

**Re: ROW/3354782 – Definitive Map of Public Rights of Way for Gloucestershire
(Additional Length of Public Footpath at Witcombe Farm) (Parish of Great
Witcombe) Order 2009**

Dear Mr Aston,

I would like to make a few general points (see **Part 1**) before specifically countering the four statements submitted so late on (**Part 2**).

PART 1

I attended the original Commons and Rights of Way meeting in 2007 in Gloucester, where I took notes and I am witness 31 in supporting this footpath application.

I began using the route in 1975. The yard, over that period, has expanded from being on solely on one side of the route in question, to straddling both sides, a fact, which is not the fault of the walkers, rather a choice made by the landowner. It has always had tractors and machinery, with initially cattle, superseded by horses.

Mr Mark Hicks-Beech never sought to prevent walkers from coming through, or raised his own use of the yard as being an issue for walkers.

I was not only a walker, but also a horse owner and rider over this route, beginning in 1975. I am therefore familiar with horses and their behaviour.

I remember meeting and conversing with a manager of the yard prior to Heather McLain. I remember her name was George Bennett and though I certainly would have had dogs with me on most occasions, she never expressed any issues to do with walkers using the route through the yard.

For my part, I have never felt unsafe walking through the yard or noticed anything which I regarded as being dangerous to myself. As to walkers passing through with dogs, the owner's dogs were sometimes around in the yard and the horses were used their presence.

I have walked dogs over this route, and generally for many years, and the obligation to control a dog is not in any way specific to this route and has no bearing on this application.

PART 2

I comment on various aspects of the four statements below:

Ms Helen McLain BHSI:

“Very busy yard ... constant movement of equines”: I remember when The Cheltenham Ladies College kept their horses at the yard and I never experienced it being unusually busy or in any way a hazard to walkers. In any case, this should not be used as a reason to exclude walkers.

Gates left open as a potential danger: Any gates to the side of the route do not form an integral part of the route and would not expect to be operated by walkers. A gate at the entrance or the exit of the route should be respected in accordance with the Countryside Code (including around animals) as with any route.

Out of control dogs as a potential danger: I repeat my comments about the obligation to control a dog above.

“Strict adherence to health and safety legislation... as a professional... I follow rigorously at all times”: It is reassuring to know that the site is well managed and I am sure that ongoing adherence would ensure that risks to walkers would be negligible.

“potential for theft and fire from hay straw & shavings storage”: This is an ever-present generalised risk to any farm/equine establishment and should not be used to demonise or exclude access to walkers.

With regards to theft: determined criminals are ingenious at finding ways to excuse their initial presence and could already do so by, for example, claiming to be on the yard to inquire about fishing at Witcombe Waters Trout Fishery. They can also already get close to the yard via the alternative route to conduct surveillance.

With regards to fire risk, it is not clear whether the risk is perceived as one from criminal arsonists or careless smokers; however, it is disproportionate to deny access to walkers based on possible criminal acts of a minority and with regards to negligent smokers for example, such risks can be managed with appropriate signage, vigilance and appropriate fire management measures.

Mrs Jane Bisco:

Potential stress to animals on the yard from walkers and dogs: Horses are regularly used outside the yard where they will frequently encounter walkers and dogs so they will be used to this. Horses in the yard will be used to people coming and going and are unlikely to be upset by casual walkers.

Gates left open: as above

Grass clippings and unsuitable "treats" being potentially fed to horses: The risk of horses being given grass or unsuitable "treats" already exists on the alternative route and should therefore not be a reason for refusing access to walkers. Such a risk can be managed via "Do not feed" signs.

Potential risk to walkers from machinery, horse boxes and Severn Trent vehicles: Machinery, horse boxes and Severn Trent vehicles use the same adjacent lanes as the walkers, who are quite used to such things. If anything, taking the four submissions at face value, such machinery, horse boxes and Severn Trent vehicles are more likely to upset flighty horses on the yard.

Rural crime/security: see above response regarding theft.

Disturbance to waterfowl: The reservoirs are currently accessible from other routes. The waters/waterside are already frequented in closer proximity by fishermen on the banks and in boats.

Ms Karen Gyde

Potential risk from kicking, biting, barging, bolting startled horses: These risks to the public are also present outside the yard and it is incumbent upon responsible owners not to leave horses (large or small) loose on the part of the route being walked. Rather, horses should be under control by being led or ridden. Aggressive horses are better controlled on a yard than being loose in fields; such as on the alternative route across the fields. Indeed, my own father was badly kicked by a loose horse in a field (elsewhere). For walkers, the route through the farm feels safer than that through the fields.

The presence of 20 to 22 horses stabled at the yard: it is unlikely that all horses will be outside in the yard at the same time and aforementioned competent management by the current yard manager should be adequate to deal with this situation.

"Half a tonne horse...has capacity to get away from whoever is handling him": This is not the responsibility of walkers using the route. The risks of handling are something that owners choose to take on (and why they have insurance).

Criminals "scouting the yard": See my comments above regarding criminal reconnaissance and normal walkers are not criminals.

Field gates left open: This is an issue anywhere and not specific to this yard.

Miss Joanne Dunford:

"equine facility presents severe unmanageable health and safety risks" to walkers: Ms Dunford's view appears to exaggerate the risk: according to Heather McLain's statement *"It is currently a lovely, very safe establishment for horses, ponies and children"*. Given this, walkers who are only passing through could be easily accommodated in what I am sure is the ongoing competent management of the yard by the current yard manager. Throughout the UK there are many farmyards, equine facilities and similar sites that are able to manage the presence of walkers.

"large powerful flight animals...startled by unfamiliar sights or sounds": These horses are used to farm machinery, fisherman with all manner of clothing and equipment, the movement of yard-users, the owners dogs and the dogs walked by people given permission to do so. They will also spend some of their time loose in the fields where they will encounter walkers with dogs.

"Members of the public ...umbrellas, ...rustling waterproof clothing, ...pushchairs, ... dogs can easily spook a horse poses an immediate trampling danger to walkers and a severe throwing/fall hazard to riders": The same risks to riders and walkers are present when riding elsewhere (including but not limited to the alternative route). The owners/riders use all sorts of clothing, horse rugs, buckets and other paraphernalia, all of which horses are quite used to.

Biohazard/biosecurity: horses are frequently taken out of the yard for exercise and competition (locally and further afield) and the public already cross the alternative route where the are horses anyway. However, interaction between horses themselves (eg in relation to the cited "Strangles" disease) is a greater threat than the public to equine health.

Conclusion:

Had walkers not been excluded (as early as 2001), the risk management of the yard and route *would have evolved in-step* with the growth of the yard and route and continued usage by walkers.

I am supportive of the current application to record the route on the Definitive Map based on the very long (and well evidenced) history of so many people walking this route. *If the current risk management framework of the yard has to "catch up" with the recording of the route on the Definitive Map, this is a proportionate and achievable requirement.*

I therefore hope that this application is granted at last and walkers are able to, once again, enjoy this route.

Mrs Penelope Canbilen

3 October 2026

