

Post Order Consultation Responses

THE WILTSHIRE COUNCIL PARISH OF MELKSHAM PATH No. 107 & MELKSHAM WITHOUT PATH No. 151 RIGHTS OF WAY MODIFICATION ORDER 2020

1) Consultation letter sent to all users who had used the bridge route EGH before 2017:

“Wildlife and Countryside Act 1981 s.53

The Wiltshire Council Parish of Melksham Path No. 107 & Melksham Without Path No. 151 Rights of Way Modification Order 2020

I am writing to you because you have told the Council that you have walked paths in the area west of Melksham Forest around the River Avon. I have enclosed a map showing the paths affected by the above order. These are shown by a broken black line leading from A at Woodrow Road through to F at Murray Walk and over the River Avon at point E to G and on to the open land to the south east of Riverside Drive. The route E to G crosses a concrete bridge sometimes known as the ‘black bridge’.

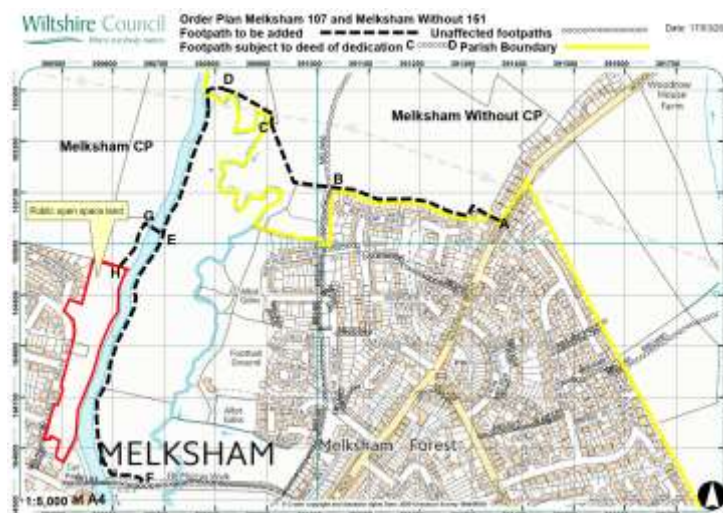
I would like to ask you for your recollections of using the bridge E - G in the years before 2001 or thereabouts.

The owner of the land claims to have erected large metal gates across the bridge and they were kept locked up to the time they were vandalised and thrown in the river around the year 2000. Please find enclosed a photograph of one of the gates. It is also claimed that within the last 20 years there were also three stranded barbed wire fence gates at both ends of the bridge to keep grazing cattle off the bridge.

Could you please let me know:

- 1) Did you use route E-G-H and if so, during which years?*
- 2) If you did use the route E-G-H, do you recall either the gates or the barbed wire on the bridge?*
- 3) If you do recall either the gates or the barbed wire what did you do? Did it stop you in your walk? Did you go a different way? Did you just go around or over them?*
- 4) If you do recall being obstructed by the gates or the fence, roughly for how long could you not use the bridge?*

Please respond by email or by using the envelope provided.”



2) Table of responses:

Name	Years of use	Comments
1. B Purnell	Over 50 years	Recalls bridge in 1965. Open with railings on each side. Used by children to access George Ward School from Forest estate. Recalls bridge being blocked to him "for a short time" in the 1990s (recalls barbed wire and locked gates). Used an alternative route when gates were locked, however, they didn't last for very long and were soon broken and he recalls them in the river. May have been earlier than 2000 when this happened.
2. S Sprules	Over 38 years	Does not recall the metal gate. Recalls cattle crossing the bridge to use fields on both sides during the day. No sign of structure to support gates. Barbed wire was on bridge but along it to stop cattle falling in and not across it. There was a stile at H.
3. P Sprules	Used routes since 1982	Does not recall a gate across the bridge at any time. He recalls the cattle crossing the bridge freely. Recalls barbed wire along the bridge but not across it. Fishermen also used the bridge so needed access.
4. A Cooke	From 1975 to date	Recalls gates on the bridge at one end but they were covered in ivy making them unusable and unrecognisable as gates. Barbed wire was sometimes pulled across the bridge to control cattle but he easily stepped over it – it was not an obstacle. Is only aware of recent attempts to prevent use.
5. K Davis	From 1989 onwards	Doesn't recall any gates and nor do his sons. They don't remember never being able to cross the bridge.
6. M Bryant	1976 to 1997 and 2008 onwards	Used EGH regularly 1976 to 1997 and there was never any gate or wire to obstruct him. Since 2008 there has been no gate and barbed wire was on the floor so was walked round until it was removed.
7. S Aldridge	1987 onwards	Recalls gates on black bridge, closed when cattle were grazing on either side. Gates were open when the cattle were not out. Recalls gates being vandalised and barbed wire appearing as a safety measure for the cows. Used the route throughout but when gates were closed, used an alternative.
8. P Cooke	1950 – 2015	Does not recall gates at any time. Recalls barbed wire for a few weeks but then it fell down and then she was able to cross it. Was possibly affected for about 3 months.
9. K Porter	1965 onwards	The gates were never fitted properly as there were no posts and we could walk round them. The barbed wire wasn't a fence, it was a few strands that could be stepped over. Thinks they were there more than 20 years ago. He was never obstructed by anything when using the bridge.

10. J Campbell	Since 1994	Used the route 'on and off' depending where the cattle were (he had dogs). Has not seen the gates but did see barbed wire. Was a fisherman and had to use the bridge to 'go to his peg'. People talk about the route being a walk to George Ward School. Recalls signs saying 'Angling Club water' near point F.
11. The Bull family	Since 1945	Has family recollections of use since 1922. Children use bridge to get to school. Father (born 1939) recalls hand rails and C Bull recalls remains of them. No-one remembers any gates ever. Has some recollection of barbed wire in the early 1990s. Walkers could get through. Barbed wire was not very effective for the cattle as she recall one falling in. Did avoid the route when cattle were out as they have dogs. Could always use the bridge though chose not to when cattle were grazing. Recalls some blocking of the bridge with an uprooted tree and branches.

Avon Road,
Melksham,
Wilts..

SN12

Sally Madgwick,
Rights of Way and Countryside,
County Hall,
Trowbridge,
Wiltshire.
BA14 8JN

Dear Sally,

I am writing with regard to your enquiry concerning the footpath proposals.

The Bridge (EG) as I understand it, was built to give access to concrete Rifle Range 'Butts' which stood in the field between the stream (the original course of the river) and the present River Avon (which was cut as a Mill-Stream). The Butts were part of a rifle range but this had not been used for many years when I came to live here in 1965.

The Bridge was completely open with railings on each side and was used regularly by the school children from Melksham Forest as a short cut to George Ward School, the path ran from the A350 opposite Dunch Lane down the side of the hedge; across the Bridge and straight across the field to the stream, which it crossed with a purpose built stile in the fence. The path continued on up the side of the allotments and gave access to the area around Methuen Avenue.

Question 1 - Regarding my use of the path E-G-H?

I used to walk across the Bridge at G-E regularly sometimes from H but more often I walked down the hedgerow, as the children did, joining it from the footpath which leads from Tamar Road to Beanacre.

Question 2 - Do I recall it being blocked?

After the land changed hands (sometime in the 1990's I think) attempts were made to close off the bridge and I recall barbed wire fences and later the locked gates similar to those in the photograph, I do not remember the date of this but for a short time it was impassable to me.

Question 3 - What did I do during the time it was impassable?

While the Bridge was barred I walked the fields on the Avon Road side of the river and also as I had always done; those on the other side of the A350 along by the railway and the Power Station. There was access to these from Dunch lane by a stile which has since been allowed to fall into disrepair and replaced by a hole in the hedge (attempts were recently made to block this up). Originally all the fields were unploughed pasture land and there were plenty of places to walk including a footpath from Tamar Road all the way to Beanacre, which has since been rendered impassable by the ploughing.

Question 4

If my memory serves me correctly the bridge was not impassable for very long - the gates were heavy and not well fixed at their hinges; consequently they were soon broken and I remember seeing them in the river, the handrails along the side of the bridge were also broken around this time; again I am not sure of the date but it was certainly no later than 2000 earlier I think, I remember that at about this time the pier of the bridge on the far side from Avon Road was almost washed away and the bridge was made unsafe, to repair it the stream was filled in around about point C on the map, to allow heavy plant into the field, the damage was repaired using the concrete from the 'Butts'. The stream was never cleared out again and remains blocked and stagnant to this day. By the time the school closed the fields were being ploughed regularly and the path was not much used. The path from H-G has always been a problem and although regularly used has often been blocked since the land has been ploughed.

When I walked the fields regularly there was a footpath along the river from F-D and a proper stile by the big pylon at point 'D' with stepping stones to cross the stream but the hole in the hedge at 'B' is quite recent I think.

The river Avon is a great asset to Melksham but In my time here I have watched the river banks deteriorate until now they are in a very poor condition, was caused firstly by leaving the willows unpollarded to collapse in and block the stream and later by ploughing far too close to the edge causing the banks to collapse

The suggestion of a path would in my opinion go some way to stopping further damage by the ploughing at least.

I hope this information is of some assistance.

Yours Sincerely,


Bob Purnell.

② SHIRLEY
SPRULES

■ Portman Road
Melksham
Wiltshire
SN12 ■■■■■

Ref.2017/04

Dear Sally Madgwick,

I am writing in response to the Melksham path no.107 & Melksham without path No.151, right of ways modification order 2020.

In reference to the route E-G-H outlined in the map that had been enclosed with the previous letter, I have walked this route since 1982, when I moved into the area.

While it has been stated that there was a metal gate on the bridge over 20 years ago, I do not recall there been one and I never saw a metal gate like the one in the picture in the river.

Before the fields were used for crops, they used for grassland for the cattle which would cross the bridge to use the fields on each side during the day. Even after the fields were used for crops there was no gate or barrier in place. There is no structure or wall on the bridge that a gate such as the one in the picture could be attached to. There has been barbed wire on the bridge which ran along the length of the bridge to prevent cattle from falling into the river. I do not recall barbed wire being in place to prevent access to the bridge.

In addition, I would also like to mention that there used to be a stile at H, allowing access into that field from the public open space land.

Yours sincerely,
Mrs. Shirley Sprules

Madgwick, Sally

From: [REDACTED]
Sent: 10 January 2021 15:42
To: Madgwick, Sally
Subject: Melksham Right of Ways
Attachments: Melksham Right of Way Path.docx; Melksham Right of Way Paths.docx

Dear Sally Madgwick,

I am emailing in response to the letter I received about the Melksham Path number 107 and Melksham Without Path Number 151. I have attached two letters, one from myself and one from my husband in response to the E-G-H route.

Yours sincerely,

Shirley Sprules

(3) PETER
SPRULES

Portman Road
Melksham
Wiltshire
SN12

Ref.2017/04

Dear Sally Madgwick,

I am writing in response to the Melksham path no.107 & Melksham without path No.151, right of ways modification order 2020.

In reference to the route E-G-H, I have walked that route since 1982 when I moved into the area. Over the years that I have walked across the black bridge over the River Avon, I have never seen a metal gate across that bridge or in the river. To my knowledge, it was not there before or after 2000. Before the fields were ploughed up for crops, the fields were grasslands for cattle to use. The cattle would cross the bridge to access both sides and tractors would also cross the bridge at times, so why would there be a big metal gate on the bridge? Plus, there is no structure on the bridge to attach anything like the gate in the picture too.

The only barbed wire that I saw was along the bridge to stop cattle falling in the river. I cannot remember wire across the bridge to prevent access.

Furthermore, fishmen used to use the bridge to cross from side G-F, they would enter the field by H entrance where there used to a stile into the field.

Yours sincerely,
Mr. Peter Sprules.

Madgwick, Sally

(4) ADRIAN
COOKE

From: [REDACTED]
Sent: 22 December 2020 13:29
To: Madgwick, Sally
Subject: Access to Melksham fields

Dear Sally,

Thank you for the letter of enquiry on the Melksham access pathways matter. I can confirm that I have indeed used the route E-G-H as shown on your map continually since 1975 to the present day.

I can also confirm that there once were gates at one end of the bridge, but they were completely covered in ivy making them unrecognisable and unusable as gates, and to my knowledge they were never closed.

As for the barbed wire, I can also confirm that when there were cattle in the field, barbed wire was pulled across the bridge, and was removed after the cattle were removed. However you could easily step over the wire so it was never an obstacle to using the fields beyond - fields that I've camped in as a boy, and now walk my dog in. Not until very recently did the farmer try to unsuccessfully stop people using it, because he was stopped from using the bridge himself due to structural concerns and heavy vehicles (sour grapes).

I hope you find this useful.

Yours sincerely,
Adrian Cooke

From: [REDACTED]
To: Madgwick, Sally
Subject: 2017/04
Date: 21 December 2020 10:50:40

⑤ KEVIN
DAVIS

Dear Ms Madgwick,

Thank you for your email regarding the bridge from points E-G on Modification Order 2017-04.

I believe we did use the path between E - H somewhere around 2000 , probably from the late 1990's. I've asked both my sons as well and we cannot recall any large metal gates. Also, we can't remember not being able to cross the bridge at any time.

Hope this helps,

Regards

Kevin Davis

From: [REDACTED]
To: Madgwick, Sally
Subject: Rights of way modification
Date: 29 December 2020 10:27:17

⑥ MARK BRYANT

29 December 2020

I am responding to the letter you sent me on the 14 December 2020 with reference to The Wiltshire Council Parish of Melksham Path No. 107 & Melksham Without Path No. 151 Rights of Way Modification Order 2020

I used the said route E-G-H regularly from years 1976 to 1997 and there was never any gate or barbed wire in place to obstruct my walk

I didn't use the above route between years 1997 to 2008 but since 2008 I have used the route again and I have never seen a gate but there was barbed wire which was laid on the floor so I walked around it the barbed was then removed and hasn't been there for at least 8 years I have never been obstructed from using the bridge

Yours sincerely
Mark Bryant

(7) SUE ALDRIDGE
[REDACTED] SCOTLAND ROAD
MELKSHAM
SN12 [REDACTED]

Dear Sally Madgwick,

Thankyou for your letter ref 2017/04.
I moved to Melksham in 1987 and have
lived in Scotland road ever since.

I remember the gates on the 'black bridge'
which were always closed if cattle were
grazing on either side of the bridge and
understood the safety value of this. When
cows were not out these gates were open.
I also remember them being vandalised and
then barbed wire being put across, and
this was also a safety measure for the
cows. Therefore when the gates were
open or no barbed wire up, yes I did
walk from H - G - E. When the gates
were closed I walked from F onwards
along the river. At H there is a style
and I have enclosed photos of it as
it is now, these have always been there
since the estate was built and are
the concrete V shaped style. The farmer
blocked this style about 5 years ago.

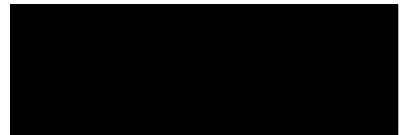
So to answer your questions,

- 1) Yes I used the route from 1987. E-G-H
- 2) Yes I remember the gates and barbed wire.
- 3) I went a different way, F-E-D etc.
- 4) The bridge was shut off from June - October, approximately.

I have never been told by anyone that I cannot walk this route. Tim Farthing's father Norman would often be in the fields and never mentioned that it was not a public right of way. I always respected the area and kept my dogs on the lead if cows were out. I would also ring Norman if there were any problems with the cows.

I hope this is helpful. Can I also mention that there is a public right of way from Tamar Close to Bearacre. This same farmer never clears this since he has been growing maize. At the moment it is ploughed and as it is rough ploughed is unwalkable. When maize is being grown I can't understand why he doesn't want people to walk across the land.

Yours Sincerely,





8 POPPY COOKE

St Margarets Eden.
MELKESHAM.

SN 12

31-12-20.

Ref 2017/04.

Dear Miss Madgwick

Re Melkesham path NO 107.

Melkesham Without path NO 151.

In reply to your

question

1) 1950 - 2015.

2) I do not recall gates
at any time.

3) I do recall barbed wire
which was there for a
few weeks and then
one was able cross over
it once it collapsed.
When the wire was in
existence we used to
walk another way.

4) We probably did not use Dredge for about 3 months crossing another walk.

I would like to add that I have walked that Dredge since the late 1940 - early 1950's as a child from Forest Farm to Beacon.

This walk has always been very much a community dog walking area and even in my old age I feel very strongly that it should stay so.

Yours sincerely



(Poppy & Cooke)

⑨ KEVIN PORTER

Sally Madgwick
Rights of Way and Countryside
Country Hall
By the sea road
Trowbridge
BA14 8JN

K. Porter
[REDACTED] Granville Road
Melksham
SN12 [REDACTED]
28/12/2020

Dear Sally Madgwick

In answer to your questions in your letter dated 14/12/2020, yes I used route E-G-H from 1965 with other local children, and my grandfather regularly took me with him when he walked the dog. The route walked was from H, as I lived in Granville road then, as I do now.

I remember the gates not being fitted properly, as there never was the correct posts to hold them, and we could get around them.

The barbed wire wasn't a fence. It was a few low strands of wire which could be stepped over.

These were in place more than 20 years ago, for a short period of time as I remember and did not stop me walking the route.

I was not obstructed by the gates or wire as there was always a way around or through.

I can't remember exact dates.

Yours sincerely,

[REDACTED]

KEVIN PORTER

(10) J CAMPBELL

J. CAMPBELL

WOODROW ROAD

MELKSHAM

SN 12

MOR

19 DEC. 20.

DEAR M^r MADENICK,

RE: YOUR LETTER CONCERNING USE OF ROUTE E-G-H.

- 1/ I HAVE WALKED DOGS USING THIS ROUTE ON AND OFF SINCE 1994. DEPENDING ON WHERE THE CATTLE WERE IN THE FIELD WOULD MAKE MY CHOICE OF ROUTE. AT NO TIME DURING THIS PERIOD HAVE I EVER SEEN BATES ON THE BRIDGE. I HAVE SEEN THE BARBED WIRE AS CLAIMED.
- 2/ ANOTHER POINT WORTH BEARING IN MIND IS THE AVON ANGLING CLUB. AS A PREVIOUS MEMBER OF THE CLUB I FISHED IN COMPETITIONS ON THE STRETCH OF RIVER BETWEEN POINT H-D AND LIKE OTHER ANGLERS USE THE BRIDGE IF REQUIRED TO GET TO MY 'PEG'.
- 3/ VARIOUS PEOPLE I HAVE TALKED TO ALSO REMARK ABOUT THE BRIDGE BEING PART OF THE ROUTE TO THE GEORGE WARD SCHOOL FROM THE FOREST ESTATE. I WOULD GUESS THE PUPPETS WERE THE ONLY WHO LET THE BARBED WIRE DOWN.
- 4/ THERE IS A VERY RUSTY SIGN IN THE FIELD AT POINT 'H'. I THINK IT MAY HAVE BEEN ABOUT ACCESS. TO ENTER THE FIELD REQUIRES CLIMBING A FENCE. SIGNS AT THE MURRAY HALLS END A 'F' AND ON THE RIVER BANK BY "GREEN BRIDGE" STATE "AVON ANGLING CLUB WATER".

I state this is of some help to you I moved to Mountain
in 1986, and into the forest area in 1988.

I know and often talk to life time locals who know and talk
about the area in question.

Yours Sincerely



Madgwick, Sally

From: Carrie Bull [REDACTED]
Sent: 17 January 2021 17:26
To: Madgwick, Sally
Subject: Path No.107 and 151 RIGHTS OF WAY

Dear Sally Madgwick, REF:2017/04

In response to your letter dated 14th Dec 20. Please see below our response to the following points 1-4;

1) Did you use route E-G-H and if so during which years ?

At least the last 3 generations of our family since the second world war have had many decades of free and unfettered use of the route E-G-H. My late grandmother who was born in 1922 used this route as a young lady and my father born in 1939 used this same route when he was young. We like many, many others have continued to use this route and I myself have walked this route since a child in the 1980's. Children for generations have walked across the black bridge to and from school each day. At one point from what I can remember there was also a wooden stile/step at point H to access the route.

2) If you did use the route E-G-H, do you recall either the gates or the barbed wire on the bridge?

My father remembers hand railings at the sides of the bridge and I remember remnants of hand railings. In all the years of using this route none of us have any memory of ever seeing any gates on the bridge. We do have some recollection of there being barbed wire on the ends of the bridge possibly in the early 1990's.

3) If you do recall either the gates or the barbed wire what did you do ? Did it stop you in your walk? Did you go a different way ? Did you just go around or over them ?

As far as we can remember the barbed wire at the ends of the bridge was passable for footpath users to get through. Although the land owner has said that the barbed wire was erected to keep the grazing cattle off the bridge this did not prevent cattle from falling in to the river as on one occasion my mother called the fire service after seeing a cow in distress in the river after falling in from the bank. Personally, we tried to avoid this route if we were walking with the dog when there were cattle grazing to prevent any unnecessary distress to the cattle and keep ourselves from sustaining injury.

4) If you do recall being obstructed by the gates or the fence, roughly for how long could you not use the bridge ?

As previously stated above we have no recollection of there being any gates and we were able to use the bridge getting through the wire when the cattle were not grazing.

The black bridge was deliberately blocked by the land owner several years ago with a huge uprooted tree and further branches etc to try to prevent people from using this route. There is a further footpath that goes directly across this land owner's same field which he plants over every year to try to prevent people from using this route as well.

It is very difficult to understand why one landowner has tried so persistently to prevent people from accessing footpaths across their land which has been enjoyed for so many decades. Never has there been such a time when going out for a walk and immersing oneself in the beauty of nature ever been so

important as it is now. Neither has there been such a time for landowners to work together to protect and conserve our environment. Of course, the users of footpaths and fields must also play their part in respecting the land and nature` too. Other land owners in the surrounding areas leave wide edges to their ploughed/planted fields where there are footpaths which locals can then access easily. This encourages walkers to stick to the correct footpath routes and also helps conserve wildlife.

And finally, since the age of time bridges were meant for crossing whether it be by foot, pony, bike or tractor !

I look forward to hearing of the rightful re-instatement of this footpath.

Yours very hopefully,

Carrie Bull and the Bull family