



Country Paths <paths@warwickshire.gov.uk>

F.A.O - Marion Borman - Approval of the Newnham - Aston Cantlow proposed re-designation to Bridleway

1 message

Sarah Harris <sarah.harris0706@gmail.com>

22 August 2019 at 14:26

To: paths@warwickshire.gov.uk

Dear Marion,

I am writing to **approve** the plans to redesignate the route from Newnham to Aston Cantlow.

The 4 x 4's and motorbikes are somewhat of a nuisance and also at times have been reckless and dangerous. They are completely inconsiderate to us as a village and as long as they are getting their kicks out of churning up fields and tracks they're happy. Adverse weather seems to be more attractive to these people creating more mud and bigger wholes/ditches. The route is now substantially impassable safely by all other users – pedestrians (the elderly, mothers with prams, children etc) – cyclist – horse-riders.

We've had occasions of them driving all over the green in front of our house, knocking over our refuse bins in the middle of the night.

Driving up to my in laws farm next door in the early hours of the morning (which is a dead end), revving engines, honking horns. Zooming off.

As a parent I walk up and down the lane daily and at times have had up to 12 bikes come roaring up behind us frightening the children, zooming past us. These vehicles are functioning in a multiple occupancy area with no safety consideration or segregation. Horses, riders, children etc are all vulnerable.

Myself and the children ride horses and we are worried sick about going on the lane or across the bridle path in case we bump in to them. The horses would be easily spooked if we met them in the gangs that they come in and as they come at any time morning, noon or night there's no way of avoiding them.

The 4 x 4 groups will stop at nothing in trying to get they're kicks - I understand that in 1990, the 4x4 persons or person realised their opportunity and cut down the posts of the restricting gate with a chain saw - threatening the land owner at the same time, and who was investigating the noise. Saying, that if you want to call the police, I'm here already. The person in question now believed to be an "off duty" special Constable.

We know that the 4 x 4's/off Roader groups will be very much protesting against the proposal but I ask you to consider this, so far nobody or any persons have been injured but should this route continue to be used by these groups of people it is only a matter of time. Whether it be somebody walking getting mowed down or a child riding their pony and getting spooked by them, it will happen it's just a matter of when.

I sincerely hope that the decision to APPROVE this proposal goes ahead.

Yours Sincerely

Adam & Sarah Harris
Appletrees, Newnham. B95 6DU



Country Paths <paths@warwickshire.gov.uk>

The Warwickshire County Council Definitive Map Modification Order - NEWNHAM

1 message

Paula Holmes <paulaholmes@me.com>
To: paths@warwickshire.gov.uk

22 August 2019 at 12:25

Attn: Marion Borman

Following receipt of the notice of Modification Order relating to the route between Aston Cantlow and Newnham (also known as E5341), we wish to confirm our agreement of adding a public bridleway AL223 for the following reasons:

1. The route was identified as a "bridleway" in the 1901 definitive map.
2. Under the "Local Authority" act (pre second World War), responsibility was transferred from Alcester RDC to Warwickshire County Council who re-issued the definitive map showing the route as a road, for no obvious reason, and was therefore an error on the WCC account.
3. As well a series of field gates on the Aston Cantlow side, as the route was gated at the top of the escarpment with a "Horse only" gate or a "Latch" gate, ie one that could be opened and closed by a horse rider.
4. In existence with WCC are around 25 affidavits or witness statements by Aston Cantlow residents stating that in their lifetime from around 1905 that the route was not a road, and had not been used as such – and that the gates I've described existed. These witness statements were obtained by Bill Evans, an Aston Cantlow Parish Council 1990's Chairperson. Sadly, about half the witnesses are no longer with us.
5. Around 1990, the 4x4 persons or person realised their opportunity and cut down the posts of the restricting gate with a chain saw - threatening the land owner at the same time, who was investigating the noise.
6. The route is now substantially impassable safely by all other users – pedestrians (the elderly, mothers with prams, children etc) – cyclists – horse-riders.
7. The construction of the way, namely a hardcore and filler cannot sustain the wear and tear caused by 4x4 vehicles without continual maintenance. **We personally continue to fill the pot holes several times each year which are created by the off-roaders at our own expense. WCC Highways Department advised us approximately 10 years ago no money was available within the budget to maintain the lane our home sits upon. Incredibly disappointing considering the amount of Council Tax we pay.**
8. The 4x4s are "enjoying" an activity that is destroying the countryside FOC. Now, it cannot be justified environmentally to damage the countryside, and pollute the air for fun.
9. The part of the route was resurfaced about 15 years ago at significant cost. Is this sustainable to continue going forward?
10. Adverse weather seems to be more attractive to the off roaders, the wetter the ground, the more mud and increased pot holes causes even more difficulty for others trying to traverse the route. They like to travel in convoys, generally at speed causing distress for walkers with children and dogs along with horse riders.

11. Farming vehicles who also use the route, on the contrary operate by natural standards - when the land is dry.
12. Most of the vehicles used are the in the high polluting categories, ie over 10 years old. These vehicles are functioning in a multiple occupancy area with no safety consideration or segregation. Horses, riders, children etc are all vulnerable.
13. Should the use not revert to a bridleway – then this community will expect a regular routine inspection of the surface and immediate repairs.
14. Why is all this necessary? There is already a tarmac road made for the purpose between the two points.
15. The typical charge to use a private “off road” circuit is around £30 for half a day. In Newnham it is free. Warwickshire County Council Care home funding, education, and the pot hole funding, the police etc etc can wait so that 4x4s can continue to enjoy damaging the countryside and environment.

Should you require any further information please do not hesitate to get in touch.

Kind Regards,

Richard & Paula Holmes
Retreat Farm
Newnham
Henley-in-Arden
Warwickshire
B95 6DU

Tel: 07813 888193



Country Paths <paths@warwickshire.gov.uk>

Bridlepath from Newnham to Aston Cantlow

1 message

Jeremy Harris <redlands.newnham@btinternet.com>
To: paths@warwickshire.gov.uk

23 August 2019 at 17:49

Dear Marion,

Jeremy Harris of Redlands Farm, Newnham. I wish to record my support and appreciation to Warwickshire County Council carrying out a modification order to re-instate path no AL223 to its original use as a bridle way.

I re-iterate my witness statement which I have made twice, once in the 1990's and again the last 20 years.

Both times I stated that I remember the latched gate at the top of the hill between Aston Cantlow and Newnham being in existence. This was here until the late 1980's, early 1990's, having been a resident in Newnham for sixty six years I remember. I believe at this time the gate was vandalised and removed.

On recent times motorised vehicles have been vandalising the path (more often that not after the hours of darkness) and they prefer to travel when conditions are disgustingly wet.

They have no legal right and totally damage and destroy the path, for other users for whom it was intended for, i.e footpath users and horse riders.

I plead with you to stand by your decision on this very important way forward in so much that it is reverted back to the right of way that it was originally intended for ie bridle path.

Many thanks

Jeremy

Jeremy Harris

Sent from my iPad

Meadow Barn
 Newnham
 B95 6DU

19th July 2018

Dear Ms Borman,

Many thanks for your letter dated 23 May 2018 re the status of E5341.

We note that on the Ordnance Survey of England 3rd edition (1895/1909) a track is shown as far as retreat farm, it then continues as an unmetalled track straight towards the top of the quarry and also turns right where there is now a barn across two fields towards Aston Cantlow. Thereafter it is shown as a footpath until it reaches the Rough Hills escarpment. One would assume from this that the track was therefore used for field access not a public road.

Furthermore, our land registry deeds (WK342207, edition date 22/04/2013 and attached for reference) state:

in Note 5

“13.0501992) The land has the benefit of the following rights granted by a Transfer of land in this title dated 13 April 1992 made between (1) William Reginald Conduit Riley and Judith Mary Mottram and (2) Sheila Creedy-Smith (Transferee):-

Together with a right of way at all times for all purposes with or without vehicles over the track coloured brown on the said plan annexed hereto subject to the Transferee paying a proportionate part of the expense of keeping the said track in good repair and condition.

NOTE: The track coloured brown is that adjoining the eastern boundary and leading to its junction with the road to the north.”

Sheila Creedy-Smith was the previous owner of Meadow Barn (our current residence) and the track in question is that referred to as E5341. Our understanding of this deed determines that vehicle access on the track is subject to permission from the landowner and not public access. Similar references occur in the deeds of Tutnells Hills Farm and Retreat Cottage. Historically, it appears that as recently as the 1960s Tutnells Hills Farm, Retreat Farm, Wayside Cottage (formally Roadside Cottage) and Meadow Barn plus the fields adjoining the track in question were part of the same estate.

Yours sincerely,

Kate Sugden and Kyla Skinner



Country Paths <paths@warwickshire.gov.uk>

Re: Path No AL223

1 message

Country Paths <paths@warwickshire.gov.uk>
To: Mary Summerfield <mary.summerfield@erpstrategy.com>

23 August 2019 at 10:03

Thank you for your email in support of this Order.

Rights of Way Team

Environment Services
Communities Directorate
Warwickshire County Council
Telephone :01926 413427
Minicom : 01926 412277
paths@warwickshire.gov.uk
<http://www.warwickshire.gov.uk/>

Did you know you can report faults online at www.warwickshire.gov.uk/rowreporting

Visit our website at www.warwickshire.gov.uk/rightsofway for more
information about public rights of way in Warwickshire

On Fri, 23 Aug 2019 at 09:58, Mary Summerfield <mary.summerfield@erpstrategy.com> wrote:

I, Mary Summerfield of Tutnells Hill Farm, Newnham B95 6DU support the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Mary Summerfield



Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

Phil Summerfield <phil@thebusinesscoachinggroup.com>

Thu 22/08/2019 12:06

To: Country Paths <paths@warwickshire.gov.uk>

Dear Marion,

Ref: Newnham to Aston Cantlow Bridleway AL223

Please take my information below in full support for correctly designating the route as a bridleway and banning the ongoing destruction by 4x4s, quadbikes, scramblers etc.

1. The route was identified as a "bridleway" in the 1901 definitive map.
2. Under the "Local Authority" act (pre second World War) , responsibility was transferred from Alcester RDC to Warwickshire County Council who re-issued the definitive map showing the route as a road, for no obvious reason, and was therefore an error on the WCC account. There is no evidence of this being other than a mistake or oversight.
3. This then meant that maintenance became the WCC responsibility.
4. As well a series of field gates on the Aston Cantlow side, as the route was gated at the top of the escarpment with a "Horse only" gate or a "Latch" gate, i.e. one that could be opened and closed by a horse rider.
5. WCC have previously been given around 25 affidavits or witness statements by Aston Cantlow residents stating that in their lifetime from around 1905 that the route was not a road, and had never been used as such – and that the gates described existed.
6. These witness statements were obtained by Bill Evans, an Aston Cantlow Parish Council 1990's Chairperson.
7. Around 1990, the 4x4 persons or person realised their opportunity and cut down the posts of the restricting gate with a chain saw - threatening the land owner at the same time, and who was investigating the noise. Saying, that if you want to call the police, I'm here already. The person in question now believed to be an "off duty" special Constable.
8. The route is now substantially impassable safely by all other users – pedestrians including the elderly, mothers with pushchairs, children etc., cyclist and horse-riders.
9. The construction of the way, namely a hardcore and filler cannot sustain the wear and tear caused by 4x4 vehicles without continual maintenance which has not, apart from one occasion around 15 years ago been applied.
10. The ongoing failure to maintain the route clearly defines it as not being considered anything other than a bridleway by WCC.
11. The 4x4s are "enjoying" an activity that is destroying the countryside FOC.
12. These vehicles are functioning in a multiple occupancy area with no safety consideration or segregation. Horses, riders, children etc are all vulnerable.
13. Should the use not revert to a bridleway – then WCC should expect to carry out a regular routine inspection of the surface and immediate repairs.
14. Who will own legal responsibility in the event of injuries or death due to the condition of the route as it stands today?

Please let me know if you would like any clarification on any points Marion.

Thank you.

Regards,

Phil



Phil Summerfield
Executive & Business Coach
Member of Marshall Goldsmith 100 Coaches Europe

Masters (MSc) in Coaching & Behavioural Change - Henley Business School
Member Association for Coaching
Accredited in Emotional Intelligence & PROPHET Psychometrics

EBW Global
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www.thebusinesscoachinggroup.com
<https://www.linkedin.com/in/phil-summerfield-6a626a1/>

E5341 Bridleway

Phil Summerfield <phil@thebusinesscoachinggroup.com>

Fri 22/06/2018 11:47

To: Country Paths <paths@warwickshire.gov.uk>

 1 attachments (4 MB)

So called E5341 image of hill google earth.JPG;

Tutnells Hill Farm
Newnham
Henley-in-Arden
West Midlands
B95 6DU
21st June 2018

Marion Borman
Definitive maps right of way officer
Warwickshire County Council

Your Ref: E5341

Dear Marion,

Thank you for your letter of 23rd May 2018 on this topic and your time on the phone.

We have lived here for over 30 years and have researched the bridleway or so called E5341 in detail.

1. There is no evidence of there ever being a road from Newnham across the fields to Aston Cantlow.
2. The 1828-1834 Cassini map 151 does not show a road from Newnham across the fields to Aston Cantlow. There is a track to the now unused quarry.
3. Your own 'List of Streets' simply mentions a street name of Newnham in a Town of Aston Cantlow. It does not define any route between the two locations, indeed, there is nothing to suggest that, it is simply a reference to the street name.
4. Given the complete absence of any historical evidence, it is likely that a mistaken assumption has been made in or since 1927 and that the footpath/bridleway from the quarry road over to Aston Cantlow should have been included in your Definitive Map.
5. Until a few years ago, Newnham did not have any street names until without any notice or discussion, a NEWNHAM LANE road sign appeared on the corner of Salters Lane. We can find no information about this sudden decision and it was certainly not supported by any historical evidence.
6. Arbitrarily calling it Newham Lane does not demonstrate or authorise any extension of the this through to Aston Cantlow.
7. In the wooded and dangerously steep section (see Google Earth attachment), some parts steeper than 1 in 4, there is insufficient visibility for vehicles to see pedestrians, horses, dogs etc ahead and totally inadequate distance or room for the vehicles to brake and stop without causing an accident. This fails all requirements of

the Highways Agency minimum stopping sight distance requirements. It also fails the Highways Agency maximum slope recommendations. DMRB Volume 6 section 1 TD9/93 No 1 Highway link design.

8. The WCC 1998 Highways Records Office working map from 1929 shows a bridleway from Newnham to Aston Cantlow.

9. The bridleway had, until recent years, a 'hunting gate' to allow pedestrians and horses access at the top of the wooded section and also a series of gates on the Aston Cantlow side. The 'hunting gate' was destroyed by unknown individuals using a chainsaw around 1985 without discussion or planning permission. WCC has previously been given witness statements from 25 residents about the bridleway and the 'hunting gate'.

10. in 1991 Aston Cantlow Parish Council provided evidence to WCC along with lifetime witness statements from 1914.

11. In 2002, WCC's definitive map team leader, Paul Williams, informed the Aston Cantlow Parish Council that the correct designation to bridleway was being fast-tracked.

In summary Marion, there is a complete absence of evidence for the bridleway ever having been designated as a road and extensive evidence for it as a bridleway and footpath. The use of this bridleway for motorsport is extremely dangerous for other users and therefore a risk to WCC.

Thank you.

Yours sincerely

P. Summerfield & M. Summerfield

RE: Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

Phil Summerfield <phil@thebusinesscoachinggroup.com>

Thu 22/08/2019 22:26

To: Country Paths <paths@warwickshire.gov.uk>

I, Phil Summerfield of Tutnells Hill Farm, Newnham B95 6DU support the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Regards,
Phil



Phil Summerfield
Executive & Business Coach
Member of Marshall Goldsmith 100 Coaches Europe

Masters (MSc) in Coaching & Behavioural Change - Henley Business School
Member Association for Coaching
Accredited in Emotional Intelligence & PROPHET Psychometrics

EBW Global
Certified Business EQ Partner

The Business Coaching Group
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www.thebusinesscoachinggroup.com
<https://www.linkedin.com/in/phil-summerfield-6a626a1/>

From: Country Paths <paths@warwickshire.gov.uk>

Sent: 22 August 2019 15:47

To: Phil Summerfield <phil@thebusinesscoachinggroup.com>

Subject: Re: Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

Dear Mr Summerfield

Thank you for your email which has been read by Marion.

Rights of Way Team

Environment Services
Communities Directorate
Warwickshire County Council
Telephone :01926 413427
Minicom : 01926 412277
paths@warwickshire.gov.uk

<http://www.warwickshire.gov.uk/>

Did you know you can report faults online at www.warwickshire.gov.uk/rowreporting

Visit our website at www.warwickshire.gov.uk/rightsofway for more information about public rights of way in Warwickshire

On Thu, 22 Aug 2019 at 12:06, Phil Summerfield <phil@thebusinesscoachinggroup.com> wrote:

Dear Marion,

Ref: Newnham to Aston Cantlow Bridleway AL223

Please take my information below in full support for correctly designating the route as a bridleway and banning the ongoing destruction by 4x4s, quadbikes, scramblers etc.

1. The route was identified as a "bridleway" in the 1901 definitive map.
2. Under the "Local Authority" act (pre second World War) , responsibility was transferred from Alcester RDC to Warwickshire County Council who re-issued the definitive map showing the route as a road, for no obvious reason, and was therefore an error on the WCC account. There is no evidence of this being other than a mistake or oversight.
3. This then meant that maintenance became the WCC responsibility.
4. As well a series of field gates on the Aston Cantlow side, as the route was gated at the top of the escarpment with a "Horse only" gate or a "Latch" gate, i.e. one that could be opened and closed by a horse rider.
5. WCC have previously been given around 25 affidavits or witness statements by Aston Cantlow residents stating that in their lifetime from around 1905 that the route was not a road, and had never been used as such – and that the gates described existed.
6. These witness statements were obtained by Bill Evans, an Aston Cantlow Parish Council 1990's Chairperson.
7. Around 1990, the 4x4 persons or person realised their opportunity and cut down the posts of the restricting gate with a chain saw - threatening the land owner at the same time, and who was investigating the noise. Saying, that if you want to call the police, I'm here already. The person in question now believed to be an "off duty" special Constable.
8. The route is now substantially impassable safely by all other users – pedestrians including the elderly, mothers with pushchairs, children etc., cyclist and horse-riders.
9. The construction of the way, namely a hardcore and filler cannot sustain the wear and tear caused by 4x4 vehicles without continual maintenance which has not, apart from one occasion around 15 years ago been applied.
10. The ongoing failure to maintain the route clearly defines it as not being considered anything other than a bridleway by WCC.
11. The 4x4s are "enjoying" an activity that is destroying the countryside FOC.
12. These vehicles are functioning in a multiple occupancy area with no safety consideration or segregation. Horses, riders, children etc are all vulnerable.
13. Should the use not revert to a bridleway – then WCC should expect to carry out a regular routine inspection of the surface and immediate repairs.
14. Who will own legal responsibility in the event of injuries or death due to the condition of the route as it stands today?

Please let me know if you would like any clarification on any points Marion.

Thank you.

Regards,
Phil



Phil Summerfield
Executive & Business Coach
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79.33

Country Paths <paths@warwickshire.gov.uk>

Fwd: Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

1 message

Tim Price <tapprice707@btinternet.com>
To: paths@warwickshire.gov.uk

23 August 2019 at 16:35

Subject: FW: Newnham to Aston Cantlow Bridleway AL223 FOR THE ATTENTION OF MARION BORMAN

Tim Price of 8 Pear Tree Gardens, Aston Cantlow ,Henley in .arden, B95 6HT. [support the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.](#)

 Phil Summerfield1

Aston Cantlow Definitive Map Modification Order No1 2019 Path No. AL223

Robert Green <bobgreen@rosemarycott.co.uk>

Thu 22/08/2019 21:41

To: Country Paths <paths@warwickshire.gov.uk>

Sirs – My address is Rosemary Cottage, Newnham, Henley In Arden, Warwickshire B95 6DU

Tel: 01789488613

Mob: 07850160634

Firstly, as a Newnham hamlet and Aston Cantlow Parish Council resident I would support your modification order above, by adding the term Public Bridleway AL223.

Underlining the above, is that no longer will motor vehicles (four wheel and two wheel) travel on the route, except for access, for example farming vehicles and countryside maintenance vehicles.

No doubt the County Council have covered the historic evidence and reached a conclusion - which is why this Modification Order has been published. It is unlikely that I'm able to be any more thorough.

However, I will take this opportunity to recite what I consider to be the elements of the bridleway anomaly. I have as far as I am aware, separate documentary evidence for all of my following points.

1. In 1828-34 the first OS map (Cassini) does not identify the route at all. This map does however identify other adjacent tracks which currently are of similar status. The presumption therefore that the route did not formally exist at all, or maybe by virtue of strip farming communications only.
2. The route was identified as a "BR" (bridleway) on the 1905 Public Records Office Map held in the National Archive in Kew at the time.
3. The routine users of the bridleway would have included Newnham school children attending Aston Cantlow school, Aston Cantlow workers walking to work in the Wilmcote quarry, and probably Newnham farmer workers over to the Kings Head for a well earned pint. And of course Sunday Church, weddings, funerals and christenings.
4. Under the "Local Authority" act (pre second World War) , responsibility was transferred from Alcester RDC to Warwickshire County Council who re-issued the definitive map showing the route as a road in 1939, for no obvious reason. This must have been an unintended error by the WCC.
5. This is the cause of all our problems. My thoughts are that there was confusion as to what "BR" stood for. The 1905 map in question defines this as Bridle Road, ie road for horses. The transferring draftsman (woman) may have understood this to be a road road.
6. The fact that for the next fifty years residents both in Aston Cantlow and Newnham did not know of the re-designation, demonstrating that this change was flawed in that no consultation or publication obligations had been fulfilled, and therefore only could have been a mistake and a human error at the time.
7. Additionally at the time "maintenance" became the WCC responsibility, and was identified as such.
8. As well a series of field gates on the Aston Cantlow side, as the route was gated at the top of the escarpment with a "Horse only" gate or a "Latch" gate, ie one that could be opened and closed by a horse rider.
9. In existence with WCC are around 25 affidavits or witness statements by Aston Cantlow residents stating that in their lifetime, the eldest born in 1905, that the route was not a road, and had not been used as such – and that the gates I've described existed.

10. The natural boundary at the top of the escarpment was and is today, an ownership boundary. So there was no need for vehicles to use the hazardous escarpment.
11. I have calculated this slope to be 1 in 4 – too steep to be ascended or descended safely without a special vehicle, and certainly not one available 1939.
12. These witness statements were obtained by Bill Evans, an Aston Cantlow Parish Council 1990's Chairperson. Sadly, about half the witnesses are no longer with us.
13. Around 1990, the 4x4 persons or person realised their opportunity in that the route was noted as a "road" and cut down the gate posts of the restricting gate with a chain saw, leaving the gate on the side of the "road" - threatening the land owner at the same time, who was investigating the noise of a chain saw. Saying to the owners, that if you want to call the police, I'm here already. The person in question now believed to be an "off duty" special Constable. Essentially saying, that he/they had every right to cut the gate posts down as this route was a road and that they were legally removing obstructions.
14. The rest is history as they say.
15. The route is now extensively damaged, being used by convoys of 4x4s. Now is substantially impassable and unfit to use safely by all other users – pedestrians (the elderly, mothers with prams, children etc) – cyclist – horse-riders. Serious ruts prevail upwards or 900mm deep.
16. Two years ago, at one point, now re-instated with top soil, we had a 10M x 3M x 600mm pond. It is now well on the way to re-forming again.
17. The construction of the way, namely a hardcore and filler cannot sustain the wear and tear caused by 4x4 vehicles without continual maintenance. And at who's cost? Certainly not theirs.
18. The 4x4s are "enjoying" an activity that is destroying the countryside FOC.
19. In today's climate, it cannot be justified environmentally to damage the countryside, and pollute the air for fun.
20. The part of the route was resurfaced about 15 years ago and a cost of forty thousand pounds sticks in my head, but may be wrong. Certainly a costly exercise.
21. Adverse weather seems to be more attractive to these people – more mud. More fun. Then leaving a trail of mud through Aston Cantlow on the Bearley Road. Even more fun. Photo evidence available.
22. Farming vehicles however, who also use the route, on the contrary to above, operate by natural standards - when the land is dry and the track surface is solid.
23. Most of the 4x4 vehicles used are the in the high polluting categories, ie diesel and over 10 years old.
24. These vehicles are functioning in an area of multiple occupancy with no safety consideration or segregation. Horses, riders, children etc are all vulnerable.
25. Should the use not revert to a bridleway – then this community will expect a regular routine inspection of the surface and immediate repairs.
26. Why is all this necessary? There is already a tarmac road made for the purpose of travelling between the two points.
27. The typical charge to use a private "off road" circuit is around £30 each vehicle for half a day. In Newnham it is free. Warwickshire County Council Care home funding, education, and the pot hole funding, the Police etc etc can wait so that 4x4s can continue to enjoy damaging the countryside and environment. As I've been told by one "we know our rights".
28. It cannot be acceptable for a small group of the community to totally dominates an amenity (because they know their rights) and then destroy it and expect others to pay for it and suffer in the process.
29. If they want to enjoy the country side – get out and walk. If they want to travel from Aston Cantlow to Newnham – go on the tarmac road like everyone else.
30. The only concession perhaps being a disabled person where special arrangements could be considered.

Reiterating my first comment - I support the County Council in making this route a bridleway.

The Parish Council is also involved and whom I believe also supports the bridleway designation.

Robert Green



Country Paths <paths@warwickshire.gov.uk>

Warwickshire County Council Order No1 2019 Path No AL223

1 message

R SAMUDA <r.samuda@btinternet.com>
To: paths@warwickshire.gov.uk

23 August 2019 at 13:00

Dear Sirs - I write in strong support of the Warwickshire County Council Order No1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway. This would settle a matter which is important to local residents of our wonderful village

Rgds

Richard and Jill Samuda - The Old Vicarage, Aston Cantlow B95 6JB

WCC Order No. 1 2019 Path No AL223

tony barnett <tonybarnettuk@yahoo.com>

Thu 22/08/2019 13:19

To: Country Paths <paths@warwickshire.gov.uk>

Cc: tony barnett <tonybarnettuk@yahoo.com>

Dear Sir/Madam

I have already e mailed about this but to add:

I, Anthony Barnett (and on behalf of my wife Catherine Barnett), Thatched Cottage, Newnham, B95 6DU, support the Warwickshire County Council Order No 1 2019 Path No AL223 in which the route between Aston Cantlow and Newnham is added to the definitive map as a bridleway.

Yours faithfully

Professor Anthony Barnett

Warwickshire County Council Definitive Map Modification Order; Parish of Aston Cantlow, SHEETS SP16SW, SP16SE, SP15NE. Order No. 1 2019 Path No. AL223. ADDITION OF PUBLIC BRIDLEWAY, AL223

tony barnett <tonybarnettuk@yahoo.com>

Thu 22/08/2019 13:10

To: Country Paths <paths@warwickshire.gov.uk>

Cc: tony barnett <tonybarnettuk@yahoo.com>

For attention of Marion Borman

Dear Madam,

As a resident of Newnham, I am writing in strong support of the intention to designate this Public Bridleway, AL223, order plan ref AL223/MEB/OrderPlan-1

The route was actually identified as a bridleway in the 1901 definitive map. Despite this, it is continually being used by 4x4 drivers, many of whom are clearly "showing -off", driving at ridiculous speeds and constantly churning up the path and surrounding area. The route has become pretty much impassable for ordinary people including pedestrians, cyclists, horse-riders etc. The hardcore and filler required to maintain the path cannot sustain the wear and tear caused by these vehicles without regular maintenance and the drivers are certainly not paying for this !

The 4x4 drivers are basically damaging the countryside, causing danger to residents and animals and adding to pollution for a "bit of fun".

The immediate area has families with children, many pets, farm animals and people who regularly use this area for recreation/walking, cycling and (to a lesser extent) horse-riding. Seeing these people "shoot past" ones front drive on their way to have some fun, you can imagine that this is causing considerable disquiet to Newnham residents who are worried about the safety of their families.

Should use not revert to a bridleway, can Newnham, (and Aston Cantlow) residents expect a regular routine inspection of the surface and immediate repairs of the damage done at a cost covered by the County Council?

I understand that the average cost to drivers of using a private "off-road" facility for half a day is between £25-£40 so essentially these people are getting this facility free without having to pay anything for the damage and mayhem they cause. Presumably and ultimately, I suppose the Council and therefore taxpayers pick-up the tab!

As stated, I and my family are VERY supportive of the proposal to add this area AL-233 as a public bridleway

Yours faithfully

Professor Anthony Barnett

(Newnham resident)



Country Paths <paths@warwickshire.gov.uk>

Newnham - Aston Cantlow proposed re-designation to Bridleway

1 message

Thomas Walton <thomasmwalton@gmail.com>
To: paths@warwickshire.gov.uk

24 August 2019 at 16:54

Dear Sir/Madam

I am writing to express my strong support for the proposal to redesignate the unclassified county 'road' in Newnham as a bridleway.

There are a large number of reasons why this change is essential for the local Newnham community and for the safety of our children and animals.

The current use of the 'road' by anti-social 4x4 drivers is only possible due to the incorrect designation of what undoubtedly should be a bridleway.

The use by the 4x4 drivers and motorcyclists is wrecking the beautiful countryside and making the path unusable by ramblers and horse riders.

The condition of the 'road' is nowhere near good enough to be designated as such without very significant investment from the council. This would be very poor value for money as it would not be useful for local people as it is never used as a road.

There seems to be a historical quirk that explains the incorrect designation of the bridleway as a 'road'. This is the opportunity to put this right once and for all.

Finally, the environmental impact of the current mis-use of the 'road' should not be tolerated.

Thank you for considering my views.

Kind regards,

Thomas Walton



Country Paths <paths@warwickshire.gov.uk>

Re: Newnham - Aston Cantlow proposed re-designation to Bridleway

1 message

Country Paths <paths@warwickshire.gov.uk>
To: Corinne Edwards <corinne@outlook.com>

23 August 2019 at 09:40

Thank you for your email in support of the Order.

regards

Rights of Way Team

Environment Services
Communities Directorate
Warwickshire County Council
Telephone :01926 413427
Minicom : 01926 412277
paths@warwickshire.gov.uk
<http://www.warwickshire.gov.uk/>

Did you know you can report faults online at www.warwickshire.gov.uk/rowreporting
Visit our website at www.warwickshire.gov.uk/rightsofway for more
information about public rights of way in Warwickshire

On Thu, 22 Aug 2019 at 20:35, Corinne Edwards <corinne@outlook.com> wrote:

Dear Sir/Madam

I would like to put my support towards the re-designation of the 'road' at Newnham

I have seen 1st hand the damage that the 4 x 4'S have done to the pathways, destroying them and making them impassible and unusable for the wider community to enjoy . If the pathways continue to be destroyed they will be a serious risk to life as they are dangerous for the users.

The route was itself was identified as a "bridleway" in the 1901 definitive map with many witness statements already available to the Council to confirm this . I would strongly recommend that before a serious incident occurs the bridleway status is re -confirmed

Yours Sincerely

C Edwards



Country Paths <paths@warwickshire.gov.uk>

Thank you for your email [Re: Warwickshire Definitive Map Modification Order Aston Cantlow Path AL223]

1 message

notices@bywaysandbridlewaystrust.org.uk <notices@bywaysandbridlewaystrust.org.uk>

15 July 2019 at 15:23

To: paths@warwickshire.gov.uk

Thank you for your notice.

Due to the number of notices received, we will not necessarily respond.

If you specifically need a reply, please contact BBT@bywaysandbridlewaystrust.org.uk.

Marion Borman
Warwickshire County Council
PO Box 43
Shire Hall
Warwick
CV34 4SX

Plant Protection
Cadent
Block 1; Floor 1
Brick Kiln Street
Hinckley
LE10 0NA
E-mail: plantprotection@cadentgas.com
Telephone: +44 (0)800 688588

National Gas Emergency Number:
0800 111 999*

National Grid Electricity Emergency Number:
0800 40 40 90*

* Available 24 hours, 7 days/week.
Calls may be recorded and monitored.

www.cadentgas.com

Date: 23/07/2019
Our Ref: XX_XX_3FWP_048660
Your Ref: AL223 Aston Cantlow (BK)
RE: Formal Enquiry, Aston Cantlow, Stratford-on-Avon,

Thank you for your enquiry which was received on 12/07/2019.
Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.
For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is no record of apparatus in the immediate vicinity of your enquiry.

Cadent and National Grid therefore have no objection to these proposed activities.

The contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does **NOT** include:

- Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- Gas service pipes and related apparatus
- Recently installed apparatus
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the [National Grid](#) or [Cadent](#) website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

Plant Protection Team

GUIDANCE

Standard Guidance

Essential Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

General Guidance document:

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/A3D37677-6641-476C-9DDA-E89949052829/44257/ExcavatingSafelyCreditCard.pdf>

Excavating Safely in the vicinity of electricity cables guidance (Credit card):

<http://www.nationalgrid.com/NR/rdonlyres/35DDEC6D-D754-4BA5-AF3C-D607D05A25C2/44858/ExcavatingSafelyCreditCardelectricitycables.pdf>

Copies of all the Guidance Documents can also be downloaded from the [National Grid](#) and [Cadent](#) websites.

ENQUIRY SUMMARY

Received Date

12/07/2019

Your Reference

AL223 Aston Cantlow (BK)

Location

Centre Point: 414713, 260048

X Extent: 1448

Y Extent: 320

Postcode: B95 6HS

Location Description: Aston Cantlow, Stratford-on-Avon,

Map Options

Paper Size: A3

Orientation: LANDSCAPE

Requested Scale: 10000

Actual Scale: N/A

Real World Extents: N/A

Recipients

pprsteam@cadentgas.com

Enquirer Details

Organisation Name: Warwickshire County Council

Contact Name: Marion Borman

Email Address: paths@warwickshire.gov.uk

Telephone: 01926 412824

Address: PO Box 43, Shire Hall, Warwick, CV34 4SX

Description of Works

SU-- Wildlife And Countryside Act, 1981, Section 53 --DB

Enquiry Type

Formal Enquiry

Activity Type

Highways

Notice Types

Notice Type: Section Notice (Wildlife And Countryside Act, 1981, Section 53)

Cadent and National Grid Plant Enquiry Response - Your Ref: AL223 Aston Cantlow (BK) Our Ref: XX_XX_3FWP_048660

.box.PPRSTeam <PPRSTeam@cadentgas.com>

Tue 23/07/2019 13:51

To: Country Paths <paths@warwickshire.gov.uk>

 1 attachments (43 KB)

NATIONAL_GRID_XX_XX_3FWP_048660_1_23496.pdf;

****DO NOT REPLY TO THIS MAILBOX AS IT IS NOT MONITORED****

If you need to contact Plant Protection e-mail plantprotection@cadentgas.com Call 0800 688 588

Did you know you can do your own search by logging on and registering at
www.beforeyoudig.nationalgrid.com

Formal Enquiry - Your Ref: AL223 Aston Cantlow (BK) Our Ref: XX_XX_3FWP_048660

Thank you for your enquiry which was received on 12/07/2019.

Please refer to the attached documentation for Cadent and National Grid's response.

Self-service for Plant Enquiries: www.beforeyoudig.nationalgrid.com

If you need to contact the Plant Protection Team regarding your enquiry, please use the following details:

Email: plantprotection@cadentgas.com

Address: Plant Protection

Cadent

Block 1; Floor 1;

Brick Kiln Street

Hinckley

LE10 0NA

Telephone: +44 (0)800 688 588

National Gas Emergency Number:

0800 111 999*

National Grid Electricity Emergency Number:

0800 40 40 90*

* Available 24 hours, 7 days/week. Calls may be recorded and monitored.

***** This e-mail and any files transmitted with it, are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you have received this e-mail in error, please reply to this message and let the sender know.

This e-mail, and any attachments are strictly confidential and intended for the addressee(s) only. The content may also contain legal, professional or other privileged information. If you are not the intended recipient, please notify the sender immediately and then delete the e-mail and any attachments. You should not disclose, copy or take any action in reliance on this transmission.

Please ensure you have adequate virus protection before you open or detach any documents from this transmission. Cadent Gas Limited does not accept any liability for viruses. An e-mail reply to this address may be subject to monitoring for operational reasons or lawful business practices.

Cadent Gas Limited is a limited liability company, registered in England and Wales (registered no. 10080864) with its registered office at Ashbrook Court, Prologis Park, Central Boulevard, Coventry CV7 8PE.



Country Paths <paths@warwickshire.gov.uk>

Automatic reply: Warwickshire Definitive Map Modification Order Aston Cantlow Path AL223

1 message

networkalterationsuk@openreach.co.uk <networkalterationsuk@openreach.co.uk>

15 July 2019 at 15:22

To: paths@warwickshire.gov.uk

Thank you for your enquiry which has been received by the Openreach Network Alteration Team, we aim to register your enquiry within 5 working days and issue you with a reference number

Please be advised, we are currently experiencing high work volumes and we may take a little longer to come back to you. We are working hard to bring the volumes down and will respond as quickly as possible.

- If you are building a new Development, please register your site with our NewSites Team here <https://www.ournetwork.openreach.co.uk/property-developers/site-registration.aspx>
- If you would like the location of Openreach apparatus marked up on site, please email your request to: cbyd@openreach.co.uk
- If you are carrying out demolition works and/or require the isolation of network apparatus known to be redundant on your site, then please contact the [External Network Relocation Team](#)
- If you are reporting damage then please call Tel: **0800 023 2023** Or for out of hours please email: damagedcu@openreach.co.uk

If your work has already commenced, please be aware of the following:

SPECIAL REQUIREMENTS WHEN WORKING IN THE VICINITY OF OPENREACH APPARATUS

1. In this special requirement the following terms shall have these meanings assigned to them:-
 - a) "Company" means Openreach – a BT Group Company
 - b) "Company Representative" means the staff of Openreach, or its authorised representatives or Agents
 - c) "Apparatus" means all boxes, cabinets, poles and plant including any associated cabling and/or ducting owned by Openreach.
2. All works in the public highway are subject to the New Roads and Street Works Act 1991, and the Promoter of the work is legally responsible to bear the cost of safeguarding Apparatus. The "highway" includes carriageway, verges, footpaths, etc.
3. Before commencing any work, or the moving of heavy plant or equipment over any portion of the site, the contractor shall confirm details of the apparatus, owned, leased or rented by the Company, within the site,

with the Company Representative, who can be contacted for free on site assistance during office hours, prior to commencement of works :-

79.50

E-mail : cbyd@openreach.co.uk

Seven working days' notice is required.

(Office hours: Monday to Friday 08:00 to 17:00)

Further information is available at:

https://www.ournetwork.openreach.co.uk/locating-our-network.aspx?utm_source=locatingournetworkfurl&utm_medium=furl&utm_campaign=locatingournetwork+furl

Compliance with the above requirements does not relieve the Contractor of any of his obligations under the Contract.

4. Apparatus maps are also available at: https://www.ournetwork.openreach.co.uk/locating-our-network.aspx?utm_source=locatingournetworkfurl&utm_medium=furl&utm_campaign=locatingournetwork+furl

5. Where such details show that the works or the movement of plant or equipment may endanger the Apparatus, the Contractor must give the Company Representative at least 7 days' notice of the date on which it is intended to commence such works or the movement of plant or equipment in order that the presence of any sub-surface Apparatus can be indicated by markers to be supplied by the Company and placed by the Contractor under supervision of the Company Representative. The Contractor shall ensure that all Apparatus, particularly surface running cable, is adequately protected from damage and the Engineer shall approve such protective measures.

6. In the event of a Company marker being disturbed for any reason it shall not be replaced other than in the exact position and to its former depth unless the repositioning is carried out at the direction and under the supervision of the Company Representative.

7. The Contractor shall take particular care in relation to the protection of Apparatus, where such Apparatus includes the presence within the site of optical fibre and/or co-axial cabling. The Contractor shall make every effort to avoid the disturbance of the Company's network which, if damaged, can prove costly to reinstate. The Contractor shall make every effort to avoid the disturbance of Apparatus more than is absolutely necessary for the completion of the works in accordance with the Contract.

When excavating, or backfilling around Apparatus, the Company Representative shall be given adequate notice, which should be not less than 7 days, of the Contractor's intentions in order that he may supervise the works. The Contractor should note that the normal depth of cover for Apparatus and ducts is as follows:-

- a) in footways 350mm, which is to be maintained
- b) In carriageways 600mm, which is to be maintained.

Where the 350/600mm depth of cover cannot be maintained the Contractor shall carry out the instructions of the Company Representative for the protection of the Apparatus. Where the required depth of cover cannot be maintained over cabling, such cables may have to be diverted.

8. All excavation adjacent to Apparatus is to be carried out by hand until the exact extent and/or location of Apparatus is known. Mechanical borers and/or excavators shall not be used within 1.0 meter of Apparatus or 2.0 meters of any pole without the supervisory presence of a Company Representative. To prevent any movement of Apparatus during excavation, complete shuttering shall be used as directed by the Engineer if :-

- a) excavation is deeper than the depth of cover of adjacent Apparatus
- b) excavation is within 1.0 meter of Apparatus in stable soil
- c) excavation is within 5.0 meters of Apparatus in unstable soil

If for completion of the works the Contractor intends using any of the following: -

79.51

- a) pile driving equipment within 10.0 meters of Apparatus
- b) explosives within 20.0 meters of Apparatus
- c) laser equipment within 10.0 meters of Apparatus

The Contractor shall advise the Company Representative, in writing, in order that any special protective measures for the Apparatus affected may be arranged.

9. All Company manhole, joint box and/or other access points and chambers within the site shall be kept clear and unobstructed. Access for vehicles, winches, cable drums and/or any further equipment required by the Company for the maintenance of its Apparatus must be maintained at all reasonable times. The Contractor should particularly note the footway type chambers are not specified for carriageway loading and will need to be adequately protected and/or demolished and rebuilt under supervision of a Company Representative where such chambers are likely to be placed at risk, either temporarily or permanently, from the movement of plant and/or equipment on the site. The Company Representative shall be given reasonable access to all Apparatus and chambers when required. Where OPENREACH installs Apparatus during the works this new Apparatus shall be treated as existing Apparatus for the purpose of these Special Requirements.

10. For Frame and Covers that necessitate a change in level please contact the local office. If you wish to provide recessed frames and covers they will have to be supplied by the Company's agreed supplier. The Contractor must be prepared to supply and install such frames and covers in future, and must supply names of who will be liable for future maintenance.

11. In the event of any damage whatsoever to Apparatus the Contractor must immediately inform BT and report the occurrence as follows :-

Call Openreach fault reporting on: 0800 0232023

WARNING

-

Entry into all Openreach underground structures is prohibited to all unauthorized personnel.

Jeffrey Annand
18 Cladswell Lane
Cookhill
Alcester
Warwickshire
B49 5JU

RECEIVED - 9 AUG 2019	
COMMUNITIES GROUP	
LEADERSHIP TEAM	
GROUP	

Strategic Director
Communities Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4SX

I am writing to object to the order placed on this road (E5310 & E5341) Aston Cantlow Path AL223. I have used this road on my motorcycle, I have always ridden this route. It has always signposted as an unclassified road. I used this for recreational with the TRF & have always found the surface to be passable on a motorbike throughout the year.

Yours sincerely

Jeffrey Annand



1 Allsebrook Gardens
Badsey
Evesham
Worcestershire
WR11 7HJ



18th July 2019

Mr Mark Ryder
Strategic Director
Communities Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4SX

Copy

Re: The Warwickshire county council definitive map modification order Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE Order No.1. 2019 Path No: AL223 (Adding a Public Bridleway)

Dear Mr Ryder

I write to strongly object to this order, as I have used this lane E5310 & E5341 as detailed on the list of streets and always signposted as an unclassified road, over numerous years. The lane has an old reputation as a road, not a path, and is currently used by public MPV.

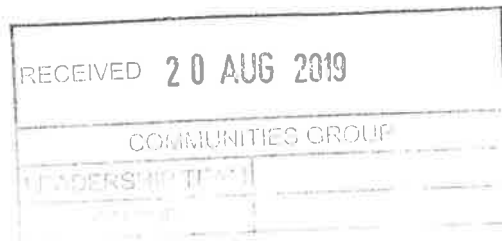
I have used this road on my motorbike, without challenge, as it is a legal road and have done so as recently as last month for both recreational use, as well as a route home. I also recall that my late father used the route, as a road, back in the 70's and 80's, when the family lived in Warwickshire.

The surface condition of the lane has always been manageable throughout the year and passable on a motorbike. I therefore vehemently wish for this road to remain a part of our local network of green roads in Warwickshire.

I object to this road being added to the definitive map as solely as bridleway. Please acknowledge receipt of this objection.

Yours sincerely

Simon Cattle



1 Allsebrook Gardens
Badsey
Evesham
Worcestershire
WR11 7HJ

19th August 2019

Mr Mark Ryder
Strategic Director
Communities Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4SX

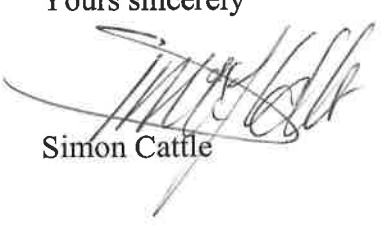
**Re: The Warwickshire county council definitive map modification order Parish of
Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE Order No.1. 2019 Path No: AL223
(Adding a Public Bridleway)**

Dear Mr Ryder

I write regarding my letter dated 18th July 2019 and sent by recorded post, regarding the objection to the proposed modification to the definitive map, for which I have not had any acknowledgement.

I would be grateful if you could please acknowledge receipt of this objection.

Yours sincerely



Simon Cattle

29 Longfellow Close
Redditch

Worcs. B975HW

Strategic Director
COMMUNITIES GROUP
WARWICK SHIRE C.C.
SHIRE HALL

Warwicks, CV34 4SA.

18th July 2019

DNMO "OBJECTION" PATH ^{ASTON} CANTLOW PATH
AL223

Dear Sirs,

I wish to object to this DNMO,
I have used this route on a ~~MPC~~
Since 1993 regularly as part of the
road network in Warwickshire.

My last useage was on 13th July
2019. The route is signposted as on
UNCLASSIFIED ROAD + is recorded
as E5310 + E5341.

RECEIVED 22 JUL 2019

COMMUNITIES GROUP

LEADERSHIP TEAM

*I request an acknowledgment receipt of my letter.

Yours faithfully

A. Coulson.

OR

email: flights1234@gmail.com.

MR CLIVE CRAODOCK
11 GUN HILL
ARLEY
COVENTRY
WARMS
CV7 8 HA

MARK RYDER
STRATEGIC DIRECTOR
COMMUNITIES GROUP

F5

79.56

REF E5310
OLDER N°1 2019

TO MR RYDER

I AM WRITING TO YOU WITH CONCERNS
THAT A REQUEST TO DOWN GRADE NEWBHAM
LAKE AUSTON CANAL ON THE DEFINITIVE MAP.
I MUST MOST STRONGLY OBJECT TO THIS
AS I USE THIS LAKE REGULARLY ON A
ROAD LEGAL MOTORCYCLE FOR RECREATIONAL USE
AND HAVE FOUND IT A VERY PASSABLE AND USEFUL
ROAD. PLEASE STOP THIS ACTION NOW.

YOURS SINCERELY


C CRAODOCK

EMAIL

CLIVE.SIO.CRAODOCK@GMAIL.COM

OBJECTION to Warwickshire Definitive Map Modification Order Aston Cantlow Path AL223

STEPHEN DALLIMORE <steve.dallimore@btopenworld.com>

Mon 22/07/2019 17:58

To: Country Paths <paths@warwickshire.gov.uk>

Dear Sirs,

FAO: Rights of Way Team

I object to this order as I have used this road (E5310 & E5341) on the list of streets since 2001 and the last time I used it was in June 2019. I have ridden this route, always signposted as an unclassified road, over the last 18 years. I have always used it on my motorcycle as part of the road network, for recreational purposes, as I have regarded it as a legal road. I have always found the condition of the surface as suitable for the purpose to which I was putting it. I have ridden it occasionally all year round and have found it always to be passable on a motorcycle, throughout the year.

I would be very grateful if you would please acknowledge my Objection and I look forward to hearing from you shortly.

Regards,

Stephen Dallimore

TO WARWICK
COUNTY COUNCIL.

M. J. FIELD.
164. WIDNEY ROAD.
BENTLEY HEATH
SOLIHULL
W/MID
B93 9BH
17-8-19.

TO WHO IT MAY CONCERN.

I AM WRITING TO YOU REGARDS
THE ORDER TO MODIFY THE DEFINITIVE
MAP - ORDER N° 2019 - PATH AL223,

I HAVE USED THIS LOCAL COUNTY
ROAD. BETWEEN 1977 TO 1996 ALWAYS
WITH A MOTOR VEHICLE AND HAVE
NEVER BEEN STOPPED BY ANYONE.

Yours.



RECEIVED 21 AUG 2019

GOV. JUNIORS GROUP



Country Paths <paths@warwickshire.gov.uk>

Objection DMMO Aston Cantlow

1 message

PhilHobson <philathockley@tiscali.co.uk>

4 September 2019 at 13:04

To: "paths@warwickshire.gov.uk" <paths@warwickshire.gov.uk>

Dear Paths at Warwickshire,

Many thanks for supplying me with the documents requested.

Although the date for objections in respect of this Order has now passed, in respect of the objection I submitted, as yet, I have not come across anything within these documents that would make me consider revising my previous observations and comments, indeed they would reinforce the conclusions I arrived at. However, as you will be passing all of these documents to the SoS along with any other submissions you have received, with respect to the document attached, I would only add that both it and the Handover Records appear to confirm the conclusions I had arrived at in respect of them. In particular the documents related to the definitive map process demonstrate that the County Surveyor was well aware of what was required in determining what could and what could not be recorded on the definitive map and with respect to this route with it being a public carriageway it could not be recorded onto the definitive map.

It is apparent that the Surveyor was certain as to the status of the Newnham to Aston Cantlow road being that of an Unclassified County Road and neither a footpath or a bridleway. This decision does not appear to be arrived at on a 'whim' or some long held presumption but was determined through an investigation and due process the hearing being held on 26th May 1956. Leaving aside the user evidence, I would suggest that these documents in themselves are sufficient to determine, on balance, that the route is a public vehicular highway and should its character and type satisfy the definition of a Byway Open to All Traffic it ought to be recorded onto the Definitive Map and Statement. Should it be the case that its use, character and type would not satisfy this definition then it ought to remain on the List of Streets with the schedule suitably amended in order to confirm its status as being that of a public vehicular highway, a carriageway, maintainable at the public expense.

Kind Regards

Phil Hobson
Rights of Way Officer (GLASS)**Combined Definitive.pdf**

12981K

Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to Newnham Lane GR SP1759-6030

1. Introduction

This is an objection and other comments to the proposed Definitive Map Modification Order (DMMO) to add a bridleway to the Definitive Map from OS Grid Reference SP1402:6107 to OS Grid Reference SP1759:6030 in the Parish of Aston Cantlow.

I wish to make it clear that the following comments comprise to a great extent on assumptions, presumptions and educated guesswork. This is due to the fact that my responses have had to be based on what little evidence has been provided to me. It appears that the decision arrived at is based on evidence that has not been made public, is not available online or, as I was informed, is not readily available as it is archived elsewhere and will take some time to retrieve.

It is not made clear whether the decision to make the Order was taken by Committee or under delegated authority. The fact that none of the evidence referred to within the report was attached to it raises serious questions as to how the decision maker, whoever that may have been, was able to evaluate the evidence and arrive at their decision. This seems apparent as no copies of the important documents from which a number of crucial conclusions have been derived were attached to the report, nor were they available when requested, which suggests that no copies actually exist. Consequently, neither myself nor anyone else, is able to provide a fully evaluated objection to the Order as the evidence relied on by the Council has not been made available to those who wish and are entitled to make such representations.

The object of an investigation of an application to modify the Definitive Map and Statement is to discover the truth of the matter. This involves the analysis of any maps, documents and statements submitted and or discovered during the investigation. Anything examined during an investigation and in particular those documents which have been perceived to be of crucial importance ought to be attached to the report or made readily available to any person entitled to make comments on it. The fact that in this particular case the majority of these 'crucial' documents were not attached to the report or are not readily available makes a nonsense of the process through which the truth may be discovered. Nevertheless, in an attempt to respond to the report, I would make the following comments and observations.

2. The Report

In the introduction to the report, dated 30th April 2019, it is stated that the route is recorded on the List of Streets (LoS) as a highway maintainable at public expense with the reference number E5341. It is further stated that the LoS is "purely a record of highways maintainable at public expense and does not provide any indication as to status", although, "opposing views exist as to the true status of the route", some regarding it as a vehicular highway whilst others regard it as a bridleway based on historical knowledge.

Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to Newnham Lane GR SP1759-6030

- Neither a copy of the LoS from 1951 or of the Handover Records from 1927 have been provided. The Council informed me that they do not hold a copy of the LoS from 1951 and that if one does exist is unsure as to where it may be held.
- I am unable therefore to ascertain whether or not the LoS or the Handover Records define the status of any of the routes recorded on them. This is important as not only the Council themselves but various independent people and bodies, who are entitled to view this information, rely upon it in the knowledge that the Council have taken great care in compiling it and ensuring its accuracy.
- It is suggested that it is unsafe to presume that roads shown in the Section 36(6) List of Streets are public vehicular roads as some recorded thereon are clearly not vehicular routes. Nevertheless, the inclusion of a route in the LoS does provide good evidence towards the conclusion that the way may hold vehicular rights as, generally speaking, many, if not all, highway authorities failed to comply with their duties under Section 36(6) Highways Act 1980. The convention being that they only recorded vehicular highways on their LoS, whilst what may be regarded as public rights of way, footpaths and bridleways, were recorded on the Definitive Map and Statement, this despite the fact that most, if not all, footpaths and bridleways are highways maintainable at the public expense.
- It should also be noted that advice provided by the Department for Environment Food and Rural Affairs (DEFRA) in respect of the LoS has remained consistent in as much that they have stated that **"we are prepared to accept that the vast majority of unsealed rural routes shown in the list of streets held by most highway authorities are likely to be shown to be carriageways on investigation"**.

3. Historical Documentary Evidence

Historical Mapping

Under the section of the report entitled *Evidence and Interpretation*, sub-heading *Historical Documentary Evidence*, a variety of commercially produced maps covering a period from 1765 to circa 1861 have been examined. It is stated that the route is not shown on any of them. In respect of Greenwoods Map (1820-21) there is an additional comment that with Greenwood being regarded as a generally reliable source, "it would be expected that a route such as this one would be indicated".

- This comment is a little misleading in as much as it conveys a message that as Greenwoods map is regarded as being "reliable" if this were a vehicular highway then in all probability the route would have been shown on it. Whilst this may be regarded as a reasonable comment in respect of an 'ancient' highway, dedicated at some time in the distant past, this would not be applicable had the route been dedicated at a much later date as may be the case in respect of this route.
- The historical mapping examined indicates that in all probability dedication of this route as a vehicular highway may have occurred more recently, probably in the

**Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add
Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to
Newnham Lane GR SP1759-6030**

latter part of the 19th Century. Consequently, the fact that it is not shown on Greenwoods map of 1820-21 comes as no surprise and it is therefore unsafe to deduce from it and it alone that the route in question is not a vehicular highway or, for that matter, a highway of any description.

Proposed Inclosure Award Aston Cantlow 1744

The report includes references to and extracts from the Aston Cantlow Inclosure Act and Award of 1744 but states that there was no accompanying map. Nevertheless, it is said that an attempt was made to create a map based on the information from the Act and Award and by reference to early Ordnance Survey maps. This 'created' map has not been provided for examination but it is clear that from this 'guesswork' it has been concluded that one of the awarded routes, described as a "Bridle or Churchway" leading from Little Alne Road to Newnham Sally Lanes, may correspond with that of the Order route.

- In accordance with Section 5 of the Highways Act 1835 a Churchway is defined as being a highway, Section 5 remained in force until the introduction of the Highways Act 1959. It states "that the word 'Highways' shall be understood to mean all roads, bridges (not being county bridges), carriageways, cartways, horseways, bridleways, footways, causeways, churchways, and pavements."
- The definition of a Churchway is that of 'a road that leads to a church'. The Aston Cantlow award states that the "Bridle or Churchway" will be *"a breadth of twenty five feet at least between the ditches in the way the same now is ???? and ???? anciently been used"*.
- This awarded highway, should it be the same as the Order route, was obviously not a new highway but one that had been in use for many years, "anciently been used". It was also to be defined by its pre-existing ditches and have a minimum width of 25 feet. Being a pre-existing 'ancient' highway at the time of the Inclosure Award it had to be included within the Award as otherwise the public would have lost their 'ancient' right to use it.
- I would stress that as yet I have not seen a copy of the Act and Award although the report quotes several extracts from them. However, I find it surprising that a not insignificant highway of some 25 feet in width and being defined by ditches, which is said to have been retained as a public highway by means of the Aston Cantlow Inclosure Award 1744, had all but disappeared by 1800.

Estate Plans – Sales Catalogue

A number of Estate plans, Surveys and a Sales Catalogue are referred in the report covering a period from 1804 to 1918 extracts from which were not provided with the report.

The plan of Lord Abergavenny's Estate 1804, the survey of Thomas Wood's Estates 1874 and the plan of Aston Cantlow 1859 are said to either not depict the route or only depict parts of it. A Deed Plan of 1858 is said to depict the route, it being annotated as a Bridle Road. The plan from a sales catalogue of the Aston Cantlow

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Estate in 1918 does not define the route although it is said to be shown on the base map as being a part of Lot 2, it being annotated on the base map with the letters B.R. (Bridle Road). It is stated that the accompanying schedule for Lot 2 makes no mention of the route and that if it were a public road it would be expected that it would have been excluded from the sale

- I have not examined these documents and no extracts from them accompanied the report. Consequently, at this time, I am unable to provide any extensive comments on them. However, I would note that although the route is suggested to have been an awarded highway, indeed a pre-existing highway, in the Aston Cantlow Inclosure Award of 1744, by the time that Lord Abergavenny's Estate Plan was published in 1804, some 60 years later, it appears to have been 'lost'. There does not appear to be any explanation for this, there being no record of any stopping up or diversion, all of which might suggest that the Council's interpretation of the Aston Cantlow Inclosure Award may be incorrect.
- From the description provided in the report of the Rough Plans of Aston Cantlow 1859, which again I have not seen, they do not appear to be what could be reasonably described as accurate or reliable documents on which any informed opinion could be reached.
- With respect to the sales catalogue plan for the Aston Cantlow Estate 1918, which again I have not seen, although the report does not indicate the source of the base map I presume that this will be the Ordnance Survey Second Edition 25 Inch map of 1900-1905. Should that be correct my comments on the Ordnance Survey maps follow later. However, by reference to this document the report states that "It would be expected that if the route were a public road", which, incidentally, it would should the interpretation of the Inclosure Award evidence be believed, "then it would be excluded from the sale of the Estate". Whilst this is not an unreasonable expectation experience has taught me that it is not uncommon to find public rights of way, including carriageways, to remain unacknowledged in sales documents and plans as indeed they do in other documents, for example, the Finance Act 1910. Consequently, on its own, I would suggest that no great weight can be placed on this document.

4. Ordnance Survey Maps

25 Inch First and Second Editions/6 Inch First and Second Editions

The report provides an interpretation of both the First and Second Editions of the Ordnance Survey 25 Inch to 1 Mile maps, the former being surveyed in 1885 and published in 1887 and the latter being revised in 1904 and published in 1905. There is also an interpretation of both First and Second editions of the 6 Inch to 1 Mile maps, the former surveyed in 1885 and published in 1886 the latter revised in 1904 and published in 1906.

- The report provides a summary of what may reasonably be deduced from these particular maps, although I would make the following points.

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- At the western end of the route (Aston Cantlow) there is indeed a solid line at its junction with Bearley Road, there are also other solid lines across the route at several locations. Whilst these may be reasonably interpreted as being gates, this cannot be entirely relied upon and requires some caution as there were no specific instructions to this effect provided by the Ordnance Survey to its Surveyors. Furthermore, other instructions would support this cautionary approach as one instruction to Surveyors required that “all gates and toll gates across roads and tracks will be shown closed”, this suggests that even if open, gates would always be shown as being closed, although it should be further noted that even if a gate existed and was closed, there is nothing to indicate that it was locked and therefore an impediment to vehicular use.
- The Ordnance Survey’s ‘Instruction to Field Examiners’, 1905, also includes an instruction, number 34, in respect of gates. This instructs the Examiner that ***“Gates will be shown as fences. When they have been surveyed and plotted as gaps for the assistance of the Examiner, the latter will fill in the gaps”***. This instruction suggests that ‘gaps’, e.g. an open gateway or ungated entrance, would nevertheless be ‘filled in’ by the Examiner and depicted as an ‘unbroken’ fence i.e. a solid line.
- The fact that the route is annotated on these maps with the letters B.R. does not provide any strong evidence as to it being either a public or private way, nor can it be used in any conclusive sense as an indication of its status. What can be deduced from it is that the Surveyor must have observed disturbance of the surface consistent with what they believed to be use by horses, but this cannot be used as evidence to the effect that the route was not a vehicular route.

Other Ordnance Survey Maps and Drawings

Ordnance Survey Drawing 1814

The Ordnance Survey Drawing of 1814 (see Appendix 1) does not show any of the route with the exception of a small section at the easternmost end as it approaches Newnham. These Drawings were originally commissioned in response to the threat of a French invasion although the work continued after this threat had diminished. They were produced in a variety of scales from 2 inches to 6 inches to the mile, this being dependent on the military importance of the area being surveyed. Although the Ordnance Survey First Edition one inch maps would have used this data, due to their larger scale the Drawings tend to be much more detailed.

- The fact that these drawings were exceptionally well detailed raises another question in respect of the interpretation of the Aston Cantlow Inclosure Award of 1744. It is suggested that the Order route is the same as that described within the Inclosure Award as a Bridle or Churchway, being some 25 feet in width and which was also described as being an ancient, pre-existing highway.
- As one of the objects of the Survey was to identify routes, roads and tracks capable of the passage of, for example, gun carriages and supplies, it would be expected that if such a route had existed then it would have been recorded. It seems unlikely that the military would have had any particular interest in

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recording narrow footpaths or bridleways and in all probability only those routes that were considered to be of strategic importance, capable of the passage of carts and carriages, would have been surveyed and recorded. As this route, should it be the same as that which was awarded, was some 25 feet in width, I think it reasonable to suggest that it would have been considered of strategic importance and would have been recorded

- However, it appears that the Ordnance Survey surveyor failed to find any trace of it some 60 years after the award, which suggests that it had either fallen out of use somewhat quickly or that it simply did not exist at that time, only coming into being at a later date.

Ordnance Survey First Series 1 Inch Map 1831

The Ordnance Survey First Series Map at a scale of 1 inch to the Mile (See Appendix 2) generally shows a similar position to that of the earlier Drawing of 1814.

- The Order route does not appear to have existed at this time, save for the easternmost section at Newnham. This map concurs with the earlier survey and would support the contention that the route did not come into existence until the latter part of the 19th Century. It would, should my interpretation be correct, cast further doubt on the interpretation of the Aston Cantlow Inclosure Award.

Ordnance Survey Revised 1 Inch Map 1898 (Sheet 183 Redditch)

The Ordnance Survey 1 Inch map (see Appendix 3) was revised in 1897 and published in 1898, it clearly shows what would represent the route as it is known today. The route is clearly defined throughout its length, for the most part this is by means of double pecked lines or a single pecked line and a solid line.

- This suggests that some parts of the route were defined by a fence, hedge or ditch to one side the other side being unfenced. Other parts were 'unfenced' whilst a small section, depicted by a single pecked line, may suggest that here the route was less well defined. However, this may have more to do with the scale of the map as the route is clearly shown on the 25 Inch map surveyed in 1885 and which, in all probability, provided the data for the revision of the 1 inch map.
- This map along with the larger scale 25 and 6 Inch Ordnance Survey Maps would support the contention that the route only came into existence during the latter part of the 19th Century, in all probability at sometime between 1831 and 1885.
- It is interesting to note that later editions of the Ordnance Survey maps, at differing scales, continue to depict the route in much the same manner although the annotation on later editions changes from B.R. to F.P.

5. Bartholomew Maps

Bartholomew Maps used Ordnance Survey data reduced in scale to produce maps at a scale of half inch to 1 mile. They were primarily aimed at tourists and in particular

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cyclists. The members of the Cycling Tourist Club provided their own survey data to Bartholomew's which was then used during revision of their maps.

- By reference to their accompanying keys it can be seen that in 1903 (see Appendix 4) roads were classified by Bartholomew as First Class (solid red), Secondary (broken red) or Indifferent (red dots), uncoloured roads were described as being "inferior and not to be recommended to cyclists". Bridlepaths and footpaths were shown quite distinctly from roads being depicted by a single black pecked line. In 1920 (see Appendix 5) roads fell into 5 categories, Through Routes (solid red with dark shading to the side), First Class (solid red), Secondary (broken red) Indifferent (red dots) whilst the uncoloured roads were described as being "inferior and not to be recommended". As in 1903 Bridlepaths and Footpaths were clearly distinguished from roads being defined by a single black pecked line. By 1941 (see Appendix 6) the Ministry of Transport had introduced road numbering which was incorporated into the Bartholomew maps. The category of roads shown on it were as follow, Best Motoring Routes (solid red), Good Secondary Roads (solid orange), Serviceable Roads (broken orange), whilst Bridlepaths and Footpaths were again clearly distinguished from roads being depicted by either a double or single black broken line.
- By reference to the above it can be demonstrated that on all three of these Bartholomew maps, dated 1903, 1920 and 1941, the Order route is clearly shown it being defined by means of two parallel lines and is uncoloured. This suggests that it was considered to be an 'inferior' or 'other' road and that it was not considered to be either a Bridlepath or Footpath.

6. Finance Act 1910

The Finance Act 1910 required the Commissioners of the Inland Revenue to cause a valuation of "all land in the United Kingdom" and plans were prepared identifying the different areas of valuation. In arriving at these valuations certain deductions were allowed, including deductions for the existence of public rights of way.

- Public 'fenced' roads were generally excluded from the valuation. However, where public rights passed through, for example a large field and were unfenced, they would be included in the valuation and a deduction would be made in respect of the public right of way.

I have not seen the Finance Act Plan nor the corresponding Field Book and no extracts from these documents accompanied the report. However, the report states that the route is shown on the base map passing through 'plots' 840 and 837 and being annotated with the letters B.R. The report further states that it was not excluded from valuation whilst noting that other 'current roads' such as Newnham Lane are shown as being excluded from valuation. It is further noted that there were no deductions for rights of way.

- My assumption is that the base map used is the Ordnance Survey Second Edition 25 Inch map published in 1905 and that the 'plot' numbers referred to are the unique hereditament numbers allocated to individual landholdings during the

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Finance Act process rather than the parcel numbers allocated by the Ordnance Survey.

- It would normally be expected that 'fenced' roads (carriageways) would be excluded from valuation whilst other rights of way, footpaths and bridleways, would be acknowledged through deductions noted within the corresponding Field Books. However, it seems apparent that this route is or was largely 'unfenced' so it follows that it may not have been excluded from valuation.
- Nevertheless, it is a fact that on occasions strict adherence to the rules did not take place and it should be noted that whilst there were severe penalties, including imprisonment with hard labour, for any landowner falsely claiming the existence of a right of way across their land, there were no such penalties for not acknowledging the existence of a right of way. It may well be the case that some landowners were more inclined to forego any deduction in their liability for tax rather than to acknowledge the existence of a right of way over their land.
- As there are no recorded deductions for any rights of way over any of the land crossed by this route, but with the knowledge that there are several other recorded rights of way that are located within the same landholdings, it appears that it may well be the case that this, or these, particular landowner(s) were not very keen to acknowledge the existence of any rights of way over their land.

7. Handover Map 1927

I have not seen this document or its accompanying schedule and there were no extracts provided with the report. The report states that the route is coloured brown on the Handover Map and on the base map it is annotated with the letters B.R. It continues stating that it was allocated the number 72 and that *"the surrounding brown [coloured] routes are numbered in the 50s and this may be significant in the way that the status of this route was considered"* and that the alignment of the route at its eastern end was different. It further states that Number 72 is recorded within the schedule under the heading 'Other Roads including Bridle Roads' with a further sub-heading "unmetalled". It is stated that the notation within the schedule gives no indication as to its status, other than it fell under the heading "Other Roads and [including] Bridle Roads". This section of the report concludes with the suggestion that *"it is possible the Surveyor regarded the route as bridle route and added it because it was an appropriate place to do so"*.

- There are a number of issues raised in this short paragraph which would benefit from further clarification. The reason the route is annotated with the letters B.R. is presumably due to the fact that the base map being used was either a 25 Inch or 6 Inch Ordnance Survey map. The lettering B.R. is entirely due to an assumption made by the Ordnance Survey's surveyor when undertaking the original survey and has nothing to do with the Highway Authorities surveyor who was compiling a list of public roads which were to be 'handed over'.
- There is no indication within the report of whether there is an accompanying key to the Handover Map and if there is what significance there may be in the colouring of the roads shown on it. Nor is there any explanation as to why some

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significance has been attached to the numbering. Are those roads numbered in the 50s exclusively public carriageways and those numbered in the 70s exclusively Bridle Roads? Are all "Other Roads including Bridle Roads" coloured brown?

- The conclusion that ***"it is possible the Surveyor regarded the route as bridle route and added it because it was an appropriate place to do so"***, is a little misleading as it is perfectly clear that this was also the most appropriate place to record minor public carriageways. Consequently, if the surveyor was satisfied that this route was indeed a minor vehicular highway then it is beyond dispute that this was the most appropriate place for them to record it.

8. Definitive Map (National Parks and Access to the Countryside Act 1949)

Parish Survey

The report states that the Parish Survey was completed in the 1950s and the "disputed route" was shown being coloured red and numbered in part as 22, part 24 and part "NOT USED". It is indicated with the letters BR and a number of field gates are indicated by the letters FG. It is further noted that notation with an arrow had been added to the map in pencil stating **"Uncl Co Rd (Unmetalled)"**, which it is stated "may or may not [be] related to the disputed route" and "it is not clear when this handwritten note was done or by whom it was done".

The report continues stating that the associated schedule describes the route with symbol BR and that this has been circled at a later date with a hand-written note stating **"Partly Unmetalled County Road"**. Although it is not clear, it appears that the report is referring to the description of the route within the schedule, which describes it as having been used *"throughout living memory"*, being a *"hard road in places, padded track in others"*, having a width of 4-5 feet with gates at various locations, being *"rough in places"* and there being *"no obstructions"*. The report continues stating that the route had been walked in September 1951 and concluding that it was clear that the Parish Council thought the route was a bridleway and the pencil remarks were added later at an unknown time.

- In all probability, the pencil notation on the map does refer to the 'disputed route', after all which other route would it have applied to? The notation is short for Unclassified County Road and in all probability, would have been added to it following its return to the Highway Authority from the Parish Council along with its accompanying schedule. Likewise, the notation added to the schedule would have been added by the Highway Authority.
- Following their return, they would have been checked against highway records held by the Highway Authority for any obvious errors and where these were found it was, in my experience, common practice for the Highway Authority to make such notes they considered requisite to both the maps and the schedules.
- It seems apparent that whichever Officer of the Highway Authority dealt with these returns they were satisfied through reference to the highway records then held and at their disposal an error had been made by the Parish Council and the

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'disputed route' was not a bridleway but was in fact a public vehicular highway, albeit a minor one.

Draft, Provisional and Definitive Maps

The report states that the disputed route is not shown on any iteration of the definitive map through the 1950s and 60s, by which I presume it to mean that it was not recorded on the Draft, Provisional or First Definitive Map.

Draft Map

The report states that the Draft Map is drawn on a base map which annotates part of the 'disputed route' with the letters FP (Footpath). It continues stating that the route is shown as starting from Bearley Road, Aston Cantlow, it being defined by a dashed line and the notation BR and continuing eastwards before terminating at its junction with Bridleway AL88. The report continues stating that Bridleway AL81 is shown as a cul-de-sac with a hand drawn dashed line above it indicating the route and with the lettering Uncl. Co. Rd. The report notes that the Parish Council had objected to the Definitive Map (presumably this should be Draft Map) in respect of the missing bridleway (the disputed route) and were informed that the route was a County Road and therefore the Definitive Map (Draft Map) would not be changed.

- What this map indicates and which concurs with the earlier evidence provided from the Handover Maps and the Parish Survey records is that the disputed route was known by the Highway Authority to be an Unclassified County Road (UCR), which could not be recorded on the Definitive Map. The annotation FP is from the Ordnance Survey and not the Highway Authority.
- It is both misleading and incorrect to state that Bridleway AL81 was shown to be a cul-de-sac as it clearly connects to a UCR, the 'disputed route', which was a public vehicular route that could be used by the public on foot, horseback as well as with vehicles.

The report then refers to the 'Modified Map'. Note, it is not made clear what the Modified Map is but I'm assuming it is possibly a corrected version of the Draft Map ready for publication. However, the report states that the Modified Map shows the route on the base map with the lettering BR but is not shown as a Public Right of Way as others are such as bridleways AL81 and AL88, which are shown as cul-de-sac routes.

- I think this probably and more correctly should read that whilst the 'disputed' route is shown on the base map with the lettering BR it is not recorded as a right of way on the Modified (Draft) Map in the manner which bridleways AL88 and AL81 are and which are shown to be cul-de-sac paths.
- To be clear the base map is an Ordnance Survey map and the Modified (Draft) Map consists of clearly identified public rights of way, Footpaths, Bridleways and Roads Used as Public Paths, but not public vehicular routes (carriageways), which have been drawn onto the base map.

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- The annotation BR is provided by the Ordnance Survey and has nothing to do with the Definitive Map or the Highway Authority. Again, it is both misleading and incorrect to state that Bridleways AL81 and AL88 were shown to be a cul-de-sac routes as they clearly connect to a UCR, the disputed route.
- This route was recorded on the Handover Records and was recognised as being a public vehicular route by the highway Authority, a route that could be used by the public on foot and horseback as well as with vehicles, but which could not be recorded on the Definitive Map and Statement.

Provisional and Final Definitive Maps

The report states that the Provisional and Final Definitive Maps show the route on the base map with the letters FP but it is not drawn on as other Public Rights of Way are.

- As with the Draft Map this is both misleading and incorrect, the base map, be it the Ordnance Survey Map, may well show the route but it was not recorded on either the Provisional or Final Definitive Maps. The reason for this is because as it was an UCR recorded in the Handover Records and recognised as being a vehicular route by the Highway Authority. As such the Highway Authority could not nor should they have recorded it on either map. This demonstrates consistency on the part of the Highway Authority.

This section of the report continues with some suggestions as to why the route was not recorded on the first Definitive Map. The first possibility suggested is that as it was known to be recorded on the LoS there was no need to record it elsewhere such as the Definitive Map. The second suggestion being that as the route was regarded as holding public vehicular rights it therefore could not be recorded on the Definitive Map.

- The first suggestion appears to conclude that the Highway Authority must have given little regard to their duty to compile an accurate Definitive Map of public rights of way, as they were required to do under the National Parks and Access to the Countryside Act 1949. It suggests that they gave no consideration to the fact that some of the routes included in their Handover Records may have been bridleways and as such would require recording on the Definitive Map. However, no evidence to that effect appears to have been discovered.
- Furthermore, as this particular route had been the subject of a complaint by the Parish Council, without evidence to the contrary, it must be assumed that the Highway Authority properly investigated their concerns and consulted their records before dismissing the claim.
- The second suggestion is more plausible, it being supported by the available evidence in respect of the Highway Authorities response to the claiming of the route as a bridleway by the Parish Council following the Parish Survey and the compilation of the Draft Map. On both occasions the Highway Authority concluded that the route was in fact an Unclassified County Road, a public

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vehicular highway and which therefore could not be recorded on the Definitive Map.

The report also suggests that it is “unclear when the ‘extrapolation’ of a route on the Handover Record would be a road when it was clear from the headings that any route could be bridleway”.

- To extrapolate can be simply defined as to speculate and arrive at a conclusion based on known facts or observations i.e. it takes 5 minutes to boil an egg therefore it will take 5 minutes to boil this egg. In the context of the Handover Records it appears it is being used to suggest that as the status of the individual routes on the record may not have been known, it isn’t known when it was determined that they would all be regarded as roads. I have a number of issues with this.
- The Handover Record clearly states that it consists of both Other Roads (UCRs) and Bridle Roads, this demonstrates that, at that time, the Highway Authority knew they were compiling a list containing both ‘types’ of highway, indeed, with local knowledge and the records at their disposal they may at that time have been aware of the status of each individual route. Nevertheless, the suggestion appears to be that the Highway Authority simply disregarded this information and concluded that everything shown on the schedule was a vehicular highway.
- Whilst this could have happened, the question is does any evidence exist to demonstrate it? No evidence, memorandum or written instruction, to this effect has been alluded to within the report that would demonstrate this was the case. However, what evidence does exist suggests that when the status of a route, such as this one, was brought into question the Highway Authority investigated the matter and arrived at a decision based on the evidence they had at their disposal.
- On the available evidence and in consideration of this particular route, it appears reasonable to conclude that the Highway Authority did their job properly. When asked by the Parish Council why it was not recorded on the Draft Map as a Bridleway, the response was because it was known to be a UCR, a public vehicular highway and as such it could not be recorded on the Definitive Map.
- It may have been the case and perhaps it would have been better to suggest that there may have existed a presumption, rebuttable, that a route shown on the Handover Record and/or the LoS was probably a public vehicular highway. Indeed, although not so much a presumption more of an indication, this train of thought remains today, as evidenced by the correspondence from both the DETR and DEFRA, that a route shown on the LoS may well hold public vehicular rights.
- This section of the report concludes by stating that “what can be determined is that it is not possible to say why the route was not recorded on the Definitive Map” and that the fact the route is not recorded on the first Definitive Map is not sufficient evidence to suggest that the route must be a vehicular road”.

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- The first part of this statement is obviously incorrect. The evidence as to why the route was not recorded on the Definitive Map was discovered during the investigation. It was not recorded on the Definitive Map due to the fact that the Highway Authority, on being asked that very question by the Parish Council, investigated the matter and determined that as their records demonstrated it was a public vehicular highway, a UCR, it could not be recorded on the Definitive Map.
- Whilst it is reasonable to suggest that just because a route is shown on the Handover Map it cannot be assumed that it is a vehicular highway, in this particular instance this general statement ignores the fact that this route had been the subject of an investigation following the Parish Council's complaint. As a result of that investigation the Highway Authority were able confirm to the Parish Council that it was a UCR and not a Bridle Road.
- One further point to consider is the fact that the Handover Records were prepared in the late 1920s around 1927, whilst the Definitive Map was compiled in the early 1950s, there being a period of around 25 years between both procedures. Highway records at that time were kept on paper and in the 'heads' of those employed. I think it is common knowledge that many of these records were not archived but simply destroyed and the accumulated 'knowledge' of many years was lost due to the retirement and ultimate demise of the individuals concerned.
- However, it is reasonable to suggest that some of the individuals involved in the compilation of the Handover Records would also have been involved in the compilation of the Definitive Map. Therefore, it is also reasonable to suggest that they would have had both the 'knowledge' of and access to those now lost records. The fact that any evidence relied on at the time may have since been lost or simply destroyed does not mean it did not exist and without evidence to the contrary, particularly in the case of statutory procedures, the presumption must be that everything that was required to be done was done and was done properly.

Definitive Map Statements (1954-1961)

The statement accompanying the Draft Map for the Alcester District was published in February 1954. It describes the route of Bridleways AL81, AL88 and Footpaths AL83 and AL90, all of which intersect or have junctions with the 'disputed route'. AL88, which is described in the report as being a "cul-de-sac" route, a dead end, is described as commencing "from a county road through Newnham, 140 yards south-south-west of Redlands Farm, north-westwards for 80 yards, then south-westwards for 490 yards to the Newnham-Aston Cantlow Road". It is said to be a "padded track".

- By reference to the Draft Map Bridleway AL88 can be seen to be defined upon it by a green line and labelled AL88. The route of AL88 can be seen to correspond to that described within the accompanying statement. The crucial point is that it is described as terminating at the "Newnham-Aston Cantlow Road". This road corresponds to the Order Route.

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- Whilst it can be argued that the status of the Newnham–Aston Cantlow Road is not clearly defined within the statement, that it may not be a vehicular road, this is easily rebutted. As this is the Definitive Map we can be certain that it is neither a Bridleway or Footpath, as if it were it would be shown on it. As the Highway Authority would not be in the business of creating anomalies (cul-de sac bridleways) and had already declared the route to be a UCR, this evidence confirms the conclusion that what is described in the statement as the Newnham-Aston Cantlow Road, is the 'disputed route', is a UCR, a public vehicular highway.

9. User Evidence

The report states that user evidence has been compiled on a number of occasions, 2004, 2006 and 2008 with one additional evidence form from the latest consultation conducted in 2018. It is stated that of the 75 respondents who completed user evidence forms 47 of them used the route on foot, 27 on horseback, 1 on a bicycle and 35 with vehicles.

- I am having difficulty reconciling these figures from the documents that have been provided to me. I agree that 75 'individual' evidence forms have been completed, however, as the identities of the witnesses have been redacted it is possible that witnesses may have completed more than one evidence form e.g. in 2004, 2006 and/or 2008.
- From the forms that have been provided to me I calculate that there have been 50 users on foot, 27 on horseback, 2 on bicycle and 24 with mechanically propelled vehicles.
- To be clear, it is acknowledged that many of the witnesses have used the route by more than one means, which would explain why the number of witnesses (75) and the number of 'uses' (103) do not correspond.

It is stated that at the close of the latest consultation in 2018 one respondent stated that they had information from "members" as to use of the route as well as other pertinent evidence. However, as the 'evidence' referred to by the witness was not provided the report states that it has not been able to take it into consideration. The report summarises the period of use as encapsulating a period between 1912 to 2008, although it notes that an additional user evidence form suggests that use continued after 2008.

- It should be noted that no list of consultees has been provided within the report.
- It should also be noted that with respect to the 2018 consultation, no information has been provided as to what these individual "members" were members of, although a later note within the report suggest that they were all of the opinion that the route was vehicular. It is stated that the un-submitted evidence may have been of pertinence to the investigation but does not state what efforts were made to obtain this 'pertinent' evidence.

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With respect to use by mechanically propelled vehicles (MPVs) the report states that this appears to have commenced in the early 1970s, which it notes is disputed. The report states that the majority of MPV use commences in the late 1980s. It further states that the evidence of use by MPVs conflicts with that of local users and landowners who state that there was no use by such vehicles until a gate along the route was removed.

- To be correct there is evidence that the route was used by a mechanically propelled vehicle from 1935 and again from 1969/70. The majority of evidence of use with MPVs commences from 1979 increasing throughout the 1980s.
- Use by MPVs is disputed by reference to the existence of a gate or gates, variously described as being a 'Clap Gate' or 'Hunting Gate' and being located at either the bottom or the top, or at both the bottom and the top, of what is known locally as Newnham Hill. There appears to be a lot of confusion in the minds or memories of the witnesses, was there one gate or two gates at this point? Was it, were they, located at the top or bottom of the hill or both locations? I believe that the Parish Survey is of help in that indicates the presence of Field Gates at all but one location, this being described as a Gate and being located in the vicinity of Point D on the Order Plan.
- One witness refers to this gate as being a hunting gate 6 feet wide whilst another witness, who used the route on foot, strangely refers to the gate as being an obstruction. Many of the witnesses when responding to the question as to whether there were any gates on the route responded by only referring to the presence of this gate and do not seem to recall that there were a number of other gates along the route.
- By reference to the Parish Survey map it can be seen that a total of 7 gates were recorded along the claimed route. As the route claimed as a bridleway by the Parish Council does not correspond to the entire length of the Order route, it turns north using what is now recorded as bridleway AL88, the 2 gates located along bridleway AL88, which appear to consist of a Field Gate (FG) and a Gate (G) can be disregarded. This would, according to the schedule, leave a total of 5 gates, comprising of 4 Field Gates and a Gate along the remaining section of the Order route.
- The extract of the Parish Survey which has been supplied to me is of low definition. The route was surveyed from Newnham to Aston Cantlow. Discounting the two gates recorded on AL88 the first gate, heading west from the Order routes junction with AL88, is recorded as being a Field Gate and located at point F on the Order plan. The second gate is recorded as a Field Gate the location of which appears to be a little to the east of point E on the Order plan at the field boundary. The third gate is recorded as a Gate (G) and is located at point D on the Order plan. The fourth gate is recorded as a Field Gate, which appears to be located in the vicinity of point C on the Order plan. No other gates are recorded on the extract provided to me, although the extract is missing the termination point with Bearley Road, shown as point A on the Order plan, and this may well be the location of the final gate, which according to the schedule ought to be a Field Gate.

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- Note: A gate of 6 feet (72 inches) in width would not represent an impediment to a motorcycle, which is an MPV. Nor would it prevent use by certain classes of vehicle. For example, a Landrover 90 is 70.5 inches wide, a Subaru Forester 70 inches wide, a David Brown 780 tractor is a mere 64 inches wide. Whilst the presence of a small gate may have been regarded as a restriction, one requiring careful negotiation, it would not have prevented use by all MPVs and certainly not motorcycles.
- At least one landowner or, to be more accurate, the landowner's son, was well aware of regular use by vehicles of all types prior to the removal of the gate. In 2004, he provided a completed evidence form on which he described his personal use of the route, this being "fairly often...on foot" and between 1957 and 2004. In particular, he stated that during this period he regularly observed use of the route on foot, horseback, motorcycle, Landrover and tractor which would indicate that the actual landowner was fully aware of the existence of public vehicular rights along the route.

10. Informal Consultation

The report states that a consultation was conducted in 2018, this following an earlier consultation in 2007. It reiterates information surrounding the non-submission of evidence from what is described as a User Group Representative, the group being of the belief that the route was a vehicular one and that they had information to that effect. This section concludes by stating that "other correspondence was received which provided information about the route". In particular information about a gate at the top of an incline and when and how it was removed. This is said to correspond with evidence given by users.

- As I believe I have discussed earlier it is not clear what efforts were made to obtain what has been described as 'pertinent information' as to the status of the route.
- The evidence provided by the witnesses in respect of the gate or gates is, at best, confused. Witnesses describe the presence of a gate, it being located at either the top of the incline or at the bottom of the incline. Other witnesses describe two gates, these being located at both the top and bottom of the incline.
- It is not disputed that there were/are gates located along the route.

11. Gate Removal

The report refers to a letter received from the NFU in 1986 and which provided information about the removal of a gate "a couple of years before" and requesting that the route be officially classified as a bridleway. It is stated that the letter corroborates evidence provided by users and landowners who stated that a gate was in place until the early 1980s. It is further stated that the landowners had been informed that the gate was an obstruction preventing use with MPVs and stated that

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the gate was removed without permission and that threats were made against them should they replace it.

- The NFU letter has not been disclosed but is being used in order to establish the timing of the removal of the gate as being in the early 1980s, circa 1984. It is said that this date is corroborated by the evidence provided by users and landowners. However, reference to the witness statements is, at best, contradictory and many of the witnesses have stated that the gate was removed in the late 1980s, between 1986 and 1990.
- It is stated that the landowners were informed that the gate was an obstruction preventing use by MPVs. However, the evidence indicates that it did not prevent use of the route with MPVs as certain users, both on motorcycles and other MPVs, have provided evidence of their use when the gate was in place. It may be more accurate to state that it prevented the use of the route by certain classes of MPVs, i.e. those MPVs with a width greater than 6 feet, which in itself raises further questions.
- Was the gate an obstruction or merely a restriction? Many public vehicular roads were dedicated and still exist with restrictions as to the width and height of the vehicles that could use them.
- The Parish survey is helpful in this matter in as much as it indicates that the route at that time was subject to a number of limitations, whether these were in place lawfully is a matter for further discussion. As discussed earlier these limitations comprised of 4 field gates, marked on the map as 'FG' and one gate marked 'G'. The Parish Survey does not refer to this gate as being a hand, clap, bridle, wicket, kissing or hunting gate. In my experience, had this been the case and had the Parish Council, in common with most other Parish Council's, been following the guidance provided at that time by the Open Spaces Society, it would have been annotated on the map with the letters BG, WG or KG and clearly identified in the accompanying schedule.
- As it was simply annotated with the letter G this suggests that it was none of the above but perhaps simply a smaller, narrower gate, rather than a standard Field Gate. That being the case I believe it would be reasonable to suggest that a field gate would be expected to have a width of 10 or 12 feet, a bridle or hunting gate having a width of 5 feet. It seems reasonable to suggest that this gate would have been of a width between 5 and 10 feet.
- It should be noted that this gate, which was not considered to be a Field Gate, was located at point D on the Order plan. This, according to the witness evidence, is not the location of the gate that was 'forcibly removed', the majority, if not all, of the witnesses who have provided evidence of its location refer to it as being located a little to the east of point E on the Order plan at the field boundary. Interestingly, this would correspond to the location of a Field Gate on the Parish Survey. Hence it would appear that the original Field Gate, the one in existence at the time the route was dedicated has, at some time, been replaced with what various witnesses describe as being a Clap or Hunting Gate,

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thereby reducing its width and creating an unlawful obstruction through restricting the width of the road.

- This is supported by the contention of one witness who describes the gate as being of the width of 6 feet whilst another witness referred to the 'obstruction' as comprising of a gate and fence, which may support the contention that the width had been reduced through the replacement of the original gate with a narrower gate and an accompanying length of fence. If this were the case then that would indeed constitute an unlawful obstruction.
- I would submit that this does not appear to be a challenge to the rights of the public to the use of the way with vehicles but simply represents a temporary inconvenience due to the inconsiderate actions of a landowner who replaced a former Field Gate with a narrower gate and fence.
- Had they intended to challenge the use of the route by the public with vehicles, on balance, it would be expected that they would have installed narrower gates and fences at either end of the route or, should they not own all of the land over which the route passes, at either end of the route within their landholding, rather than locating it in the middle of the route.

12. Repairs to Route

The report states that over a number of years many site visits were undertaken in response to complaints about the condition of the surface of the route and remedial works were undertaken to make the route suitable for all types of user.

- The report does not make it clear who undertook the repairs to the route although it does make it clear that they were of a standard suitable for all users including vehicles.
- This raises some additional questions, were the repairs contracted out or undertaken by the Council themselves? Were the contracts prepared (or the repairs undertaken) by the Council's highways department or by its rights of way section?

13. Traffic Regulation Orders (TRO)

A TRO was placed on the route in 2007 the effect of which was to exclude all users other than pedestrians. Two further TROs were placed on the route in 2008, these only being applicable to motorised vehicles. The report is at pains to emphasise that as the route was recorded on the LoS and of unknown status it was not considered unreasonable to prohibit the use of MPVs, thereby preventing the damage vehicle use was causing to the route. It states that the use of these TROs does not provide evidence as to the status of the route but merely reflects the reality that such use was taking place.

- What the making of the TROs does demonstrate is the fact that the Council were aware that vehicles used the route, had accepted that vehicle use was taking

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place and had acknowledged that it was not unlawful as otherwise it would not have been necessary to prevent vehicles from using it.

- Had they believed vehicular use of the route was unlawful there is no record of them having requested that the police enforce the law or of any attempt to prevent such use by, for example, the erection of barriers.

14. DETR Letters

The report refers to two letters that were sent to all Highway Authorities in respect of Unclassified County Roads. The first of these, dated August 1998 and referred to as the Carter letter, stated that the term Unclassified road was made redundant by the Local Government Act 1972 but that the inclusion of a highway described as a UCR on the LoS may provide evidence of vehicle rights but must be considered with all other evidence to determine the nature and extent of those rights. It continues by proposing that it would be possible for such a way to be added to the Definitive Map and Statement should it satisfy the criteria set out within the Wildlife and Countryside Act.

The report states that the second letter, dated May 2001, states that the LoS is a record of Highways Maintainable at the Public Expense and that it is not in any way proof of vehicular rights and should include footpaths and bridleways which are publicly maintainable. The report concludes that these letters demonstrate that each route has to be treated on a case by case basis and the recording of a route on the LoS provides no conclusive evidence that it holds vehicular rights.

- There is another letter which was sent from Dave Waterman of DEFRA dated 12 June 2012 in response to a query from the Treadlightly Trust as to the status of UCRs shown on the LoS. This letter confirmed that the advice provided in Susan Carter's letter of 28 August 1998 and in Martin Steer's (DETR) letter of 30 September 1998 remained the same. Amongst other issues the advice referred to by Mr Waterman was that vehicular rights on UCRs could not be presumed to exist. Nevertheless, Mr Waterman conceded that on investigation it was likely that the vast majority of unsealed rural routes shown in the LoS were likely to be proven to be carriageways.
- Mr Steer's letter made it clear that the letters sent to Highway Authorities were *"not intended to indicate that authorities should now regard any way known as a UCR as not carrying vehicle rights"*.
- Whilst it is acknowledged that the LoS may not provide 'conclusive' evidence as to the status of any way recorded on it, it does, however, provide good evidence. The correct test to apply is that of the balance of probability, i.e. is it more likely, than not, that a route recorded on the LoS is a vehicular highway.

15. Natural Environment and Rural Communities Act 2006 (NERC)

This section of the report deals with the potential effect on this case by the implementation of NERC and acknowledges that whilst one of the exemptions to the presumed extinguishment of vehicular rights under NERC, Section 67(2)(b), is

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applicable none of the other exemptions would apply. It continues stating that if S67 of NERC is considered then it is possible that the mere recording of the route on the LoS could preserve the rights for MPVs and continues by stating “however Sec 66 NERC needs to be considered”, which states that no public right of way for MPVs is created after commencement unless expressly done so, Sec 66(2) states that for the purpose of creation after commencement use, whenever occurring, of a way by an MPV is to be disregarded.

- Section 67(2)(b) of NERC is applicable to this case as the historical evidence being considered clearly demonstrates that the route was not recorded on the Definitive Map and Statement but was recorded on the List of Streets prior to the commencement of NERC on 2 May 2006.
- However, Sec 66 of NERC is not applicable to this case as it is solely concerned with the creation of public rights of way for MPVs after the commencement of NERC on 2 May 2006, not those MPV rights that existed prior to its commencement.

16. Analysis of Evidence

The report concludes with an analysis of the evidence taken into consideration. This commences with what is described as the early large scale mapping upon which it is said the route is not shown. Particular reliance appears to be placed on Greenwoods Map, which it is suggested would have been expected to have shown the route had it been of any significance and of a vehicular status. From this it is concluded that if the route did exist it was not regarded as being either significant or of vehicular status.

- As I have discussed earlier this would be a reasonable assumption to arrive at but only if it could be demonstrated that the route did exist at that time. The evidence would suggest that the route did not exist at that time, it being dedicated at some time during the late 1800s and consequently nothing of any great value can be deduced from this evidence.

There then follows an analysis of the Aston Cantlow Inclosure Award about which it is stated that as it has no accompanying map it has been difficult to ascertain the location of any of the awarded plots. Nevertheless, it is stated that the first edition Ordnance Survey provides “a good basis for reconstruction of the awarded plots” because the fields depicted on them are “a good representation of those set out at the time of the Inclosure”. From this it is suggested that it is therefore possible to reconstruct the Inclosure awards fairly accurately.

- I have not seen either the Inclosure Award or the reconstructed map. they were not provided with the report. It is not clear what is meant by the First Edition Ordnance Survey but as the only Ordnance Survey maps referred to within the report are the 6 and 25 Inch to the Mile maps presumably it is these and not the First Edition 1 inch series, which were published much earlier.
- One question that springs to mind would have to be that as there is no map accompanying the Inclosure Award how would anyone be able to confidently

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deduce that the First Edition Ordnance Survey maps provide a good representation of those plots set out as a result of that Award? To then suggest that it is possible to “accurately” reconstruct the award with the aid of the Ordnance Survey data without any detailed explanation of how that was to be done requires a huge leap of faith.

It is stated that the Inclosure Award set out a Churchway from Aston Cantlow to Newnham and that this route fell into two elements. The first ‘element’ being a bridleway and the second a footpath. It is said that this corresponds with the early Ordnance Survey maps where the routes from Aston Cantlow to Newnham are a bridleway with a footpath branching from it. It is further stated that there are no roads set out in the Inclosure that have any resemblance to the route and most can be identified as current roads.

- Without the aid of an Inclosure Award map it is difficult to understand how it can be concluded that the awarded routes can be said to correspond with routes that are shown on the Ordnance Survey maps. I sense that it may be more the case of ‘forced marriage’ of two puzzles where the essential pieces are still missing.
- Once again, the early Ordnance Survey Map being referred to is not identified. The First edition 25 Inch Ordnance Survey Map depicts a route that corresponds with that of the Order, it is annotated with the letters BR, which would indicate that the surveyor had observed evidence of use with horses. It has a junction with what is now recorded as bridleway AL88, which is not annotated with any lettering at all and for part is not well defined. The route continues easterly before turning north towards Newnham at its junction with what is now recorded as bridleway AL81. The southern end of AL81 is annotated with the letters FP, which indicates that the surveyor had observed disturbance of the surface consistent with passage on foot. There is nothing to suggest that the part of the Order route which turns north from its junction with AL81 was regarded as a footpath.
- The Second Edition Ordnance Survey 25 Inch map is similar to the First Edition. However, AL88 is now annotated with the letters FP and is also better defined, but this would not correspond with the Order route. AL81 is shown in the same manner as before. That, in essence, is as much as can be adduced from the Ordnance Survey maps.
- It is not clear what is meant by the suggestion that the awarded Churchway fell into two ‘elements’, is it being suggested that the route was awarded in two parts? This does not appear to be the case, they appear to be two distinct routes, both of which happen to have been regarded as Churchways. One went from Little Alne Road to Newnham Sally Lane Ends the other from Aston Cantlow to Newnham.
- From what I can gather ‘Sally Lane’ lead southwards from what was or still is known as Tutnell Field Farm in Newnham. It continued towards Wilmcote along a well-defined route probably terminating on the Billesley road at Gallows Green. Here there are two fields still known as Sally Lane, could this be what is referred to in the award as Sally Lane Ends? Could the footpath leading from the northern

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end of those fields be that which is referred to in the Inclosure Award as being a Churchway? One of the open fields of Newnham called Millway lay in this direction and the Churchway is described as passing through Millway Field to the Little Alne Road.

- It seems apparent that not all of the roads awarded through the Inclosure have been identified. It is stated that none of the awarded roads resemble the Order route, but without an Inclosure map how can this be safely and accurately concluded? Roads do change over time through, for example, diversions and extinguishments as can be observed on the First Edition 1 inch Ordnance Survey map which depicts a well defined road leading northwest from Newnham that terminates on the road to Little Alne. By comparing this map with the First Edition 25 Inch Ordnance Survey map it can be seen that it has all but disappeared. However, at the time of the Parish Survey it was then claimed as a footpath.

The analysis then turns to the Ordnance Survey Maps from which it is stated that the surveyor believed the route to be a bridleway. It continues by stating that the depiction of a route on the map provides no conclusive proof as to its status but does provide good supporting evidence. It concludes by stating that the early Ordnance Survey maps are consistent in their depiction of the routes alignment and status.

- It is incorrect to state that the surveyor believed that the route was a bridleway. there is no evidence to support such a conclusion the surveyor merely recorded their observations that at the time of their survey there was evidence that the route had been used by horses, which, depending on all of the evidence considered, may or may not provide supporting evidence.
- Furthermore, since 1889 all Ordnance Survey maps have carried the now famous disclaimer "that the representation on this map of a road, track or footpath is no evidence of the existence of a right of way".
- There is a contradiction in as much as whilst it is stated that the depiction of the route on the Ordnance Survey maps provides no conclusive proof as to its status it is nevertheless concluded that they are consistent in their depiction of the routes alignment and status. The annotation of B.R. on an Ordnance Survey map is not evidence as to the status of the route to which it may be attached, it merely indicates that there was evidence of use of the route by horses on the day or at the time it was surveyed, which may have occurred many years prior to the publication of the map under consideration.

The analysis then turns to the Estate Maps of which it is simply stated that they either do not show the route or if they do it is depicted as a bridleway.

- None of these documents have been disclosed and therefore it is difficult to make any informed comments on them. However, it is worth noting that according to the report five maps or plans have been examined. Of these, Lord Abergavenny's Estate Plan 1804 shows only part of the route. Thomas Wood's Survey of Estates Plan 1874 and the Rough Plans of Aston Cantlow 1859 are said

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to not show the route. The remaining two are a Copy of Plan One Deed 1858 on which the route is annotated as a bridle road and a Sales Catalogue of the Aston Cantlow Estate 1918 of which it is stated that the base map depicts the route which is annotated with the letters 'B.R.'. Presumably the latter uses an Ordnance Survey map so my previous comments on these maps and their annotation would apply. In brief and with reference to my earlier comments on both these documents and the Ordnance Survey maps, I would suggest that they provide little, if any, evidence for consideration

Analysis now turns to the Finance Act of which it is stated that although the route was not excluded from valuation this would not preclude the possibility that it was a public road but when taken with other available evidence it would suggest that it was of a lower status.

- My comments on the Finance Act evidence have been discussed earlier at paragraph 6 and apply equally to this analysis as well.

The analysis now turns to the Handover Records of which it is stated that the recording of a route in the records does not mean that the route was believed to be vehicular but purely that it was maintained at the public expense. The heading, "other roads or bridle roads", it is said, "does mean that the route may have been regarded as a bridleway and that the appropriate place to record it was on the record".

- My comments on the Handover Records are detailed at paragraph 7 above. However, to reiterate, as the heading clearly indicates, the handover record comprises of other roads, which on balance would, in all probability, be vehicular and bridle roads. Why it is only concluded that it may have been regarded as bridleway and not as an 'other road' is not explained. If, as the evidence suggests it was, the route was regarded as an UCR, then the Handover Record was the most appropriate place to record it.

The analysis now turns to the compiling of the Definitive Map under the National Parks and Access to the Countryside Act 1949. It is correctly stated that the Parish Council was of the belief that the route was bridleway and had claimed it as such in their Parish Survey and appealed the decision to not record the route as a bridleway on the Draft Map. This decision is said to have been as a result of a misunderstanding of the purpose of the Handover record and that it is only after that time that there has been any suggestion that the route was of a higher status. It is said that the status of the route to the parish was never in doubt until it was challenged by the removal of the gate and mechanically propelled vehicles started using the route.

- It is somewhat disingenuous to suggest that the Handover Records had been misunderstood and no evidence to that effect has been discovered. As far as the records demonstrate the Parish Council's concerns were investigated and the Council's conclusion was that the route was a UCR and therefore could not be recorded on the Definitive Map. There does not appear to be any evidence to suggest that the Parish Council had subsequently challenged that decision.

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- The Parish Council's 'appeal' was in 1951 and this may be regarded as the time the status of the route was confirmed as being a public vehicular road. Consequently, it may also be considered disingenuous to suggest that it was only following the removal of the 'unlawful' gate that there were suggestions that the route was of a higher status, how higher could it get?
- Furthermore, it is entirely incorrect to suggest that use by vehicles only commenced following the removal of the 'unlawful' gate. The user evidence indicates that use with mechanically propelled vehicles is recorded as early as 1935. Further evidence of use with MPVs, from 1969 onwards, has also been provided, which took place some 15 or 20 years prior to the removal of the 'unlawful' gate.

The analysis continues by stating that as the historical evidence suggests that the route was a bridleway the user evidence requires consideration in order to determine whether any higher rights have come into existence.

- I have difficulty with this conclusion as it simply disregards compelling evidence that has been in the custody of the Highway Authority for some 90 years or more. As has been clearly demonstrated the historical evidence indicates that the status of the route was brought into question and investigated by the Highway Authority during a statutory procedure, namely the compiling of the Definitive Map during 1951. Their conclusion was, by reference to the evidence and records available and known to them at that time, that the route was a public vehicular highway.

There then follows an analysis of events rather than of the user evidence. It is suggested that the evidence provided demonstrates that the removal of the 'unlawful' gate was challenged and that the landowner was threatened with police action for obstructing the route. This, it is suggested, would indicate that the start of the main use with MPVs was done through force.

- No evidence has been provided to support the conclusion that the removal of the 'unlawful' gate, which was causing an obstruction, was challenged by the landowner. No records have been alluded to that would suggest the landowner contacted the Highway Authority at the time nor does it appear that the landowner brought the matter to the attention of the police. In light of this it may be considered that the landowner, in taking no action, was in fact acknowledging they were in the wrong.
- As discussed in paragraph 11 above (Gate Removal), I would submit this was not a challenge to the use of the route with MPVs but simply represents a temporary inconvenience to some MPV users, an unlawful obstruction, which arose through the inconsiderate actions of the landowner and which the Highway Authority appears to have ignored. The evidence indicates that the main use with MPV's did not commence from this time as the route had been used for many years with MPVs whilst this 'unlawful gate' was in place and continued after its removal.

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- Whilst I would not generally advocate the removal of an obstruction, a nuisance, by force, there exists an ancient principle of common law that a person who suffers damage from the existence of a 'nuisance' is entitled to abate or remove it.
- This is eloquently described in the judgement of the case of *Dimes v Petley* 1850 when Judge Campbell (LCJ) stated that *"if there be a nuisance in a public highway, a private individual cannot of his own authority abate it, unless it does him special injury, and he can only interfere with it as far as is necessary to exercise his right of passing along the highway; we clearly think he cannot justify doing any damage to the property of the person who has improperly placed the nuisance in the highway, if in avoiding it he might have passed on with reasonable convenience"*. The 'special injury' referred to is the inconvenience of being prevented by the presence of the obstruction from exercising the right to pass along the highway.
- It remains a principle of common law that an individual may remove as much of an obstruction as required to permit their reasonably convenient passage. As the presence of the 'unlawful' gate prevented the user from exercising their right to pass along the highway and in order for them to be able to pass, it required its complete removal, not just its partial removal, the user exercised their common law right to 'abate' what was necessary for them to continue along the highway.

The 'analysis' continues by exploring possible dates as to when the status of the route may have been brought into question. It is suggested that there are 4 possible 'events', which comprise of (1) the removal of the gate, (2) a letter received from the National Farmers Union on behalf of the Landowner, (3) the first appeal for user information or (4) the consultation.

The report as a whole is poorly structured, confusing and misleading. The analysis of the user evidence appears particularly haphazard. In order to determine when public rights were brought into question this has to be done in accordance with what is required by statute. Section 31 of the Highways Act 1980 says that where a way has been used by the public as of right for a full period of 20 years it is deemed to have been dedicated as highway unless there is sufficient evidence that there was no intention during that period to dedicate it. The period of 20 years is counted back from when the right of the public to the use the way is brought into question.

17. Date Rights Brought into Question

The following events may be considered as events that may have brought rights into question.

- The removal of the gate, which is said to have taken place in 1984. As discussed above the removal of the gate, whenever that may have occurred, constituted the exercising of a common law right to the removal of a nuisance that was preventing the lawful use of the highway and as such would not constitute a challenge to the use of the way with vehicles. There are no records of the user(s) being challenged as to their use of the way with a vehicle.

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- The letter from the National Farmers Union, which is said to date from 1986. This letter, which has not been disclosed, does not constitute a challenge to the use of the way with vehicle. If it were a challenge, it would be a reasonable expectation that the landowner would have requested that enforcement action be taken to prevent the unlawful use. However, what it does provide is evidence of the landowner's acknowledgement and acceptance that mechanically propelled vehicles used the route and that they, the landowner, would prefer that the route be reclassified or downgraded to the status of a bridleway.
- The correspondence said to have taken place between the Parish Council and the Highway Authority between 1996 and 2000 has not been disclosed, nor has it been discussed within the body of the report as one would expect. To insert it randomly into the reports conclusion serves no useful purpose other than to confuse matters as it does not provide evidence of the rights being brought into question and therefore cannot be taken into account.
- The appeal for user evidence is said to have taken place in 2004, it is unclear whether the Council initiated this investigation or some other event brought the rights into question. Nevertheless, it appears it was sufficient as the public felt it was necessary to respond with details as to their use. As such it is reasonable to take this as a date when the rights of the public were brought into question.
- The consultation that took place in 2007 is a further event that can be considered as bringing the rights of the public into question.

It is therefore considered that the earliest evidence of a date of a challenge to public use of the Order route with vehicles is the 'appeal' for user evidence that took place in 2004.

The relevant period of use by members of the public, as of right and without interruption, to establish rights by presumed dedication under Section 31 of the Highways Act 1980, is therefore taken to be the period of 20 years or more prior to the date the right to the use of the route was brought into question, namely from 1984 to 2004.

A total of 75 witnesses provided evidence of their use of the route. A number of witnesses did not use the route, by any means, throughout the 20 year period. 23 witnesses have stated that they used the route throughout the period dating from 1984 to 2004. Of these 19 used the route on foot, 5 on horseback and 8 with MPV's. Note, the figures do not correspond as several witnesses used the route by more than one method.

The earliest evidence of use dates from 1912 which was on foot. The earliest use by MPVs is 1935 and that on a horse is 1959. There is clear evidence of use by the public in vehicles that commences in 1969-70 and which continued to 2004 and beyond.

Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to Newnham Lane GR SP1759-6030

The simple table of use shown below demonstrates how this use was undertaken throughout the period 1984 to 2004. In 1984, there were 25 users on foot, this remained static until the mid 90s when use on foot increased from 30 users in 1996 to 41 in 1984. Use on horseback amounted to 4 in 1984, again this remained static until the mid 90s when by 1996 use had increased to 9 users, use slowly increased to 18 users by 2004. Use with MPVs amounted to 8 in 1984 and had risen to 12 by 1986 slowly increasing throughout the period to a total of 22 users in 2004.

EVIDENCE OF USE 1984-2004				
YEAR	FOOT	HORSE	MPV	CYCLE
1984	25	3	8	
1985	25	4	11	
1986	25	4	12	
1987	25	4	12	
1988	25	4	12	
1989	25	4	12	
1990	25	4	13	
1991	22	4	13	
1992	23	4	14	
1993	24	4	14	
1994	25	6	14	
1995	26	6	15	
1996	30	9	16	
1997	32	10	16	
1998	35	12	16	1
1999	36	12	19	1
2000	35	12	20	1
2001	37	13	21	2
2002	38	14	21	2
2003	41	17	22	2
2004	41	18	22	2

The above clearly demonstrates that the route has been used throughout the 20 year period by the public on foot, horseback and with MPVs. Section 31 of the Highways Act 1980 now requires consideration as to whether the landowner(s) communicated any lack of intention to dedicate during the relevant 20 year period.

There is no evidence that the landowner erected any signs, directly challenged any users or deposited a statutory declaration/statement under Section 31(6) of the Highways Act 1980. It may be suggested by some that the narrowing of the way by the erection of a smaller gate and fence demonstrated a lack of intention to dedicate. However, for the very same reasons that these actions were insufficient to bring rights into question they are insufficient to demonstrate a lack of intention to dedicate.

**Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add
Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to
Newnham Lane GR SP1759-6030**

The above demonstrates that the tests under Section 31 of the Highways Act 1980 have been met and therefore a public highway has been dedicated which, given that the nature of its use is mainly on foot and horseback and after consideration of its character, would be of the status of a Byway Open to All Traffic.

18. Conclusion

In conclusion, it is clear that the historical evidence considered is sufficient to demonstrate that the Order route is an historical public vehicular highway and those historical vehicular rights are not affected by their presumed extinguishment under the Natural Environment and Rural Communities Act 2006 having been preserved through the exemption provided under Section 67(2)(b) of the Act.

However, should you for some reason not be persuaded that this is sufficient to demonstrate that mechanically propelled vehicle rights exist then you are invited to consider Section 31 of the Highways Act 1980 and must agree that the evidence presented demonstrates a right to use the way with mechanically propelled vehicles. and as those rights have been saved by virtue of the fact the way was recorded on the List of Streets (Natural Environment and Rural Communities Act 2006) that a Byway Open to All Traffic should be added to the Definitive Map of Public Rights of Way.

**Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add
Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to
Newnham Lane GR SP1759-6030**

APPENDICES

Appendix 1 Ordnance Survey Drawing 1814 (Draughtsman Robert Dawson)

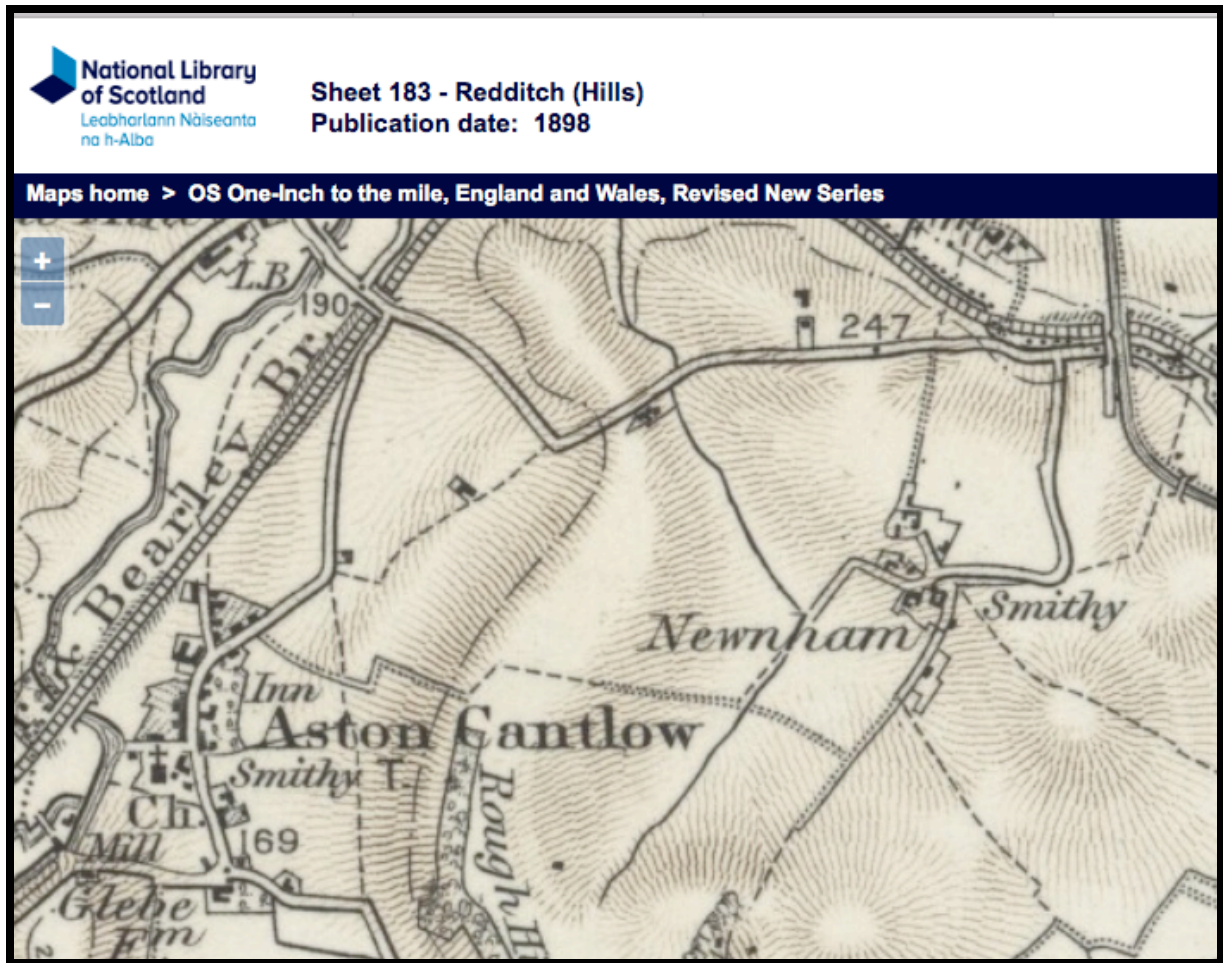


Appendix 2 Ordnance Survey First Series 1 inch to 1 mile 1831



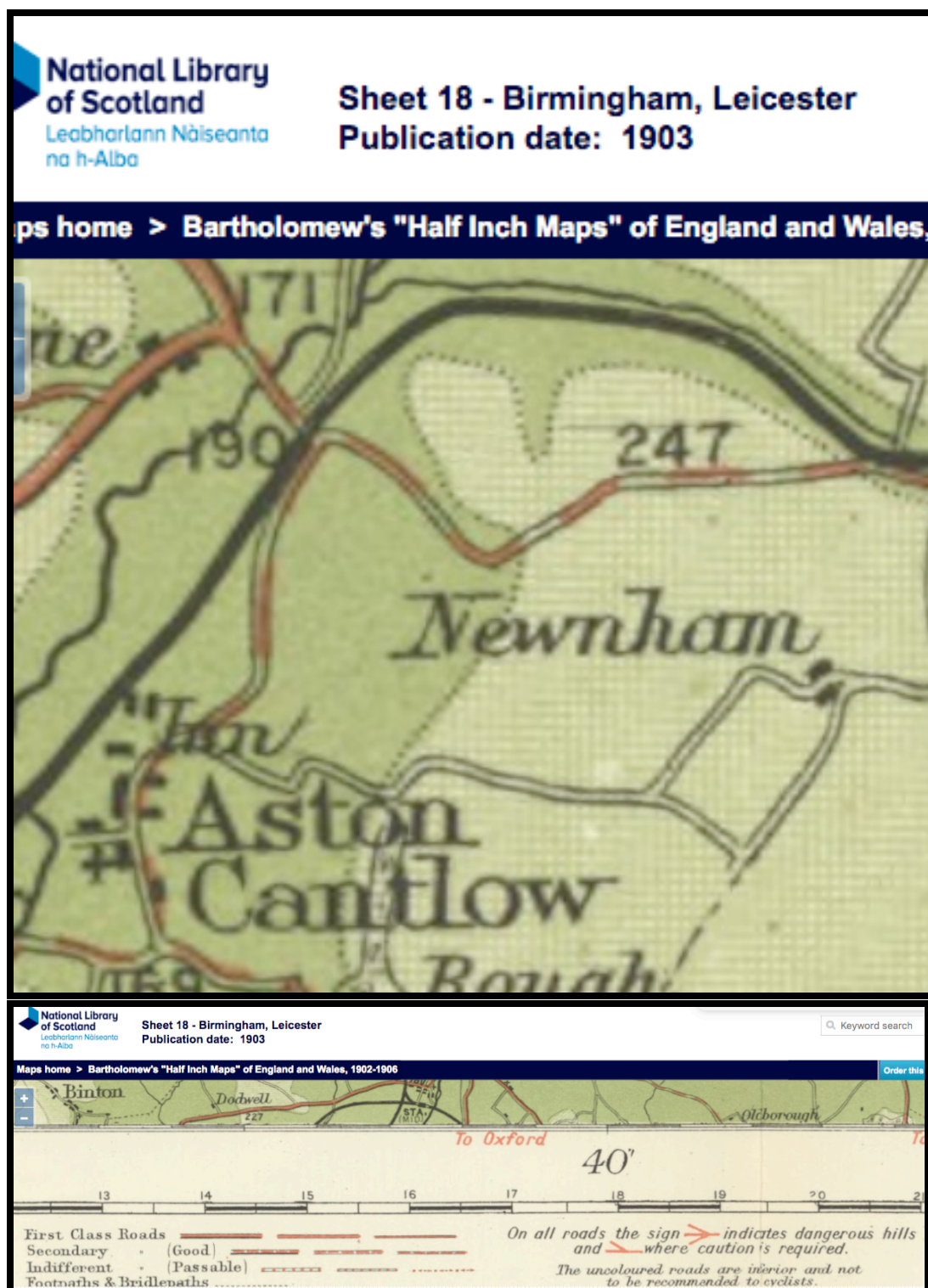
**Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add
Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to
Newnham Lane GR SP1759-6030**

Appendix 3 Ordnance Survey Revised I Inch Map 1898



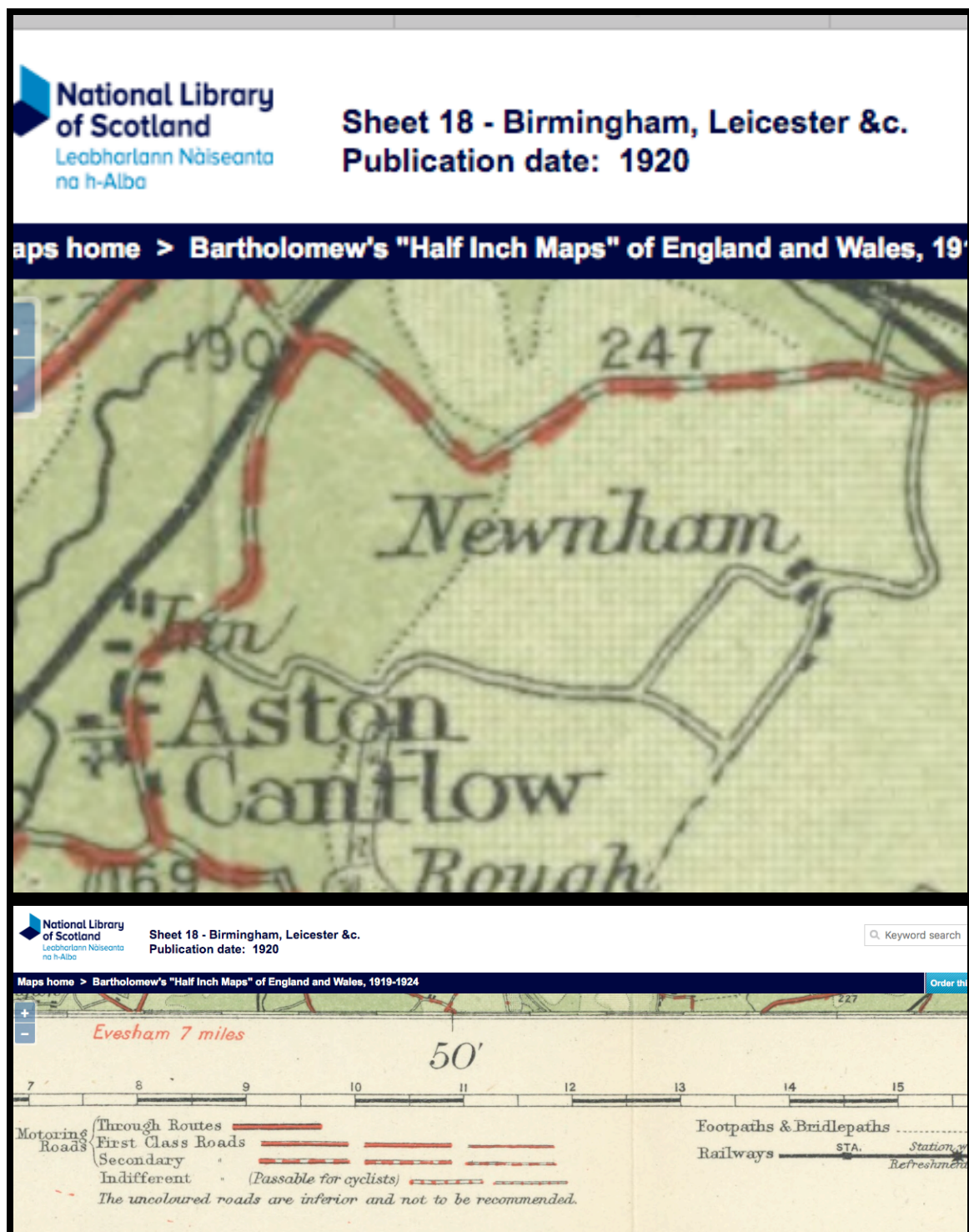
Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to Newnham Lane GR SP1759-6030

Appendix 4 Bartholomew Map 1903



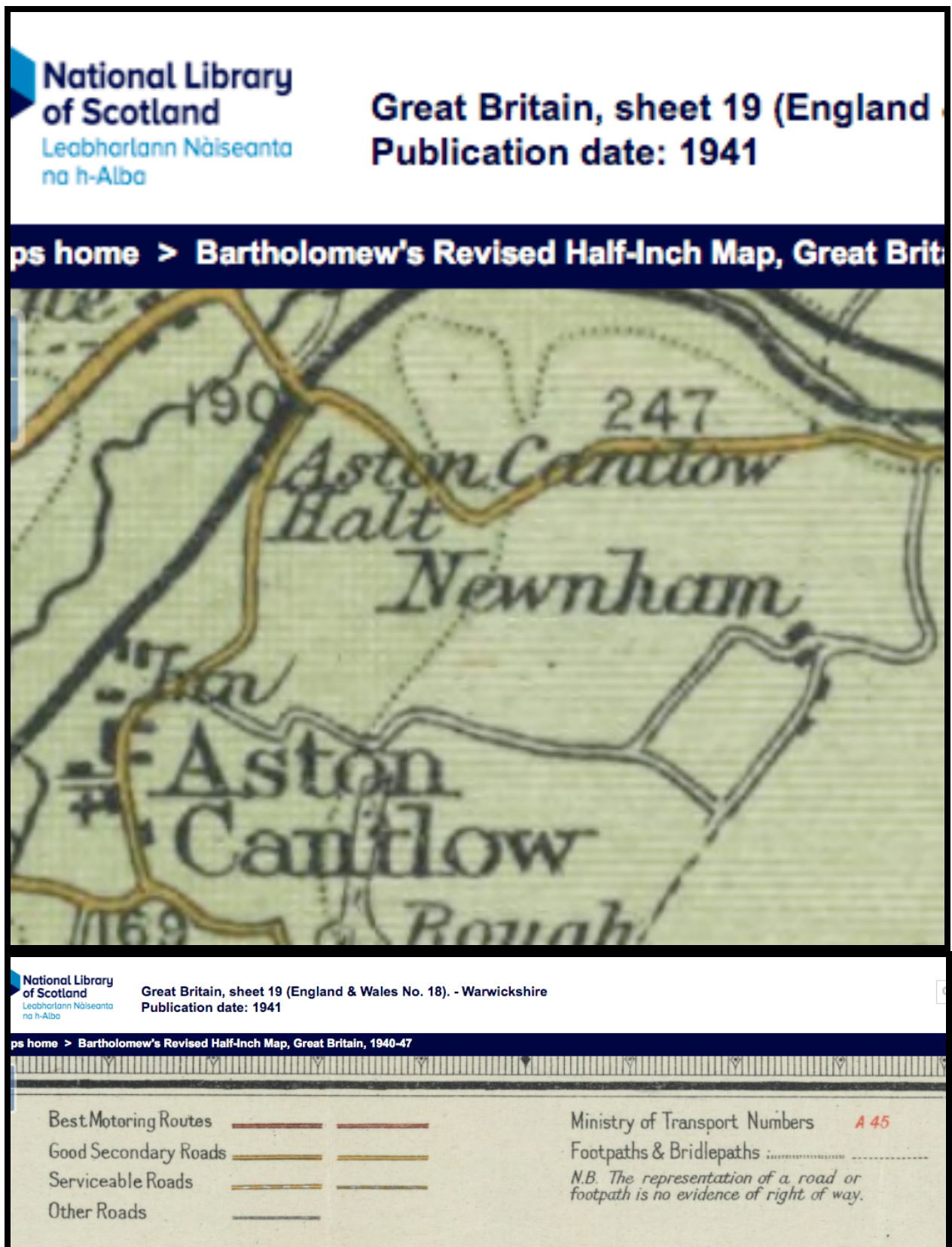
Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to Newnham Lane GR SP1759-6030

Appendix 5 Bartholomew Map 1920



**Objection to Definitive Map Modification Order in Parish of Aston Cantlow – Add
Public Bridleway (AL223) leading from Bearley Road OS GR SP1402-6107 to
Newnham Lane GR SP1759-6030**

Appendix 6 Bartholomew Map 1941



25, Lauds Road

Crick

Northants

NN6 7TJ

16th July 2019

Re: Warwickshire definitive map modification order Aston Cantlow path
AL223

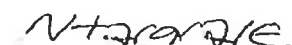
Dear Sir/Madam,

Please be advised that I object to this order. I have used this road (E5310 & E5341) on the list of streets since 1975. I ride this route, which is an unclassified road on a regular basis. The last time I used it was in June of this year.

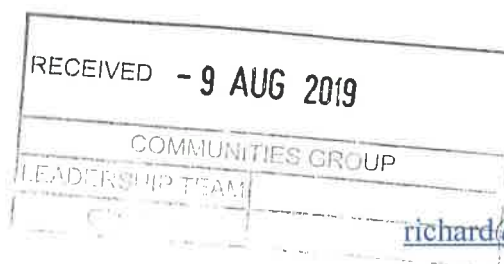
This road forms part of a route which I use for recreational purposes. I have always found it to be in a reasonable condition, passable at all times of the year.

It is unfair and biased against motorcyclists for councils to re-classify old county roads in favour of pedestrian usage, as motorcyclists do form part of the local community.

Yours Faithfully,



Nicholas Hargrave



7 Poverty
Astwood Bank
Worcestershire
B96 6DG

6 August 2019

Dear sir,

Order to modify the Definitive Map and Statement – Order No. 2019, Path No. AL223

I object to the making of any order which seeks to change the status of the vehicular Unclassified County Road which runs from Aston Cantlow to Newnham, Warwickshire.

Over all of the years from 1986 until today's date – 33 years - I have used this county road as of right on my motor bike.

I have evidence of the status which I am prepared to give in person at any Public Inquiry which may be called, and I reserve my right to speak at any PI.

Most tellingly, some of this information is shown on Warwickshire County Council's own documents, and, in the first instance, I refer you to maps numbered in the sequence 16100/1/xxx held by respective divisional depots of the county surveyor's department, at the time it was headed by J Vallis (1960-1970s?)

Their purpose was in connection with each divisional highway depot's lengthsmen and their maintenance of vehicular highways. Ascertained from the LIST OF STREETS.

Please confirm you still have this adjunct to the list of streets which the WCC has always been required to hold since 1929.

Please note my objection, and keep me fully informed of future developments.

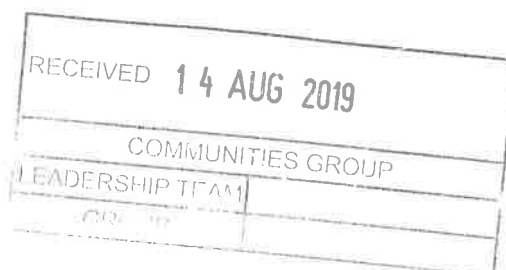
Your faithfully

Richard Hawker

To:-

Strategic Director,
Communities Group,
Warwickshire County Council,
Shire Hall,
Warwick,
CV34 4SX

Mr M Ryder
Strategic Director for Communities
Warwickshire County Council
Shire Hall
Market Place
Warwick
CV34 4RL



10th August 2019

Dear Mr Ryder

RE: Order No. 2019/Path No. AL223 - To Modify the Definitive Map Statement

Further to the above Order, I wish to formally log my **objections** to the downgrading modification of this road to a bridleway.

I have been using motor vehicles (both 2 and 4 wheeled), on what I believe is the E5341 Road, since around 1982, travelling to and from Stratford Upon Avon and various destinations east of Redditch - the road has signs at either end showing it to be a public road.

Over this period I have never been approached or stopped by anyone about my use of this road and I wish to be able to continue to travel on this road in the future.

Yours sincerely

Mr D Hayter
4 Thruxton Close
Redditch
Worcestershire
B98 0JN

Warwickshire Definitive Map Modification Order No. 1 2019 Aston Cantlow Path AL223

Robin Hickin <r.hickin@prduk.com>

Tue 16/07/2019 11:20

To: Julie Inman <julieinman@warwickshire.gov.uk>

Cc: Keith Davenport <keithdavenport@warwickshire.gov.uk>; Country Paths <paths@warwickshire.gov.uk>

For the attention

Mark Ryder, Strategic Director, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX

I am writing to formally object to the above order posted on site 12th July 2019

I have used this road on many occasions firstly in 1990's and numerous occasions since.

It has formed an important link while using green roads (E roads) in the area.

I understand that it has been on the List of streets since its establishment as an Unclassified County Road and therefore, use by MPV's is considered the legal use of the Carriageway.

Under the establishment of the Definitive Map and Statement in the 1950's the road remained as an all-purpose carriageway while many routes around it and connected to it were included on the DMS.

This would appear to be the correct conclusion at that time and nothing has changed that position to my knowledge.

There are a number of other ROW, footpaths and Bridleways that terminate on this road and as such one would have assumed that if there was an error of recording

this would have been highlighted without a delay of nearly 70 years.

This would especially be the case as the parish council was instrumental in providing the details of local footpaths and Bridleways during the establishment of the original Definitive Map and Statment.

Robin Hickin
42 Model Village
Long Itchington
Southam
Warwickshire
CV479RB

Please advise if you need this correspondence to be in a letter or other form.



Virus-free. www.avast.com

1 Foxley Close
Newcastle upon Tyne
NE12 6FX
hodology@mac.com

Strategic Director, Communities Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4SX

15 July 2019

Dear Sir,

Re: The Warwickshire County Council Definitive Map Modification Order Parish Of Aston Cantlow SHEETS SPI6SW, SPI6SE, SPI5NE Order No. 1 2019 Path No. AL223

Reference your order of 10 July 2019, on behalf of the Directors of the Trail Riders Fellowship I object to the order on the following grounds.

According to Geoplace the order route embraces *Newnham Lane*, recorded as a highway maintainable at public expense, and that lane's northward continuation into Newnham, similarly publicly maintainable.

It seems to me that this road is an ancient public general-purpose highway, and is not a public bridleway.

Yours faithfully,

Alan Kind

A handwritten signature in black ink, appearing to be 'Alan Kind', written over the printed name.

Meadow Croft, Binton Road

Welford on Avon

Stratford upon Avon

CV37 8PP

25th July 2019

Strategic Director,
Communities Group,
Warwickshire County Council,
Shire Hall, Warwick,
CV34 4SX

Dear Sir or Madam,

I am writing to object to Order No. 2019 Path No AL223. I have used a motor vehicle on this local county road since June 2013, except during the period when Warwickshire Highways placed a traffic regulation preventing vehicular use. I am aware that this road is on the list of streets and has a road number.

Regards,

Alan Jeffers



Letter 1/8/19

RECEIVED 25 JUL 2019	
COMMUNITIES GROUP	
LEADERSHIP TEAM	
GROUP	

Dr Richard Lillington
51, St. Laurence Way,
Bidford on Avon,
Warwickshire,
B50 4FG.

18th July, 2019.

Dear Sir,

I am writing to object to the Definitive Map Modification Order to Aston Cantlow 'Path AL223' otherwise recorded on the list of streets as E5341 / E5310.

I object on the following grounds :

- This is a road with vehicular rights and is recorded as such on the County's list of streets;
- This route is clearly signed as an "Unclassified County Road";
- I have a copy of an excerpt from a map prepared (I believe) by " John W.M.Vallis, County Engineer, Warwick", showing the route;
- I have been a vehicular user of this route for approximately 15 years;
- This is an important part of the road network, connecting Newnham to the nearby village of Aston Cantlow more commodiously than other routes;
- The road is well made and currently in good repair, easily passable by motor vehicle;
- The road has had significant public funds spent on it in the past few years to keep it passable at all times of year, and any reduction of rights on this road would represent a very poor return on taxpayers' money.

In short I strenuously object to any attempt to remove vehicular rights from this right of way.

Yours faithfully,



Dr Richard Lillington

The Warwickshire County Council Definitive Map Modification Order Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE Order No. 1 2019 Path No. AL223.

mikejaye@btinternet.com <mikejaye@btinternet.com>

Wed 21/08/2019 20:18

To: Country Paths <paths@warwickshire.gov.uk>

10 Bridge End,

Southam

Warwickshire

Cv47 1PD

Strategic Director

Communities Group,

Warwickshire County Council,

Shire Hall,

Warwick

Warwickshire

CV34 4SX

The Warwickshire County Council Definitive Map Modification Order Parish Of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE Order No. 1 2019 Path No. AL223

Dear Sir,

I writing to object The Warwickshire County Council Definitive Map Modification Order Parish of Aston Cantlow SHEETS SP16SW, SP16SE, SP15NE Order No. 1 2019 Path No. AL223.

- 1. You will be denying access to people with disability who are only able to use a motor vehicle to use this road. Not all user of this road can walk, ride a horse, ride pedal cycle or an all-terrain wheelchair. Therefore, denying access for all.
- 2. During the Traffic Regulation Order starting 26th March 2016 for 18 months nothing was done to repair the damage to the road. From the junction of AL88 to the field boundary about halfway from point G on your map refence AL223/MEB/OrderPlan-1. This was rutted stone track similar to the surface of F to E on your map during the early 1990's. If the council had repaired the damaged section of the road you could have

stopped motor vehicle users that only drove the road to get stuck and doing more damage to the road. Therefore, keeping the locals and responsible motor vehicle users happy.

Therefore, please keep this unclassified country road a road with motor vehicle rights.

Yours Sincerely,

Michael Jaye

FAO: Mark Ryder. Warwickshire Definitive Map Modification Order No. 1 2019 Aston Cantlow Path AL223

Sam North <sj.north@hotmail.co.uk>

Wed 17/07/2019 17:28

To: Julie Inman <julieinman@warwickshire.gov.uk>

Cc: Keith Davenport <keithdavenport@warwickshire.gov.uk>; Country Paths <paths@warwickshire.gov.uk>

FAO: Mark Ryder, Strategic Director, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX

Dear Sir,

I strongly object to the above order. Proposed path AL223 is the unclassified county road E [5431](#) known as Newnham Lane running from Aston Cantlow to Newnham with unrestricted motorised vehicular access.

I have used Newnham Lane on a motorcycle since [2015](#). I have used it recreationally, for commuting and to visit family. This unsealed road is in more than adequate condition to be used by motorcycles throughout the whole year. I use this road on average once a week and I last road its length on the 16th July [2019](#).

PLEASE ADVISE IF YOUR REQUIRE THIS EMAIL IN LETTER FORM.

Sam North
17 Poland Avenue
Lower Quinton
Stratford upon Avon
Warwickshire
CV37 8QU

Get [Outlook for Android](#)



Butchers Lodge
Main Street
Gilmorton
Lutterworth
LE17 5LT

Strategic Director,
Communities Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4SX

18th August 2019

Order No. 2019, Path No. AL223

Dear Sir or Madam,

I wish to state my OBJECTION to the above order to downgrade Newnham Lane (E5341), Aston Cantlow from a UCR to a bridleway. I have used this county road on many occasions since 1992 using a motor vehicle as transport, and during my use and legitimate access, I have never been prevented or stopped by any member of the public or someone else in authority in using this road.

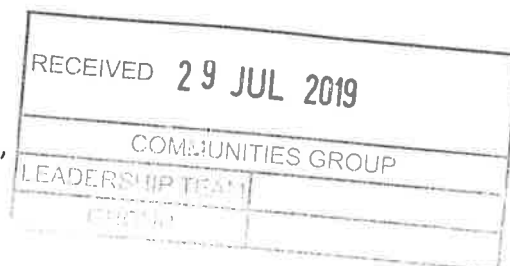
Please record my objection to this proposed downgrading and I would be grateful if you can confirm this letter, and advise if any further information is required.

Yours sincerely,

Andrew L. Peers

1 New End Cottages
Spernal Lane
Great Alne
B49 6HZ

Strategic Director,
Communities Group,
Warwickshire County Council,
Shire Hall,
Warwick,
CV34 4SX



18th July 2019

Ref: Objection to the Warwickshire Definitive Map Modification Order Aston Cantlow Path AL223

Dear Sir/Madam,

I am writing to object to this order as I have used this road (E5310 & E5341) on the list of streets since 2009 and the last time I used it was January 2019.

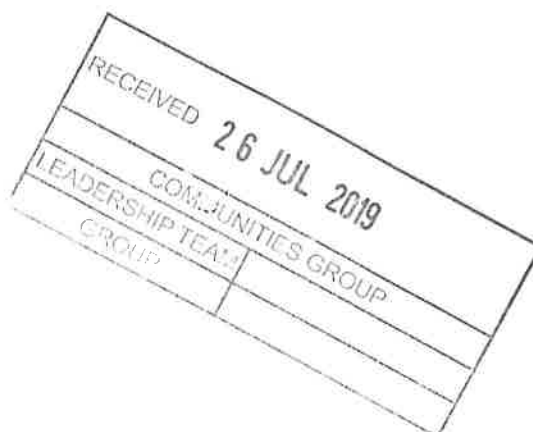
I have ridden this route on many occasions as it has always been signposted as an unclassified road since I moved to the region in 2005. I have since used it as part of the road network as a through road when travelling to meet friends or in a purely recreational purpose as I have long regarded it as a legal road! The road surface changes throughout the length of the road from resurfaced sections at the Aston Cantlow end, to a ploughed field towards the start of Newnham Lane; though it has always been passable on a motorcycle.

I would appreciate a response to confirm you have received my objection to this modification order.

Yours sincerely

Simon Reid

Stockleys Orchard
Banbury road
Pillerton Priors
CV35 0PG
01789 748093
07771 834445
stepneyintysoe@hotmail.com ✓



Rights Of Way Team
Environmental Services
Communities Directorate
Warwickshire County Council

24th July 2019

**Objection to Definitive Map Modification Number 1 2019nPath No. AL233
Aston Cantlow**

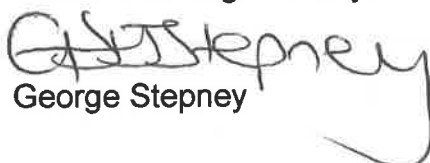
I formerly lived at Bishopton Lane Stratford on Avon and my Father Kenneth Stepney was the rights of way officer for the Trail Riders Federation. Even before the TRF was formed my father and I rode on motorcycles the local routes that were afforded vehicle right status.

Certainly since 1977 when I secured a full motorcycle licence our preferred route was from home along the A34 Birmingham Road to Bearley, left into Salters lane and to Newnham only as the sign indicated. The first and last track of the day was the challenging route down and then later back up the escarpment to and from Aston Cantlow where we would cross the Ford and the other trails in the Alcester Area.

After my father retired he would encompass this route in any pleasure ride at least every other month summer and especially winter. He was still riding off road trails at 83 and passed away in 2015.

I am a member of the TRF still ride as family and lifestyle commitments allow the trail from Newnham remains my favourite route - which I now ride with my 28 year old son on the same motorcycle my father used.

I strongly object to any proposal to down grade or interfere with the vehicular status of this right of way.


George Stepney



Objection to Order No. 2019 Path No. AL2231 message

jonnystone911@gmail.com <jonnystone911@gmail.com>
To: paths@warwickshire.gov.uk

23 July 2019 at 21:14

Dear Sirs

I wish to place on record my objection to this order as I have used this road on numerous occasions over the last 10 years since I was a West Midlands TRF Member.

My use with a motorcycle on this road has always been uninterrupted and it is clearly marked for public benefit.

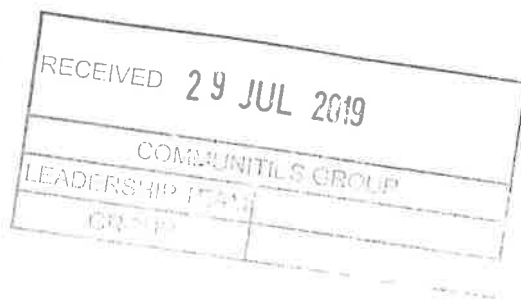
Jon Stone
5 Wynbrook Grove
Solihull
B90 4LY

Sent from my iPad

26th July 2019.

16 Sedge Avenue ^{F23}
Kings Norton ^{79.107}
BIRMINGHAM
B38 8SJ

The Strategic Director.
Communities Group.
Warwickshire County Council
Shire Hall.
Warwick.
CV34 4SX.



Dear Sirs.

I OBJECT to the Order No 1 2019 Path No AL223.

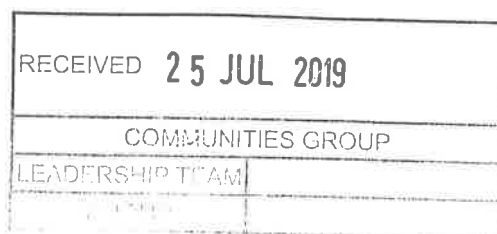
I have used this road regularly on my motorcycle and have always known it to be a road. Since 2009 I regularly use it, on many way visiting friends and for recreational use.

I've used it because it is a road. It is classified as such on the list of streets (road numbers 5301 and 5341) as well as being clearly sign posted as such at either end as an Unclassified County Road.

Yours faithfully,

DAN N. TREWITT

EMAIL DAN.TREWITT@UWCLUB.NET



Mr M Whitehouse
7 Warrington Close
Sutton Coldfield
West Midlands
B76 2BL
19th June 2019

Strategic Director
Communities Group
Warwickshire County Council
Shire Hall
Warwick CV34 4SX

Ref: Warwickshire Definitive Map Modification Order Aston Cantlow Path AL223

Dear Sir or Madam

I wish to object to the proposed DMMO Aston Cantlow Path AL223. I have been using this road (E5310 & E5341) with motorised vehicles frequently since 1999 and most recently last week when I saw your notice of modification, I have always used it in the knowledge that it was a road with E number and on the list of streets. I can see no benefit to any user group from the proposed DMMO.

Can you please confirm receipt of this letter by letter or if by email to mwhitehouseuk@yahoo.com ✓

Yours Sincerely

A handwritten signature in black ink, appearing to read 'M. Whitehouse'.

M Whitehouse

*Ryecot, Owletts Lane,
Wick, Worcs. WR10 3PB*

Telephone 01386 553442

Email mandmwilliams@btinternet.com

Strategic Director

19th August 2019

Communities Group

Warwickshire County Council

Shire Hall

Warwick CV34 4SX.

Order to modify Definitive map and Statement – Order No. 2019. Path No. AL223

Dear Sirs

I have just been notified regarding the above and I feel it is my duty to object to the possible closure or downgrading of this route. I have known this as a vehicle right of way since the early 1960's and have ridden this myself regularly into the mid 1990's. I have not used it recently due to not having a suitable motorcycle.

I feel that we are losing far too many ancient roads and we do not want to finish up in the same situation as we had in the 1950's & 1960's regarding old and interesting buildings being demolished at will.

I wish to speak at any public enquiry into this order to make my objections known.

Yours faithfully

Mr. M. J. Williams

RECEIVED	20 AUG 2019
COMMUNITIES GROUP	
LEADERSHIP	

RECEIVED 22 JUL 2019	
COMMUNITIES GROUP	
ITAM	SHEP
2019	

Strategic Director,
Communities Group,
Warwickshire County Council,
Shire Hall,
Warwick,
CV34 4SX

46 Gerard Road
Alcester
Warwickshire
B49 6QQ

Dear Sir/Madam,

Order No. 2019 Path No. AL223.

I wish to object to the proposed definitive map modification order 2019 Aston Cantlow path AL223. I am local to the area and have been using this road on a motorcycle since the early 1990's. I have never been stopped or challenged whilst using it.

My use of the lane is purely for recreational purposes. I have always found the road to be in good condition all year round except for a small part near Newnham which had been ploughed out by the local farmer. You will see that I have objected to this action in the past and requesting what action the County Council were going to take against the farmer for ploughing out a public road. This objection was registered via your website. Unfortunately the website is not responding and therefore I have written in.

The route at the start and finish is indicated by the Warwickshire County Council unclassified county road sign.

Please confirm, in writing, receipt of this letter.

Yours faithfully,



David A Wright

Contact details

Email: davidawright@hotmail.co.uk ✓

Mobile : 0785 2274466

RECEIVED 25 JUL 2019	
COMMUNITIES GROUP	
LEADERSHIP TEAM	
GROUP	

35 Bonneville Close
Millisons Wood
Coventry

CV5 9QH

18th July 2019

Strategic Director,
Communities Group,
Warwickshire County Council,
Shire Hall,
Warwick,
CV34 4SX

Warwickshire Definitive Map Modification Order Aston Cantlow Path AL223

Dear Sir,

I would like to object to the above modification order as I understand it may lead to restriction of my use of the road. I have used this road (E5310 and E5241) on the list of streets since 2014 and the last time I used the road was 13th July 2019.

I use the road for recreational purposes and to shorten my route.

I have always found the route to be easily passable by motorcycle. The route was graded several years ago to smooth out ruts but even prior to this I always found it suitable for motorcycle travel throughout the year. I have used it in all seasons on both large and small motorcycles and continue to do so.

I consider the route to be a legal road which I should be able to use for travel on my motorcycle and object to any action by the Council, or others, which may restrict my access.

Should you wish to discuss my object with me further I can be contacted by email on chris@yarwood.online or by telephone on 07776 247250

Yours faithfully


Chris Yarwood CEng FIET

11 Thornley Close
Radford Semele
Leamington Spa
Warwickshire
CV31 1UL
14/08/2019

Dear Sir or Madam,

I am writing to you with regards Warwickshire Definitive Map Modification Order 'Aston Cantlow Path AL223'.

I object to this order as I have used this road (contained on the list of streets as E5310 and E5341) since 2009, and the last time I used this road was in 2018. I have used the road on both motorcycle and in a car.

I have always ridden/driven this route and regarded it as a legal road as it has always been sign posted as an unclassified county road since I first used it in 2009.

I have used this road for recreation as part of the network of un-surfaced roads that are legal for motor vehicle use and have always found the road passable.

I plan to continue to use this road by motorcycle or car, and as such, object to its proposed change of status.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Adrian Young', with a stylized flourish at the end.

Adrian Young

F29
79.113
EDGE HOUSE
EDGE LANE
HENLEY IN ARDEN
B95 5DS
26th JULY 2019

RE WARWICKSHIRE DMMO ASTON CASTLE
PATH AL223 - ORDER 1 OF 2019

Dear Sir,

I wish to object to this order, which appears to attempt to replace a UCR (£5311 and £5341). I have used this road since 2016 up to the current day without legal incidence. I obeyed the TRO which was applied to these roads within these dates. I have both walked and motored on these roads for pleasure purposes. Please acknowledge my objection to the order.

yours faithfully, Martin Young.

MARTIN YOUNG

XH558@YAHOO.CO.UK

11 Hill View Road
Bidford on Avon
Warwickshire
B50 4DT
gfelton82@gmail.com
07870 679406

Strategic Director
Communities Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4SX

Subject: Objection to Order no. 1 2019 Path No. AL223

Dear Sir or Madam,

I am writing to object to the Definitive Map Modification Order as posted on 10 July 2019 as per the above reference, between C100 Bearley Road and D5431 Newnham Lane. I have used this road (E5310 & E5341) on the list of streets since 2008 and the last time I used it was 14 July 2019.

I have used this road for recreational use as well as a route to visit family and friends and have used it at all times of year.

I have used it (on a motorcycle) on the basis of its status as an Unclassified County Road, and therefore presumed it to be a legal road. I have always found the surface to be passable on a motorcycle, no matter the time of year.

If you would like any further information from me on my experiences with the road, please feel free to contact me at the address above or by phone or email.

Kind Regards,

Garret Felton

direct line 413421
fax (01926) 413418
minicom (01926) 476817
email paulwilliampt@warwickshire.gov.uk
your ref
my ref npw/cr/E5341
your letter rec'd
date 09 December 2003

Countryside Recreation
Unit 11
Montague Road
Warwick
CV34 5LW

Mr W.A.Evans
Roughwood Cottage
Aston Cantlow
Solihull
West Midlands
B95 6HS

www.warwickshire.gov.uk

Dear Mr Evans

Proposed reclassification of E5341 - Newnham Road as a public bridleway

As there seems to be some uncertainty about what is required to enable this case to move forward, I felt that it would be helpful to briefly recap on the current position.

The County Record Office has now reopened and after the inevitable settling in period, it is again possible to carry out effective research.

At our meeting of 18.3.2002 and in my letter of 2.10.2002, I noted that the statements of local residents, supplied by the Parish Council, contained valuable information. However presenting that evidence on the County Councils standard witness forms would greatly increase the potential value of these statements. In my view, although collecting additional statements is frustrating, it would be unwise not to exploit every advantage. I have therefore enclosed 10 copies of the appropriate forms. Please ring me should you need more.

The County Council will act as the applicant in this case and serve all the necessary notices. However I must first be in possession of all the available evidence, including the revised witness statements – as there is a right to demand access to that material. May I also ask how far back in time you hold Parish Council minutes ? and whether these have references to Newnham Road other than those of 1895 and 1900?

As the case officer, I shall be in a position to take this matter forward in the new year, after receipt of the revised witness statements. Please contact me direct should you have any queries or additional information.

Yours sincerely

P. Williams
Definitive Map Team Leader



21st MAY next
mch

26th March 1996.

[illegible]

E Roads - Aston Cantlow.

much low

Clerk to Aston Cantlow Parish Council.

Rights of Way Survey

Green Lane Association (GLASS)

County: WARWICKSHIRE Locality: STRATFORD-ON-AVON.

Name of Lane: NEWHAM RD. E5341. Approximate Length: 2.5km.

Start: OS151-SP141602 End: 151-SP156598

Notes: ROAD DRIVEN WEST TO EAST.
HEADLAND ACROSS ANDFIELD ONLY 4.0m WIDE (BELOW LEGAL REQ'MENT?),
FOOTPATH (WAYMARKED AT INTERSECTION WITH E5341) PLOWED OUT. (SP143601)
LANDOWNER FROM HOMELEA FARM INTERESTED TO KNOW WHY WERE DRIVING
A BRIDLEWAY! TOOK PHOTOS AND REGISTRATION NUMBERS TO REPORT VS -
DON'T KNOW TO WHOM? ALTHOUGH A PLEASANT DRIVE IT WAS MARRED BY
POOR GROUND CONDITIONS FORCING OUR PARTY TO ABANDON SURVEY AT
FOOT OF CLIMB (SP145601) AND RETURN TO START. HILL CLIMB BADLY ERODED
BY HORSES. MUCH LOCAL OPPOSITION TO VEHICULAR USE, SUGGEST U.R.
NOTICES (HARA) SHOULD BE DISPLAYED TO ADVISE AGAINST WET WEATHER USE.

Weather Conditions ✓			
Dry	Drying but recent light rain	Drying but recent heavy rain	✓ Drizzle
Light rain	Heavy rain	Frost	Snow
Surface Conditions ✓			
Tarmac	Hardcore	Stoney/rock	✓ Chalk
Grass	✓ Packed mud	Some rutting	✓ Deep ruts
Deep mud	Surface water	Deep water	Running water
Gradient/Sideslope ✓			
Flat	✓ Slight	Moderate	Steep
Severe	Slight sideslope	Extreme sideslope	Severe wash-out
V-gulley	Impassable	See Above.	
Width and Height Clearance ✓			
Wide enough to pass	More than 7ft wide	Adequate	Undergrowth touching
Interference fit	✓ Badly overgrown	Fallen trees	Adequate height clearance
Low branches	Extremely low obstructions	See Above.	
Degree of Usage ✓			
Daily	Frequently	✓ Occasionally	A few times a year
No use for years	✓ Farm traffic	Trail riders	✓ Horses
Walkers	✓ Mountain Bikers	✓ Other	
Degree of Difficulty/Aesthetics ✓			
No experience needed	Can be driven alone	Experience advisable	✓ Two vehicles minimum
Difficult	Hazardous	✓ Uninteresting route	Points of interest
Attractive route	Outstanding route		
Obstructions ✓			
Fences or locked gates (Inform County Council)		Abandoned vehicles (inform Police)	
Vegetation (see Width & Height Clearance)		Terrain (see above)	

Observations [LOCAL VILLAGERS LIVING OFF GR. TO LANE @ SP141602 VERY ANTI VEHICULAR USE
OF THIS ROAD. TOOK PHOTOS ETC OF US USING ROAD, SUGGEST U.R. FOR WET WEATHER?]

Date of Survey: 13th DECEMBER 1998 Vehicle(s) Used: RANGEROVER (3RD) PATROL.

Name of Surveyor: HYWEL TIDLEY

Address: 5 HOLLY DRIVE, LOTTERWORTH, LEICS LE17 4RR.

Surveyor's Signature: [Signature] Witness's Signature: M. E. Tidley

Address: See Above

Date: 13/12/98