

L I P S C O M B E

BUILDING CONTRACTORS

Registered Office

Lower Langham Barn, Langham Lane, Gillingham, Dorset SP8 5NT

Telephone: (01747) 823599 Fax: (01747) 823591

Email: lipscombe.building.contractors@btconnect.com

03 June 2019

FAO: Mr Craig Harlow
Rights of Way & Countryside Team
Waste and Environment
County Hall
Bythesea Road
TROWBRIDGE
Wiltshire
BA14 8JN

Dear Craig

THE BOARDROOM HOUSE, MERE, WILTSHIRE

We are writing in response to Wiltshire Council's decision to add our path to the definitive map. To say that we are annoyed is an understatement. This has all been orchestrated by a minority, led by, at best, an undemocratic Councillor. It feels like the attempted theft of our land.

The user evidence statements are so inconsistent - some claim that planning conditions and covenants giving a public right of way exist. This simply is not true. One even claims that his estate agent told him that he had a right of way and others have changed or withdrawn their evidence once they knew it would be scrutinised - even the main applicant has contradicted himself several times. If this footpath is added to the definitive map it will have a huge impact on the owners and residents of the property/land. Therefore, surely any evidence given should be flawless.

Having studied the 'User Evidence Statements', we have made the following observations. It appears that all twenty-five claimed users have ignored paragraph four, page 1 of the evidence statement form. We find it bizarre that not one person out of the twenty-five has answered 'Yes' to Question 5 (your use of the route). This also applies to Question 10, Section C (other barriers etc). Photo P1 proves these claims to be false - it shows a barrier erected when the gates were removed for stripping, repairing and repainting (for a few weeks in 2011). How can it be that twenty-five users (some claiming several times a day, at least half daily and the rest up to three times per week, seem to have no memory of this)? They all seem to have forgotten the many temporary barriers constructed during the two and a half years of renovation work as well (See Photo P2) It seems odd that Cllr. Jeans, who lives in Mere, failed to notice this. The only consistent evidence appears to be from the past and present owners, stating that the gates were locked for long periods during their ownership.

We are resubmitting our original letter of objection (See document D1 enclosed), for the attention of the Wiltshire Planning Committee, and any future public enquiry. We have also enclosed further photos that we have managed to obtain from our archives, and from various professionals that were employed by us at the time. This, we now believe, is the incontrovertible evidence that Wiltshire Council stated was missing. Please see separate notes relating to the new photographic evidence.

We will take this opportunity to make Wiltshire Council, Wiltshire Planning Committee and public enquiry aware of the fact that we believe the true applicant should be listed as Cllr. Jeans, as he seems to be pulling the strings. Cllr. Jeans approached Robert Finan, the previous owner of The Boardroom House, to ask if he had locked the gates whilst he owned the property. Mr Finan informed Cllr. Jeans that he had indeed locked the gates and wedged the wooden doors shut. We consider this to be crucial evidence. Mr Finan had nothing to gain, as he sold The Boardroom House in 2007. Not only did Cllr. Jeans fail to include this evidence in his substantial dossier on the matter, he also withheld it from his fellow Cllrs (see June 2018 Minutes, Document D2). Unbelievably, he then went on to make a sweeping statement that from 1997 to 2017 the gates were not locked, and people had unchallenged access. He made no effort to contact us, the current owners of the Boardroom house, or to our knowledge, any of the other most affected residents/properties. Even the most basic planning application would benefit from hearing from both sides before a vote. This seems like a very Russian style of democracy...

Had the full facts been made available to all at the meeting, perhaps the vote may have been different? After all it only won by four to three to adopt the path, but there were five abstentions. This is very important, as we assume Wiltshire Council do consider the opinion of the Town Council - after all they do ask for it. Surely this vote should be declared void and not given any further consideration?

The most sickening thing about all of this is that in 2008 we submitted a very sympathetic planning application to convert this near derelict building into five flats and one cottage but the scheme was labelled as laughable by the, then, Town Council - it was recommended for refusal. This then cost us in the region of £15,000 to mount an appeal which we won. It seems absurd that seven years later, after we had gone to all that expense for these works, the Town Council can then try to claim it as theirs.

As you can see from the enclosed photos, when we bought the property in 2007, this path and surrounding area was in a very poor and dangerous state – channel drains with no grills on top, a BT manhole with a loose ply covering, a sewer drain with a raised cover, mud and uneven concrete surfaces (See Photos P3,4,5,6 and P7). Also, to the side of the path at the top, there was a 4' sheer drop with no handrails (See photo P8). We are amazed that none of the user evidence forms seem to describe this. This area only became a pleasant, level, tarmac and slabbed pathway after we finished the development in mid-2012. It certainly was not suitable for prams, buggies, mobility scooters, wheelchairs, shopping trolleys or walking frames as claimed. Please see the before and after photos – Document D3. We think that Cllr. Jeans should put his obvious concerns for Mere residents' safety into upgrading and renewing the existing pavements and footpaths that the Council do own, rather than trying to get one for free. After all, highway safety and the state of the existing footpaths should not be a reason to just claim someone else's land.

Please bear in mind, this is not just a path across the corner of a farmer's field...

Yours sincerely



MR ANDREW LIPSCOMBE
Joint Managing Director

On behalf of Lipscombe Building Contractors / Lipscombe Developments Ltd

Mob: 07971 065290

Encs.

Document Evidence – D1 to D4.

Photographic Evidence – P1 to P12

LIPSCOMBE

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As you can see from the enclosed photos, when we bought the property in 2007, this path and surrounding area was in a very poor and dangerous state – channel drains with no grills on top, a BT manhole with a loose ply covering, a sewer drain with a raised cover, mud and uneven concrete surfaces (See Photos P3,4,5,6 and P7). Also, to the side of the path at the top, there was a 4' sheer drop with no handrails (See photo P8). We are amazed that none of the user evidence forms seem to describe this. This area only became a pleasant, level, tarmac and slabbed pathway after we finished the development in mid-2012. It certainly was not suitable for prams, buggies, mobility scooters, wheelchairs, shopping trolleys or walking frames as claimed. Please see the before and after photos – Document D3. We think that Cllr. Jeans should put his obvious concerns for Mere residents' safety into upgrading and renewing the existing pavements and footpaths that the Council do own, rather than trying to get one for free. After all, highway safety and the state of the existing footpaths should not be a reason to just claim someone else's land.

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Yours sincerely



MR ANDREW LIPSCOMBE

Joint Managing Director

On behalf of Lipscombe Building Contractors / Lipscombe Developments Ltd

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Encs.

Document Evidence – D1 to D4.

Photographic Evidence – P1 to P12



Photo
"P 1"

Taken: 12/04/2011
Barrier in place
While gates
restored.

Date 31 Mar 19
Boots, 8166024103, 00000039.JPG

Photo "P2" Date taken : November 2011



plywood
barrier

P3, P4, P5, P6

NB: In my original letter of objection, I stated that I met with the, then, owner, Mr Robert Finan, to view the property. I said that I distinctly remember him unlocking the gates to allow us to access the rear of the building. I have attached four photos, P3, P4, P5 and P6, taken on 22/11/2007, that unequivocally show a chain and padlock on the gates. This was almost exactly one month after we bought the property at auction. (Oct 2007) but still three years before we even started the works.

In the background of these photos you can clearly see the piece of ply, drains and poor condition of the path.

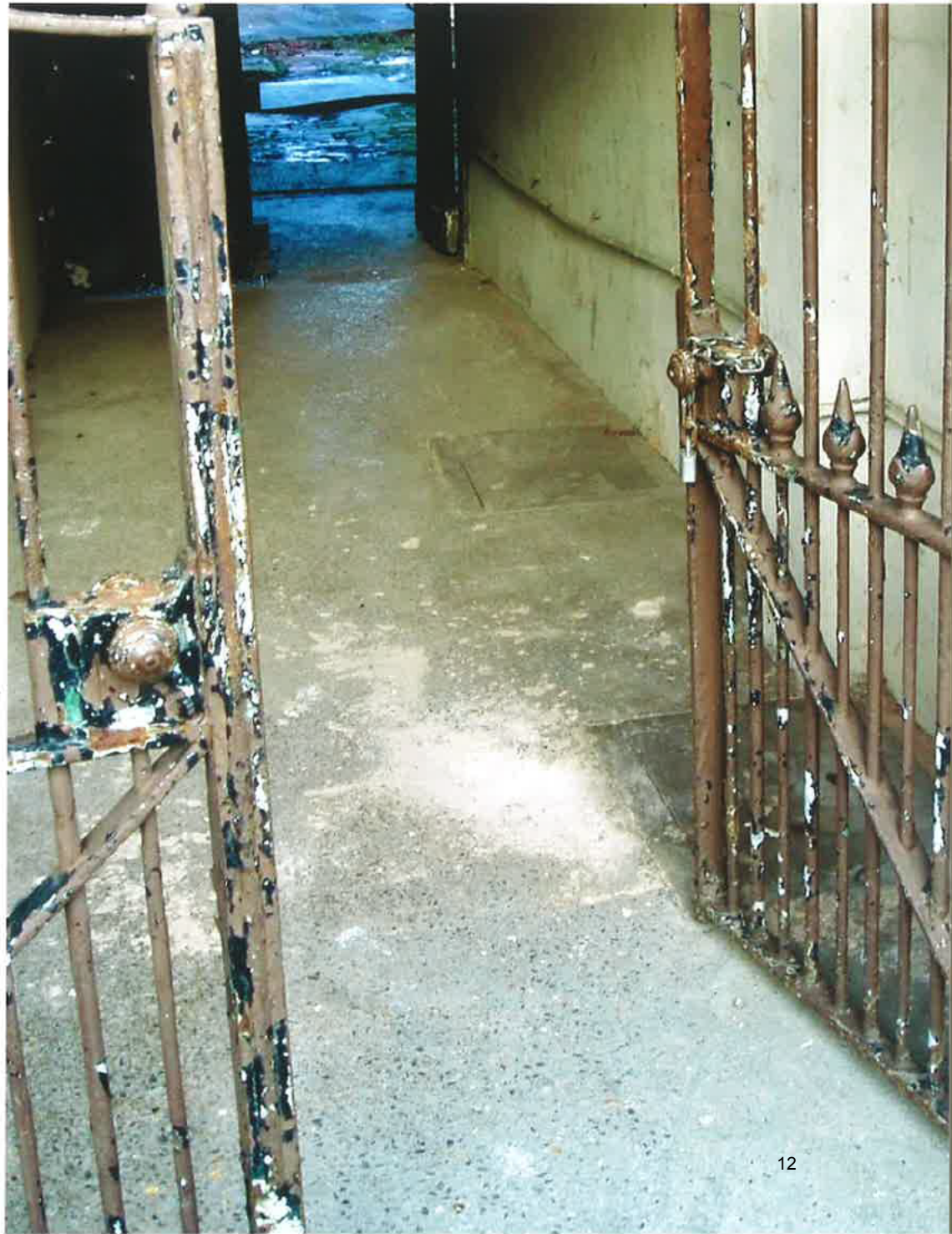
NB: The gates and doors are ajar as the person taking the photos opened them to get to the rear. 8

P3



PTO...

P4



PS



P6

22/11/07



P7

Date taken : 17/03/09



"P8"

Photo taken : 2007

View from
stairwell
window.



4 ft (approx.)
Sheer
drop
at top of
path



"pq"

Date taken: 17/03/09

Parked cars and wheelie bins
blocking access especially for
wheel chairs etc.

"P11" Two years before:
Starting works

Date Taken: 19/05/2008

Gates shut and

Back wooden gates
clearly shut too due to

no light coming through.²¹



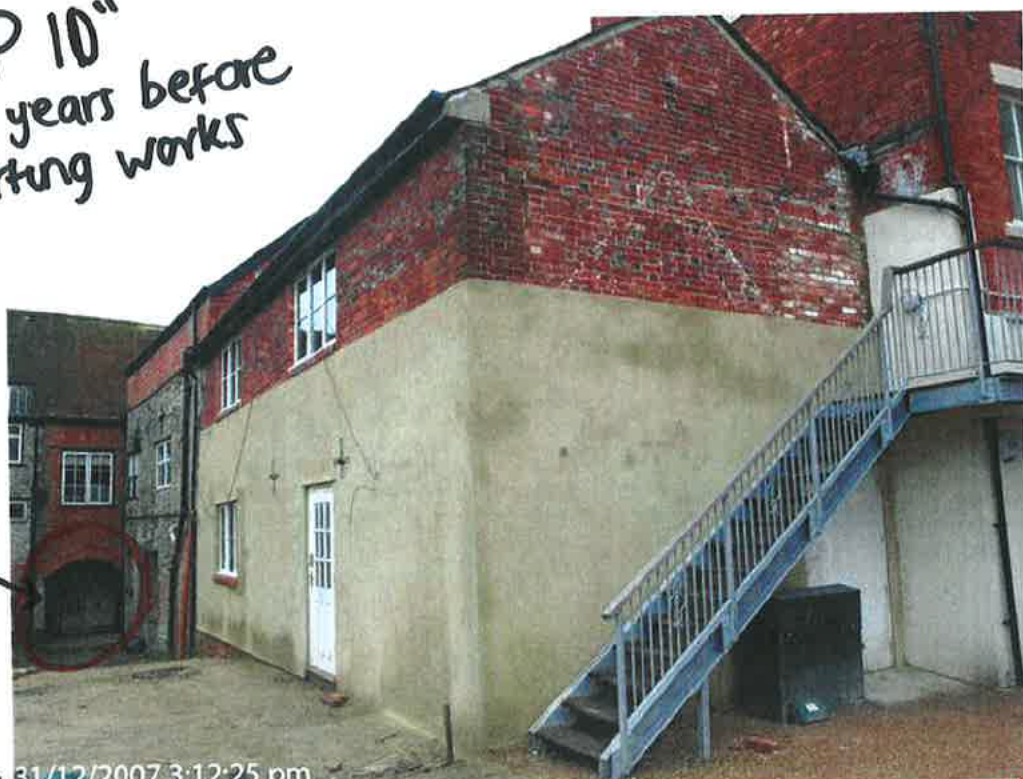
Date taken : 17/03/09
1 Year before starting works.

"P12"



"P 10"
Three years before
Starting works

Wooden
doors
shut



Date taken → 31/12/2007 3:12:25 pm

14.

Attached photos: P10, P11, P12 all show the heavy timber doors shut – three random dates spanning a 15-month period between 2007 and 2009. How is it that, including return journeys, 280 or more people (according to the user forms), not including others who have not completed these forms, have used this route over a week, using all kinds of walking/wheeled apparatus and have all been conscientious enough to close the doors behind them?

According to one witness "the whole of Mere used the path..."

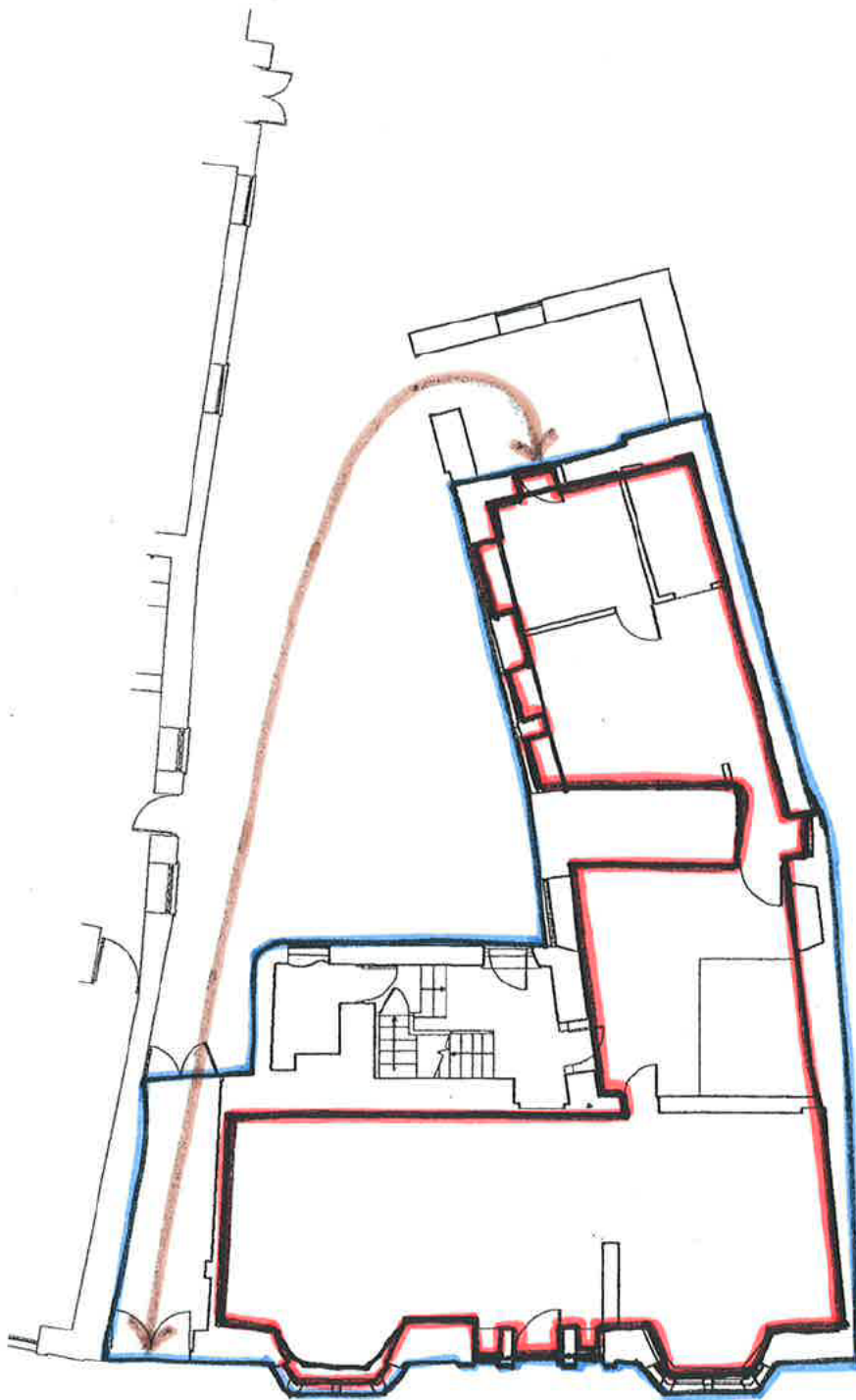
Document Evidence

D1 → D4

The Boardroom House, Mere

Lease agreement from July 2000 clearly shows the
Tinder doors.

FOR IDENTIFICATION PURPOSES ONLY



Handwritten signature
f. the well

GROUND FLOOR PLAN N.T.S.

1, 2 and 3 THE SQUARE, MERE.

Original letter
of objection.

COPY

28 June 2018

FAO: Mr Craig Harlow
Rights of Way & Countryside Team
Waste and Environment
County Hall
Bythesea Road
TROWBRIDGE
Wiltshire
BA14 8JN

Dear Craig

THE BOARDROOM HOUSE, MERE, WILTSHIRE

Thank you for meeting with me on the 5th June. I hope this gave you the chance to familiarise yourself with the location and the path/courtyard in question.

We most strongly object to our land being added to the definitive map. I would like to question why a councillor would, not only back this application, but also actually try to drum up support with such enthusiasm. We believe that this application is vexatious and a waste of tax payers' money. It will have a detrimental effect on so many people's properties and privacy. Surely councillors should take an unbiased view in this situation? It's absurd to think it's necessary to have three separate routes from North Street to Salisbury Street within a distance of approx. 100 metres.

The applicant has no reason to take this route from his house to The Square – there are several other more direct routes available to him and anybody else. It takes forty extra paces to get from points A to B via Manor Road. There is also a direct route from North Street to Salisbury Street via a foot path called Penny Bank Lane. Anyone living on the Eastern or Western side of Mere can simply walk along Salisbury Street to The Square and use one of the other routes to get to the Northern side of Mere.

We purchased The Boardroom House and land at auction in around 2008. Due diligence and advice from our Solicitors at the time confirmed that the land belonged to us, but that residents of The Old Post Office and The Walton building had a right of way over this land and under our building to the High Street (Point B). There are even covenants in place for the maintenance and up-keep of the path and The Walton building car park. It seems strange that if this application was approved, just a few people would have to pay for the path's up-keep and maintenance for anyone and everyone to use it as they please.

We purchased the building in good faith and subject to the legal advice given. Our original plan was to develop and sell the building. We would not have continued with the purchase had we been advised that a possible public footpath ran straight through our land and under the building. This area now forms a private courtyard for Flats 1-5 and a garden for The Boardroom Cottage. It is used for relaxing, barbeques and is also a secure place for any of our tenants' children to play. Our tenants and the residents of The Old Post Office and Walton building do not benefit from proper gardens, unlike most of the supporters of this application, who probably do. Our path narrows down to about 4ft wide as it goes beneath the building, so if

the application is successful, people would literally be able to walk freely straight through our tenants' courtyard and garden area.

Prior to the auction, I met with the *then* owner, Mr. Robert Finan to view the property. I distinctly remember him unlocking the gate to allow me to view the rear of the building. There were also a pair of substantial wooden doors to the back of the covered area – these doors were bolted shut (see photo). He will confirm this and also the fact that he used to lock the gates and bolt the doors. We are also reliably informed that when The Old Post Office was in use, these doors were permanently locked, albeit some years ago. We locked the gates on and off throughout the two year period of development work. Once complete, we left the gates unlocked but fixed PRIVATE signs to the gates and the fence to the rear. These were torn down (repeatedly) and in less than a week of putting them up. There is also a permanent private sign at the entrance to The Walton building car park for all to see. We believe that anyone using the path had a good idea that it was private land and were just taking a (*not very*) shortcut to the High Street (point B).

Furthermore, whilst the gates were unlocked the 20ft covered path area under the building became a target for vandals. Beer cans were pushed into light fittings, litter left strewn around, and rubbish stuffed into our tenants' letter boxes. We've also had to clean up vomit, urine (and worse). Youths were loitering at all times of day and night causing a nuisance. The councillor or councillors and residents of Mere who are in support of the application, should really ask themselves if they'd like this happening right outside *their* front doors? Also, when the gates were unlocked during wetter weather, up to a dozen people would wait for the bus under our building. Does this mean it should become a designated bus shelter too?! We decided to lock the gates and issue keys to our tenants and other residents who had a legal right of way (approx. 17 keys).

If the application is granted, it will affect the privacy and enjoyment of the amenity area that our tenants now benefit from. As the owners of the building, it will severely affect the saleability, its value and make the properties much less desirable to rent, thus affecting our business financially.

Yours sincerely

MR ANDREW LIPSCOMBE

Joint Managing Director

On behalf of Lipscombe Building Contractors / Lipscombe Developments Ltd

Mob: 07971 065290

Encs.

Plan showing alternative routes

Photo of gates with doors visible from front

Photo of doors visible from rear

Harlow, Craig

From: Lindsey [REDACTED]
Sent: 04 July 2018 10:59
To: Harlow, Craig
Cc: Jeans, George
Subject: Application for an Order to add a footpath to the definitive map and statement at The Square, Mere.

Dear Craig,

Thank you for your letter of 23rd May – (Your ref: 2018/03) and attached plan. I can confirm that this was presented to the Town Council at their June meeting. The simplest way for me to respond is to send you a copy of the approved Minutes as copied below:

b) Application for an Order to add a footpath to the definitive map and statement at The Square, Mere – a copy of a letter from Wiltshire Council's Rights of Way Officer had been distributed to members with their agenda papers – the letter stated that Wiltshire Council had received an application to add a public footpath to the definitive map and statement leading from The Square in a northerly direction to North Street (plan attached). Wiltshire Council is now placed under a duty to investigate the available evidence to determine, on the balance of probabilities, whether or not a right of way for the public on foot, subsists or can be reasonably alleged to subsist and to amend the definitive map and statement of public rights of way accordingly. Wiltshire Council were inviting the Town Council's comments on this matter and would be grateful to receive any further evidence regarding public use of the route in question and/or historical evidence of the claimed route.

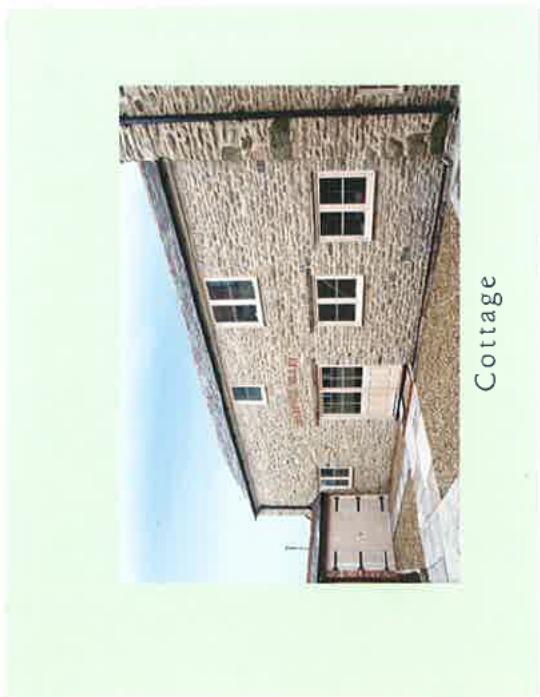
- Cllr. Jeans explained that he had collected quite a dossier on this issue as he had had a large number of people contact him when the gate was locked recently and access was blocked. He pointed out that many people used this path as a safe way of getting from The Square to North Street/Manor Road/North Road as the alternative route, between the old Lloyds Bank and Waltons Antiques buildings, was a single width roadway with no footpath and it was hazardous to walk along here with young children or a pram/pushchair. Cllr. Jeans explained that in order to claim a public right of way you need to produce evidence that unobstructed access was available for a 20 year period minimum. Cllr. Jeans says that from 1997 to 2017 the gates were not locked and public access was available and as far as he is aware people have not been challenged when going through there and there were no signs saying that people were not allowed to go through there. Cllr. Sims said that, many years ago when Mrs. Young had the post office next door, apparently this was a closed off area. Cllr. Jeans confirmed that Mr. Andy Young controlled the building and access on behalf of Mr. Clifford (the owner) until approximately 1989. Sam Squires was the last person to chain the gates up in 1992. After that, people went through there unopposed until the gates were shut in December 2017.

Cllr. P. Coward said that he could not remember it ever being open for public use. Cllr. Mead said that he could not ever remember it being open for public use. Cllr. Norris said that he had used the path within the last 12 years and had not been challenged, although he had not thought of it as a public right of way. Cllr. Sims said that the alleyway was used as a public toilet and a place for people to take drugs. Cllr. R. Coward said that his grandson used it on a regular basis when he gets off the school bus to get to North Street. **RESOLVED** that, should it be legally feasible for this route to be added as a footpath to the definitive map and statement, then it would be welcomed as a safer route for pedestrians to come into town on proposal made by Cllr. Jeans, seconded by Cllr. Mrs. Hurd and carried with a vote of 4 for, 3 against and 5 abstentions.

Lindsey Wood

← After Renovation

Before →



Cottage



"D3" continued

5.4. These photos are from Wiltshire Council's decision report post mid-2012, after the renovations completed. Appendix 3



5.5.



PTO

5.6.



↕ Post mid 2012

5.7.



5.8.



5.9.



Sage 30cloud Accounts Professional - Lipscombe Building Contractors Ltd

File Edit View Modules Settings Tools Favourites WebLinks Help

Home Help centre Add-Ons

Audit trail report Accounts audit Verification reports View Edit Delete Send to Excel Reports

Filter Find **All records (7819)**

Journal	Dept	Project	Details	Date	Posted Date	Due On	Ref	Dr Ref	Net	Tax	T/C	Paid	Amount Paid	Link
2220			Ryszard Sekula	16/03/2018	24/03/2018		BACSRV		375.31	0.00	T9	Y	375.31 R	
2230			Weeddy Pensort	21/03/2018	24/03/2018		BACS		27.85	0.00	T9	Y	27.85 R	
7502			Payment to GE Capital for telephone lease	01/02/2018	24/03/2018		DD		145.20	29.04	T1	Y	174.24 R	
7502			Payment to GE Capital for telephone lease	01/03/2018	24/03/2018		DD		120.20	24.04	T1	Y	144.24 R	
7502			Payment to GE Capital for telephone lease	01/08/2018	24/03/2018		DD		120.20	24.04	T1	Y	144.24 N	
7502			Payment to GE Capital for telephone lease	01/11/2018	24/03/2018		DD		120.20	24.04	T1	Y	144.24 N	
1200			Cancel - see tran 52923	22/03/2018	22/03/2018		BACS		2400.00	0.00	T9	N	0.00 -	
7302			12 Months RFL for HJ14 DXU	24/03/2018	24/03/2018		DC		240.00	0.00	T2	Y	240.00 R	
7302			Cancel - see tran 52948	24/03/2018	24/03/2018		DC		240.00	0.00	T2	Y	240.00 -	
1232			Purchase Payment	12/04/2018	24/03/2018		BACS		672.00	0.00	T9	Y	672.00 R	
1232			Purchase Payment	24/03/2018	24/03/2018		BACS		3987.60	0.00	T9	Y	3987.60 R	
1232			Purchase Payment	24/03/2018	24/03/2018		BACS		2746.28	0.00	T9	Y	2746.28 R	
5000			Credit for cement price adj	09/02/2018	24/03/2018	09/02/2018	AKN327		2.00	0.40	T1	Y	2.40 -	
5000			Credit for Timber, cement, blocks, lead flashing	09/02/2018	24/03/2018	09/02/2018	AKN326		216.83	43.38	T1	Y	260.21 -	
5000			Credit for OSB Price adj	09/03/2018	24/03/2018	09/03/2018	AKO590		29.00	5.80	T1	Y	34.80 -	
5001			Payment to Screwfix for Tile saw	18/08/2017	24/03/2018		DC		94.99	0.00	T9	Y	94.99 R	
5000			Payment to Adesign for signs	14/08/2017	24/03/2018		DC		20.00	4.00	T1	Y	24.00 R	
2220			Net Wages	27/03/2018	28/03/2018		Week 51		1565.85	0.00	T9	Y	1565.85 -	
2210			National Insurance	27/03/2018	28/03/2018		Week 51		336.16	0.00	T9	Y	336.16 -	
2210			PAYE	27/03/2018	28/03/2018		Week 51		209.00	0.00	T9	Y	209.00 -	
7004			Deductions	27/03/2018	28/03/2018		Week 51		11.94	0.00	T9	Y	11.94 -	
7004			Payments	27/03/2018	28/03/2018		Week 51		1943.15	0.00	T9	Y	1943.15 -	
7006			Employers NIC	27/03/2018	28/03/2018		Week 51		179.80	0.00	T9	Y	179.80 -	
2220			Net Wages	31/03/2018	28/03/2018		Month 12		1583.32	0.00	T9	Y	1583.32 -	

Date paid (Adesign)

NB: In our original letter of objection, we stated that we fixed private signs to the gates and the fence to the rear. These were torn down repeatedly. The original private signs were simple laminated signs that we printed ourselves. I have no way of proving this or nor can I prove that I fixed them as stated. I didn't take photos of them (why would I?). Due to this vandalism, we resorted to getting proper aluminium signs made by 'Adesign', Gillingham. The attached invoice and payment proof for this private sign, although dated in 2017, does prove that we had them made. Even these were taken down by unknown Mere residents.

ADESIGN & Sew Your Own
are trading names of:

"D4"



Appendix 3

www.ade-sign.co.uk 01747 822286

Shirts & Signs Ltd

Tel: 01747 822286

e-mail: ade@ade-sign.co.uk

Invoice

PLEASE NOTE
ALL CLOTHING AND GRAPHICS
INVOICES ARE DUE IN FULL
BEFORE WORK COMMENCES

CASH (LIPSCOMBE BUILDERS LTD)

Page	1
INVOICE No.	2925
INVOICE TAX DATE	14/08/2017
CUSTOMER ORD. No.	
ACCOUNT No.	CASH

Tel No:

Quantity	Details	Unit Price	Disc Amount	Net	VAT %	VAT
1.00	ACM PRINTED/LAMINATED ALUMINIUM SIGNS "PRIVATE"	20.0000	0.00	20.00	20.00	4.00
0.00	Cash Sale - paid in full		0.00	0.00		0.00
	Deposit Paid	24.00		Amount Due		0.00

DELIVERY ADDRESS

ALL CLOTHING &
GRAPHICS ARE DUE
FOR PAYMENT ON
INVOICE

Total Discount	0.00
Total Net Amount	20.00
Carriage Net	0.00
Total VAT Amount	4.00
Invoice Total	£ 24.00

Shirts & Signs Ltd, Unit 33, Brickfields Business Park, Gillingham, Dorset. SP8 4PX

Registered Office; 1, The Centre, Gillingham, Dorset. SP8 4AB Registered in England number 08595193

VAT number: GB 170 9504 09

GILYARD
SCARTH
LETTINGS

The Old Coffee Tavern
Salisbury Street **MERE**
Wiltshire BA12 6HA
Telephone 01747 860372
Fax 01747 861120

mere@gilyards.co.uk
www.gilyardscarth.co.uk



Mr C Harlow
Rights of Way Officer
Waste and Environment
Wiltshire Council
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Thursday, 06 June 2019

Dear Craig

Re: The Wiltshire Council Mere Path no 78: Ref no 2018/03

I am writing on behalf of The Walton Building Management Company in response to the application to add a footpath from The Square, Mere to North Street, Mere (Path No 78).

The owners are concerned firstly with regards to the issues that have been raised previously, being:-

- 1) Noise, disturbance and nuisance and loss of privacy to those residents particularly adjoining the right of way.
- 2) Wear and tear to the paving across the car park which is owned by The Walton Building Management Company.

The second point also raises the issue of the maintenance of the footpath if the order is accepted and a footpath is created, will the council maintain it and where does the liability lie if somebody should have an accident?

Yours sincerely


Saffron Reilly-Stitt
On behalf of The Walton Building Management Company

Associated offices

The Old Cycle Shop, Long St
SHERBORNE, Dorset DT9 3BS
Tel 01935 817360 Fax 01935 817354
sherborne@gilyards.co.uk

The Old Wine Merchants, 25 High St
SHAFTESBURY, Dorset SP7 8JE
Tel 01747 851122 Fax 01747 851113
shaftesbury@gilyards.co.uk

The Old Pine Shop, High St
GILLINGHAM, Dorset SP8 4QT
Tel 01747 825533 Fax 01747 826000
gillingham@gilyards.co.uk

Harlow, Craig

From: Katy Dyke [REDACTED]
Sent: 22 May 2019 17:09
To: Harlow, Craig
Subject: Formal Objection to CH201803

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Craig,

Further to your letter dated 16th April, ref: CH2018/03, I write to formally object to the proposed addition of a public footpath from The Square to North Street, Mere.

The grounds upon which I form my objection are as follows:

- The land has been, and is currently, private land
- In the years we have resided in our property, to our knowledge the footpath has only been used by the residents of the surrounding building/car park and the gate has been secured, to avoid public access. Thus implying the public are not welcome to use the path
- Allowing the footpath would undoubtedly have an effect on the value of the properties outlined in the enclosed 'Definitive Map and Statement Order 2019'
- Pedestrians may use the existing public footpath, Penny Bank Lane

To make you aware, whilst building work was being undertaken in the flats adjacent to the access point to North Street, the gate was locked for the duration, to stop the public entering the car park and no complaints were made.

Finally I would like to express my disappointment in the fact the Council, to whom we pay a hefty fee each year, has deemed this a valuable exercise to spend money on; when there is a perfectly good public footpath merely yards away.

I have also issued this objection via the post for your records.

I look forward to hearing from you regarding the progress of the order.

Kind regards

James Dyke

Flat 3 The Welcome House



Virus-free. www.avg.com

Harlow, Craig

From: Andrew Holder [REDACTED]
Sent: 07 June 2019 12:36
To: Harlow, Craig
Subject: Re: Footpath between The Square and North Street , Mere
Attachments: Footpath.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Harlow

Please find attached a letter from me concerning the application to make a right of way at The Square, Mere, Wiltshire BA12 6DL.

Please do not hesitate to contact me if you need any further information. Would you be good enough to acknowledge receipt of this before the cutoff point.

Thank you.

Best regards
Andrew Holder

On 16 Apr 2019, at 14:45, Harlow, Craig <Craig.Harlow@wiltshire.gov.uk> wrote:

Dear Mr Holder

The Wiltshire Council Mere Path No.78 Definitive Map and Statement Modification Order 2019.

Please find attached to this email the letter, notice and order in relation to this case.

If you have any queries please let me know.

Regards

Craig

Craig Harlow
Acting Rights of Way Officer (Definitive Map)
Rights of Way Warden (North / Central)
Environment Services
Wiltshire Council

[Tel:01249 468568](tel:01249468568) / 01225 712810
Ext:28568
Mob:07767 670709
Email: craig.harlow@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

Follow Wiltshire Council

<image002.png> <image004.png>

Follow Wiltshire Countryside

<image002.png> <image004.png>

“Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>”

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<Order letter Mere.doc><Sealed order.pdf><notice of making an order.docx>

Harlow, Craig

From: Gill Main [REDACTED]
Sent: 07 June 2019 13:11
To: Harlow, Craig
Subject: The Wiltshire Council Mere Path No 78 Definitive Map and Statement Modification Order Reference no. 2018/3

Sent from my iPad

Dear Mr. Harlow,

I refer to my e-mails of 5th and 19th July, 2018 when I objected to the above proposal. I wish those objections to be taken into account again.

Yours faithfully,
Gillian Main

Received 10/5/19

Rights of Way Team
Wilts Council
County Hall
Bythesea Rd
Trowbridge
Wilts
BA14 8JN

Flat 4 Welcome House
North Street
Mere
Wiltshire
BA 12 6HH

9th May 2019

Your Ref: CH 2018/03

Dear Mr Harlow,

Wildlife and Countryside Act 1981-Section 53

The Wiltshire Council Mere Path No 78 Definitive Map and Statement Modification Order 2019

Thank you for your letter of 16th April last regarding the above.

I strongly object to the above order for the same reasons as I explained in my letter to you on 11th June 2018 (copy enclosed).

Yours Faithfully,



Alan Morris
Secretary, Welcome House Residents Association
tel: 07710 453516

Mr T Bennett	Flat 1
Miss S Scarr	Flat 2
Mr J Dyke	Flat 3
Miss J Ackerman	Flat 5

Mr C Harlow
Waste and Environment
County Hall
Trowbridge
BA14 8JN

Flat 4, Welcome House
North Street
Mere
Wiltshire
BA12 6HH

11th June 2018

Your Ref: 2018/03

Application to add footpath to the definitive map at The Square, Mere.

Dear Mr Harlow,
In reply to your letter of 23rd May.

I and my fellow residents are firmly against the above proposal to add a public footpath that would go through a private courtyard area and car park.

The path heading North to South, leading onto an extremely busy four road junction, has a downward slope that encourages the local children to use their skateboards and scooters, if the gates at the bottom are left open they could easily lose control and career into the oncoming traffic or collide with a pedestrian.

An accident waiting to happen.

A much safer option is to use the pathway which runs from North Street down Penny Bank Lane which brings you out to the zebra crossing on Salisbury Street or indeed to take the short walk down Manor Road.

The covered archway at the end of the path is used by teenagers as a meeting place late into the night, evidence of the drinking of alcohol and taking of drugs have been found along with a variety of rubbish, the walls and roof of this area are a mess.

They also congregate around the bench located in the gardens of the residents car park, property has been stolen and vehicles vandalised.

This behaviour is very intimidating to everyone and especially to the elder residents of the area. Barry, the gentleman who opens and shuts the doors to the Clocktower every day informs me that since the gates at the bottom of this path have been locked, there is less rubbish to clean up and a general improvement of the area has been noted.

I have spoken with Mr Robert Finan who once owned the properties around the archway area and he has informed me that he always kept the gates padlocked but a gang of drug dealers would use bolt cutters to open them up again in order to deal under cover. Drug dealers are still active in this area.

There was also a second set of gates made of thick, solid wood which were also kept locked and to his knowledge never opened because they were there as added protection for the back door of the Post Office which was then located next to the arch, which is now the charity shop. The hinges of this gate are still there on the wall under the arch.

Mr Finan can be contacted at 07759 422037 or
He has told me that he is more than willing to help you in any way he can.
After all is considered, I do not think this path has ever been a right of way.

Are you aware that not one resident I have spoken to from Walton Buildings flats 1 to 10, have received your letter?

This is a terrible oversight as the proposed public footpath runs the whole length of that building and the residents should have a chance to put their views forward.

As secretary of the Welcome Flats Residents association, I represent the owners of all five flats in this building and they are all against the proposed path.

I would welcome the chance to discuss this matter in person with you when you make your site inspection visit, which you surely must in order to assess the situation.

Yours Faithfully



Alan Morris
tel: 07710 453516
Secretary, Welcome House Residents Association

Tim Bennett	Flat 1
Samantha Starkie	Flat 2
James Dyke	Flat 3
Julie Ackerman	Flat 5

**CROSS HOUSE
SALISBURY STREET
MERE
BA12 6HE**

6th June 2019

OS Grid Ref : ST 8125-3237 to ST 8126-3242

Your Ref : 2018/03

Dear Mr Harlow

With regard to the above order I have no objection to the Right of Way proposed.

As a resident of Mere since 1985 I have used this route regularly until the installation of the key lock recently. I use it often when popping through to friends and walking my dog plus avoiding a wet route through my own garden and 2 doors through my garage when carrying items from my parking to the front of my house in Salisbury Street.

I have never been stopped or challenged in using it as safe passage from The Square to North Street along with many other residents young and old. Rarely it was padlocked on Xmas Day. But not for at least 20 years. Manor Road is very narrow with no pavement and there have been numerous near misses recently.

Mere is very quite with no yob culture anymore thankfully, obviously the archway along with the Clock Tower have been used for years as somewhere to wait for buses or friends in inclement weather. We no longer have the night bus to nightclubs both locally or at Trowbridge which were a hindrance.

Yours sincerely


Diane R Pringle

Mere Town Council

TOWN CLERK - MRS. L. C. WOOD



Duchy Manor,
Springfield Road,
Mere,
Warminster,
Wiltshire
BA12 6EW
Phone: 01747 860701

e-mail: lindseywood@merewilts.org
www.merewilts.org

Craig Harlow,
Rights of Way Officer,
Rights of Way and Countryside,
Waste and Environment,
Wiltshire Council,
County Hall,
Bythesea Road,
Trowbridge,
Wiltshire
BA14 8JN

4th June 2019

Dear Mr. Harlow,

Ref No: 2018/03

Wildlife and Countryside Act 1981 – Section 53

The Wiltshire Council Mere Path No. 78 Definitive Map and Statement Modification Order 2019


I can confirm that your letter of 16th April (& enclosures) was presented to the Town Council at a meeting held on 13th May. I give below a copy of the Minutes and Resolution relating to this matter:

a) Wiltshire Council Mere Path No. 78 Definitive Map and Statement Modification Order 2019 (The above order was made on 28th March 2019. The order, if confirmed, will add a public footpath to the definitive map and statement for the area, from The Square, Mere leading in a northerly direction for approximately 57 metres to North Street, Mere. Any representation or objection relating to the order must be sent in writing not later than 7th June 2019). Cllr. Jeans reported that a significant number of people have sent in representations both for and against. Cllr. Mead said he thought this came up some months ago and the Town Council said we did not want to get involved. The Clerk informed Cllr. Mead that the Council had agreed that they did not want to become involved in the proposals to make a modification order but now that this had been done by

a third party, the Town Council was being consulted on the modification as a statutory consultee. Cllr. R. Coward said that he was in favour of supporting the modification on the grounds that it would be a safer alternative route for parents and children than having to walk along the narrow stretch of Manor Road between the old Lloyds Bank and Walton Antiques where there is no pavement. RESOLVED to support the Modification Order on proposal made by Cllr. R. Coward, seconded by Cllr. Mrs. Symonds and carried with a vote of 9 in favour, 2 against and 1 abstention.

I hope this information is helpful.

Yours sincerely,



Mrs. Lindsey Wood,
Town Clerk.

Harlow, Craig

From: Hamish Bell [REDACTED]
Sent: 14 May 2019 21:02
To: Harlow, Craig
Subject: Mere Path No.78 - Support for its addition to the Definitive Map

Dear Craig,

I strongly support the designation of this path from The Square, Mere, in a northerly direction to North Street, Mere.

There is a public safety issue here. Manor Road is the present means of accessing the Square from North Street. This is narrow with no pavement for most of its length. Elderly persons and those with disabilities, and parents with prams or walking children, constantly have to press themselves to the wall in order to allow vehicles to pass. These are often tractors or other large farm machines. Many vehicles do so at speeds which are dangerous in such a confined space. Traffic approaching from the rear can cause particular difficulty for those, such as myself, who have significantly reduced hearing and for which no allowance is made by many drivers.

The current building works, and the increased traffic when all the apartments are occupied only exacerbate the position.

I can understand that some residents may not wish noises outside their windows, but many houses in Mere (such as my own) front onto busy streets but their occupants cheerfully accept this as part of living in a small town such as Mere.

I strongly urge the Council to make this order confirming this far safer route.

Regards
Hamish Bell
Downside, North Street, Mere, BA12 6HH