

Decision Report – Wildlife and Countryside Act 1981 – Section 53
Application to Add a Footpath to the Definitive Map and Statement of Public Rights of
Way – Donhead St Andrew

Appendix 1 – Representations and Objections Received at Initial Consultation

1. **Mr Ronald Isgar, Dengrove Farm** - returned Landowner Evidence Form to confirm that the claim does not affect land in his ownership.
2. **Mr Michael Isgar** - returned Landowner Evidence Form to confirm that the claim does not affect land in his ownership.

3. **Mrs Margaret Pitman** - returned the Landowner Evidence Form to confirm that the claim does not affect land in her ownership.

Mrs Pitman is now the tenant of part of the land, having owned the land for only a very short period of time in 2011, before its sale to Mr and Mrs Shepherd and Wardour Ltd. Previously to this the whole of the land affected by the claim, had been in her family's ownership since 1982/1984. Officers spoke with Mrs Pitman on the telephone in December 2015. She advised that she has always lived in the village and as children they trawled around but never used this path and had not known of its existence. In the 1980's her husband and his family purchased the field but they were never aware of the footpath and never saw anyone using it. In around 2009 the land went into probate and part was sold to Leggits Farm in May 2011 and to Mr and Mrs Shaws in 2012. There were tracks in the field during her husband's ownership which could have been made by animals or machinery. They walked weekly during her husband's ownership of the land, (they got married in 1966), Mrs Pitman acknowledges that there could have been dog walkers using the claimed route early in the morning, at different times to herself, so she would have not seen them. When her husband owned the land she walked with the children across the land herself, but never used this route. When she owned the land herself she was there more often and only ever saw walkers on the very odd occasion.

4. **Mr Tom Kilner** wrote with further evidence in support of the application - letter dated 13th September 2015:
 - Born in the village and lived there until the age of 19 (1981-2000). My parents still live there and I frequently visit. During those 34 years we frequently walked the path along with many other dog walkers and ramblers.

- Used to be a metal fence a long time ago with a gate as I recall, and when the newer wooden fence was put in, a stile was placed where the path crossed it, presumably because there obviously was a path.
- If you were to look at aerial photographs from before the path closure last year, you would probably see a slightly darker stripe where the path runs west of the river and woods.

5. Mr and Mrs C Kilner wrote with further evidence in support of the application - letter dated 15th September 2015.

- Support based on historical mapping evidence and our own experience of using the path for more than 35 years.
- 1901 OS map sheet LXIX Section 6, held by Salisbury Library, shows the footpath leading from the eastern end of FP 4 near Kelloways Mill, to join FP 5 near what was Ricketts Mill. The OS map pre-dates the diversion of FP 4 about 20 years ago.
- Earlier editions of the map show the same footpath, i.e. 1886.
- The 1925 edition and later editions do not show the footpath and we conclude that this is probably a transcription error.
- Moved to present address in Pigtrough Lane in 1977, the footpath was well known and a well used route from Ricketts Mill and Pigtrough Lane, via FP 4 and 5.
- Used path since 1977 fairly frequently to visit neighbours in the village and attend events at the old school, church or onward to Donhead St Mary.
- Often met others using the path.
- To the best of our knowledge the previous owners of the land were aware of its use as a public path and never raised any concerns.
- The section of path in question is the only section linking the south and west footpath network to the network of the north and east.
- A fence with a stile was put up by the owner of the smaller part of the field in about 2013. After the fence was put up the owner of the larger section of the field put up notices at the stile and the northern end alleging that the path was permissive.
- In October and November 2014 notices appeared stating that the path was closed, which gave rise to the definitive map modification order application.

6. **Mr Barry Sullivan** wrote in support of the application - letter dated 20th September 2015.
 - Our position is set out in our witness evidence form and we accordingly support a footpath between A and C on the plan.

7. **Mr Roy Powell** wrote with further evidence in support of the application - letter dated 21st September 2015 (Mr Powell did not submit a witness evidence form, but saw the Councils initial consultation letter to Mr and Mrs Collyer).
 - Used the claimed footpath as early as 1953 as a child, to walk to school from Pigtrough Lane every day and on Sundays to go to church.
 - I am now 67 years old and I remember the footpath being there at the time.

8. **Mr Richard Lee** wrote with further evidence in support of the application - letter dated 5th October 2015.
 - Lived in the parish for over 31 years and know the village and surrounding area well.
 - The footpath forms part of the network of footpaths in the Parish and surrounding area, joins the northern part of the parish around Donhead Mill (previously Ricketts Mill), to the centre, around the church and the old school and on towards Donhead St Mary.
 - I submit that it is very probable that this route has been used by the public for over 100 years. 1900 OS map shows a footpath (marked FP) shown along the linear route joining footpaths 4 and 5.
 - I continue to use footpaths 4 and 5. I used the proposed footpath until the present owner called its existence into question.
 - I believe that it is reasonable to assume that this footpath is the best and obvious route for people walking between their houses; places of work; farms; mills; smithy's etc. and also to get from the village school and church.
 - I have heard no evidence that previous owners of Mansfield have sought to bring into question use of the footpath by the public, nor challenged public use, or otherwise sought to close the footpath either by displaying notices or taking other action such as building fences.

9. **Mr and Mrs C Eves** wrote in support of the application - letter dated 7th October 2015.

- We cannot add much to our witness statements, other than we have used it as a footpath for all of the 26 years that we have lived in Donhead St Andrew.
- Fully endorse the Parish Council's application.

10. Mr P Danby wrote with further evidence in support of the application - letter dated 8th October 2015.

- Resident in Mill Lane for only the last 8 years, it has always been understood by us that historically, the section of path to be designated was, until the construction of New Road along with other interconnecting paths, the only means by which villagers were able to get around, going back centuries.
- The section in question crucially linked the Mill at the northern end with both the Church and school at the centre of Donhead St Andrew.
- It is submitted that Wiltshire Council have an obligation to support the application, recognising the very real strength of feeling felt by residents who live in the area and who have regularly used the footpath, in many cases for a long time.
- There is a huge amount of supporting evidence including witness statements and other submissions along with open discussions through Donhead St Andrew Parish Council. This is all a matter of record and succinctly sums up the very strong feelings felt over this unhappy affair.

11. Mrs E Barkham wrote with further evidence in support of the application - letter dated 9th October 2015.

- We bought our house and the adjoining paddock in 2003, at this time our paddock was part of Mansfield.
- There was no division of the field at that time as there is now and we entered into a "grazing agreement" with Gerald Pitman, whereby his cattle could graze in the part of Mansfield which we owned.
- As we were new to the area we approached him regarding walking through the field along what was a well used path (A-B-C on the map). Gerald said that this was ok as it was a public footpath and we were free to walk it and we have walked it individually and as a family on almost a daily occurrence ever since.
- The field was sold, split up and fences erected. At point B, a stile and dog-hole were incorporated into the fence. We continued to use the footpath as did many others and we were never challenged or asked not to.

- Last year whilst walking the path we recognised a sink hole and alerted the new owner Mrs Shaw. At that time Mrs Shaw did not ask us why we were walking through the field or suggest that we shouldn't have been there.
- The footpath is a vital link between the north and south of the village, it is the traditional route between the two mills in the village and for parishioners from the north of the village to get to the church. The footpath allows access from the Donheads to Wardour Court, Castle and woods without walking along the road and further to Tisbury. The alternative is to walk along the road, a narrow, straight and fast section of road with nowhere safe for pedestrians.

12. Dr S Barkham wrote with further evidence in support of the application - letter dated 9th October 2015.

(Comments as above, as per Mrs E Barkham).

13. Mrs A Shaw of Wardour Ltd (Registered Landowner) returned a completed landowner evidence form and further evidence objecting to the application – submission dated 11th October 2015 (followed by further submissions).

- Land owned since 22nd May 2012, Beauchamp House owned since January 1993.
- Do not believe the way to be public.
- From 1993-2003 use of the alleged path was virtually non-existent. Aware of public use from 2003 – 2015: occasionally in 2003 increasing to several times per day over this period.
- People voluntarily requested permission to use the route and were given permission on dates ranging from 1982/4 to 2012.
- Plan and Statement deposited under Section 31(6) of the Highways Act 1980 on 14th August 2012 and under Section 15A(1) of the Commons Act 2006, on 22nd July 2015.
- Did not initially turn people back or stop anyone using the way as people walked the permissive path with consent. After the appearance of a large sink hole close to the path, notice was placed at point B temporarily closing the path for safety reasons. As this was ignored it was decided to close the path on a permanent basis.
- It was not necessary to tell anyone using the way that the path was not public as permission had been sought and given on 17th July 2012 and signs were erected (permissive path signs).

- Notices were erected stating that the path was not public in Autumn 2012 and January 2013. Two notices were damaged in late June / early July 2013 and both were replaced on 25th July 2013.
- Stile at point B - the owner of the fence, Marcus Shepherd was requested to dismantle the stile by an e-mail dated 15/10/2014, no response was forthcoming.
- The southern section of the route did not exist at all prior to 1997 when public footpath no.4 was diverted. The path was diverted to avoid the garden and driveway of Kelloways Mill, to go south through a small field adjoining Kelloways Mill. The section of the claimed route between the former route of Footpath no.4 and its new route further south, did not exist, therefore the claimed path has not been walked for a period of 20 years.
- 1901 OS map showing a track between Ricketts Mill and Kelloways Mill - the two mills were in common ownership at that time and the track was not shown on OS maps after 1901 (on the 1925 OS map, Kelloways Mill is shown as disused), suggesting that there was no evidence of the footpath after the mill was closed.
- Being shown on the OS map does not equate to public footpath status.
- If a path had been apparent on the ground, one would expect it to remain on the OS maps after 1901 and to have been claimed under the 1949 Act, or in any of the correspondence or objection stages since that date, and there would have been evidence of the path when the Pitmans purchased the land in 1982-84 and when Wardour purchased Beauchamp House in 1993, which was not the case on either occasion. Aerial photographs of the area from the 1990's were viewed in March 2012 with the Rights of Way Department of Wiltshire Council and did not show any evidence of a trodden path along the eastern edge of the field. It was only in the early years of 2000 that people were seen walking along the eastern side of the field (and elsewhere in the field). Statutory declarations have been signed to this effect.
- Until the 1980's the Wardour Ltd land was divided into several fields, as the 1901 OS map indicates, drainage was poor and the eastern edge waterlogged throughout the autumn and winter.
- A conversation overheard in the Forester pub on 20th July 2015 revealed that some villagers had been asked to sign witness statements in favour of the claim, but they refused because they did not think the path was a public footpath.
- A public footpath was not claimed on occasions when this might have been expected i.e:

- 1) Under the National Parks and Access to the Countryside Act of 1949 when the parish survey was done, nor in any subsequent review.
- 2) In 1996-97 when Footpath no.4 was diverted.

(On both occasions there would have been widespread advertising and the Parish Council would have been involved, but there is no record of any mention on either occasion of a footpath along the eastern side of the field).

- 3) When the new fence was erected by Marcus Shepherd in March 2012, some villagers requested that a stile was put in the fence. David Pitman was helping with the fencing at this time (but was no longer an owner of the land), and was displeased and shocked by this request. The stile was put in but no path was claimed. Wardour had not contracted to purchase the land at that time but they were aware of the commotion and sought the advice of solicitors who advised that the purchase would be greatly delayed if they were to attempt to research the status of the path and an informal request was made to the Rights of Way Department of Wiltshire Council, when aerial photographs from the 1990's were viewed and did not show any sign of a trodden path along the eastern edge of the field. Accordingly, it was unlikely that a public footpath could be claimed as the route had not been walked for 20 years and Wardour went ahead with the purchase.

- 4) When Wardour put up permissive path notices in 2012/13.

- Inconsistency of witness plans, even allowing for the fact that the walkers are not qualified cartographers, the maps attached to the statement show many variations of the path, particularly at the northern and southern ends of the Wardour Ltd land.
- Various people have asked permission to walk the permissive path as early as 1982-84 (when the Pitman partnership owned the land), or have thanked me for allowing them to use it, indicating that villagers regarded themselves, prior to Wardour purchasing the land, as walking with the landowners consent.
- Richard and Tamsin Lee requested permission on behalf of the village to walk the permissive route on 17th July 2012. John Barton who was present at that meeting has signed a Statutory Declaration to that effect. This consent was referred to by Jane Hopkins in the presence of independent witnesses on the following day.
- Belinda Blanshard requested permission to walk the field other than on the public footpath in the early 1980's from David Pitman, when they purchased the field (David Pitman has signed a statutory declaration confirming this). Mrs Blanshard says that she always asks the landowner's consent before walking on any part of

the land, however Mrs Blanshard's witness statement did not acknowledge that she received consent and neither did Mr Lee's or Jane Hopkins statements.

- The only person who did confirm that he had consent to walk is John Barton, who also confirms that he had received permission from Gerald Pitman to walk the eastern edge of the field and at that time they had agreed that there was no public right of way.
- Mr and Mrs Barkham suggest in their statement that Gerald Pitman pointed out to them the alleged footpath when they moved to Donhead St Andrew. Mrs Barkham thanked me at a gardening opening of 21st June 2014 for allowing them to walk the permissive path and asked if her husband, a geologist, could inspect the sinkhole, thereby confirming that they regarded themselves as walking with the landowners consent.

Mrs Shaw has also submitted statutory declarations from Mr David Pitman; Mr John Barton; Mr Hugh Graham; Mr John Graham; Mrs Claire MacDonald; Mrs Judy MacMillan; Mrs Margaret Pitman; Mr Christopher Long; Mrs Janet Long and Mr Paul Farrant, summarised as follows:

14. Mr David Pitman – Statutory Declaration dated 30th July 2015:

Together with members of my family, I was co-owner of that land, from approximately 1982/84, until it was transferred to Margaret Pitman in 2011. Margaret Pitman sold part of the land to Wardour Ltd, in June 2012.

I am aware that there are two public footpaths on the land, numbered 4 and 5, as far as I remember, there were and are no other public footpaths on the land. When we purchased the land there was no evidence of any footpath on the eastern edge of the land.

When we purchased the land one or two people asked us for permission to walk other than on the public footpaths (Mrs Belinda Blanshard was one such person) and we granted that permission. I know my brother, Gerald Pitman who died in 2009, also gave permission to some villagers to walk other than on the public footpaths. We told people who asked, where the footpaths were and we always led everybody to believe that it was at our discretion if they walked anywhere else on the field other than on the public footpaths.

My clear recollection is that for the first 20 years or so of our ownership of the field there was hardly any use of the field at all, but in about 2003 public use generally began to increase noticeably. If the public really have been walking any of the field

other than the public footpaths, it will really only have been in the last 12 years or so that they have done so, if that.

- 15. Mr John Barton** - Statutory Declaration dated 26th November 2015 (Mr Barton has also completed a witness evidence form):

I purchased Kelloways Mill in 1987 and have lived there since that date. I am aware that there are two public footpaths numbered 4 and 5. When I purchased Kelloways Mill, I do not recall there being a trodden path on the eastern edge of the land. At that time I asked Gerald Pitman for permission to walk along that edge and he and I agreed that there was no public right of way.

There was also no mention of there being a footpath when the diversion of Footpath no.4 took place in 1997. David and Gerald Pitman had to give written consent for part of the footpath to be diverted onto land in their ownership. It took many years for the diversion of Footpath 4 to be accomplished, so I am sure the Pitmans or the Council would have referred to it if it existed then.

When Mr and Mrs Shaw's company purchased the Land in 2012, I asked Mrs Shaw for permission to walk the circumference of the land.

On 17th July 2012, I collected a letter from Mrs Shaw at Beauchamp House, giving me and my family permission to walk around the circumference of the field. At that time Mrs Shaw's two brothers were present, as was Paul Farrant who looks after the property for her and another friend of Mrs Shaw's. Whilst I was there Richard and Tamsin Lee, who live in Mill Lane, arrived requesting Mrs Shaw's permission on behalf of the village to walk the permissive path on the eastern edge of the field. I understand that Mrs Shaw agreed to give this consent for the village to continue to walk the permissive path.

- 16. Mr Hugh Graham** – Statutory Declaration dated 15th January 2016:

I am Mrs Shaw's brother and I live at Chestnut Cottage, next door to Beauchamp House where I have worked as caretaker and gardener, from January 1993 until September 2013.

I acknowledge the existence of Footpath no's. 4 and 5. There was no obvious footpath on the eastern side of the land in 1993 or for the next 10 years or so. Much of the land is visible from Beauchamp House and garden, especially in winter, so I would have seen people if they'd been walking on a regular basis.

When Footpath no.4 was diverted there was no sign of a footpath.

Around 2002-3 I noticed that the eastern edge of the field was being walked occasionally and use became more frequent in the following years.

The field was divided by a fence in March 2012, after the sale to Marcus Shepherd. A stile was incorporated to accommodate walkers, although the previous landowner did not agree that they had a right to walk there.

Mr John Barton was granted consent to use the route in a letter from my sister dated 17th July 2012. Whilst he was there Mr and Mrs Lee arrived to request permission for people to continue to walk the claimed route. My sister granted this permission.

After this, signs indicating the permissive path were placed at the new stile; the northern edge of the wood and at the stile close to Donhead Mill. Two signs were torn down in May/June 2013 but were promptly replaced and remained there until my sister removed them after the path was closed in October 2014.

Since people only started walking the eastern boundary in 2002-3, the public have only used the route for a maximum of 12 years.

17. Mr John Graham – Statutory Declaration dated 15th January 2016

I am Mrs Shaw's brother and I have visited Beauchamp House very regularly since 1993.

I acknowledge the two recorded rights of way. No footpath was apparent on the eastern edge of the land throughout the 1990's. When Footpath no.4 was diverted in around 1996, there was no sign of a footpath.

In around 2002-3 I noticed the eastern edge being walked occasionally by a small group of people.

The land was divided in March 2012 by a fence, incorporating a stile, subsequently the number of users increased.

Mr John Barton was granted permission to use the claimed route in a letter from my sister dated 17th July 2012. Whilst he was there Mr and Mrs Lee arrived to request permission for people to continue to walk the eastern edge of the field.

After this, Paul Farrant (the current manager of Beauchamp House and garden) and I erected permissive footpath signs at the new stile; the northern edge of the woodland and at the stile close to Donhead Mill.

On 21st June 2014 when the Beauchamp House garden was open to the public, Mr and Mrs Barkham requested permission from Mrs Shaw to access the land to investigate the geology of the sink hole which had opened up beside the claimed path. They thanked Mrs Shaw for allowing people to walk the permissive path.

People only commenced walking the eastern boundary in 2002-3, therefore the public have only used the route for a maximum of 12 years.

18. Mrs Margaret Pitman – Statutory Declaration dated 27th January 2016

My late husband Gerald Pitman was co-owner of the land with his father Arthur Pitman; his mother Francis Pitman and his brother David Pitman, from their purchase in approximately 1982-84 until his death in 2009. The land was transferred into my sole name in 2011. I sold part of the land to the current owner, Wardour Ltd. on 22nd May 2012, renting it back from them for 5 years on a farm business tenancy.

I acknowledge Footpath no's. 4 and 5, there were no other footpaths as I remember on the land and when my husband purchased the land I do not recall any evidence of a footpath. It was divided into several fields and was poorly drained.

I understand that from time to time Gerald gave some villagers permission to walk on the land other than the public footpaths. I was not actively involved in farming the land whilst my husband was alive, but I used to enjoy going to the land occasionally and walking in the wood. I was not aware of many people walking the land at all during the early years of the family's ownership, but around 2002-3 public use generally for dog walking began to increase noticeably.

If the public have been walking along the eastern edge of the land, they have only been doing so for 12 years or so.

19. Mr Christopher Long – Statutory Declaration 25th January 2016:

I have worked as a gardener at Donhead House, for nearly 40 years, I know the village and the footpaths very well as I used to walk the owners dogs when they were away.

I acknowledge footpaths 4 and 5, I do not recall there being any evidence of a footpath on the eastern edge of the land when I started working at Donhead House in 1976. The land was divided into several fields and was very poorly drained. The Pitmans undertook a lot of work to improve the drainage and condition of the land. The existence of a footpath was not picked up when footpath no.4 was diverted in about 1997.

Around 2003, public use of the land, generally for dog walking became apparent and some people were walking along the eastern edge of the field where there was no clear path. I remember that Gerald Pitman was becoming annoyed by the number of walkers who allowed their dogs to run free, disturb wildlife and foul the land which was used for silage.

When Mr Gerald Pitman was ill and after his death in 2009, the remaining members of the Pitman partnership were not as actively involved with the land as he had been. If the public have been walking the claimed route they have only done so for a maximum of 13 years.

20. Mrs Janet Long – Statutory Declaration 25th January 2016

I work as a housekeeper for Mr John Barton at Kelloways Mill and have done so for about 20 years. My husband has worked at Donhead House for nearly 40 years and from 1994-2014, my husband and I have regularly stayed at Donhead House when the owners were away and walked their dogs in the surrounding fields.

I acknowledge Footpath no.4 and 5, I do not recall there being any evidence of a footpath on the eastern edge of the land.

The existence of the claimed footpath was not referred to at the time Footpath no.4 was diverted in 1997.

If the public have been walking the claimed route they have only done so for a maximum of 13 years.

21. Mrs Judy MacMillan – Statutory Declaration 19th January 2016

I stayed at Beauchamp House as a guest of Colin and Anne Shaw in June/July 2012. One morning various neighbours of the Shaw's, John Barton and Richard and Tamsin Lee, came for coffee and to ask Mrs Shaw for permission to walk the eastern edge of the land which runs close to the woodland and stream. The land had recently been purchased by Wardour Ltd and I knew it well as I walked the dogs there with Mrs Shaw frequently during my stay.

John Barton came to collect a letter from Mrs Shaw which I understood gave him permission to walk around the circumference to the land which his property adjoins. Mr and Mrs Lee came to ask permission for the village to continue walking the footpath on the eastern edge of the field which they referred to as the permissive path. This permission was granted. Paul Farrant who looks after Beauchamp House and Mrs Shaw's brothers John and Bob Graham were present for part of the morning.

22. Mrs Claire Macdonald – Statutory Declaration 18th January 2016

I lived at Donhead House, Donhead St Andrew from October 1990 until July 2014 when we moved to a neighbouring village.

Whilst living in the village we regularly walked our dogs on the public footpaths around the village. I am aware that there are 2 public footpaths on the land (numbered 4 and 5). Footpath 4 was diverted in about 1996. I do not recall there being any evidence of a footpath on the eastern edge of the land when we first came to Donhead St Andrew.

The Barton's who live at Kelloways Mill are family friends and I know the time and trouble they went to in order for public footpath no.4 to be diverted. The diversion

process took years and if another footpath existed then, it would have been referred to at that time by the Parish Council and those who walked it.

Around 2003-5 public use of the land, generally for dog walking began to increase noticeably and some people were now walking along the eastern edge of the field, although there was no clear path. If the public have been walking the eastern edge of the land, they have only done so for about the last 10-15 years.

23. Mr Paul Farrant – Statutory Declaration 17th February 2016

I have worked for Mrs Anne Shaw as a property manager and gardener since 2007.

In October 2013 I moved into Chestnut Cottage next door to Beauchamp House.

There are 2 public footpaths over the land, numbered 4 and 5.

When I first started working at Beauchamp House, I worked about 15hrs a week.

This included some maintenance of the fields belonging to Beauchamp House. I brought my dogs to work with me and had a good knowledge of the fields and land which can be seen from Beauchamp House and its grounds. At the time I noticed that the eastern edge of the field was being walked occasionally and use became more frequent in the following years, although many variations of the route were walked.

In March 2012, following the sale of part of the land to Mr Marcus Shepherd some months earlier, a fence was erected by him dividing the land he had purchased from the rest of the field. A stile was incorporated at the eastern edge of the fence to accommodate walkers, although David Pitman, a previous owner of the land who was not involved in constructing the fence made it clear that the walkers had no right to walk that route.

Wardour Ltd purchased the remainder of the field from Margaret Pitman in May 2012.

I met Mr John Barton, neighbour and owner of Kelloways Mill when he came to Beauchamp House on 17th July 2012 to collect a letter from Mrs Shaw giving him consent to walk the perimeter of the land. I know that Mr and Mrs Richard Lee also came that morning to ask for permission for people to continue to walk the eastern edge of the field, although I did not meet them on that occasion.

After this I helped erect signs indicating the permissive path at the new stile; the northern edge of the woodland and at the stile close to Donhead Mill. Two signs were torn down in May/June 2013 but were promptly replaced and remained together with all the other signs until all the signs were removed after the path was closed in October 2014. Another sign was erected at that time by the new stile saying that there were no public rights of access of any kind.

On 14th October 2014, Mr Michael Cullimore, Chairman of the Parish Council called on Mrs Shaw following receipt of a letter from her saying that for safety reasons she had regretfully decided to close the permissive path. Mrs Shaw was not available but Mr Cullimore told me that he thought many walkers would want to sign a letter releasing Mrs Shaw from any liability for accidents if the permissive path was re-opened.

Since the path was closed, several people have continued to walk the path, particularly when the Shaws are not in residence.

24. Mr J Collyer wrote in support of the application - e-mail dated 19th October 2015.

- Nothing to add to our witness evidence statements.
- I understand that Mr Roy Powell, who has access to a plot of land adjacent to our field, has written to you confirming that he walked this path daily in the 1950's going to school and church. This may be helpful evidence as there are not many people left in the village whose memories go back that far.

25. Mr M Wareham wrote with further evidence in support of the application - letter dated 19th October 2015.

- My family and I regularly walk the route shown on Map 1 between FP no.4 and no.5 Donhead St Andrew and have done so for several years.
- As a child living in the area we would often walk from the church along the path as we had friends at Thorn House at the other end.
- My mother is now 70 and attended the school and church as did her brother and sisters and recalls using the path many times.