

Witness Evidence Summary Broad Chalke- The Cut
Relevant Period Dec 1988 to December 2008
Appendix 4

No	Name	Address	Dates used	Years of use	How used	Believed status	Gates Stiles etc	Notices	Challenge	Permission	Owner or cocupier aware?	Notes
1	Jennifer Truluck	Anthony's Ground High Lane Broad Chalke SP5 5HA	1997 to 2007	10	Walking	Footpath	Yes recent gate in 2007 following building works	No	No	Residents Mr and Mrs Heminsley offered permission in conversation Sept 2008 – not asked for	Yes, use always visible and open	
2	Matthew Pickford	Old Stoke Stoke Farthing Broad Chalke	1974 to 1985 regularly Last used 2004	Some use in relevant period	Walking or cycling	Footpath	No but gate added later	No	No	No	Yes, said good morning as passing when on path	
3	Hilda Penny	Old Rafters North Street Broadchalke	1937 to 2008	71 years	Walking and cycling	Byway recalls horse and carts using it	Remembers gate when farmers drove cattle but always open unless driving Then no but gated recently	No	No	No	Yes	Used to go that way to the bakehouse since 1937 and other shops
4	Nellie Penney	North Street Broad Chalke SP5 5EN	1947 to 2008	61 years	Walking	Byway has seen cars and lorries on it	No but gated recently	No	No	No	Don't know	
5	Malcolm Penn	The Elms High Lane Broad Chalke SP5 5HA	1953 to 2007	54 years	Walking and cycling	Footpath but has seen trade vehicles associated with the old bakehouse site	No	No	No	No	Don't know	Safer alternative to walking roudn the bend in the road
6	Sylvia Mundy	3 Meadow View High Lane Broad Chalke SP5 5EZ	1948 to 1956 as employees of shop 1956 to 2008 as member of public	52 years	Walking	Footpath	No, not until building works started	No	No	No taken for granted it was a right of way by villagers	Yes must have been told when buying property	

No	Name	Address	Dates used	Years of use	How used	Believed status	Gates Stiles etc	Notices	Challenge	Permission	Owner or cocupier aware?	Notes
7	Thomas Hitchings	Primrose Cottage High Road Broad Chalke SP5 5EH	1955 to 2007	52 years	Walking cycling pushing pram	Bridleway	No but recently blocked for the first time in my memory	No	No	No it has always been freely available to my certain knowledge for 50 plus years	Yes public used the route freely	
8	J M Hitchings	Treetops High Lane Broad Chalke SP5 5HA	1953 to 1980	27 years outside relevant period	Walking	Footpath	Not known	No	No	No	Yes gate erected	Vehicles associated with business used it. When buidling became residential a gate went up. Path has been unaltered in the 56 years I have lived in Broadchalke
9	Beryl Gulliver	Goldens High Lane Broad Chalke SP5 5HA	1950 to 2007	57 years	Walking	Footpath	No but recent gate	Recent	No	No	Don't know	
10	John Carter	8 Doves Meadow Broad Chalke SP5 5EL	1925 to 2008	83 years	Walking	Footpath	No but recently erected gate	No	10 th October Owner refused to let him past blocked by car	No	No	
11	Brian Blick	Hydon House High Lane Broad Chalke SP5 5HA	1935 to 2008	73 years	Walking sometimes driving	Byway	Remembers sheep control gate removed from south	No	No but has heard that current owners of the Old	No	Yes must have been a matter raised	

							end about 1941 – 1942 then no but gates recently erected		Bakery have questioned other users about their rights of way		during recent sale of old bakery	
12	David Gooden	Cerney Rise High Lane Broad Chalke SP5 5HP	1953 to 2008 but 1974 to 1979 as a tenant	55 years	Walking and cycling	Footpath	Recently a gate has been put up	No	No	No	Yes clearly visible and frequently used by villagers.	
13	Brian Gilbert	1 Sydney Villas High Lane Broad Chalke SP5 5EX	1938 to 2007 but working there 1974 to 1992	69 years But only 15 in relevant period owing to occupation	Walking and cycling	Bridleway	No but new gates now	No	No	No	No	
14	Phyllis Emm	10 Doves Meadow Broad Chalke SP5 5EL	1930 to 2008	78 years	Walking	Footpath	No but new gate now	No – but some safety notices	No	No	Yes because he would have told me not to use it.	
15	Vanessa Colyer	Solace House High Lane Broad Chalke SP5 5HA	2007	1	Walking	Footpath	No but gates now installed	No	No but turned back by gate	No	Yes Always been a commonly used path. I and others have used the path when the current owner of the Old Bakehouse was working on it.	

Comments on use:**Length of Use**

It is clear that the appearance of the gate in late 2007 caused some users to stop using the path (5). However, 8 users continued using the path as although a gate was erected it was not locked. Only one witness was challenged by an adjoining property owner, this in October 2008. Hence I have considered the calling into question of this route to be the application date (December 2008) and not the erection of the gate date (autumn 2007) or the planning application when again, use continued unchallenged.

Witness No	Total Years of Use without secrecy, permission or force	Such use 1988 to 2008 Taking application as the calling into question	Such use 1987 to 2007 Taking Mr Kot's erection of gate and sign as the calling into question
1	10	10	10
2	11	1	1
3	71	20	20
4	61	20	20
5	54	19	20
6	52	20	20
7	52	19	20
8	27	0	0
9	57	19	20
10	83	20	20
11	73	20	20
12	55	20	20
13	69	15	16
14	78	20	20
15	1	1	1

All users reported using the claimed route.

Reasons for Use:

Visting friends, meetings, dog walking, village functions, voluntary work
 Visting friends
 Visting friends
 Visting friends, walking the dog, recreation
 To ctach the bus, to school, to work, to visit post box, surgery and rambling
 To put flowers on relative graves
 Recreation, visiting friends and shops
 Get the wood for the carpentary business
 Visiting family and friends, doctors, shopping and catching the bus

Recreation
 For all reasons needing to get to the village avoiding dangerous corner
 To visit relatives
 All purposes as needed
 To the surgery, to the church, to mow the graveyard to avoid extremely dangerous corner
 Taking children to school, to post box, to surgery
 Access the post box, attending school, church and village events