

1) 02 January 2017

"I write in objection to two cases of landowner attempts to mislead the public by installing gates and notices , illegally disclaiming public rights of way by usage and claiming instead " permissive access only " .

The first case is the one in Stratford sub castle (I think it is on council notice of relocation ref: 24) . going north and meeting the lane which goes to both a footpath to Old Sarum and the road at the top of the lane , via a stile .

First , the landowner allowed a hedge to grow across the former right of way , making it impassable and at the same time installed a gate at the other end , permanently locked . Then the landowner created a different pathway , with the legend , " permissive access only " . In which case , of course , being a NEW PATH , it could thus accurately and legally be described , potentially .

The second case is the path that goes from the same access point , but in a south-easterly direction , and where it turns east up to Old Sarum , diagonally across a field , without gates or restrictions for as long as I remember (40 years approx) .

Where , the year before last , the landowner installed notices claiming " permissive access only " followed mid last year by a multiplicity of elaborate unnecessarily sturdy gates , restricting access to the junction of directions , formerly totally left open . These gates are now equipped with notices claiming permissive access and protected behind elaborate chicken wire construction of the gates .

Apart from these landowners' blatant abuse of their privilege and the law , there can be no practical reason for their deviousness , apart from preparing their way to sell the land to developers in the near future , which the existence of a public right of way across its middle would negate .

The new planning laws facilitate the exploitation of prime sites commanding the greatest profits for landowners and developers in formerly protected areas and it might be expected that the council would be expected to be vigilant in guarding against the destruction of our uniquely beautiful , rural city and the county , in exchange for short term private profits .

Existing homes can only be devalued by such careless lack of foresight and it is extremely negligent of the council in their duty to protect the public first , not corporate development interests , to be seen to be leaving it up to the already overworked , ill equipped and ill informed public to struggle against the extraneous interests constantly bombarding their rights to peaceful security and quality of life .

In many other cities and towns historic monuments have long been reduced to mounds forming the centre of traffic roundabouts ; the roundabouts surrounded by housing estates and industrial complexes .

Salisbury is rapidly becoming a town identical to the others en route from London to the west country , before it , nightmare clones , where over-development is IN FACT creating THE MARKET FOR ; not quote " a housing shortage " at all , for people escaping the noise and chaos of over-development elsewhere .

Corporate planning policies have not led to wealth , but massive , undeclared National Debt :

The IFS 2013, " Total National Debt in PPFs ; PPIs ; corporate subsidies and pension liabilities , are not required to be submitted for public audit purposes . Economists estimate the true figure to be at least £ 10 tr " .

Property developers are financed by loans from tax-payers ; subsidized by gov. grants ; and both , in turn guaranteed by tax-payer's pension funds as THE UNDECLARED GREATER PORTION of National Debt .

Wiltshire Council can use the vestiges of the little remaining , existing public rights to reduce the impact of gov. unsustainable policies ; the destruction of the environment and protect Wiltshire resident's rights and current quality of life , little as they may already be .

At present Wiltshire Council is bending over backwards to facilitate mass destruction and mass enslavement policies through its planning dept. "

2) Wiltshire Council's response:

"Thank you for your e.mail which has been forwarded to me to respond to. I am unclear as to whether you are referring to the case I am dealing with and accordingly have also forwarded your e.mail to the rights of way warden for the area, Nick Cowen.

I am the case officer for an application to divert a short section of Salisbury 6 (Dairy Cottage to Parsonage Farm) and to extinguish a section of the used path. The public have not been able to walk the definitive line of Salisbury 6 at this location since at least 1960 and the two Orders that have been made seek to correct this anomaly and to move part of the path to enable a permitted development to proceed. Please find attached a copy of the Council's decision report as this explains the situation here, and what is it is hoped to achieve with the two published Orders.

If you would like to object to either Order then you must follow the prescribed method as detailed in the public notices, please note the timescale. These are on site, were published in the Salisbury Journal on the 22nd December or are attached here.

If, having read the report, you have any queries, please do not hesitate to contact me."

3) Ms Fulton 04 January 2017

"I am unsure why you appear to say that my objection is not valid , the only thing I can deduce is that perhaps it must be sent in the post ? I am sending a copy in the post on that basis .

Please note that I fail to see your reference to" a path not having been used since the 1960s " , since the path which is the subject of the notice has been the ONLY one in existence for at least the past 15 years , to my own knowledge .

Please note also that I am claiming that the landowner effectively closed the path informally almost a year by active obstruction , then more recently constructing A BRAND NEW PATH.

I would say , that by complicity with legitimizing the new path IN FACT ILLEGALLY , the council are taking upon itself to ignore public rights of way legislation , by leaving it up to the public to object and prove right of way , which is NOT up to the public to prove usage , when clearly the fact of historical usage , is not capable of dispute .

The council is acting complicitly with landowners in allowing them to close public paths at will , through slightly altering their position , thus altering their legal status from " a public right of way " , to " a permissive path , whose access may legally be withdrawn at will and at whim by privilege "

Further the council are deliberately misleading the public , by publishing a one sided case for endorsement of a new path , as though it was a matter of a trivial alteration , not a fundamental illegality and of potentially devastating consequence to the environment ; devaluation of existing homes and the city as a whole ; and by a gross overriding of both the law and actively abolishing , the little rights remaining to the public against industrialization of the environment and enslavement as an ideological goal .

I also object , that you have ignored my complaint against another identical and illegal practice nearby , of which I am sre the council is already aware , but can easily check out if they are so inclined , I have perfectly adequately detailed the location of this second criminal offence of " obstructing a public highway " .

Please note , that I am reporting two cases of criminal activity , not simply objecting to illegal behaviour of the council in trying to provide cover and propaganda to facilitate crime .

The public are already abandoned by the council to fight development of meadows across the other side of town and the same is proposed around Old Sarum .

Clearly , even if the bogus 'reason' of 'homes shortage' is accepted , THE NEED to provide necessarily highly lucrative developments in historic and formerly protected countryside areas for those privileged to afford to buy it for their own private use , is NOT credibly covered by it . "

4) Wiltshire Council's response

"I can only advise that your objection makes it very clear to which Order you are objecting, since the Council has made 2 and the legal arguments are distinct in each.

The process is very strictly prescribed by the law and the Council is obliged to follow it. Accordingly, and to avoid confusion at a later date (the matter is likely to be considered by the Secretary of State) I would urge you to be sure that the terms of the notice are adhered to."

5) Ms Fulton 04 January 2017

"Thank you for your prompt reply .

However in point of fact there are no" restrictions on the 'order' " , (to quote you) notice of the 24/6 path :

I quote (approx.) " The use of the new (illegal) path is recommended , since using the (legal) old path entails climbing over the gate " .

Please note also , that the second path , I am attempting to draw your attention to is in quite another location altogether , although it may be the same landowner for all I know . .

There is no COUNCIL made order or notice of any kind .

But somewhat identically to the first path and the one from meade bridge , before that , elaborate gates have been constructed, which obstruct a number of former junction of public pathways and which each contain notices made by the landowner ONLY .

These notices , attempt to deny laws of public rights of way by usage and attempt to legally reverse the public right of way , by claiming access is "permissive only ,(and furthermore)permission is given to keep to the edge of the field only " .

The junction of pathways has been open for centuries and the diagonal path across the field ditto is clearly and indelibly marked in the landscape as testimony to many generations of native and tourist's feet .

Apart from illegally obstructing a public right of way ,and putting up illegal notices , there is no possible gain for land that has NEVER been used either for crops or grazing .

The only possible purpose of this criminal activity , is to try to deceive the public into giving the owner the right to close the path dissecting the land , currently preventing its desirability to sell for building on .

I contend that in both cases the council , far from turning a blind eye to illegal practices and assisting in public deception , the council should be serving the landowners notices to take down illegal constructions and notices or be criminally prosecuted with obstructing the public highway .

I have very clearly described the location of the second instance of illegalities on public rights of way in my first letter of complaint and I would be grateful for its acknowledgement , please ."

6) Ms Fulton 05 January 2017

"The council's documentation , justifying the consideration of this application , erroneously declares the application as Quote :

" A diversion of part of the footpath " : NO, it is an EXTINGUISHING of a public RIGHT of way of the ENTIRE footpath .

The entirety of the councils procedure is therefore duplicitous : It describes an order to " extinguish a footpath "as (unstated , being an order) " DIVERTING PART of a footpath" .

The fact that the 'diverted part ' is acting as diversion ! from the fact that public acceptance of the diversion equals the NEW right of the owner to close its entirety at will and the public loses the right to object , is totally ignored throughout the council's public communications on this matter .

The council is PUBLICLY owned and funded and has no right to be acting as instrument to fool the public , in the interests of a few people to make money selling off and building on, not only land currently effectively in public trust , but a major precious remaining , historic and beautiful environment surrounding Old Sarum , which should contrarily have an preservation order made on the entire Stratford Sub Castle and its meadows MADE .

The council furthermore describes the new, shortly-due-for-closure-footpath-in any-case as " an enhancement to public enjoyment "

On the contrary the present footpath is extremely charming as a 'secret' winding way , over styles and through orchards and by barns and horses , which is essential to the experience of THE COUNTRYSIDE for children and adults alike .

The councils suggestion that " its replacement" by a fenced in sterile rigidly parallel path complete with NOTICE stating the servile position of the public 'using it , along with the owner's (NEW) right to close it at whim (perhaps the public could tug their forelock too in salute as they cross) " would be an ENHANCEMENT of the public's experience " , is preposterously ill disguised contempt for anything of value that isn't money . AND ignores its status as a non-existent entity in any case !

The council state that " we are obliged to take into account private interests in our deliberations as well as the interests of the public " hahaha :

NO , on the contrary , the PUBLIC interest ALWAYS . The Council are PUBLIC servants : Not the public's master , and where private interest conflicts with the interests of the public as a whole as well as the ENVIRONMENT and the unique CHARACTER that IS Wiltshire , THAT PUBLIC interest ALWAYS PREVAILS . "

7) Ms P Fulton 09 January 2017

"Please forward all three of my emails to date to the formal objection process .

My address is: 31 Primrose Road

Salisbury

Thankyou

Sincerely P. Fulton .

8) Wiltshire Council to Ms Fulton 23 January 2017

"Highways Act 1980 s.118 and s.119 and Wildlife and Countryside Act 1981

The Wiltshire Council Stratford sub Castle footpath linking Salisbury 24 with Salisbury 6

The Wiltshire Council City of Salisbury (Stratford sub Castle) Salisbury footpath no. 6 Diversion Order 2016 and Definitive Map and Statement Modification Order 2016

I acknowledge receipt of your objection to the above orders. Unless withdrawn these will be carried forward to be considered by the Southern Area Planning Committee at a public meeting. You will be advised of the date and venue in due course.

I am concerned that you have misunderstood the purpose of the Orders. If confirmed the path that is currently marked as a permissive path would become the definitive line of the right of way and would be recorded in the definitive map and statement and offered the same protection in law as any other duly recorded public footpath. It would not be permissive."

9) Ms P Fulton 23 January 2017

"Can you let me know please ,if you have received my written objection , which was sent by special delivery , supposed to be guaranteed to be delivered before 1pm today .

The point about the permissivew path is FAR from being the main objection , but as a matter of fact NOWHERE in the documentation is the status of any new path written as a statement ogfguarantee to the public . in itself that is not proper and legal procedure ,

Indeed it is a symptom of the contempt which the council holds for public interests and indeed the historic county of Wiltshire ,, contrasted with the public money being spent on behalf of the applicant in its acquisition for private profit , to concrete over the greenbelt .

THAT is my fundamental objection.

The creeping development of the landscape around Old Sarum is rapidly turning what was the ' landscape of Old Sarum into an industrial complex and vast housing estates with a (BARE !) mound in the middle of it .

ALL building 'development MUST have a strict line drawn , thus far and NO further . The people who live in the area are privileged to have the entire landscape on their doorstep , if they want money instead and a nd views of their own garden , there are plenty of other places to do that , where the country is already poisoned with concrete and noise ' and houses for cars to live in ., which don't involve poisoning the preciously rare , rural and historic environment, that is Wiltshire :

That is the real job , the council are entrusted to do .: Represent the interests of the many , not the few , because in the end all people suffer , when the council acts in the interests of making a fast buck , irretrievably concreting over the green powering the earth and ALL QUALITY of life for the sake of corporate welfare ."

Composition of e-mails to 17 February 2017.

Plus the following submission sent by post:

Please find enclosed my objection to SHREA43 , extinguishing of a Public Right of Way at Stratford Sub Castle path 24-6 , for the purpose of facilitating a private development on, in effect landscape protected by a public Right Of Way.

And the right of the applicant to legalize a new path , already constructed , as a PERMISSIVE path only , which can be closed without right of public objection at the whim of the applicant .

AND to it's being portrayed in the councils' literature as a matter of parity , bY OMISSION OF THE SUBJECT OF PARITY ALTOGETHER .

Please find my objection in 3 parts : 1. OVERVIEW

- 2. Generalpages 1-3
- 3. By The Decision Reportpages 1-7
- 4. By Consultation ProcedureA summary, with 7 pages of exemplary copies of emails as evidential of improper practice. .

Sincerely

Penny Fulton

31 Primrose Road,

Salisbury SP2 9JR

19th January 2017

OVERVIEW

Please note that the entire ostensible Raison d'être for the vast expenditure of public funds involved in the extinguishing of a Public Right Of Way is:

SO THAT, applicant's can, QUOTE : "build a NEW garage over the site of an EXISTING OLD ONE...." :

Which does NOT require ANY changes whatsoever , affecting existing rights of way , obviously .

" ...AND build a new boundary wall... " , UNQUOTE . ."...over historic countryside "

IE , "The applicant wishes to acquire a public right Of Way , to expand their property , for monetary gain ."

As can be seen from the council's report , not only have they invested huge amounts of public funds in the procedures already involved for the purpose of the monetary enrichment of one person , but they are prepared to spend at least a further £ 2, 500 on defending a public inquiry , in the interest of a single person's monetary gain at PUBLIC expense and at the expense of the interests of the environment , historic landscapes , and public enjoyment of the rapidly SHRINKING countryside .

This represents corruption of a 'public ' body in extremis and is a total disgrace .

Please do not endorse such practices, involving the gross misuse of public funds and resources , and misconduct in public office .

**Completed objection to “ Diversion of part of a footpath
“and extinguishment of (a public highway by usage, as
common knowledge and council acknowledgement from
living memory up to the present day)”.**

REF: SHRE43

The Generalized part

OF REASON FOR THE STRONGEST POSSIBLE OBJECTION
ON THE GROUNDS OF:

IMPROPER PROCEDURE AND A LACK OF ALL
CONSIDERATION OF THE INTERESTS OF THE PUBLIC IN
GENERAL ;
IGNORING THE HISTORIC SENSITIVITY OF THE SUBJECT AND
IN THE CONTEXT OF ITS HISTORIC ENVIRONMENT ;
IGNORING OF THE QUESTION OF FUNDAMENTAL CHANGE
IN STATUS OF PUBLIC RIGHTS AND THE RISK OF CLOSURE
OF THE PATH ALTOGETHER AS REPRESENTED BY PUBLIC
FAILURE TO OBJECT TO THE PROPOSED ORDER ;
ALSO FAILURE TO INFORM THE PUBLIC OF THEIR EXISTING
RIGHTS AS WELL AS THE UNCERTAINTIES INHERENT IN THE
DRAFTING OF THE ORDER .

In Addition ; active promotion of private monetary gain;
and at the expense of not only turning a blind eye to illegal behaviour by
landowners , but having total disregard for quality of life for all; ,,
as its entire focus is on ensuring that landowners “can build a garage
over a beautiful public and environmental asset ;
the council demonstrate here that they have no concept of their duty to
prioritize PUBLIC interest over private short term monetary gain ,
throughout the documentation on this matter .

The above said principles which the Council operate on as stated, would find endorsement in the approval of this order. And that would be very wrong and against the public interest.

IN PARTICULAR:

1, There is neither one reference in all documentation or public notices, as to the change in status implications for public right of way in the making of this order, nor explanation of the right or otherwise of the applicant to claim permissive access ONLY on the NEW 'diverted' path .

Neither, necessarily, any undertaking to guarantee or otherwise the same public rights would be transferred if the order were to be approved.

2. The Council gave no details in its advance notice to the Ramblers and the Open Spaces and Footpath society, most notably concerning the fact that the new path, already constructed by the applicant ! complete with "permissive access only notice", fundamentally changes the legal status to being subject to closure, as of right of the applicant at any time, with loss of public right to object, IF no objections are made and the order should be approved .

Related to that omission, the applicants had been allowed to illegally obstruct the public highway, for the past year and half, by allowing a hedge to grow across it and installing a locked gate to prevent access. As the council; were aware.

At that time, a year ago or so, the applicants fenced in a NEW path with a notice stating "permissive path only(, along with a list of conditions by which the public would be permitted to pass)".

This was illegal behaviour and underhand action designed to mislead the public and 'prime' them to believe that they had no ACTUAL: RIGHT to use the obstructed path, in the first place .

I have asked other walkers since the order notice was put *in situ* letting the PUBLIC know at the last possible moment and when people are either AWAY for, or extremely busy OVER, CHRISTMAS ! : they

have not even an inkling of knowledge on matters of public rights of way law nor what constitutes” criminal obstruction of a public highway. These activities being perpetrated over the entire area in question, by other landowners , identically to this case , with the collusion of the council .

The council have deliberately ensured that the public are kept ignorant of their rights and have actively misled the public .

3. The council have and are actively promoting the interests of a private individual to expand their property by acquiring LAND HELD IN PUBLIC TRUST, by deception, quote, approx . “ to remove the obstructions ie the existence of public rights of way, in order to implement the planning permission already granted , to build on the existing public highway” .(Page 1. at 2.4)

The council is not entitled to actively promote the private interests of monetary gain by expanding their property ; by collusion in illegality; by disinformation given out to the public and contrivances by omission and manipulation of who is misinformed and when .

The council is supposed by the public, to be neutral . This order and all its documentation prove, that far from the council prioritizing PUBLIC interest , the quality of the environment , and the preservation of the character and historic nature of the county and those qualities as ASSETS , when in conflict with private profit , the council include no regard whatever to those PUBLIC assets in its official deliberations .

This order is a fundamental matter of the question of ‘what is the proper PUBLIC expectation of the nature and function of public representation by the council ?‘.

Its approval would declare the answer, “to drive forward corporate and property developer’s interests by any means fair or foul and no other ”:

The order is an icon of all the corruption of planning currently being administered , using the council as its apparently willing puppet .

THE DECISION REPORT

OBJECTIONS BY IMPROPER DETAILS , ACCEPTED IN THE REPORT.

Page 1. at 1.0 : (1) “ An application to divert part of Salisbury footpath “

Nb only.

The other actions at (ii) are purely in the interests of (i)

CONSTITUTING DUPLICITY :

**IE. One public notice says, “the extinguishment of a footpath” :
One public notice says, “ Diversion of a footpath “**

**IT cannot be BOTH “an extinguishment” AND “a diversion “
OF, IN ACTUALITY WHAT IS PURPORTING TO BE THE
SAME PATH.**

The phrasing is deceptive and both unites AND separates the two paths .

There is also duplicity in not addressing the fact that the only remaining bit of the right of way, would go nowhere when the new permissive path closes .

**Although it is not explained in any text, the diagrams at Pages 2.11 and page 4. 3.1 both show a (DIFFERENT) ‘pathway’ (STATUS UNSPECIFIED)
joining up with a short ‘ other’ path described and illustrated as
“AN UNAFFECTED RIGHT OF WAY “.**

Proving that the NEW path is permissive : what would be left of the old path would be a public right of way : IE MORE DUPLICITY .

THE ORDER MUST BE EXTINGUISHED BY REASON OF DUPLICITY .

Page 1. at 2.2 :OMITS LISTING : The demolition of a bungalow ; The building of an entire new house .

Why , is anyone's guess :

mine is that it is more deception, to try to minimize the fact that the applicants want to extend a house over ancient green belt associated with a historic site so they can sell it at a higher price , rather than to “ replace a dilapidated garage “ , as the council try to claim .

As the misleading report states .

Neither does the report attempt to define the precise proposed boundaries of the building over of the public footpath .

A vital question for the interests of the preservation of the character of the area and the environment, which the public might have wished to be informed , that their present public highway, acts as a preservation order over .

As would the elderly tenants , who have kept horses there for many years . I have spoken to them and they do not know where the proposed new boundaries are to be , nor whether they will be able to use the old path , a matter that they had taken for granted that they would be so and that it would not be built over

Page 1. at 2.5 There is no reference to the said tenants having been informed or asked for their opinion .

The more privileged, inc. the beneficiaries of the' diversion ' also gaining land held in public trust, were informed of it, at a far earlier date , months in advance of 'the public who actually hold the land in trust on behalf of ALL .'

Page 1. at 2.7 Acknowledges the status of the old path as a public right of way by usage of many more than 20 years .

Yet the council are fully aware, not least by their having received n no objection to the obstructions of the same path and others ,from the public over the past, more than a year !

That for one thing the public are not aware of their rights , and for another, have already been fooled by evidence of acceptance of the new permissive path over a year , that they had also walked the old path in the belief that it was by courtesy of the same private patronage .

The duty to inform the public of their rights should be a MAJOR function of the council; , especially when pretending to fulfil their obligation to " carry out public consultations ".

Page 2 at 2.9 "an excellent opportunity , not only to divert a path... "

Not of itself , any opportunity at all

"to enable a development to proceed..... "

Oh joy of joys ! for one person making more money , than they otherwise would , by acquisition of green-belt, formerly held in public trust , top build on it .

“...but also to resolve an anomaly”

The ‘anomaly ‘ referred to, being a made up ‘existence ‘of yet another path (in yellow) which does not exist IN FACT OF LAW , by reason of “not having been used since the 1960s”, to quote the report .

The reason for this pretended existence is to add a bogus ‘reason to extinguish a public right of way ;

to create confusion ;

and to associate the existence of the actual right of way , with “ anomalies “ IE ‘quaint old fashioned technicalities , OBSTRUCTING the modern world in its BUILDING OVER THE EQUALLY Quaint AND IRRELEVANT GREENBELT , PROGRESS .

PAGE 2. at 2.12 Is proof of the previous point .Here the matters of the non-existent path and the existing public highway , are muddled up and combined here to most incomprehensible effect. AND

“The ‘route’ is currently obstructed , but the council must consider it as if it were open for use “

The ‘route’, being disguisespeak for “ the solid black line “ IE THE IN FACT AND STILL BEING IN FACT , A PUBLIC HIGHWAY .

PROOF That the council knew it (was at the time obstructed ILLEGALLY ! by a locked gate and hedge overgrowth) , Which OBSTRUCTION TO A PUBNLIC HIGHWAY CRIMINAL OFFENCE , THE COUNCIL MUST POROSECUTE :

NOT : " treat it as if it was open and available "

Someone noticed the work of this idiot after the report was indelibly in the public domain and went to work , instructing the applicant to cut the hedge and open the gate , to comply with the law in retrospect . Approximately a week or so ago .

WHAT UTTER NONSENSE .

Page. 4 at 3.1 and 2

Describes " the (new) footpath to be created : it was created more than a year ago , and in use for all of that time by reason of the obstruction of the right of way , by the applicant .

**The actual " ANOMALIES " ! obvious in the diagrams of rights of way, joined to new , non- rights of way ;
No mention of the notice put up by the applicant , (which would confirm the disparity in legal status of the 'diverted' and 'undiverted' parts of the' whole ' / now 2 different paths ;
as well as the total nonsense above in this part from page 2. 12 to page 4 ;**

CONSTITUTE REASON TO EXTINGUISH THE ORDER BY ITS "ANOMALOUS" ! DRAFTING .

LEAVING ALL MATTERS UNCLARIFIED AND UP TO PUBLIC SPECULATION IS REASON IN ITSELF TO EXTINGUISH THE ORDER

THESE ARE SERIOUS MATTERS REQUIRING THAT ANY BENEFIT OF THE DOUBT BE GIVEN TO THE STATUS QUO BY DISMISSING THIS ORDER .

Page 5. at 4.3 I went across the NEW path yesterday 9th Dec. After moderate rain the previous day , The (soil path) was churned up into mud by horses hooves , evidenced by their shoe prints .

The points made in the report are nonsense .

A soil path is a soil path is a soil path ! especially within yards of each other on the same level plane .

Page 13 at 7.11 “ The footpath is not NEEDED for public use “:

The public USED it up until the applicant illegally obstructed it !

In addition , the current tenants use it to access their horses' grazing paddocks and their housing .

Building on the path or its closure would greatly obstruct the elderly tenants .

I can't be bothered to explain the council's neanderthal interpretation of 'NEED' and

Page 11. at 7.8 goes so far as to describe the existing public path ~~path~~ as having :

“ No use apart from recreational “ !!!!

.....as opposed to if the order was granted being A PRIVATE garden for, ahemRECREATION ! Assuming ie. that isn't built on , to sell for MORE MONEY , which is contrarily , a laudable 'NEED' :not a frivolous PUBLIC ASSET . ' ~~~

--- to paraphrase the council . ---

In addition Public rights of way act as preservation orders on precious green belt ; the green powering the earth ; the green processing the poisons we produce in the favoured council industrial production in buildings and road creation and industrial estates , turning its noxious products into the air we ” NEED “ to breath .

We all NEED to enjoy the countryside , whether we know it or not and the council would be better employed encouraging people to use the rights of way , instead of spending all its time and resources , (“£2,500 if necessary”) , i addition to all the administration equipment and wages costs , the public have already spent for the benefit of these bewilderingly privileged private people to get ‘even more profit’ by the sale of public assets .

Finally the existing path is a winding strip of grass and wildflowers and hedgerows , a ‘secret path’ of surprizes , of charming stiles and characterful old barns , orchards and animals .

I most ardently hope that those who review this application have more sensitivity and insight into what really matters , than whoever compiled this report and all its associated shenanigans .

My apologies, I must write by hand, as my internet connection is v. poor.

PAGE 1

OBJECTION BY CONSULTATION IMPROPRIETIES -

At Page 4 of 17 of the Decision Report:

There are 22 approx. "consultants" who might reasonably be expected to support a "wider path" (open to horses etc);

allies of the Council;

Applicants and landowners;

And a number of uninterested bodies either way, eg utilities and hole digging entities; since the "NEW PATH" has already been constructed, holes dug, and is complete. [was completed ONE YEAR + AGO]

Briefly - Horse and carriage riding societies and cycling societies -
IE: 6 in number.

uninterested bodies & utilities IE:
8 in number.

private individuals with a vested interest in the "NEW PATH" being approved.

5 in number.

Council officials & council bodies.

3 in number.

There ~~is~~ approx. a grand TOTAL OF 5 ONLY
Altogether, consultants who might be expected

to support the preservation of Public Rights of Way and the country landscape as a precious resource and necessity of life -

AN IMBALANCE OF MORE THAN 4 to 1
in favour of the 'new path'.

I have written to 3 out of the 5 consultees. in the 1 ratio, 2 have refused to reply to my email asking whether or not they were consulted -

One replied saying that they "did not know whether or not they were consulted. AND had no remit as a consultant at all in Wiltshire" - [DITTO LATE REPLY BYWAYS AND BRIDLEWAYS]

SEE:
Emails attached, which elaborate on the points of law breached in the procedure and practice in my view as demonstrable by the 4 to 1 ratio and the emails I did receive in reply to those matters from: Kate Ashbrook and Sally Madgwick.
as hereby enclosed.

I have unable to find any reference whatsoever in the council's documentation to the matter of the status in public rights consequent to the order being accepted .

Finally " Ramblers " are listed on your website , are you able to answer the same questions on their behalf to save time ?

Thanking you in anticipation
Sincerely
P. Fulton

Kate Ashbrook <hq@oss.org.uk>
To: penny fulton <~~penny.fulton@gmail.com~~>

Wed, Jan 11, 2017 at 12:23 PM

Dear Ms Fulton

Thank you for your email. Wilts Council may have sent or emailed us something but as we have no local correspondent in Wiltshire we would not have kept it.

You will need to contact the Ramblers separately.

I am sorry I cannot be of more help.

Yours sincerely

Kate Ashbrook

General Secretary

The Open Spaces Society

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tel 01491 573535, mob 07771 655694

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website www.oss.org.uk

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Drafts (9)

 penny +

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penny fulton <~~pennyfulton9@gmail.com~~>
to Kate

Dear Kate
You are listed as having been consulted with ref. to SHREA43. Perhaps you wouldn't mind writing an email to : sally.madgwick@witshire.gov.uk, the officer concerned , objecti in the council's documentation .
Thanking you in anticipation .
sincerely
P.Fulton

Make a call

Also try our mobile apps for [Android](#) and [iOS](#)



Kate Ashbrook <hq@oss.org.uk>
to me

As I said, we probably were consulted but we didn't respond.
Kate



From: penny fulton <pennyfulton9@gmail.com>

6 Jan 2017, 10:25 AM



penny fulton <pennyfulton9@gmail.com>

Re: Information request Re letter to you from Wilts council (reply asap please)

penny fulton <pennyfulton9@gmail.com>

Fri, Jan 13, 2017 at 2:48 PM

To: Kate Ashbrook <hq@oss.org.uk>

Dear Kate ,

That is an evasive and sad reply , especially considering the seriousness of the matters in question ,

The legal status you enjoy as a public representative is trivialized in your response. It can only be concluded that any confidence the public may have in the Open Spaces Society , as a body representing the interests of keeping them, is misplaced .

You cannot claim to " have been consulted" , by reason of " HAVING BEEN SENT AN EMAIL" , IE does not constitute ' consultation' in any case AND Which you do not even claim, to HAVE BEEN SENT !.

Either you were or were not sent an email by Wilts Council and it is rubbish to say that you do not know if you were or not . Did you get an expert in to bury all trace of it from your computers !?

OFFICIAL EMAILS OF LEGAL SIGNIFICANCE ARE NOT ONES THAT SHOULD BE UNACCOUNTABLY , NEUTRAL IN WHETHER THEY EXIST OR DO NOT EXIST , OR DID AND DID NOT EXIST .

If this is the expectation from your secretaryship , it is a disgraceful , odious one . Very sad that you are prepared to be involved .

Sincerely
P.Fulton

[Quoted text hidden]

QUESTIONING AND EXAMINATION of the 'information they receive ' BY REASON OF AND CONTAINED BY THEIR : **WRITTEN REPLY** .

THE FACT THAT THE COUNCIL EXPECT NO ACKNOWLEDGEMENT OF even having received a notification ! from these alleged 'consultants' is a disgrace in ITSELF .

Sincerely appalled
P.Fulton

[Quoted text hidden]



From: penny fulton [mailto:~~XXXXXXXXXX@XXXXXX.com~~]
Sent: 13 January 2017 14:20
To: Madgwick, Sally
Subject: Re: request for information :Ref; SHREA43 Open Spaces etc.

[Quoted text hidden]

[Quoted text hidden]

penny fulton <~~XXXXXXXXXX@XXXXXX.com~~>
 To: "Madgwick, Sally" <Sally.Madgwick@wiltshire.gov.uk>

Fri, Jan 13, 2017 at 3:45 PM

Dear Sally Madgwick

It is not ME saying that the Open Spaces Society have no remit in Wiltshire : It is the Open Spaces secretary saying so . Whether they are saying that it applies in this particular case or not , doesn't alter the fact of it .

The fact of council procedure in this case is not in question ; neither is its improper function by FACT : AND the UNDISPUTED FACT that alleged ' consultants ' on your list , QUALIFY as such :

" WHO DO NOT EVEN INPUT ANY QUERY!!! , on the content of material sent AND which would appear to constitute scant 'information' indeed , from your report 's description . Treating matters as necessarily 'inconsequential formalities' for their disregard .

CANNOT CONSTITUTE " CONSULTATION " BY ANY EVERYDAY , USUAL UNDERSTANDING OF WHAT THAT WOULD BE EXPECTED TO DESCRIBE :

THE ONE WAY, (UNACCOUNTABLE IN ANY CASE ALLEGED) . NOTIFICATION , (WHICH HAS NO MECHANISM FOR CONFIRMATION THAT, EVEN THAT , WAS RECEIVED !) IS : "NOTIFICATION" .

"CONSULTATION " IS A TWO WAY , BACK AND FORTH DISCUSSION PROCESS , WHICH IN TERMS OF A PUBLIC STATUTORY ACCOUNTABILITY , MUST ENSURE THAT SUCH 'CONSULTANTS' DO , ACCOUNTABLY , NOT ONLY CONSIDER , BUT SCRUTINIZE , ON BEHALF OF THE PUBLIC THEY ARE SUPPOSED TO REPRESENT , AT THE VERY LEAST BY THE QUALITY OF

The claimed "initial,informal email from the council" , being ostensibly , without ANY reply or even acknowledgment ! , an extraordinary phenomenon, even by everyday standards , but , if true a reason for a follow-up inquiry as to WHY,would be the least expected action by the council, considering statutory " CONSULTATION " obligation under duty to the PUBLIC interest . This organization represents one of the MINORITY , BY FAR , with NO intrinsic interest in the listed consultants and therefore ,of more than passing importance .

Notwithstanding no inquiry , which would have elicited the information that the Open Spaces Society HAD NO REMIT in Wiltshire, thus providing the opportunity to consult an alternative to fulfill minimal in this case ' fair quota of diverse interests ' , the council proceeded with the formal sending of another email ,as if there had been no alarm bells and having received NO REPLY AGAIN , listed this farcical nonsense of their policy of " NO REPLY = NO OBJECTION " . APPROVAL .

IE in effect , the " Open Spaces Society have been informed (the " information" itself being fundamentally erroneous in any case) and (IMPLIED ,POSITIVELY :not by default) have (implied) STATED IN WRITING that they have no objection to the order being approved .

I would appreciate any comment you may be able to make in this matter .

Sincerely
P.Fulton

[Quoted text hidden]

Madgwick, Sally <Sally.Madgwick@wiltshire.gov.uk>

Fri, Jan 13, 2017 at 2:33 PM

To: penny fulton <~~penny.fulton@gmail.com~~>

Cc: Kate Ashbrook <hq@oss.org.uk>

Dear Ms Fulton,

The Open Spaces Society have been consulted in this manner since at least 1993 and bearing in mind that they receive consultations and notices from every order making authority in England and Wales it is perhaps not surprising that only occasionally respond. As it happens they did respond to a consultation to another application *

I was dealing with on the 6th October 2016 so I am assured that letters are not only received by them but are also

even worse, since they are not remitted
to do so !!

considered. If they had a Wiltshire correspondent we would be happy to include them in initial consultations but as you have established, they do not.

I have copied the Open Spaces Society into this e.mail as I would not like them to think they had not been consulted or that we didn't value their contributions.

Best regards

Sally

Sally Madgwick

Rights of Way and Countryside

Waste and Environment

Wiltshire Council

County Hall

Bythesea Road

Trowbridge

Wiltshire

BA14 8JN

Tel. 01225 713392

sally.madgwick@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

Follow Wiltshire Council



penny fulton <[REDACTED]@gmail.com>

no reply to my email 5 days ago , urgent matter

2 messages

penny fulton <[REDACTED]@gmail.com>

Tue, Jan 17, 2017 at 9:56 AM

To: notices <notices@bywayandbridleway.net>

Dear Sir / Madam

Please will you confirm or deny receiving a consultation from Wiltshire Council , re the following :

" Extinguishing a public right of way at Salisbury , Stratford Sub Castle , grid ref : SU131 323 to SU 131 234 .

I am objecting to the extinguishing , and as you are listed as " having been consulted ", it is important for the sake of accountability in acting as as a public body in this instance that :

You acknowledge or deny BEING a consultant (if nothing else !) ;
Clarify what you were told;
Why you did not reply to the consultation .

In consideration of the fact that " no reply = approval in the council procedure and practice ; I am surprized that apparently all the supposed bodies acting to protect public rights of way and therefore the greenbelt , COMPLY with this practice and do not even question notices of closure .

In effect therefore acting as a rubber stamp of approval for rights of way closures .

Sincerely
P.Fulton

Robert Halstead <roberthalstead@live.co.uk>

Fri, Jan 20, 2017 at 10:53 AM

To: penny fulton <[REDACTED]@gmail.com>

Thank you for your email.

Please could you supply some further details regarding the consultation as we receive scores every day from the whole of England and Wales:

- The date of the consultation letter

- E mail or letter
- The heading used in the consultation letter [usually the description of the order]

Please note we often do not reply to what are considered to be local issues or where it solely affects a public footpath – our primary interest is in bridleways and byways.

We are selective about what we object to and tend only to object where there are issues of principle or on technical grounds.

In the case of the Wiltshire area we do know that there are active people in that area who are able to take on such cases, so we tend to focus our efforts in other areas, for example, I cover the whole of Wales and certain English Counties.

Robert Halstead

Byways and Bridleways Trust

From: penny fulton [mailto:~~redacted~~@gmail.com]

Sent: 17 January 2017 09:57



penny fulton <[REDACTED]@gmail.com>

**Inquiry RE; information received from Wilts. Council ref;
SHRE43**

1 message

penny fulton <[REDACTED]@gmail.com>

Thu, Jan 12, 2017 at 1:34 PM

To: notices@bywayandbridleway.net

Dear Sir /Madam

The Wilts council report on ' diversion of a footpath and extinguishing of 2 footpaths at Stratford Sub Castle , lists " BYWAYS AND BRIDLEWAYS TRUST as part of consultation .

If this was the case will you give me any information on the following :

Were you given to understand that the application, if approved would not alter the current status of access by a Public Right of Way ?

Were You informed that the applicant had already obstructed the existing right of way and installed a new route , with a notice of " permissive access only " on it ?

Were you made aware of the environmental sensitivity of the area as part of the historic landscape of Old Sarum Castle , and that the sole reason for the application, according to the official report itself , was to enable planning permission to be implemented to facilitate the building of a garage over the former charm of a 'secret ' winding path of grass, wildflower and hedgerow passing by a characterful orchard , barn and horses , preserved from the 'building on the green belt blight ' by the existence of the PUBLIC RIGHT OF WAY , to be extinguished ?

If the answer is 'no ' to any or all questions , it is not too late to make an official objection , possibly , eg on the basis of having been misinformed and /or NOT having BEEN consulted in any case ; the procedure and information given to the public , should invalidate the application , environmental and public interest would not be served by itetc

Thanking you in anticipation

sincerely
P.Fulton



penny fulton <[redacted]@gmail.com>

Inquiry re: Wiltshire council listing of Ramblers South Wiltshire as part of consultation

5 messages

penny fulton <[redacted]@gmail.com>


Thu, Jan 12, 2017 at 12:59 PM

To: ramblers@ramblers.org.uk

Dear Sir/ Madam

Having visited the S, Wilts site it appears to say that it would not be the appropriate one for my general/official inquiry . Which in turn, would in itself indicate that the listing of it in Wilts council documents were erroneously included .

Therefore rather than ask for some of the details of information you received , perhaps you will let me know if S. Wilts Ramblers or any other, received any consultation , or as in the case of The Open Spaces and Footpath Society , had no valid mechanism to process such consultation .

 The ref. is : SHREA43 ...'diversion of a footpath and extinguishing of 2 footpaths at Stratford Sub Castle '.

Thanking you in anticipation

P.Fulton

Lindsay Walker (Ramblers)

Mon, Jan 16, 2017 at 12:04

<membership@ramblers.zendesk.com>

PM

Reply-To: Ramblers <membership+id36786@ramblers.zendesk.com>

To: penny fulton <[redacted]@gmail.com>

##- Please type your reply above this line -##

Please see the response to your message (36786) below. To add further comments, reply to this email.

Lindsay Walker (Ramblers)

Jan 16, 12:04 GMT

Dear P.Fulton,

Many thanks for your email, I appreciate you contacting the Ramblers.

To better assist you, I was wondering if you would be able to provide location details?

So that I can forward your request to the correct local Ramblers representative.

Many thanks,

Lindsay 

Dr Lindsay Walker
 Policy and Advocacy Support Officer
 Ramblers

This email is a service from Ramblers. Delivered by Zendesk

[N8EEZ9-OWOJ]

penny fulton <[REDACTED]@gmail.com>

Mon, Jan 16, 2017 at 12:45 PM

To: Ramblers <membership+id36786@ramblers.zendesk.com>

Dear Lindsay Walker

Thankyou very much . The path is referred to as Stratford Sub Castle 24-6 (or sometimes just 6) .

The ref. is SHREA43 .

Apparently Wilts council wrote in October informally , and formally in December .

The deadline for objections is 23rd Jan . so I would be grateful asap .

I can't think that , given proper information , Ramblers would not have at least had questions : the council say they "did not reply" , and that in itself is taken as approval . A practice which I consider to be a fundamental corruption of the TERM ' consultation' .

This practice is 'notification' only and with no obligation to reply is neither accountable nor even confirmed 'notification' . And this is a question for the raison d'etre of the Ramblers as an organization as whole , being used in this manner to rubber-stamp rights of way closures .

Sincerely
 P. Fulton

[Quoted text hidden]

Lindsay Walker (Ramblers)

Mon, Jan 16, 2017 at 12:47

<membership@ramblers.zendesk.com>

PM

Reply-To: Ramblers <membership+id36786@ramblers.zendesk.com>

To: penny fulton <[REDACTED]@gmail.com>

##- Please type your reply above this line -##

Please see the response to your message (36786) below. To add further comments, reply to this email.

Lindsay Walker (Ramblers)

Jan 16, 12:47 GMT

Dear P. Fulton,

Many thanks for your quick reply, I appreciate the further information.

So that I can tell who is the closest Ramblers representative to the issue, I would appreciate if you would please send through geographical information such as a grid reference, post code, nearby town or parish. I can then send your email to our local Ramblers representative.

Many thanks,

Lindsay

Dr Lindsay Walker

Policy and Advocacy Support Officer

Ramblers

This email is a service from Ramblers. Delivered by Zendesk

[N8EEZ9-OWOJ]

penny fulton <[REDACTED]@ramblers.com>

Mon, Jan 16, 2017 at 2:06 PM

To: Ramblers <membership+id36786@ramblers.zendesk.com>

Dear Lindsay Walker

The path is in distinctive location beneath old sarum castle itself at grid reference : SU131 323 to SU 131 324 , running parallel to the Stratford Sub Casltle road from south to north approx .at the castle itself side of the road , ie the east side of the road

I hope that is sufficient , as I am working very hard on this , I only saw the notice of it after being away for christmas , after the new year and have only a couple of weeks to try to raise awareness of the only possible reason for the clandestine closures of rights of way , going on in the area , namely to take advantage of new planning law which allow carte blanche on, building anywhere at all in the green belt eg SSSI, AONBs , historic meadows , historic landscapes , ancient woodlands etc by " extinguishing the only ' preservation orders on its pursuit : EXISTENTIAL " PUBLIC RIGHTS OF WAY " .

All of the listed sites being the most lucrative for selling to the ' privileged ' few , 'homes with exclusive views ' .

Sincerely
P. Fulton .

[Quoted text hidden]

TO DATE 20th Jan. NO REPLY received.