

ROW/3209564– Footpath 44 Public Inquiry 7-8th and 15th December 2021

Proof of evidence Submission by John Warr – Applicant

As per the Interim report 29th November 2019, I would like to deal with our Proof of Evidence in two parts.

Section E-F-G known as the “Race” across Honeyfield Farm

The first Inspectors decision as laid out in the interim report was to confirm the order for a footpath relating to E-F-G.

This is welcomed.

As the applicant there are no further proofs of evidence that we wish to submit on this part of the order route. However, we ask that if new evidence comes to light in advance of the Inquiry that gives reason to question the legitimacy of this decision, then with the Inspectors agreement and where it would be useful to inform the Inquiry, those giving original testimonial to the footpath’s usage are willing to take the stand to give further clarifications.

Section A-B-C-D The Cut-through path between Burycroft and the Marsh (Across Old Caravan Park)

With regard to the section A-B-C-D, I draw your attention to my response given to the Interim Decision dated 20th Jan 2020, and ask it and all the supporting maps and images to be included as key documents for the Part 2 of the Inquiry.

Broadly this response supports the Inspectors option B as per your correspondence 17th August and 2nd November, but if a re-alignment of the path is required to achieve the desired outcome of re-instating this footpath, then we also support option D – from the correspondence 2nd November.

To be determined, Options B and D require some considerations to the actual walked routes taken by the Public. Therefore, I have provided some additional proofs of evidence, in the form of testimonials from members of the public, who walked this route.

Some of the contributions are from those who have already submitted testimonial evidence previously, their originally testimonials still stand, but hopefully the additional statements provided give extra detail to inform the Inquiry on the route walked and the nature of the entry and exit points.


I assume that all previous material as part of the case and response to the Interim Decision submitted is still admissible and I may wish at the Inquiry to refer to them.

All those providing both new and previous testimonial evidence are prepared to take a stand at the Public Inquiry, but they will only be called if a need arises as a result of new evidence to provide further clarification that the Inspector feels may be helpful to inform the Inquiry.

I have included one of the images referred in the Interim Response in the attached.

ROW/3209564– Footpath 44 Public Inquiry Proof of Evidence from John Warr

John Warr
9th November 2021



Ducksbridge
12 Burycroft
Wanborough
Swindon SN4 0AP

Attachments and Supportive Documents as POE

Maggie Errington – Trelawny Barn – 7th November 2021

Steve Savage of Moat cottage – 7th November 2021

Peter Hunt – 4 Hanover Court – 8th November 2021

Jon Shirreff – The Coach House – 8th November 2021

Rosemary and Martin Savage – Marsh Lea – 31st October 2021

Copy of document with google overlay 2002 – previously submitted as part of the Interim Response

I would also like to reference the following supportive documents already submitted via the Swindon Borough Councils portal since the publication of the interim report

https://www.swindon.gov.uk/downloads/download/1910/objections_and_representations_to_interim_decision

Rosemary Savage – Marsh Lea - Submitted 19th January 2020

Amanda Bell- 7 Burycroft - Email submitted 19th Jan 202

Rachel Hopper – Marsh Bungalow – submitted 22 Jan 2020



John Warr <john@alldigital.marketing>

Footpath 44

1 message

Maggie Errington <maggie.errington@outlook.com>

7 November 2021 at 17:39

To: "john@ducksbridge.co.uk" <john@ducksbridge.co.uk>

Cc: "grahampfinch@hotmail.co.uk" <grahampfinch@hotmail.co.uk>

John

Malcolm Hinton, Wansdyke, The marsh Wanborough and me, Margaret Errington. Trelawny Barn, Foxbridge Farm Wanborough, both confirm the following.

1 We were both born and brought up at Foxbridge Farm, Wanborough and as soon as we were allowed, walked into the village via the grass paddock (before Gerald Sadler bought the field from our family sometime in the 80s).

2 After Gerald made the paddock into a caravan park he maintained the footpath through the Middle with caravan's around the outside by the road and a pond on the other side of the path.

3 We walked the route from 1960s up until the development.

4 The route was a grass surface and always kept clear. There was a gate and stile nearest Foxbridge Farm and a stile out on to the road.

5. The route which the developers have left clear is a fair representation of the original footpath.

Yours sincerely,

Maggie Errington



John Warr <john@alldigital.marketing>

Footpath 44

1 message

steve savage <steve.savage@gmx.co.uk>

7 November 2021 at 11:06

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

Hi John,

My family have lived at Moat Cottage since 1995 and Tanya's family lived there for 40 years before us, so we have used the footpaths in questions on many occasions over the past 30 years, until the Bower Mapson development commenced. The Ducksbridge footpath was a real god send when our 4 children attended Wanborough Primary School between 1992 and 2012. When we walked them to school the footpath was used everytime to keep us safe by avoiding the very dangerous S bend in the road.

The pictures attached bring back so many memories and clearly show how and where we walked through Ducksbridge from Burycroft end to the Wrightsbridge end & vice versa.

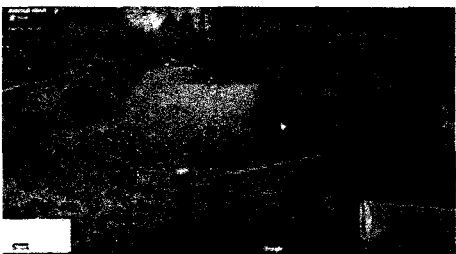
Generally, when we walked the path we generally kept the high wire fence (see attached picture) to our left on our way to Burycroft and on our right on our return. However, as you can see from the pictures the footpath was not clearly defined & we & many others could and did walk across the whole of the wide track that could take at least a large truck.

When we walked this section of the path and entered from Wrightsbridge end, there was a gate that was often closed but there was a gap between it and the hedge on the left handside of the gate to walk through. There used to be an old stile but when it got too old and removed, we used the gap.

When we walked this section of the path and entered from Burcroft end, there was a gate that was often closed but there was an old stile, not the one in the attached picture to walk through. The stile in the picture was later and Gerald Sadler had his handyman convert a wide gate (as you can see) to a stile.

Kind regards

Steve

4 attachments**Footpath44 Burycroft_gate_and_style.jpg**
162K**Footpath44 Caravan_Park.jpg**
532K**Footpath44 streetview 2010 gate at Wrightsbridge end.jpg**
244K



google_Maps_showing_proposed_footpath_44_around_2013.jpg
284K

Statement for Footpath 44 Public Inquiry

My name is Peter Hunt and I live at 4, Hanover Court, Covingham, Wilts. I worked for Gerald Sadler at his property called Ducksbridge and at what is now called Honeyfield Farm. In all I did 17 years for him from the late 1990's until he died. I looked after hedges, fences, built sheds & aviaries and general maintenance.

He built a big house and put a high wire fence, which was electric, round the grounds so that he could keep his birds in pens, and he dug several ponds for ducks.

There was a caravan park on the corner of Burycroft and The Marsh and a path went through these grounds along a wide gravel track. Gerald said it had to be easy for folk to walk through. Sometime in the past the Council had put footpath signs up that pointed along the caravan track. That pleased Gerald as it made it clear which way to go. By these signs there were 5-bar gates to get into the site that had old stiles to the left of them. I had to keep the entrances free of brambles and clear for tractors and walkers. At most times the big gates were locked so that caravaners had to call at the Duckbridge house to get in.

In all the time I worked for him the track was never shut off for folk to walk. As he grew older, he lost interest in the caravan park and made plans to sell it to a builder, so I spent more time fixing fences and general work on his other fields.

I showed the Inspector in 2019 where the gates and stiles were and she made notes, I can do the same for the new Inspector.

Graham Finch helped me write this as you wouldn't be able to read my shaky handwriting.

This is my signature:

P HUNT

P Hunt

8-11-21

Peter Hunt

Nov 2021.

Re: Footpath 44 - Extraordinary Meeting of WPC on Monday

1 message

jon shrif <jonshrif@gmail.com>

To: John Warr <john@alldigital.marketing>

Cc: grahamfinch@hotmail.co.uk

8 November 2021 at 12:5

Hi John, here is my small contribution to this dismal tale,

To whom it may concern,

When I first came to Wrightsbridge in 1968 the drive from The Marsh was unfenced, so one could choose any route depending on the state of the land (usually muddy).

Swindon Central Library has an Ordnance Survey map (1:2500 sheet # XVI dated 1941) which shows a footpath cutting the corner from the black house on the Marsh (now Ducksbridge) to the gate on the next corner. I also have another map from Borough of Thamesdown detailing riparian owners for the area , dated 1984. Which shows the same.

When Mr. Sandler acquired the land, in approximately 1986, he dug ponds and fenced them against foxes ,thereby closing foot path 25, which nobody missed very much, as the alternative was more useful. This was a gravel track for caravans and ran more or less alongside the six foot electric fence from a gate and stile on Burycroft to a gate and stile on the South end of the Wrightsbridge drive. It is now impossible to say exactly what the route was because the ponds have been filled and the fences removed. But I have used this path pretty well daily while it was open.

John Shirreff, The Coach House,
Wrightsbridge.



John Warr <john@alldigital.marketing>

FP44

1 message

Rosemary & Martin <we@marshlea.org.uk>

31 October 2021 at 13:11

To: John Warr <john@ducksbridge.co.uk>, grahampfinch@hotmail.co.uk

Rosemary & Martin Savage, Marsh Lea, The Marsh, Sn4 0ar

Regularly used from April 1988 until closed by Mapson development in ? We walked through the site that the owner, Gerald Sadler, had had registered as a caravan park by the Caravan & Camping Club

(From Burycroft) Following the route clearly shown by the SBC erected footpath sign, exiting through a gate near the end of the Wrightsbridge track, around 3m-4m from The Marsh. If this gate was locked, as it later became more frequently to be the case, via a gap alongside. Again, there was an SBC footpath sign at this point. In later years, the site owner replaced the decrepit gate off Burycroft and installed a non-standard stile. Its lack of real suitability was reported by us to SBC's then Rights of Way Officer but was never replaced. The route through the caravan site, aside from the entry and exit points, was never truly defined,. Whilst rudimentary efforts had been made to provide a 'surface' of stones, rubble core etc. to part, no effort ever was made to restrict users to a narrow path. We recall our then very young grandson wandering over to the electrified fence that Mr Sadler has installed to protect his wildfowl on the adjoining pond, and receiving a 'jolt'. (Warning signs were in place but for a five-year's old.....?)

There were some areas on which bonfires were lit, concrete paviors and other materials were stored (dumped?), a single caravan stood for some years as a residence. On rare occasions, one other touring caravan would appear. None of these impinged upon the ability to use the route between the indicator posts.

We shall be available a.m. and p.m., 7th and 8th December.

Rosemary & Martin

