

Sparks, Helen

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**From:** john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)>  
**Sent:** 24 June 2019 16:35  
**To:** john warr  
**Cc:** Sparks, Helen  
**Subject:** Re: ROW/3209564  
**Attachments:** footpath 44 evidence.docx

Helen

Please can you update my statement with the attached, which includes reference to Testimonial of Sian Lewis. (S34)

Please also add the 2 images attached to evidence provided by Chris Hinton as already sent.

Please add the Sian Lewis testimonial to the Proof Of Evidence pack about to be forwarded..

Thanks

John

On Thu, 30 May 2019 at 10:41, john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)> wrote:

----- Forwarded message -----

**From:** john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)>  
**Date:** Thu, 30 May 2019 at 10:27  
**Subject:** Re: ROW/3209564  
**To:** john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)>  
**Cc:** <[helen.sparkes@pins.gsi.gov.uk](mailto:helen.sparkes@pins.gsi.gov.uk)>

Helen

Further to our phone call and your letter received today.

I am confused by the terminology and do not understand the difference between case statements and proof of evidence. I understood the deadline to be 8 weeks prior to hearing as per letter

Please find attached a "proof of evidence" from myself and please include in proof of evidence for all the statements given by others in this document. Please also if not included add the statements as proof of evidence from the original application as per thread below.

If you have 5 minutes can we discuss how the inquiry works. I do not understand if as applicant, what I am allowed to do. The process is quite confusing as there seems to be lots of parties making statements.

John

On Tue, 28 May 2019 at 12:11, john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)> wrote:

Helen

just in case I have provided dropbox links here for all the original statements submitted with the application back in 2017.

[https://www.dropbox.com/s/8gfsiydkituidgi/F3\\_2\\_Burycroft.pdf?dl=0](https://www.dropbox.com/s/8gfsiydkituidgi/F3_2_Burycroft.pdf?dl=0)  
[https://www.dropbox.com/s/he4ifvn40kn315k/f3\\_2\\_southview\\_cottage.pdf?dl=0](https://www.dropbox.com/s/he4ifvn40kn315k/f3_2_southview_cottage.pdf?dl=0)  
[https://www.dropbox.com/s/4wj6x8aur555vis/F3\\_7\\_Burycroft.pdf?dl=0](https://www.dropbox.com/s/4wj6x8aur555vis/F3_7_Burycroft.pdf?dl=0)  
[https://www.dropbox.com/s/4llfosxhuoidzsm/F3\\_8\\_Burycroft.pdf?dl=0](https://www.dropbox.com/s/4llfosxhuoidzsm/F3_8_Burycroft.pdf?dl=0)  
[https://www.dropbox.com/s/1bwv1wce250dr0a/F3\\_Becks.pdf?dl=0](https://www.dropbox.com/s/1bwv1wce250dr0a/F3_Becks.pdf?dl=0)  
[https://www.dropbox.com/s/uy9dydes3rfpict/f3\\_boston\\_6\\_Burycroft.pdf?dl=0](https://www.dropbox.com/s/uy9dydes3rfpict/f3_boston_6_Burycroft.pdf?dl=0)  
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[https://www.dropbox.com/s/sv8hn5wibvvr9v6/F3\\_marsh\\_cottage.pdf?dl=0](https://www.dropbox.com/s/sv8hn5wibvvr9v6/F3_marsh_cottage.pdf?dl=0)  
[https://www.dropbox.com/s/1nwy38fvkf8c402/F3\\_Moat\\_Cottage.pdf?dl=0](https://www.dropbox.com/s/1nwy38fvkf8c402/F3_Moat_Cottage.pdf?dl=0)  
[https://www.dropbox.com/s/kkemppcq7bmwwzc/F3\\_Trelawny\\_Barn.pdf?dl=0](https://www.dropbox.com/s/kkemppcq7bmwwzc/F3_Trelawny_Barn.pdf?dl=0)  
[https://www.dropbox.com/s/je6l2fd7hufz11m/F3\\_White\\_cottage\\_4B.pdf?dl=0](https://www.dropbox.com/s/je6l2fd7hufz11m/F3_White_cottage_4B.pdf?dl=0)  
[https://www.dropbox.com/s/ax434e0ia7ymq8c/F3\\_Wrightsbridge.pdf?dl=0](https://www.dropbox.com/s/ax434e0ia7ymq8c/F3_Wrightsbridge.pdf?dl=0)  
[https://www.dropbox.com/s/6zdwsqak3q6yz6v/form3\\_Evidence%20form.pdf?dl=0](https://www.dropbox.com/s/6zdwsqak3q6yz6v/form3_Evidence%20form.pdf?dl=0)

The majority of these witnesses would like to address the enquiry on Jul 23rd.

John

On Tue, 28 May 2019 at 11:52, john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)> wrote:  
Helen

My name is John Warr and I am the original applicant for the modification order related to footpath 44.

1. Please can you confirm receipt of "Statement of case for Footpath 44" pack from myself delivered to the Bristol office.
2. In relation to this case, can you confirm if the statements given by witnesses with the original submission of the "APPLICATION FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT" made in June 2017 are automatically considered in this case?
3. On July 23rd I understand those provide witness statements can directly address the enquiry. Some of the witnesses are in their 70s and 80s and ideally do not want to attend all day. Is there a process to establish who the witnesses are to be called and some order so the day can be planned effectively?

Thanks

John

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Helen Sparkes  
Planning Inspectorate  
3G Hawk Wing  
Temple Quay house  
Bristol BS1 6PN

24<sup>th</sup> June 2019

Ref: ROW/3209564

Proof of Evidence for Footpath 44

## Background

Footpath 44 first appears on a historic Ordnance Survey map in 1898. (Ref M2). At 120 years old it one of the four oldest footpaths in Wanborough and helped to connect Upper Wanborough (Kite Hill), via Green Lane to Covingham, Nythe and Swindon. The path is also shown on the later OS maps of 1919 (Ref M3) and 1943 (Ref M4). As a main arterial route between the settlements it was used by farm workers, their families and those looking to buy and sell goods in the town. A long retired milkman Peter Waldron (Ref S17 and S24) remembers walking the route with his parents from Kite Hill, along Green Lane, which was then a main road and joining the footpath at "the Marsh". As its name implies, the land was then true marshland and as you can see from the 1943 map(M4), at the location where Honeyfield is today are two ponds. The ponds were connected by a brook so to traverse the brook, there was a bridge. According to Peter Waldron in his youth the bridge was originally stepping stones, and was then replaced with a brick bridge.

The area around Honeyfield and Ducksbridge, was open Marshland, so as you would expect travellers took a straight route to the bridge and then directly in a line towards Covingham.

The 1943 map is also interesting as it is first time we see indications of a EW footpath being established which cuts across the corner between The Marsh and Burycroft. (Burycroft)

Burycroft at this time has a Bakery a Shop and of course the Pub, so Farm workers from Foxbridge, Wick and Lotmead may well have used this cut through path to get to and from these amenities and their homes more quickly and safely.

In the 1940s May Archer a resident in Kite Hill at the time, often visited her aunt at Foxbridge. May drew a hand drawn map (ref M5) based purely on her memory and explained she reached Foxbridge by going down Green Lane, along The Marsh and across the fields towards a Bridge marked "B" which sat between 2 ponds, she then turned right towards Foxbridge. This route established in 1898, was still being used up until 2017.

May Archer also marked her map with "SS" that indicates where there were stone steps, for the EW cutoff across the Marsh/Burycroft corner.

The cartographers removed the straight lined distinct footpath 44 from the OS Maps of 1947. Instead a new wavy footpath to the Wicks Lane that terminated half way along the track between the corner of the Marsh and Wrightsbridge was included.

Testimonial evidence confirmed that everyone still crossed the Marsh and Burycroft corner as before and then walked directly across to the ponds.



In the late 1950s a program of works was undertaken to reclaim the often waterlogged Marshlands between Wanborough and Covingham for agriculture use. Expansion of the Pressed Steel plant in Swindon, required large amounts of clay to be excavated and this was transported to "The Marsh".

The two ponds at Honeyfield were partially filled in, the old brick bridge was buried and many culverts, ditches and low lying areas were raised. Of note this included the marshy area behind "Rathbourne house" fed by the culvert that crossed Burycroft towards the Foxbridge and Wrightbridge track. However route 44 continued to be used.

Testimonial evidence suggests this was successful, as during the 60s and 70s footpath 44 joined Wicks Lane and allowed parishioners to easily walk to Covingham in 20 minutes, almost as quickly as you could drive. One parishioner John Sheriff (Ref S22) who lived at The Marsh worked at Woolworths and walked to and back everyday, and laughed that often in the dark he was startled by cows loitering near the bridges that crossed the ditches.

## Route 44 1984 to 2019

In 1984 the landlord of the Brewers Arms Gerald Sadler bought the land bridging The Marsh and Burycroft (Ref D6). Gerald had a love of animals. Particularly birds and quickly transformed the landscape to established ponds and protected breeding areas for his wildlife.

Gerald Sadler fenced the track running from the Marsh up to Wrightsbride and re-excavated the ponds at Honeyfield with the help of Peter Hunt (S19) and Mike Jenner (S16), still then open land. They found the original brick bridge, but instead replaced it with a raised earth bridge over a connecting soil pipe between the ponds, to form a proper permanent land bridge between the ponds. See pictures from Linda Moore (S23) and Christine Hinton (S25).

Sadler installed several stiles to respect and better define the footpath 44, one by the track entrance to Wrightsbridge and another by the ponds. This allowed parishioners to continue to use the open footpath between Marsh Corner and the ponds and on to Wicks Lane. See statements from Peter Hunt, Mike Jenner and Robert Fisher (S18).

There was a small white cottage with a slate roof in the dip directly beside the road along Burycroft that had been flooded several times and was derelict. Some of the teenagers called it "The Boat" and used it as a party destination. Gerald demolished "Rathbourne House" and build a new house on slightly higher land to reduce flooding risk.

Gerald extensively planted trees and dug out the ponds to the rear of the house and added breeding cages for his collection of wildlife. He fenced the boundaries to protect his wildlife thus removing any possibility of walkers being able to use the "definitive" footpath 25.

He added a stile and gate at either end of the Marsh Burycroft corner so parishioners could continue to cut the Corner. Of note the new stiles on the track to Wrightbridge were situated 3 metres down the track moving the footpath line marginally so walkers had to come up the track slightly to cross the corner.

Gerald Sadlers wildlife was shared with the community, Ducks, Peacocks, Parrots, Goats and other creatures, some of which were found in his petting pens at the Brewers Arms and later the Cross Keys.

The "ducks" and various "bridges" now evident, led to renaming the new "Rathbourne House" to "Ducksbridge"

In the late 80s Gerald turned the corner plot of Ducksbridge into a Caravan Park (Ref P14). As you can see on the picture the footpath became a track and you can clearly see the gate and stiles marking the entrance and exit of the corner cut off. Swindon Borough Council added a single footpath sign (P15) clearing pointing across the Caravan Park which is still in place today.

The aerial photo from 1995 (Ref P7) shows the Caravan Park, the track and worn marks of people crossing the open field across to the ponds. At the ponds Gerald built a Barn.

In the late 1990s he added stables and divided the field along the walked footpath line with posts and barbed wire fencing. See google map images (P8) from 1999, (P9 from 2002) and (P10) 2002-2003. Several horse owners rented the land including Sian Lewis (S34) and Linda Moore (S23) who confirmed that Gerald was a stickler, and insisted they did nothing to obstruct the path. The horse owners confirmed they regularly came across groups walking the paths, Scouts, Ramblers and local school children on nature trips. The Google Map image of 2007 (P11), shows the single fenced line of the footpath across the field and the Barns and stables.

One resident Steve Savage (S21) confirmed their kids used the path every day for years, when dry they used the Footpath 23 to join footpath 44 at Honeyfield to avoid using the road and further explained the children often mentioned crossing the caravan park was a little scary, and required reassurance that it was safer than walking around the corner.

In 2008 the land to the west of the Caravan Park was sold to the current owners the Stalkers. The new owners quickly established an Alpaca farm and built a temporary home near the barn. The new owners filled in the ponds and to protect the Alpacas they added a second rail to the fence along footpath 44. The farm was recently named Honeyfield.

The Stalkers continued to condone the use of the common footpath and added signage (P30). Testimonial evidence confirms the path remained opened with uninterrupted access right up until early 2017.

In 2013 the caravan park was sold to Bower Mapson. Who put in plans to build 4 new houses and included a provision for a fully paved and gated footpath across the site between the corner with The Marsh and Burycroft. Swindon Borough Council noted that this path had been used for 20 years or more but that it did not follow the line of the then mapped definitive path. They suggested the definitive route should be modified to reflect the actual walked route (D31). This was not made a condition of permission nor was it included as Parish Council recommendation when delivering their objection to the development.

The footpath remained opened during build until complaints on safety grounds were received and this commonly used footpath was temporarily closed in early 2017.

The temporary closure was never lifted, as the owners of the Alpaca farm, decided to close footpath 44 permanently between the corner of their field and where it connects to footpath 25 at Honeyfield.



Accepted by Swindon Borough Council, the notice to make the path official was sent to Wanborough Parish Council . On the 18<sup>th</sup> December 2017 the Wanborough Parish Council objected to this order (D32) that would have re-opened the footpath on the grounds that parts of this path passed over private land and parts of the path were not used by residents on a regular basis for 20 years. In point 4, they claimed the path was a temporary agreement with SBC. A Freedom of information request to SBC confirmed no such agreement or correspondence exists. However I have included a correspondence with the owners of Honeyfield to a different footpath 23, which was blocked and a temporary arrangement with Annie Ellis at SBC was agreed (D33). This may be the source of this confusion.

Please read additional statements as included in the appendix below.

Regards

John Warr  
Ducksbridge  
12 Burycroft  
Wanborough  
Swindon SN4 OAP

## Evidence

Reference	Description
M1	Claimed Path footpath 44 Map provided with original modification request and includes references used in some testimonials (Pts A,B,X and Y)
M2	OS map for 1898 extract from sheets 252 and 266 1898/1899
M3	OS map from 1919 sheet 114 and 112
M4	OS map from 1943
M5	May Archer Hand Drawn Map
D6	Deeds - Sale of land at Marsh Farm 1984 (Includes area covered by footpath 44) to Gerald Sadler
P7	Aerial photo 1995 of Ducksbridge shows footpath across the caravan park and across to the ponds,
P8	Parish Online Aerial image from 1999
P9	Aerial view from Google Earth History 31/12/2002
P10	Google Earth 2002-2003
P11	Google Earth 2007
P12	Google earth 2012
P13	Google Maps image 2013
P14	Photos of track through Caravan Park
P15	Footpath sign

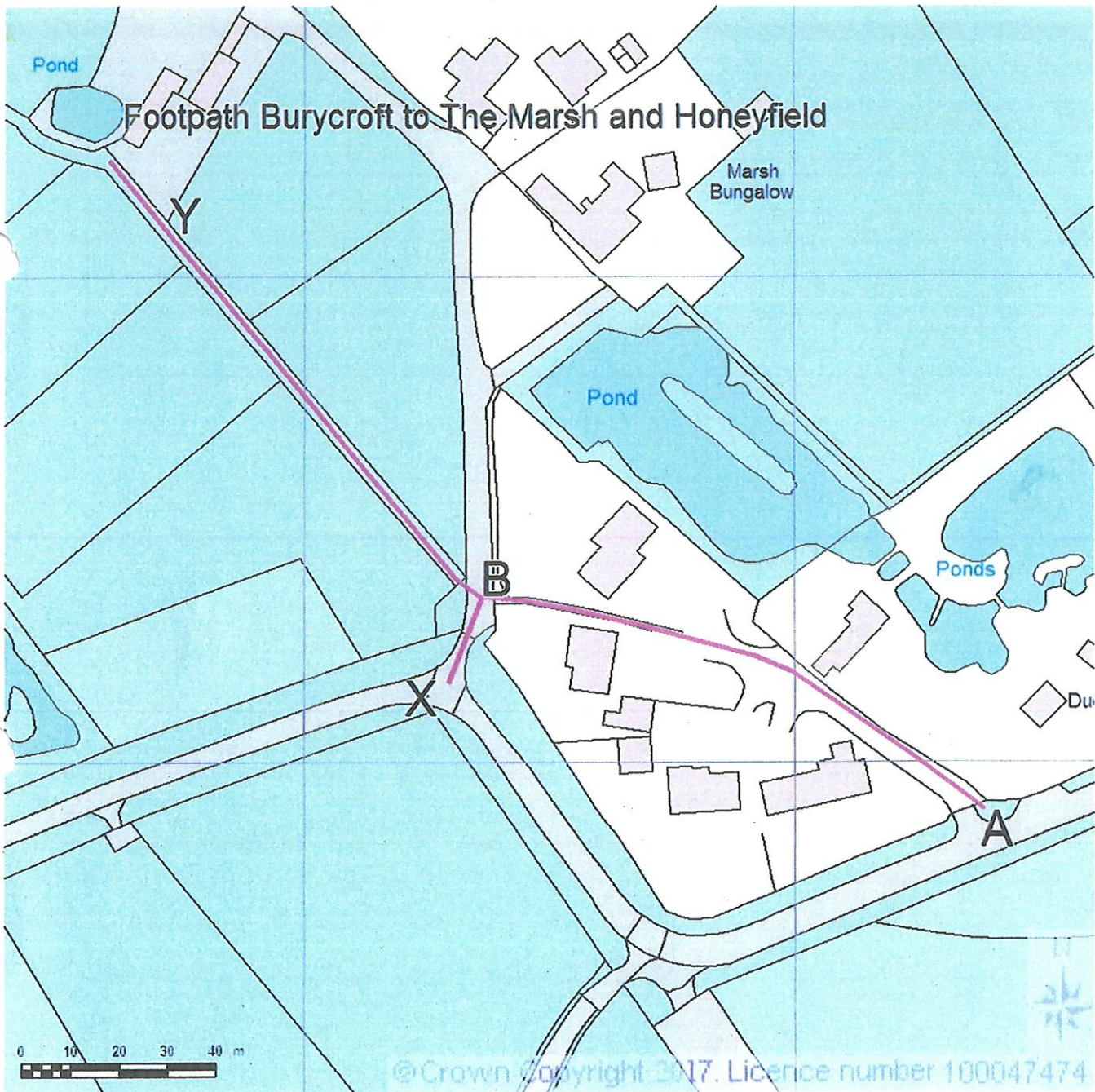


S16	Statement Michael Jenner 4 Box Hedge Wanborough
S17	Statement Peter Waldron 2 Burycroft Wanborough Jan 18
S18	Statement Robert Fisher, Hill Top Kite Hill Wanborough
S19	Statement Peter Hunt 4 Hanover Court Covingham Swindon
S20	Statement Amanda Bell, 7 Burycroft, Wanborough
S21	Statement Steve Savage, Moat Cottager, The Marsh, Wanborough
S22	Statement John Shirreff, The Coach House, Wrightsbridge, Wanborough
S23	Statement Linda Moore with images of ponds, 5 Henley Road, Park South, Swindon
S24	Statement Peter Waldron, 2 Burycroft, Wanborough April 2019
S25	Statement Christine Hinton, The Wansdyke, Wanborough with images of ponds
S26	Statement David Birley, Marsh Cottage, The Marsh
S27	Statement of Sue Birley, Marsh Cottage, The Marsh
S28	Statement Rachel and Andrew Hopper, Marsh Bungalow, Wanborough
S29	Statement Robert and Catherine Inskip, Farncombe, The Marsh, Wanborough
P30	Images of Footpath 44 taken in 2017 showing double fenced route across Honeyfield.
D31	SBC correspondence re footpath 25 in Aug 2013 from Annie Ellis with Map
D32	Objection letter Wanborough Parish 2 <sup>nd</sup> Jan 2018 highlight of point 4
D33	SBC correspondence re footpath 23 in Sep 2011 from Annie Ellis with Plan A
S34	Statement Sian Lewis, Nythe, Swindon



**MAP1: Footpath connecting Burycroft to The Marsh and the Outbuildings at Honeyfield Farm via Sutors Lane previously a caravan park**

**AREA 5 HA  
SCALE 1:2500 on A4  
CENTRE COORDINATES: 420350, 183744**



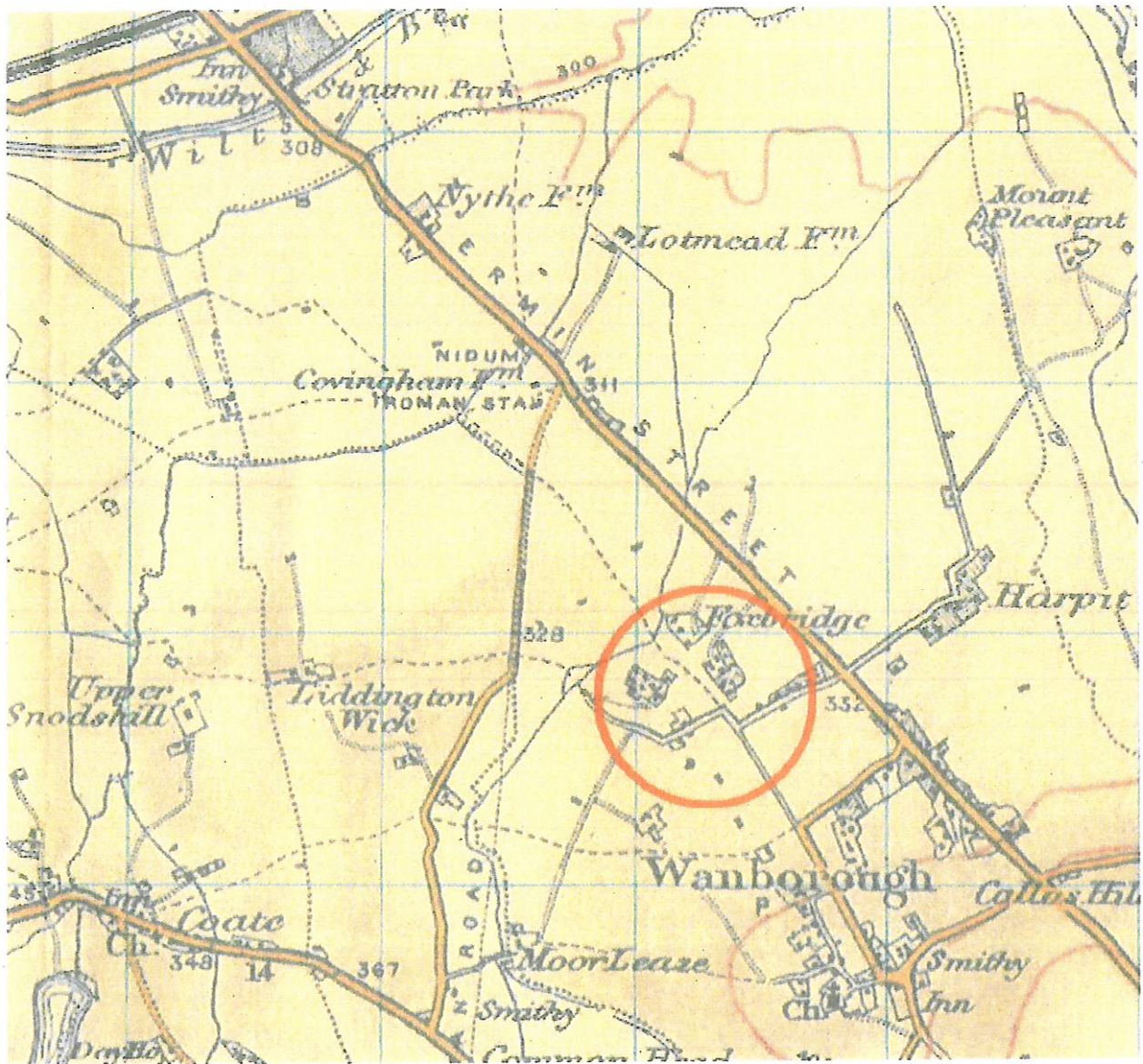
**Reference: MAP 1**

- A: Boundary between Ducksbridge and Sutors Lane Burycroft Road to B crosses Sutors Lane, previously the Caravan Park at Ducksbridge / Rathbone**
- B: Crossing point on Drive to Honeyfield Farm**
- B to X: Section of drive to Honeyfield Farm connecting The Marsh to the footpath crossing point**
- B to Y: Fenced section of paddock on honeyfield Farm**
- Y: Point at which the fenced path joins/continues along footpath 25**



M2

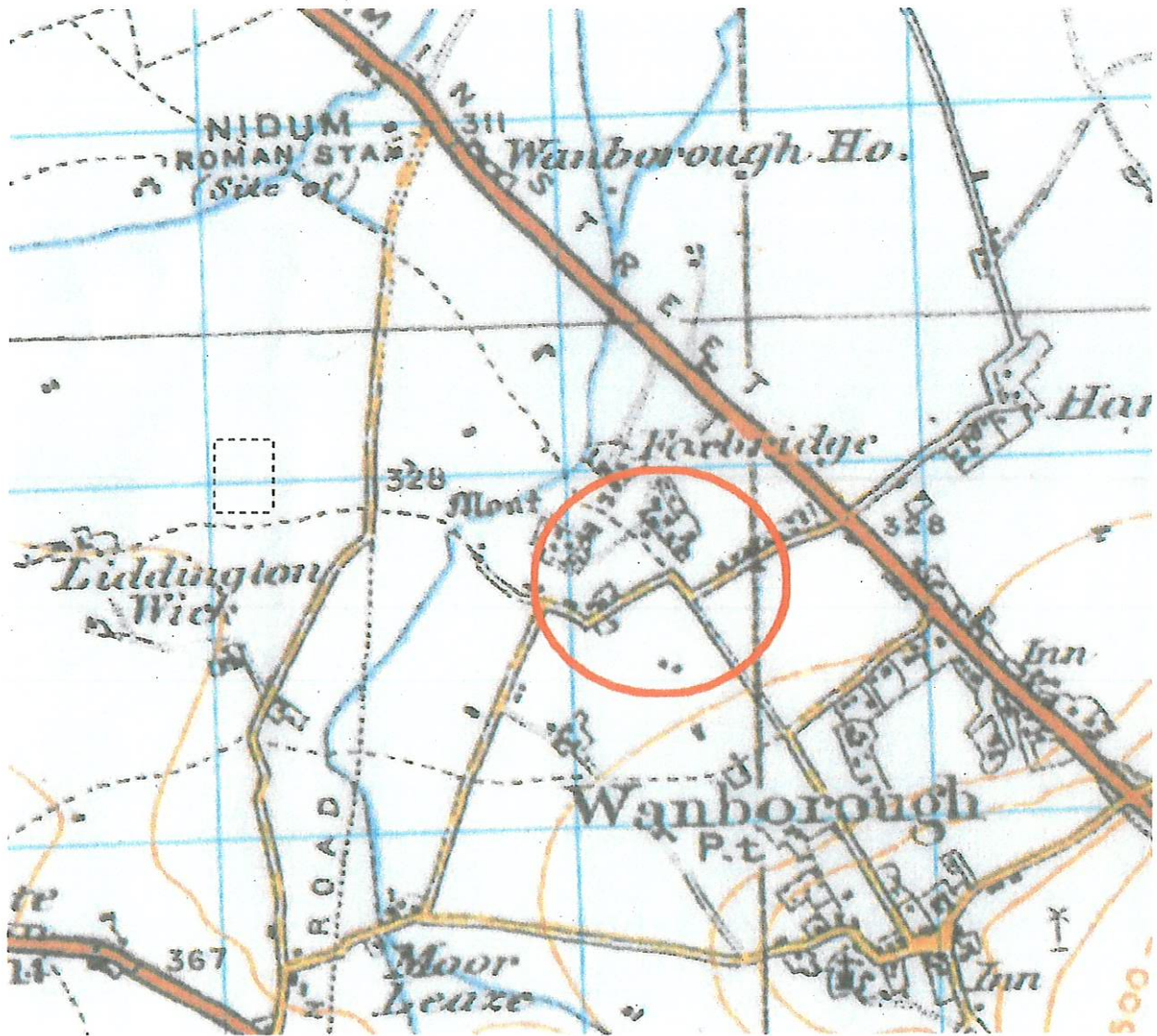
## OS Map Extract 1898





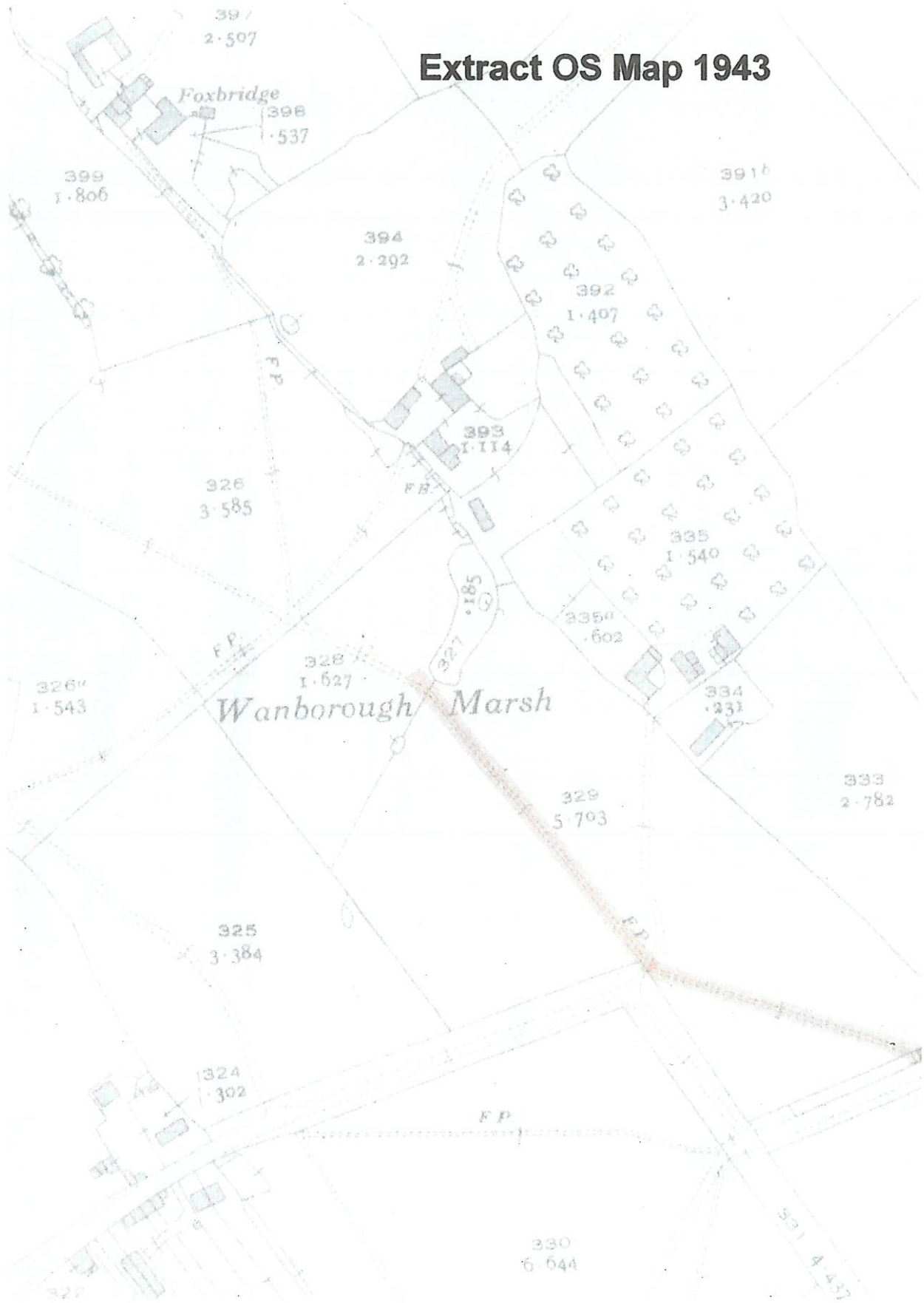
M3

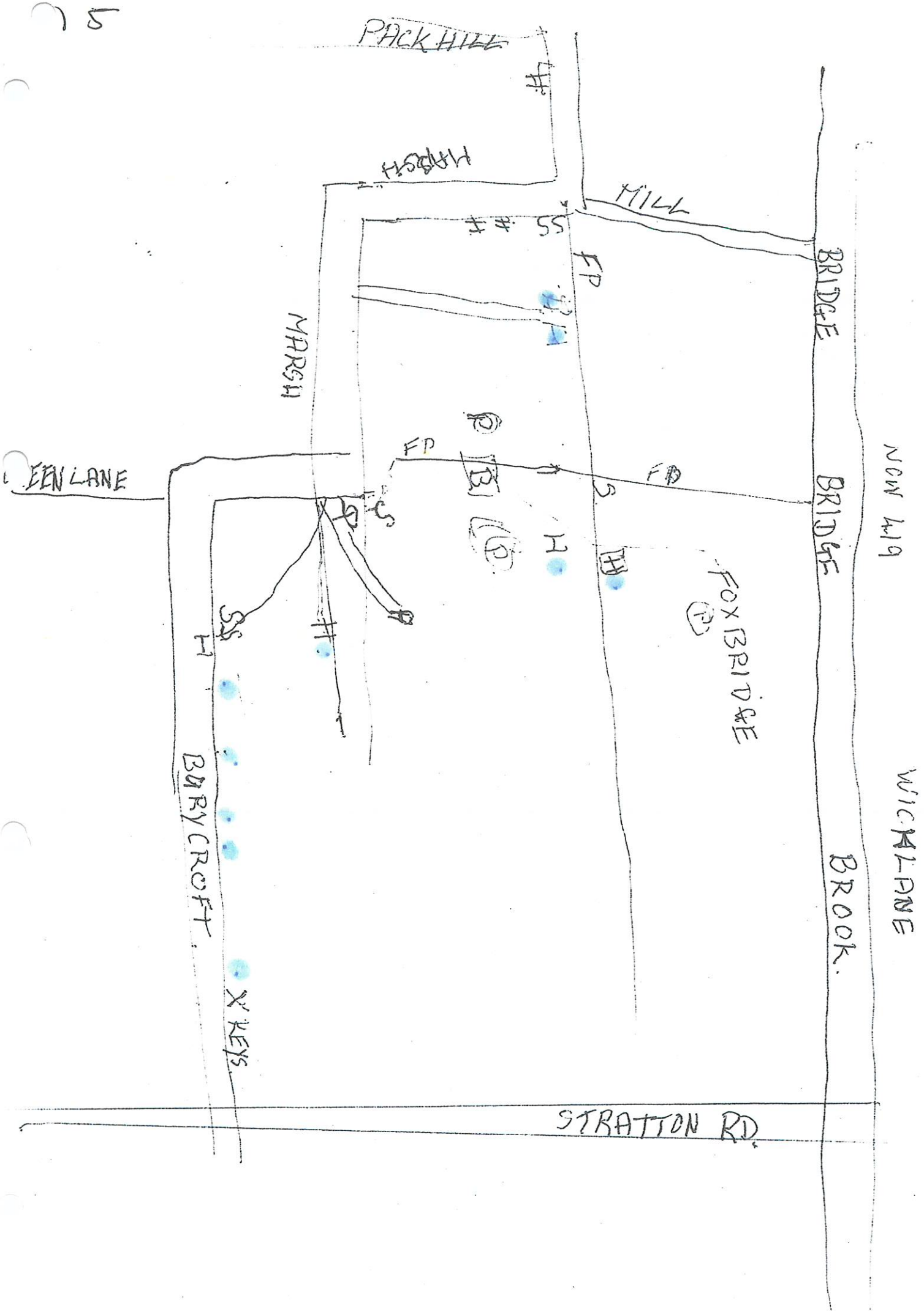
Extract OS Map 1919



M4

### Extract OS Map 1943





NEW 419

WICKALDENE

BROOK.

b  
c



06

A

DATED

1984 June

1984

CONVEYANCE

- of -

7.529 acres of land at Marsh Farm  
Wanborough Swindon Wiltshire  
-----

ENGLAND, REV. ENG. -

507/100

THIS CONVEYANCE is made the Nineteenth day of June One ~~thousand nine hundred and eighty four~~ BETWEEN LLOYDS BANK PLC of 71 ~~Lombard Street London EC3~~ Lombard Street London EC3 but whose address for service is Cheltenham Trust Branch (Account No. 170460) of 53-57 Rodney Road Cheltenham Gloucestershire ("the Vendors") of the one part and GERALD ARTHUR SADLER and MURIEL DOROTHY SADLER both of The Brewers Arms Wanborough Swindon Wiltshire ("the Purchasers") of the other part \_\_\_\_\_

W H E R E A S:-

- (1) Frederick James Hinton late of Pond Farm Wanborough aforesaid ("the Testator") died on the Twenty fifth day of March One thousand nine hundred and eighty one having by his Will with one codicil ("the Will") dated the Seventeenth day of April One thousand nine hundred and sixty one appointed the Vendors to be the executors thereof who proved the same on the Eleventh day of September One thousand nine hundred and eighty one in the Oxford District Probate Registry \_\_\_\_\_
- (2) The Testator was at the date of his death seised of the property described in the Schedule hereto and intended to be hereby conveyed ("the Property") for an estate in fee simple free from incumbrances \_\_\_\_\_
- (3) By an Assent made the Fifteenth day of September One thousand nine hundred and eighty two the Vendors assented to the vesting in themselves of the Property \_\_\_\_\_
- (4) The Vendors have agreed to sell the Property to the Purchasers for an estate in fee simple free from incumbrances at the price of Eighteen thousand seven hundred pounds \_\_\_\_\_

NOW THIS DEED WITNESSETH as follows:-

1. IN pursuance of the said agreement and in consideration of the sum of Eighteen thousand seven hundred pounds (£18,700.00) now paid by the





P7



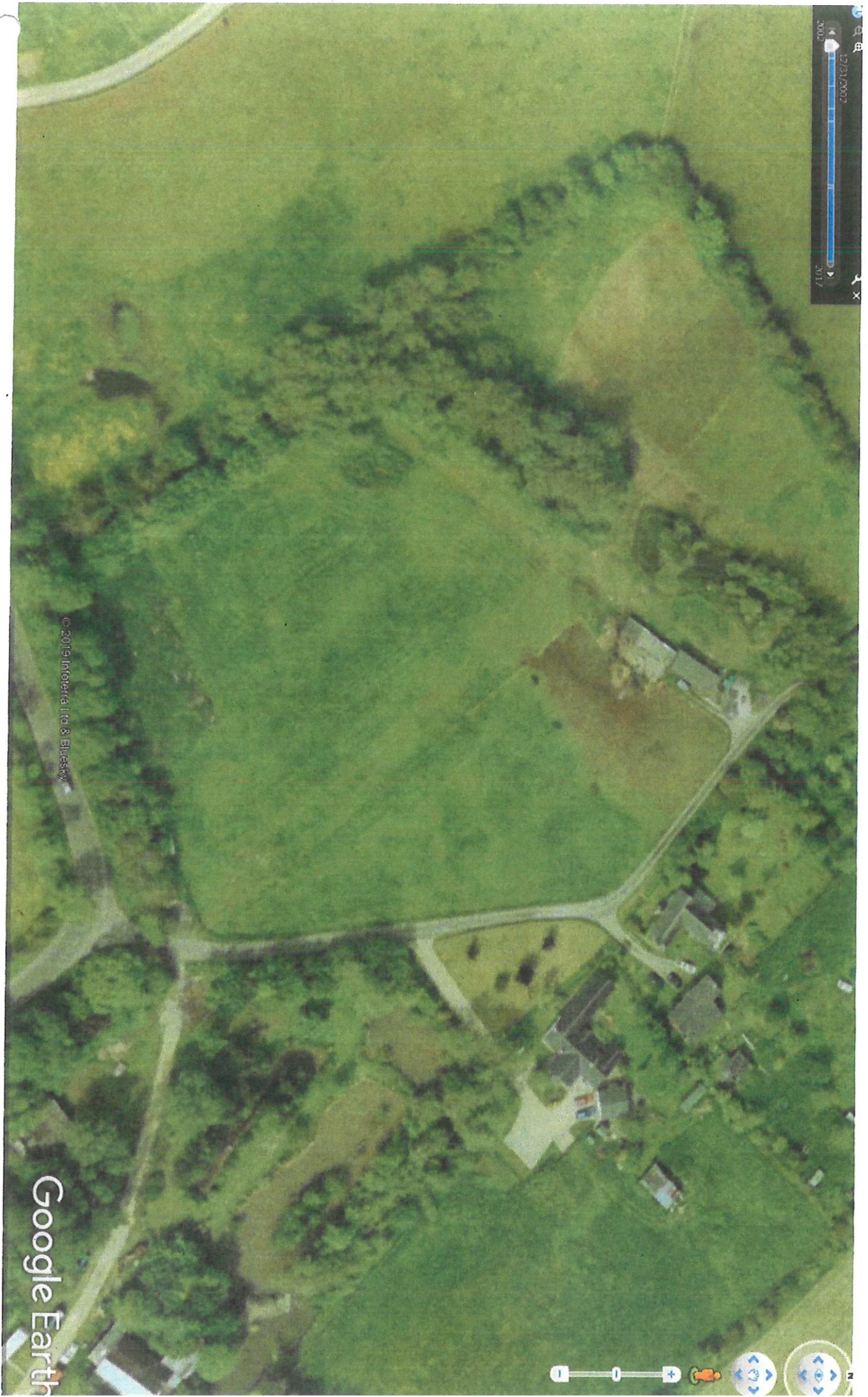
**Aerial Photograph  
from 1995**







P9



© 2019 Inforera Ltd & Bluesky

Google Earth





019

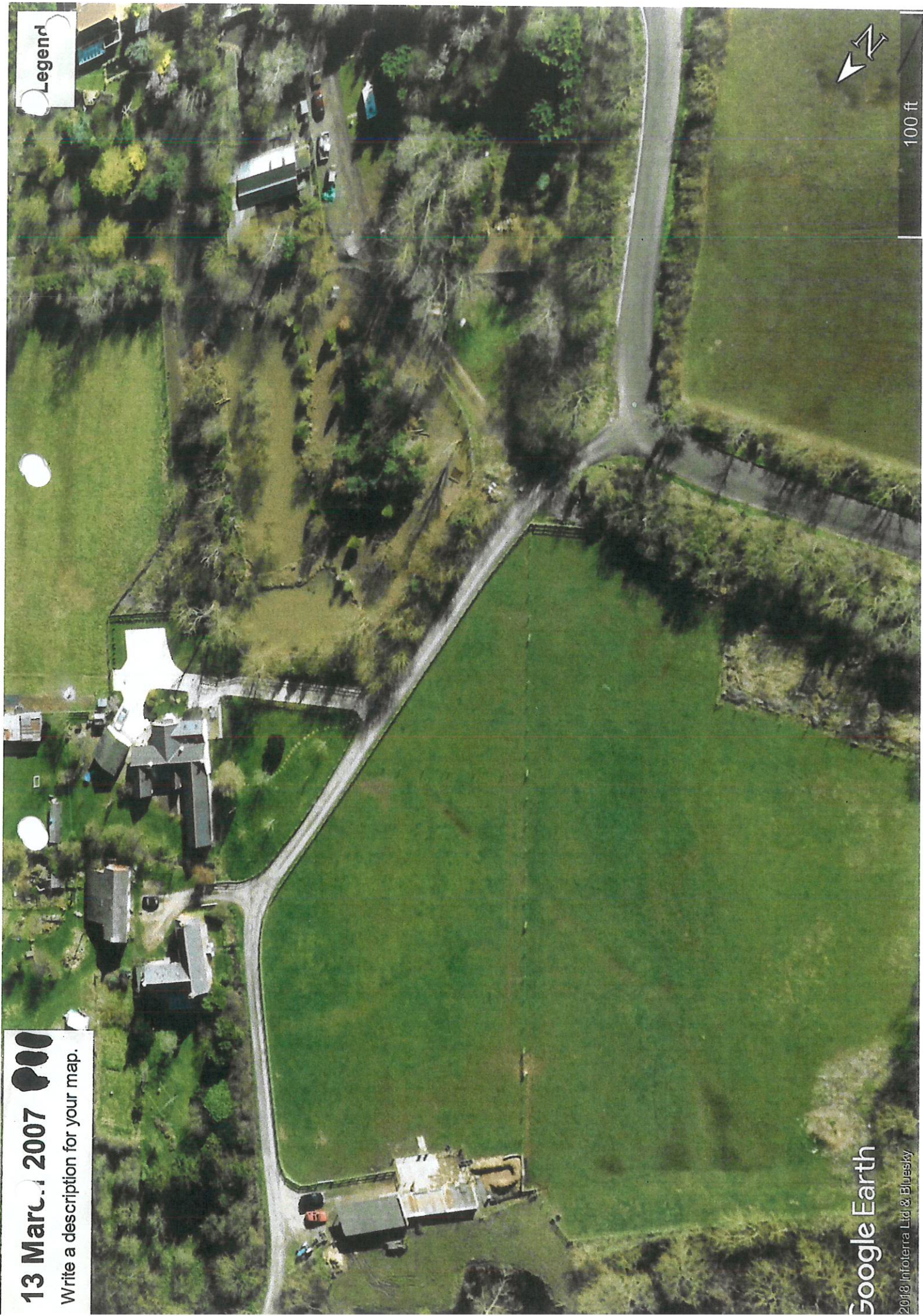


13 March 2007



Write a description for your map.

Legend



100 ft

Google Earth

© 2007 Infoterra Ltd & Bljesky



28 may \_012



Write a description for your map.

Legend

Google Earth

© 2018 DigitalGlobe

300 ft







P13



P14



Photograph of Track through Caravan Park at Ducksbridge



Bower Mapson Site Layout for development of 4 houses, includes provision to keep footpath



P15





S16

## Footpaths at Ducksbridge and Honeyfield Farm

My name is Michael Jenner, I am 85 and live at 4 Box Hedge, High Street, Wanborough. I have lived in Wanborough all my life. For the last 40 years of Gerald Sadlers life I worked with him as a handyman, maintaining the grounds around Ducksbridge or helping out at the Brewers Arms.

Gerald Sadler bought Rathbourne house and the lands surrounding it in the mid 1980s. At the time the land around the cottage was open fields and marshland. Gerald enjoyed keeping birds and small animals, and some were housed in the gardens of the Brewers Arm Pub for visitors to see.

Gerald built a new house to replace the old cottage and renamed it Ducksbridge. In the late 80s I helped Gerald excavate a series of ponds at Ducksbridge, and planted hundreds of trees. The house and immediate grounds were then fenced to keep in the birds and small animals he bred and to stop foxes and other predators. The fence ran around the ponds and garden and included a section that ran along the edge of the track to Wrightsbridge and the track that cut the corner between Burycroft and the Marsh. This corner section itself hedged along the roads later became a caravan park.

With help of Peter Hunt during the late 1980s we also carried out landscaping activities beyond the main house on Gerald's land.

On the land now called Honeyfield farm, we re-excavated the 2 ponds, added planting and rebuilt the bridge between the ponds. Looking from Ducksbridge to the front of the right pond, there was a small barn and we often parked a tractor there. The tractor was regularly driven across the field now called Honeyfield farm, from the corner where it joined the Marsh in a straight line to the bridge between the ponds. We often drove between the ponds and turned right towards Foxbridge.

To the track that ran between Burycroft and the Marsh we added a gate and stile at each end to maintain the walked route.

The new ponds were soon the home for ducks and other wildlife and Gerald actively encouraged walkers and caravan park visitors to see the ducks and enjoy the walk across the field to the ponds and beyond to Marsh Farm and Wicks Lane which leads on to Swindon.

In the late 90s or early 2000 the field at honeyfield farm was set aside for horses. To separate the field into 2 rentable areas we added a fence line along the walked path.

Those renting the field were expected to respect the walkers route and not to block it.

Throughout the time working with Gerald at Ducksbridge up until 2015 the track across the corner between Burycroft and the Marsh was always open and unobstructed to allow walkers through, and similar the section beyond that ran in a direct line between the ponds and onward to Marsh farm.

Michael Jenner



24/4/2019



517

Peter Waldron  
2 Burycroft  
Wanborough

21<sup>st</sup> January 2018

To whom it may concern

I have lived in Wanborough all my life, and was a paperboy in the 1940s, lined baking tins at the Bakery in the Early 1950s and was then the village milkman for 40 years.

I am married to Grace, both of us love the outdoors and have made a point of walking all the footpaths in Wanborough on a regular basis.

As a boy living with my parents at Kite Hill in the late 40s/early 50s, I walked the path down Green Lane and along the path at the corner with the track to Wrightbridge heading out toward Wick Lane and Covingham. In those days the ponds were connected by a brook and I had to cross a brick bridge sat in a slight dip.

From 1972 when I moved to Burycroft, I regularly crossed the corner between Burycroft and The Marsh, which then was open land. I had two walk options, either to proceed along The Marsh or head across the well walked open field towards where the ponds used to be as I had been doing regularly for the previous 25 years.

In the 80s when the Sadlers bought the land, they fenced off the corner, but left a track across the corner, with stiles at each end. This became a caravan park. Although the field beyond was open, it had been fenced in too. So Gerald Sadler added a second stile so we could cross the track to Wrightsbrige and head towards the ponds, which he had re-opened. Again this was the same route as we had walked for many many years.

I can confirm I have regularly walked the claimed routes John Warr has shown on his claim map for at least 50 years. In those 50 years there was never a time that the paths were intentionally closed.

I was upset to see this route closed recently and would welcome it being re-opened.

Peter Waldron

*P Waldron*  
21/1/2018

518

12 May 2017

Hill Top  
Kite Hill  
Wanborough  
Swindon  
SN4 0DD

Mr Michael J Enright  
Rights of Way Officer (Mapping)  
Swindon Borough Council  
4<sup>th</sup> Floor, Wat Tyler House West  
Beckhampton Street  
Swindon  
SN1 2JH

Dear Sir

**Re: Right of Way between Burycroft and The Marsh, Wanborough**

My name is Robert Fisher. I have been a resident of Wanborough for 66 years and I am the stepson of Mr Gerald Anthony Sadler. I can confirm Gerald had owned since the 1970's, until sales in 2008 and 2014, the properties known as Ducksbridge and Honeyfield Farm.

On the section of the Ducksbridge property that Gerald sold for development to Bower Mapson in 2014, Gerald had operated a touring caravan site in conjunction with his pub business in the village, known as the Brewers. Accordingly, I can confirm he actively encouraged the use of access along the path line shown by a red dash line on the attached plan numbered 17885-500-008. Because it made the site more attractive as it enabled people to cut off the corner at the same time as providing a safer route by avoiding the blind bend where Burycroft meets The Marsh, so it was always kept available.

In 2008 when Gerald sold the land now known as Honeyfield Farm, he specifically reserved a right of access up the first part of the track between points X to the gate in the Ducksbridge boundary shown at point W on plan no 17885-500-008, to enable this by then long established pedestrian route, to be retained. My understanding from what my stepfather told me was that the new owners in 2008 bought the land in full knowledge of this.

Finally, I am pleased to confirm my support for this path, as shown by the red dash line on plan no 17885-500-008, to be registered as a public footpath route.

Yours faithfully



**Mr Robert Fisher**

Enc



519

Mr Peter Hunt  
4 Hanover Court  
Covingham  
Swindon  
Wilts

21<sup>st</sup> April 2019

Dear Sir or Madam,

**Statement Regarding Footpath 44, Honeyfield Farm Wanborough**

My name is Peter Hunt and I am 81 years of age. I lived with my ex wife at 5 Underhill Close at Wanborough, but when we divorced I moved into Ducksbridge with Mr Gerald Saddler.

Mr Saddler had just lost his man Michael Jenner, and I took over his job as farm hand and gardener, and I worked for him for 17 year, erecting all his fences, gates and stiles, cutting grass etc.

Mr Saddler was very particular about the stiles and fences and strictly ordered that they be kept safe and free for walkers to pass freely. I put up four stiles on his land at Ducksbridge, one at the Burycroft side of the field, one at the track with the footpath cutting off the dangerous corner, then one on the other side of the trackway at Marsh Farm's boundary with Mr Saddler. From the gate, the footpath went straight as a die through the two ponds which I had excavated for him, over a bridge through the ponds, which I had made with a large black pipe, covered with soil and grass.

From the bridge it kept straight until it reached the boundary with Marsh Farm belonging to Mr Yeandel, and then on towards another footpath bridge which spanned the river Liden.

We saw lots of people walking this path, some with dogs and children.

Mrs Stalker knew there were two footpaths in this field, when they purchased the property. Mr Saddler was strict about the rights of way over all of his property.

I cannot write due to hand trouble, so I have asked Chris Hinton to write this. She says that Peter Waldron has asked for an appointment, so I should like to do the same if I may, preferably near to Mr Waldrons as we are travelling together.

Yours sincerely



Peter Hunt

5/27/20

Alldigital Marketing Mail - Re: Statements by end of weekend

Gmail

320

Alldigital Marketing <john@alldigital.marketing>

**Re: Statements by end of weekend**

1 message

**Amanda Bell** <almbell58@yahoo.com>  
Reply-To: footpath@ducksbridge.co.uk  
To: footpath@ducksbridge.co.uk

30 April 2019 at 22:59

Dear John

Apologies for delayed response

I can confirm that on several occasions since moving to Burycroft in 1993, I walked the footpath leaving the Burycroft/The Marsh lane on the sharp bend, (signed I feel sure by a green footpath sign long since disappeared) over a stile/ through the fence across the paddock with horses grazing all around in a northerly direction leaving Gerald Sadlers old stables on the right and crossing a small bridge with dips/ small ponds depending on the season on either side, heading onto a none defined path in a paddock which eventually lead to Foxbridge Farm owned by the Hinton family. I never actually followed an official route and always returned the same way

Out walking in Green Lane recently I chatted to Margaret Cole who lives in Southview Cottages, The Marsh - along with her husband Ivor, she can remember walking through Gerald Sadlers land on the footpath in question. It may be worth you asking if she is happy to provide written evidence - I believe Ivor has been unwell recently so unsure how easy it would be to approach her but quite possibly worth a try

Hope this statement will be of help

BW  
Amanda

Sent from Yahoo Mail for iPad





S21

Alldigital Marketing &lt;john@alldigital.marketing&gt;

**Footpath 44 - Statement**

1 message

steve savage <steve.savage@gmx.co.uk>  
To: John Warr <john@ducksbridge.co.uk>

28 April 2019 at 13:27

Hi John, here is my statement.

Ducksbridge footpath (see fp coloured BLUE on Map2 attached)

Tanya's family (The Hopper's & Thomas's) have lived in the heart (mainly the High Street) of the village for over 100 years. Tanya's Auntie & Uncle (The McFadden's) lived in Moat Cottage for about 40 years prior to us moving in, in 1995. So, Moat Cottage has been in the family for over 60 years and when the families visited each other the Ducksbridge footpath (see map attached) was used as a safe footpath, when it was open. However, whilst the older family members are not here to verify the use by them back then, I can verify that my family & I have used it extensively between 1995 and 2012 when our children attended Wanborough Primary School and as a thoroughfare to the village until the new housing development was built in 2016/2017. As many of the villagers will testify, I like to frequent the village pubs and the footpath was the way to keep safe on my way there & back. Many a time I would have a chat with Gerald Sadler & the various people living in the caravans on the land, on my way through. In fact, my children often asked me was it safe to go through there because the caravans always looked scary. This footpath was the only safe thoroughfare for Tanya & our 4 children to use when they walked to Wanborough Primary School between 1995 and 2012.

Honeyfield footpath (see fp coloured GREEN on Map2 attached)

Since moving to Moat Cottage in 1995, my family & I, used this footpath frequently. We joined the footpath via a stile on the track just outside our cottage and walked across to the ponds and then turn right and walk the footpath to where there was stile at the end of Wrightsbridge track. This footpath was often very muddy & wellie boots were required. However, I used this footpath regularly on walks to & from the village since 1995 and up until the Stalkers moved in & closed it off in 2017.

My girls were in disbelief that the parish council said 'the reason for their objection to these two sections is because they have not been used for a period of 20 years as per Wildlife and Countryside Act of 1981', this is not true.

In fact, safety is the key issue here, there is no logical reason to close this footpath & it is the parish councils duty to keep its parishioners safe. Currently, I walk my dogs nearly every day & I have to be very vigilant when making my way to Green Lane from The Marsh. There have been some close shaves with cars that are going too fast & wide. As we know traffic is only going to get a whole lot worse. I am sure the Secretary of State will not want to answer to the victims family of the first serious accident or God forbid, fatality & tell them why they allowed this safe thoroughfare to be closed?

Kind regards

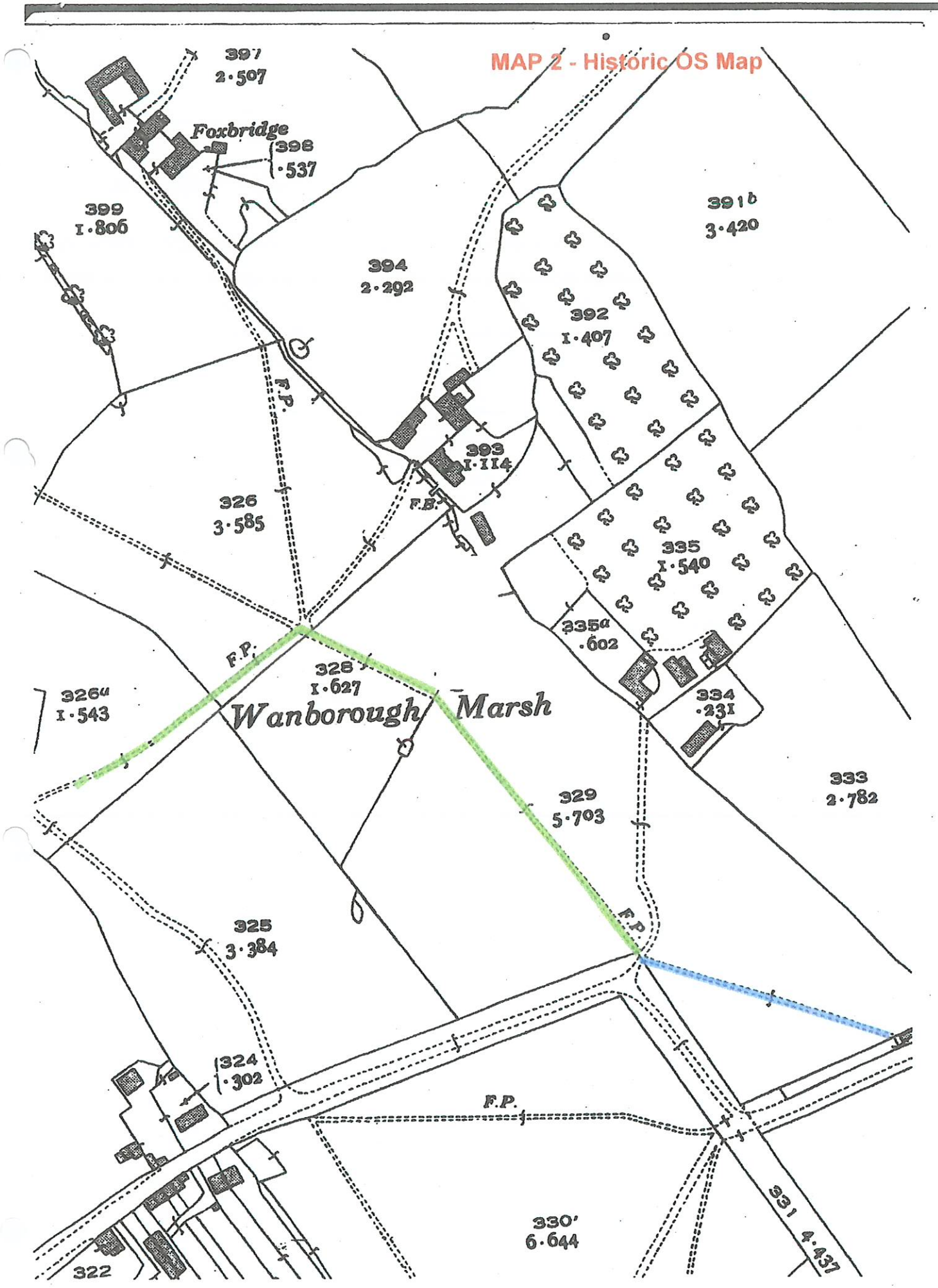
Steve

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Map2\_OS extract showing different route\_highlighted.jpg  
1986K



MAP 2 - Historic OS Map







Alldigital Marketing &lt;john@alldigital.marketing&gt;

**Re: Statements by end of weekend**

1 message

jon shrif &lt;jonshrif@gmail.com&gt;

23 April 2019 at 00:24

Reply-To: footpath@ducksbridge.co.uk

To: footpath@ducksbridge.co.uk

Sorry folks I'm in the GWH.

I remember most footpaths were ill defined, hard to find and badly maintained, except where joining roads. I used to commute every day from Wright'sbridge to Dorcan in 1979/80, finding a route depended on crops, floods, fogs etc. and varied every day.

As for "path 44", it ran from the lowest part of Burycroft to a rickety stile close to the gate at the road end of the Wrightsbridge track. Thereafter it was indistinct though aimed at muddy gap between two ponds, sometimes blocked with fallen willows. Beyond that was an adventure.

John Shirreff, 22 April 2019.

On Mon, 22 Apr 2019, 11:48 john warr, &lt;john@ducksbridge.co.uk&gt; wrote:

Rosemary

A meet would be great. When are free this coming week? I can be pretty flexible and can meet during the day if it helps.

John

On Sun, 21 Apr 2019 at 10:08, Rosemary &amp; Martin &lt;we@marshlea.org.uk&gt; wrote:

Hello John,

Martin and I are very willing to provide statements. We are just back from a holiday, have grandchildren until Monday evening. We are looking for our old parish fb map from when we led walks. Can you wait? And is it possible to meet you for a brief confirmation of the definitive problem?

Regards,  
Rosemary Savage

--  
John Warr  
Ducksbridge  
12 Burycroft  
Wanborough  
Swindon SN4 0AP  
M: 07956 306940  
Email: john@ducksbridge.co.uk





Alldigital Marketing &lt;john@alldigital.marketing&gt;

**Re: Statements by end of weekend**

1 message

lin.moore430@ntlworld.com &lt;lin.moore430@ntlworld.com&gt;

19 April 2019 at 17:14

Reply-To: footpath@ducksbridge.co.uk

To: footpath@ducksbridge.co.uk

Hi John,

Not sure if you already have my statement but I have attached 2 photos I took of the pond in June 2007.

The ponds would dry up in the summer and the grass would start to grow again but they always filled back up when the rain came. There was lots of wildlife in them including great crested newts which we tried to get protected when the Stalkers started their excavations but by the time we managed to find someone to come and look it was too late as he had already done so much alterations that they couldnt be found.

During the time we were at Ducksbridge Stables as it was called then the footpath ran from the corner by the main road adjacent to the old tin hut that was also in the corner, across the middle of the field to the far side of the muck heap behind which was a small storm drain. There were two stiles crossing this drain leading into the field at the back of the buildings then across a small piece of ground between the two ponds. While we were there we put in a drainage pipe under the ground to allow water to run from one pond to the other while still allowing pedestrian access across the ponds as it got really muddy in winter. The footpath then went straight across the back field to the far fence where there was a barbed wire fence with another stile in it. This led into a field that was rented by Gary Caswell for his cows to graze

We often saw people especially at weekends walking the footpath . It was most definitely not blocked while we were there as Mr Sadler was very strict that my electric fence did not obstruct access to the path. The only time recently that it has been blocked was after the Stalkers moved in and he dug a huge trench right across the field cutting the footpath into two. This was for the purpose of installing a sewage pipe to his property which I believe was done without prior planning consent. He also put up a double railed fence along the route of the footpath at the beginning so that people could walk across without interfering with his horses that grazed in the field. He later removed this double fence and then claimed the footpath had never existed which I found very odd

Many Thanks

Linda Moore

**From:** john warr**Sent:** Thursday, April 18, 2019 6:24 PM**To:** footpathducksbridge.co.uk**Subject:** Statements by end of weekend

All,

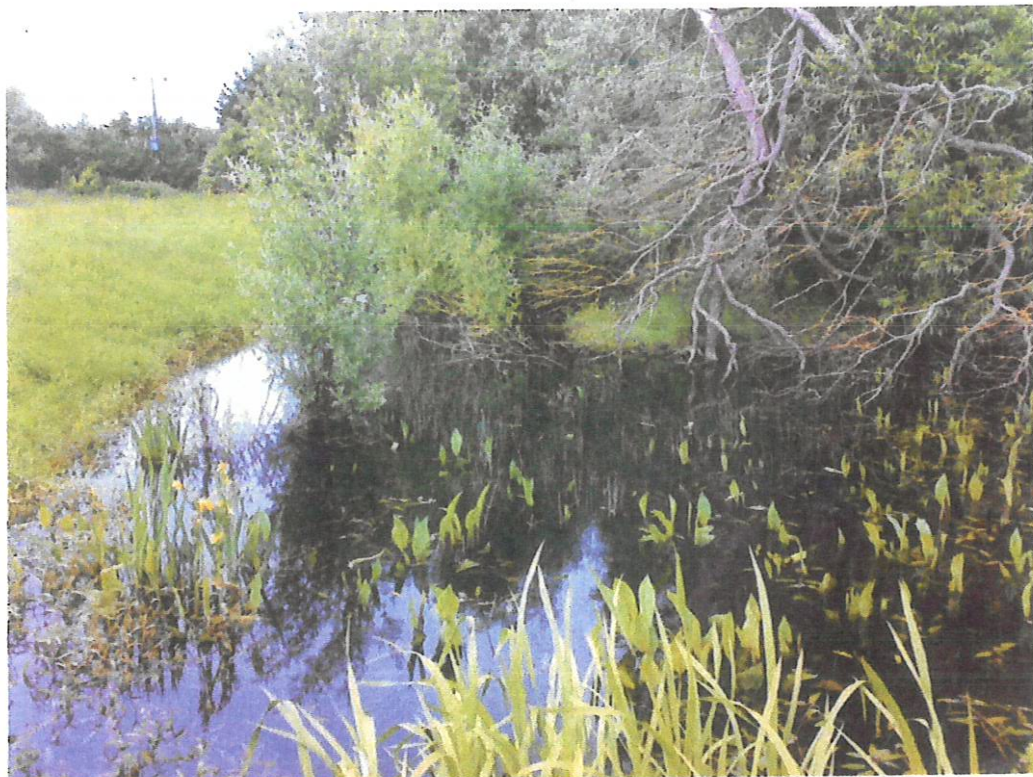
The secretary of state will be hearing the appeal for footpath 44 on July 23rd. Please keep that day free as I will need to call witnesses. The appeal will be held at the Holiday Inn near Coate Water during the day.



Images provided by Linda Moore circa 2007 showing ponds at Honeyfield









324

Mr Peter Waldron,  
2 Burycroft Road  
Lower Wanborough  
Near Swindon  
Wilts SN4 0AR

21<sup>st</sup> April 2019

### Statement of Peter Waldron

#### Regarding Footpath 44 Across Honeyfield Farm, The Marsh, Wanborough, SN4 0AR

Dear Sir or Madam,

I have lived in Wanborough all my life and am now 82 years of age. I have known Gerald Saddler all my life and was well acquainted with him when he moved into Ducksbridge. He owned the field now called Honeyfield Farm, over which this footpath passes, my wife and I are accustomed to regularly walk the footpaths in the village.

I regularly walked the footpath at Honeyfield Farm and down to the A419 (Covingham Farm) until it was blocked off and we were prevented from passing by Mrs Stalker.

I would like to state that the footpath in question (44) went from the Foxbridge Gate (then called the Ducksbridge Gate now Honeyfield Gate) and travelled across this field, through a bridge over the ponds where it lined up with the stile in Mr Yeandel's footpath stile at his boundary, then across the field to a footpath bridge across the River Liden, then to the boundary stile at the other side of the field belonging to Mr Williams, who planted a little copse of various trees.

This was a pretty walk which passed another pond which Mr Williams had excavated and planted with water plants and had set a bench so that walkers could rest and watch the water fowl.

I walked down this lovely path with Mr Martin Savage who was the footpath officer for Wanborough Parish Council, who may verify my statement.

I am not able to write so I have asked Chris Hinton to type this for me. Please could I have an appointment for the hearing as I am not well, and I shouldn't like to be kept waiting in the cold.

Yours sincerely,



Mr Peter Waldron



525

The Wansdyke  
Lower Wanborough  
Near Swindon  
Wilts  
SN4 0AR

21<sup>st</sup> April 2019

Dear Sir,

**Statement in defence of Footpath 44 Across Honeyfield Farm, Wanborough**

My name is Christine Hinton, I have lived at this address since 1970 with my husband Malcolm. Our family owned the field now known as Honeyfield, which is right in front of our property. From here I can see who walks across the field. It was a popular walk as it was a very nice area to walk.

When I first came here, the original ponds were gone, and there was a large Poplar tree in the middle of the field. People still walked in a straight line as it is the most sensible thing to do.

When Mr Gerald Saddler bought the field from our family, he re-excavated the ponds but he made sure it was fenced off but respected both the footpaths here, making good stiles and clearing the brambles from them. He made sure that they could still be used by walkers as he re-made the bridge through the ponds making sure it was dry and passable. His stiles can be seen clearly by Googling, they are behind the wheelie bin which was there.

Mr Stalker filled in the ponds again leaving just a tiny part near his house.

My sister and brother in law Margaret and John Errington, who lives at Foxbridge, which is the next property to us, walked this route regularly. My neighbour, Mrs Ruth Sherrif, was a dedicated walker of the surrounding paths and her son John, who still lives here, walked his dogs on a very regular routine for years. I can say that they were well passed without hindrance until lately.

I can also say that the footpath was very straight and lined up from the Marsh Gate, through the ponds to Mr Yeandel's property at Marsh Farm. From there they split into three paths, footpath 44 travelled down to Covingham Farm.

I myself used to meet people at the road and walk down there with them. The field next to Marsh Farm, belonging to Mr Williams further down the footpath, had an area where we walked through a little copse and could sit and chat on a bench near to a pond. I was a very lovely walk.

Yours sincerely,



Christine Hinton



Images provided by Chris Hinton of the ponds at Honeyfield in early 2000s





## Sparks, Helen

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**From:** john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)>  
**Sent:** 24 June 2019 16:33  
**To:** Sparks, Helen  
**Subject:** ROW/3209564 additional POE for footpath 44 from C Hinton  
**Attachments:** Bridge on footpath.jpeg; Footpath sign in Yeandels boundary.jpeg

Helen please can you add this additional evidence to that already provided by C hinton re Footpath 44.

Thanks

John

----- Forwarded message -----

**From:** **chris hinton** <[chris.dotty.hinton@mail.com](mailto:chris.dotty.hinton@mail.com)>  
**Date:** Sun, 23 Jun 2019 at 18:53  
**Subject:** more pics  
**To:** john warr <[john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)>

Footpath bridge footings looking north and south and the stile over Yeandels boundary wih footpath sign on it! There was always a big puddle here but we put some bit sarcens there as stepping otones. It is pointing over honeyfield farm and the branch which has fallen down is probably the blockage everyone is talking about.

--  
John Warr  
Ducksbridge  
12 Burycroft  
Wanborough  
Swindon SN4 0AP  
M: 07956 306940  
Email: [john@ducksbridge.co.uk](mailto:john@ducksbridge.co.uk)