

GLOUCESTERSHIRE COUNTY COUNCIL **15.4** 49  
PUBLIC PATH EVIDENCE FORM

You should be aware that your reply may be used in the production of an Agenda item to go to the appropriate County Council Panel and as such would be designated a "background paper" and kept available for public inspection for a period of four years. Information contained in the form may also be sent to any landowner or occupier affected by the application.

Name: GLOUCESTERSHIRE WILDLIFE TRUST (GWT)  
Address: CHURCH HOUSE, STANDISH, GLOS GL10 3GU  
Telephone Number: [REDACTED]  
Date of Birth: [REDACTED] Occupation: [REDACTED]

1. **Description of Path:**  
From: PUBLIC ROAD SOUTH OF HELLVIEU COTTAGES - SEE MAP To: PUBLIC FOOTPATH AT WITCOMBE RESERVOIRS - SEE MAP  
Believed Status of Path (eg footpath):

2. **Usage:**  
Have you used the above path? YES  
If so, (a) During which years? 1971 - 2005  
(b) Where were you going to and from? GWT STAFF AND MEMBER USE ROAD AS ACCESS TO NATURE RESERVE  
(c) For what purpose? WORK AND LEISURE  
(d) How many times a year? VARIOUS TIMES THROUGHOUT YEAR  
(e) By what means (eg on foot, on horseback)? FOOT  
(f) What is the (approximate) width of the path you have used? SINGLE VEHICLE WIDTH

**Route:**  
Has the way always run over the same route? If not give details and dates of any changes  
YES

4. **Stiles:**  
Have there to your knowledge ever been any Stiles on the path? NO  
If so, give details including location

5. **Gates:**  
Have there to your knowledge ever been any gates on the path? NO  
If so, give details including location

6. **Notices:**  
Have there to your knowledge ever been notices on the path? YES (2 signs)  
If so, where were they and what did they say? 1 - Witcombe Estate Private Land

2. Private Road - NO UNAUTHORISED VEHICLES.

7. **Obstructions:**

Have you ever known any obstructions on the path? ... No

If so, please give details including location.....

8. **Verbal Notice:**

(a) Were you ever told by an owner or tenant of the land crossed by the path or anyone in their employment that the path was not public? ... NO ..... If so, give details:

GWT HAS A RIGHT OF ACCESS THROUGH OUR AGREEMENT WITH SEVERN TRENT, HOWEVER OUR MEMBERS BEEN REFUSED ACCESS

(b) Have you ever been stopped or turned back when using the way? If so, state when and give details: ... SEE ABOVE

(c) Were you working for any owner or occupier of land crossed by the path at the time you used it or were you a tenant of any such owner? ... NO

If so, did you ever receive instructions from him regarding the use of the way by the public?

If so, what were they? .....

(d) Have you ever been given permission to use the path? ... YES BY THE OWNERS - SEVERN TRENT

9. **Other Information:**

Please give any other information that you think is relevant .....

(continue on a separate sheet if necessary)

10. **Declaration:**

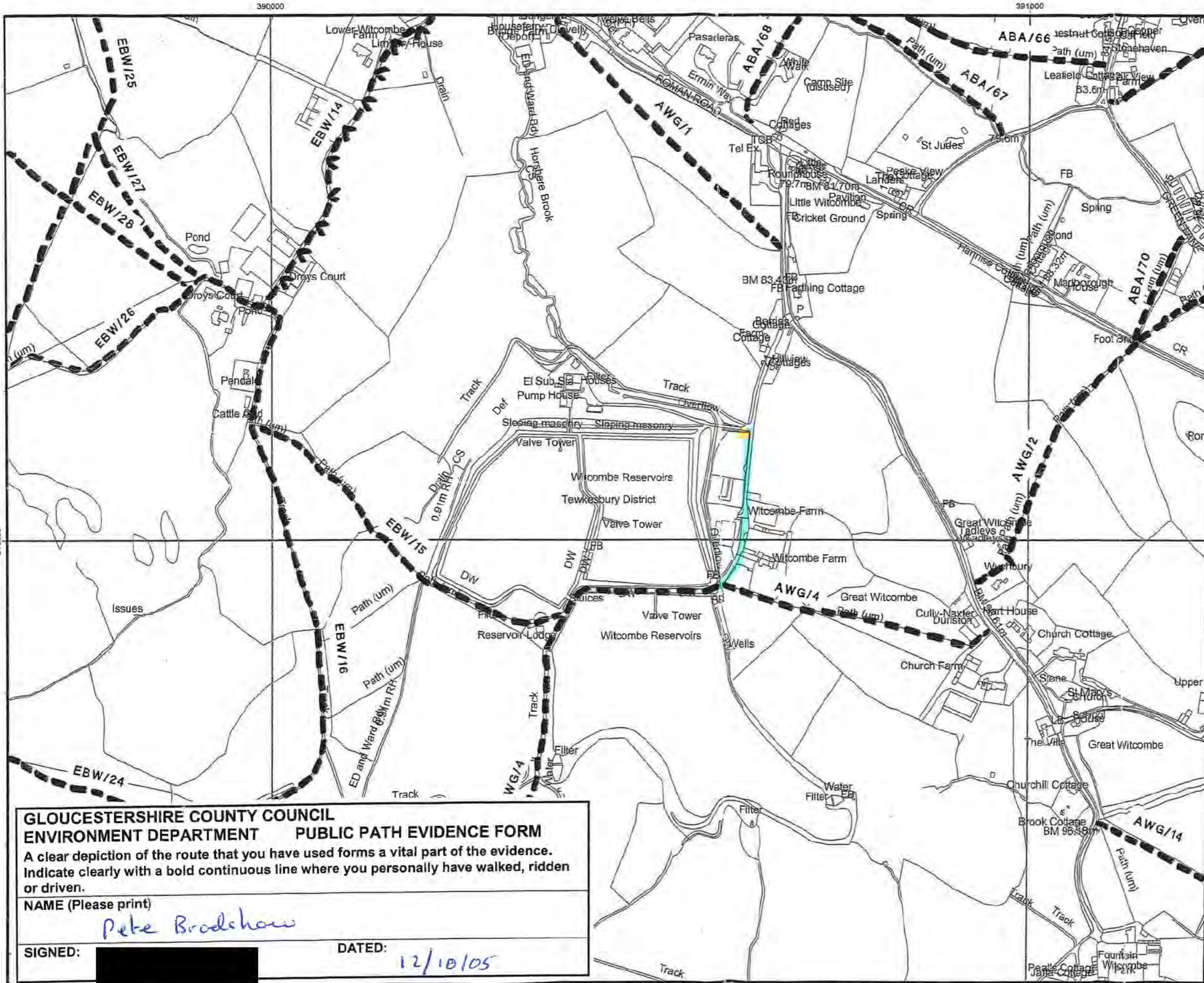
I hereby declare that to the best of my knowledge and belief my answers to the above questions are true.

I am/~~am not~~ willing to attend a Hearing, Public Inquiry or Court to give evidence on the matter, if this should prove to be necessary.

\*Please delete

Signature: [Redacted] Date: 12/10/62


Witness to Signature: .....




PARISH OF  
GREAT WITCOMBE

PLEASE MARK ON  
MAP THE PATH  
YOU WISH TO CLAIM

KEY

EXISTING FOOTPATH  


EXISTING ROAD USED  
AS A PUBLIC PATH  


PUBLIC RIGHTS OF WAY  
 Shire Hall, Westgate Street,  
 Gloucester GL1 2TG  
 Tel: 01452 425576  
 www.gloucestershire.gov.uk

**GLOUCESTERSHIRE COUNTY COUNCIL  
 ENVIRONMENT DEPARTMENT PUBLIC PATH EVIDENCE FORM**

A clear depiction of the route that you have used forms a vital part of the evidence. Indicate clearly with a bold continuous line where you personally have walked, ridden or driven.

NAME (Please print)  
*Pete Brodshaw*

SIGNED:  DATED: *12/10/05*

DRAWN BY: S BURGE  
 SCALE: 1:5,000  
 DATE: 15/05/2005  
 DRAWING NO:

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RECEIVED

24 OCT 2005

Environment Directorate

Rosie Cliffe  
Gloucestershire Wildlife Trust  
Conservation Centre  
Dulverton Building  
Robinswood Hill Country Park  
Gloucester GL4 6SX

Executive Director: Environment  
Shire Hall  
Gloucester GL1 2TH

Fax: (01452) 42

email:  
[www.gloucestershire.gov.uk](http://www.gloucestershire.gov.uk)

Please ask for: Miss S Burge

Phone: 01452 425522

Our Ref: 573/11/101(1)

Your Ref:

Date: 19 October 2005

E-Mail: [sarah.burge@gloucestershire.gov.uk](mailto:sarah.burge@gloucestershire.gov.uk)

Dear Ms Cliffe

**Wildlife and Countryside Act 1981, Section 53  
Application for a Modification Order for an Additional Public Footpath  
through Witcombe Farm,  
Parish of Great Witcombe**

Gloucestershire County Council has received an application for a Modification Order to add a length of public footpath to the Definitive Map of Public Rights of Way.

The application is to add a footpath through Witcombe Farm, which runs from Witcombe Farm Lane in a generally south to south-westerly direction for approximately 200m to its junction with existing public footpath AWG 4. This is marked A to B on the attached map.

I enclose a plan showing the position of the claimed path, which lies within Ordnance Survey Grid Squares SO 9015 and SO 9014.

Modification Order applications have to be supported by evidence that the claimed route is a public right of way or that it carries the rights that are claimed. There are two sorts of evidence: user and documentary. User evidence may be submitted when the public has walked or ridden a route for a continuous period of twenty years or more as of right. In this case, the applicant has supplied evidence of use.

Your comments will be included in the report that will go before the County Council's Commons and Rights of Way Committee. Members of the Rights of Way Committee will consider the application solely on the basis of the available evidence and decide whether or not on balance the claimed right exists. Environmental considerations or the effect on property interests are not matters that the Committee can take into account.



I would be grateful to receive any comments you may have on the application in writing by Friday the 2<sup>nd</sup> of December 2005. If you would like any further information on the application, please do not hesitate to contact me.

Yours sincerely



**Sarah Burge**  
**Public Rights of Way**