HARRIS, Jaci

From: geoff tennant <[redacted]
Sent: 25 February 2025 11:44
To: HARRIS, Jaci
Subject: Re: Ref 573/11/212(12) Deletion of part of MST28

Ah thank you Jaci,

I always get myself off the hook by blaming the computer anyway.

And by the way I noticed today all three finger posts are now missing/removed from the junction of MST28 and MST27.

Geoff Tennant.

From: HARRIS, Jaci <Jaci.HARRIS@gloucestershire.gov.uk>
Sent: 25 February 2025 09:18
To: geoff tennant [redacted]
Subject: RE: Ref 573/11/212(12) Deletion of part of MST28

Wont hold that against you!

Jaci Harris

Asset Data Officer
Highway Records
Gloucestershire County Council
Shire Hall
Gloucester
GL1 2TH

01452 328981
Email:- jaci.harris@gloucestershire.gov.uk

Important: Please note that, as Modification Order applications may result in a legal Order being made to change the Definitive Map of Public Rights of Way, any evidence, comments or objections you submit in respect of a Modification Order application, whether current or proposed, will form part of the published record of the application and may be available to anyone who requests it (including any affected landowner or their representative); this will include certain personal data.

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From: geoff tennant [redacted]
Sent: 24 February 2025 18:00
To: HARRIS, Jaci <Jaci.HARRIS@gloucestershire.gov.uk>
Subject: Re: Ref 573/11/212(12) Deletion of part of MST28

> You don't often get email from [redacted] Learn why this is important

Ms Harris,

Thank you for your prompt reply.

Can I point you to a typo I have just noticed in my submission.

The ending of the final sentence of paragraph 4 should read; "whilst they remain for E & W along MST27"

I do apologize for the error, if you find any more puzzling sentences or syntax etc do let me know.

Thanks again.

Geoffrey Tennant.

From: HARRIS, Jaci <Jaci.HARRIS@gloucestershire.gov.uk>
Sent: 24 February 2025 12:50
To: geoff tennant [redacted]
Subject: RE: Ref 573/11/212(12) Deletion of part of MST28

Mr Tennant, I acknowledge receipt of your objection.

Jaci Harris

Asset Data Officer
Highway Records
Gloucestershire County Council
Shire Hall
Gloucester
GL1 2TH

01452 328981
Email:- jaci.harris@gloucestershire.gov.uk

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From: geoff tennant [redacted]
Sent: 24 February 2025 12:25
To: HARRIS, Jaci <Jaci.HARRIS@gloucestershire.gov.uk>
Subject: Ref 573/11/212(12) Deletion of part of MST28

> You don't often get email from [redacted] Learn why this is important

Dear Ms. Harris,

I am writing to formally register my objection to the order referenced above which was made on 14th January 2025. I hope email is a satisfactory medium for communicating my objection, and that is compliant with the required process. If not please advise at the earliest opportunity.

For your information I am a resident of the area in which MST28 is located and a regular user of this footpath in all parts of its length.
I am also aware of others in the area who find it possible to walk the path in its entirety, some with a lesser frequency than I, others more. Although conditions can be challenging on the steepest section people with robust mobility may negotiate this section safely with care, except in the worst and wettest of weather conditions or darkness. I do not doubt it possible to find PRoW footpaths in this county, particularly on and around the Cotswold escarpment, with sections of their length which present equivalent difficulties and gradients which are not considered for deletion, and rightly so.

In the recent past MST28 and its steepest section have been subject to a number of temporary closure orders which were extended, ostensibly to facilitate works to improve the conditions under foot. To actual users of the path there was never any evidence, or verification of erroneous claims of dangerous occurrences or accidents, though most would accept this section would benefit from improvements. However, neither was there any evidence of preparations for works or actual works being carried out. To my knowledge this path has never in its existence received attention to maintenance or improvement by landowners or successive local authorities
This sits in contrast to recent significant public expenditure to improve MST62's less challenging topography, and there are further improvements planned for MST62 and30.

Whilst walking between point B and C identified on the order's map does contain a difficult section, i.e. the steepest, there is a modest length of good path within B - C leading to the edge of the quarry face which is flat. Even more significant is a substantial stretch of the path which is perfectly passable and navigable from a point at the actual foot of the old quarry face and extends approximately southwards. This section approaches the rear of properties on Rosedale Ave, passes between the houses, crosses Rosedale Ave, continues between houses on the S side of Rosedale Ave to join MST27. Incidentally, at this point there is a local authority triple way marker post with public footpath 'finger' signs. Vandalism of accidental damage seems to have removed most of the way marker pointing north for MST28, whilst the remail for E & W along MST27.

As you will be aware, in recognition of some of the difficulties for universal access presented by the topography of the quarry face section a DMMO application has been presented to GCC by local people. However, this attempt to modify the route has been preempted by the deletion order quite unnecessarily. Furthermore, whilst that DMMO had been submitted some time prior to the December 2024 CROW Committee meeting I recall no mention of the existence of this DMMO application in the report to members on MST28.

What I do recall from the report presented to the meeting were repeated references to a lengthy historical process of encroachment upon the path and its line as represented on the definitive map by the quarry, alongside 'drafting errors' in that representation.

However, any attempt to suggest that on historic investigation no footpath exists here is paradoxical. For many years, including the recent past, the real-world evidence on the ground makes it clear it does. This is evidenced by use by the public, recognition in public signage and in GCC temporary closures to facilitate improvement to MST28.

The argument to extract GCC from this paradox seems to be the repeated assertion of historical 'drafting errors' causing a PROW to enter the definitive record erroneously. Into this argument is inserted a consideration of the 'true line' of MST28. Well, what is represented on the definitive map in relation to MST28 are a series of utterly straight lines, rather unusual features on many rural paths especially when

touched by Cotswold topography. Even the Romans had to put some bends and deviations in their routes in response to conditions encountered on the ground in this area. The 'post Roman' walkers of Stonehouse are no different in this regard, and I cannot imagine who might have thought the straight lines depicted could have survived the natural and anthropogenic intrusions upon this path.

What has clearly occurred here is an evolution of the path's line shaped by users exercising their common law right to deviate from the line depicted on the definitive map in order to circumnavigate obstructions. Those obstructions include of course the history of advancement of the quarry working and its encroachment upon the path, and the more recent development of housing on the old brickworks and quarry site following its closure.

So, over something approaching 100 years a succession of local authorities, landowners and developers' failures to variously properly control, record, maintain and improve, preserve or where required modify the route of MST28. The community of Stonehouse, and particularly generations of users of MST28 to date, have been let down over long years by this neglect and should not lose a path because of it.

Whilst the element of local authority responsibility must be laid at predecessor authorities to Gloucestershire County Council, I believe current the decision to 'delete' this section of a patently used path, of which a significant portion is on less than problematic topography, only compounds this neglect.

The decision to delete is pre-emptive and premature. Other options exist to either; improve conditions under foot, record modifications or diversions to the route made in response to obstructions etc, or devise alternative routes and map modifications to retain continuity of MST28 beyond point B on the map. Indeed, as mentioned above in the latter case a DMMO to that effect submitted by local people has sat with GCC for months prior to the decision to delete.

I believe the proper course of action would be to withdraw the deletion and first decide on and implement alternatives such as improvements, or order and record modifications to route to ensure its continuity before deletion of any part of the path is ordered.

If you require further information or detail to progress this objection please do not hesitate to contact me by email.

Yours faithfully,

Geoffrey Tennant

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