

FOYLE BROS
North Hill Farm, Ebbesbourne Wake
Salisbury, Wiltshire, SP5 5JT
(01722) 780348

21st July 2005

Miss J Green
 Rights of Way Officer
 Wiltshire County Council
 Environmental Services Dept
 County Hall
 Trowbridge
 BA14 8JD

Environmental Services Dept.			
PB		25 JUL 2005	Ack.
1	2 RB	3	4
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Dear Miss Green

Rights of Way Modification Order No.11, 2005. (Ebbesbourne Wake No.24)

Thank you for your letter of 18th July 2005.

I would like it placed on record that I object to the above Order. The evidence that I have will be presented to you later. I intend to follow this through to a Public enquiry.

Yours sincerely

G. L. Foyle

G L Foyle
 Foyle Bros

From: J.A. Withers, South Wiltshire Rights of Way Preservation Group

To: Miss Janice Green, Rights of Way Officer, Wiltshire County Council

Date: 9th September 2005

Subject: DMMO proposed to Byway (BOAT) No. 24, Ebbesbourne Wake

The following objections are submitted in respect of evidence prepared by the applicant for the above DMMO under s53 Wild Life and Countryside Act 1981.

1. There are thought to be a number of inaccuracies and indecisive statements particularly regarding cartographic evidence.
2. The application as it stands suggests that its purpose is to bring mechanically propelled traffic from valley and downland in the south of the county in order to access the Shaftesbury Ox Drove, Byway BOAT 15. If this is the case there are two adequate routes to achieve this, both of which are within 1000m of the proposed new entry point. One to the west is from the Alvediston – Ansty road and the other to the east is via the recently modified Ebbesbourne Wake BOAT 3. If on the other hand the purpose of the modification is, as is reported to have been, to connect to Swallowcliffe FP10 we would strongly recommend reconsideration. This eventual route would have to negotiate the 1:3 gradient of approximately 140m on the north slope of Swallowcliffe Down and would present a serious hazard to life.
3. The proposed modification is over a land surface of clay over chalk which is largely unsustainable if used frequently by any mechanically propelled or horse driven vehicle.
4. The proposed route is mostly over unfenced land and in severe wet conditions would be likely to rut deeply and so induce additional width to the path a situation common in the down land even in days prior to use by mechanically propelled vehicles.
5. The stretch of the proposed route runs adjacent and close to recently confirmed open access land on which motorised traffic is prohibited. Parts of the open access land are unfenced.
6. Although environmental evidence is currently unacceptable by direction to the Planning Inspectorate it is known that serious consideration is being given in debate of the Natural Environment and Rural Affairs Bill for strictures against damage to protected sites. The locality of this proposed modification is within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. It is a very open landscape and use of mechanically propelled vehicles other than those used for agriculture would be an affront to the beauty of this area as well as a severe threat to wildlife.
7. We are aware that the rights of vehicle users is often quoted when claims for modification are based on rights acquired in historic times. The EU Convention of Human Rights and the derived Human Rights Act in this country have played a significant part in recent Rights of Way legislation. Again we are aware that review is being undertaken to ensure that there is an ethical balance of the rights of users of mechanically - propelled vehicles against those of owner/occupiers and conservationists.

J.A.W. Sep 05.

EBBESBOURNE WAKE PARISH COUNCIL

Janice Green
Rights of Way Officer
Environmental Services Department
County Hall
Trowbridge, Wiltshire BA14 8JD

9th August 2005

Reference: KA21/05

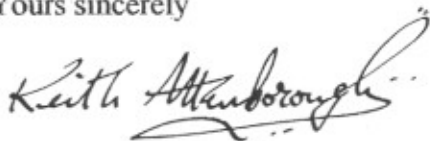
Dear Ms Green,

Definitive Map Modification Order extension to Boat 2 Ebbesbourne Wake

With reference to your original letter of May 9th and subsequent letter containing the Definitive Map Modification Order I am instructed to inform you that this Parish Council opposes absolutely any extension to the existing Byway Open to All Traffic No2 at Ebbesbourne Wake (Swallowcliffe Road). Furthermore the Parish Council maintains that the evidence presented by officers of the County Council fails to justify, on the balance of probabilities, "that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates".

If the matter is pursued further then this Parish Council will require a full public enquiry.

Yours sincerely



Clerk to Ebbesbourne Wake Parish Council

Environmental Services Dept.			
10 AUG 2005			Ack.
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Janice Green
Rights of Way Section
Environmental Services Department
Wiltshire County Council
County Hall
Trowbridge BA14 8JD

Your Ref: JG/LMW/PC 92

Environmental Services Dept.			
27 JUL 2005			Ack.
1 <i>JB</i>	2 <i>RB</i>	3	4
5	6	7	8

24 July 2005

Dear Miss. Green,

Wildlife and Countryside Act 1981-Section 53
Modification Order to add a Byway Open to all Traffic
at Ebbesborne Wake (Ebbesborne Wake No.24)

As the applicant, I am naturally pleased that the County Council has made this Order.

If confirmed, the Order will rectify a long standing anomaly which caused Byway No.2 to be a cul-de-sac for equestrian and vehicular users. The Council first attempted to remedy this at the 1972 Special Review, and again under the 1981 Act. The subsequent public inquiries confirmed that the route shown on the current Order is historically correct.

When the original route is restored, all users will benefit.

Yours sincerely,

Bill Riley