



Mr & Mrs U E Godsell
Far Westrip Farm
Far Westrip
Stroud
GL6 6HE

Highway Records & DMMO
Gloucestershire County Council
Block 5, 6th Floor West
Shire Hall, Gloucester. GL1 2TH

email: jaci.harris@gloucestershire.gov.uk
Phone: 01452 328982

Case Officer: Mrs J Harris

Our Ref: 573/11/212(6)(7)(8)(9)(10) Your Ref:

Date: 17 July 2024

Dear Mr & Mrs Godsell,

**S53, Wildlife & Countryside Act 1981: Definitive Map Modification Order Application
Additional Footpaths at land adjacent to Bramble Lane, Stonehouse**

Gloucestershire County Council has received five applications, based upon the user evidence submitted by 242 individuals, to add a number of public footpaths across land adjacent to Bramble Lane in Stonehouse Parish to the Definitive Map (legal record of the public rights of way in the County). Please find enclosed a map showing the claimed routes, marked ABC, BD, EFKO, OQT, NK, JO, MO, LO, PQ, UH, GI & RS, a summary of the user evidence, a Landowner/ Occupier Evidence Statement, a Statement of Truth and an information sheet on the process.

Gloucestershire County Council has a duty under section 53 of the Wildlife and Countryside Act 1981 to consider all applications to modify the legal record.

I understand you are a landowner affected by two of the claimed routes and am contacting you to give you the opportunity to comment.

Please note the Council can only consider 'legally relevant' evidence in deciding whether to modify the Definitive Map & Statement, and applications must be determined on the basis of evidence as to whether rights exist or not, as opposed to whether the claimed right of way would be a good or a bad thing. Therefore, we are looking for evidence of:

- The existence of the way - whether there is documentary evidence which shows that a right of way for the public exists, or a history of use by members of the public sufficient to show that a right of way exists; or conversely, whether and when any such use has been challenged either verbally or by the route being blocked, etc. (and by whom);
- The status of the way - whether there is evidence to show that the way has been used by walkers, cyclists, horse-riders, horse & carriage, or motor traffic, etc., and if so, the extent and frequency of that use; and
- The precise route of the way.

The following factors cannot be taken into account:

- The suitability of the way for the use being claimed;
- The effect on the environment or on amenities in the area;
- The existence (or not) of other rights of way in the immediate area.

In order to formally comment on the application, I would ask that you complete and return to me the enclosed Landowner/ Occupier Evidence Statement and Statement of Truth, providing copies

of any relevant photographs or documents by **Friday 30 August 2024**. Following the investigation of the applications, the Council will decide whether there is sufficient evidence to show that any of the claimed routes have been dedicated as public rights of way.

Important: Modification Order applications could result in legal Orders being made to change the Definitive Map. Any responses submitted in respect of any of the applications will form part of the published record and may be made available to anyone who requests it (including any other landowner/occupier affected by the application and their representative); this will include certain personal data. The way we use your data, and your rights is available on our Privacy Notice available at <https://www.gloucestershire.gov.uk/prow/definitive-map-and-associated-registers>.

Meanwhile, if you have any queries about these applications, or the Definitive Map Modification Order process, please do not hesitate to contact me using the contact details at the start of this letter.

Yours sincerely



Mrs J Harris
Asset Data Officer (PROW Definitive Map)
Highway Records

Encs.



Outlook

FW: Additional footpaths Stonehouse Parish

From BOLTON, Joanne <[REDACTED]>**Date** Mon 12/9/2024 7:25 AM**To** BONSER, Clare <[REDACTED]>; PEARMAN, Karen

[REDACTED]; HEAL, Joanne [REDACTED]

HAWORTH, Julie [REDACTED] HOULDEY, Andrew

[REDACTED]; BROWN, Jemma [REDACTED]

Cc HARRIS, Jaci <Jaci.HARRIS@gloucestershire.gov.uk>

Dear all,

I'm just copying this to you for information.

Kind regards

Jo

Joanne Bolton
Democratic Services AdviserGloucestershire County Council
Block 3, Floor 2, Shire Hall, Westgate Street, Gloucester GL1 2TGwww.gloucestershire.gov.uk

From: J Godsell [REDACTED]**Sent:** 05 December 2024 22:33**To:** HARRIS, Jaci <Jaci.HARRIS@gloucestershire.gov.uk>**Cc:** BAKER, Cllr Paul [REDACTED] BOLTON, Joanne

[REDACTED] HALE, Cllr Terry <Terry.Hale2@gloucestershire.gov.uk>;

HEGENBARTH, Cllr Alex <Alexander.Hegenbarth@gloucestershire.gov.uk>; HOYLAND, Cllr Rebekah

<Rebekah.Hoyland@gloucestershire.gov.uk>; MACKENZIE-CHARRINGTON, Cllr Mark <Mark.Mackenzie-

Charrington@gloucestershire.gov.uk>; MORGAN, Cllr Graham

<CllrGraham.MORGAN2@gloucestershire.gov.uk>; SMITH, Cllr Vernon

<CllrVernon.Smith@gloucestershire.gov.uk>; VINES, Cllr Robert <Robert.VINES@gloucestershire.gov.uk>;

WILLINGHAM, Cllr David <David.Willingham@gloucestershire.gov.uk>

Subject: Additional footpaths Stonehouse Parish

Dear Jaci and Councillors

I have just been informed that you have a meeting of the Commons and Rights of Way Committee on 10th December. We are disappointed that we were not given the opportunity to respond to the recommendations before the deadline closed this week. However there are a few points we wish to make and hope that you will consider them at your meeting.

Route B-C

After we purchased the field coloured blue in 2013, there was little activity around the point B where there was an old wooden gate and a stile. This is reinforced by the evidence given to the committee at point 6.4, that there is no evidence on Google Earth of its use as a route. At no point did we allow walkers to use that

route and if we saw anyone off the footpath we asked them to keep to the public footpaths. Therefore there was no acquiescence. When Western Power put a route through there in early 2019 we had to replace the old gate and removed the stile. However, it started to be used as a route so we closed it off by fencing the gateway with sheep netting and barbed wire. This is contrary to the evidence stated in point 9.28 which suggests barbed wire was only installed in 2023. The barbed wire and sheep netting was continually cut in 2019 and I persistently replaced it until we finally gave in as it was a risk for stock escaping. So we replaced it with a metal gate and welded this shut. People then cut through the hedge at the side of the gate, which had been stock proof, so they could get through there. Point 9.28 suggests there had been a gap at the side of the gate. This was not the case – it was a stock proof hedge. We then fenced that area aswell with sheep netting and barbed wire. This too was cut until we put a professional fence under tension around the whole field edge. As far as we are aware, there was never a footpath waymarker at this point as claimed on page 17 of the report. To suggest we as landowners tolerated walkers bypassing the gate (point 9.28) is quite ridiculous when there was evidence of the fence being cut many times a week and the hedge being cut back by people to allow access.

Route E-F

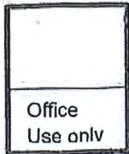
With the field coloured blue which we purchased in 2019, we were aware of walkers straying from the paths so decided to improve the correct routes for the rights of way before cutting off any existing routes used by walkers. We spent a lot of time and expense improving the paths and installing kissing gates to make access easy then tried to block the other routes. Point F was occasionally used to get to the Verney field but only at certain times of year as the field from F to K was full of brambles in the summer and very wet in the winter. There was never to our knowledge a gateway here but just a wooden barrier and step which was climbed. We let the step rot and tried to block the exit. There again was certainly no acquiescence. We received very negative responses from walkers when making requests to keep to footpaths and witnessed very aggressive behaviour from an individual cutting down a fence. This is not the behaviour one would expect if walkers feel they have been allowed to use a particular route.

We thank you for taking the time to read this email.

It would be much appreciated if there are any other cases in future, that the land owners be informed of an opportunity to put questions to the committee in advance of the deadline.

Yours sincerely

Mr Uriah and Mrs Jane Godsell



PUBLIC RIGHT OF WAY LANDOWNER / OCCUPIER STATEMENT

PLEASE KEEP A COPY FOR YOUR OWN RECORDS

APPLICATION Applications for Modification Orders to add public footpaths across land adjacent to Bramble lane and surrounding area, Stonehouse Parish, Gloucestershire

REFERENCE 573/11/212(6)(7)(8)9(0)(10)

NAME Jane and Uriah Godsell

ADDRESS Far Westrip Farm, Far Westrip, Stroud, Glos

POSTCODE GL6 6HE

YEAR OF BIRTH 1958

- 1 Please indicate on the enclosed plan the boundary of any land you own or occupy, or have owned or occupied in the past, which is affected by the claimed route.

See MAP attached.

- 2 Please state the nature of your interest in the land over which the alleged public right of way is claimed:

- ☒ Freehold (please circle the relevant one: sole / joint owner)
☐ Tenant for life under the Settled Land Act
☐ Leasehold
☐ Employee
☐ Other – please specify below

[If you are a tenant or licensee, please ensure you complete question 19]

3. Please give details and dates of ownership or occupation.

We purchased field coloured blue and outlined in pink in April 2019 and the field coloured blue and outlined in green in about March 2013

4. What is the land affected by the claimed route used for? (i.e. grazing animals, growing crops, residential garden, business use etc.)

Has the use varied? If so please give details of when and how

Grass for silage and grazing animals E-F and B-C

Growing other crops, B-C including Maize and Bird seed mixture

5. Are you aware of any right of way/other use (i.e. private or public) on the route applied for?

No

6. Do you hold any deeds or maps of the land, or tenancy agreements or letters that might be useful in this investigation?

☐ Yes

☒ No

If yes, please provide copies.

7. Have you ever seen people using the route?

☒ Yes

☐ No

If YES, were they on foot, on bicycle, on horseback, using a motor vehicle? If so please give details. (Over what period, how frequent, has the route varied, etc.)

On Foot, Over the period from about 2006 to 2023

8. Have you, or others with your authority, ever stopped or turned back anyone using the route, or made it known to them that the route was not public?

☒ Yes

☐ No

If YES, how was this done? What was said and by whom? What was the response / reaction?

Myself and my husband have stopped walkers and asked them to keep to the footpaths. Some walkers apologised and agreed to keep to the public footpaths. Others argued, some were aggressive, but in all cases we insisted that they keep to the public footpaths in future.

[If YES, please please ensure you complete question 22]

9. Has the way you have used this land made the claimed route(s) difficult or impassable at any time?

☒ Yes

☐ No

If YES, please state how and when

Route B-C: When maize crops are tall (2014) – See attachment 4, area outlined in green - and grass long before it is cut for silage (approx. 3 times every year up to 2019 excluding 2014) it is very difficult to walk where through the crops. Since March 2020 it is almost impenetrable as there is tall, dense bird seed mix sown – see attachment 5, area outlined in green.

Route E-F: Brambles often made the route F-K impassable so was not used.

10. Has anyone ever asked you for permission to use the claimed route(s)?

☐ Yes

☒ No

[If YES, please please ensure you complete question 23]

11. Have you ever given permission to anyone to use the claimed route(s), other than your employee(s)?

☐ Yes

☒ No

[If YES, please please ensure you complete question 23]

12. Have you ever erected / locked any gates or placed any other obstructions along the claimed route(s)?

☒ Yes

☐ No

If YES,

- (a) Please describe the type / nature of the gate or obstruction, and mark the location(s) on the attached plan.

Point B on the map has nearly always been a gate. At one time there was a stile by the gate but we removed this in 2020 and replaced the corroding gate with a fence consisting of stock fencing and 2 strands of barbed wire. After this was repeatedly destroyed, we replaced the fence with a new gate and welded it shut.

Point F on the map has always been a post and rail fence. At one time there was a stile but this fell down due to disrepair and was not replaced.

- (b) Over what period was the obstruction(s) present? (please give months and years where dates are known, e.g. 1959 – 1965 or Sept 2015 to present)

Gates at B and F both present from 2006 to present day except when stock fence was erected at B in 2020 which was there in total for about 2 months..

- (c) Within the period given at 12(b), how often was the gate locked / obstruction present (i.e. permanently, when livestock were moved)

B Gate was always locked as it is a farm boundary and not used for access. When the stock fencing was installed, walkers made a path by cutting back the hedge then cutting wire used to seal the gap.

F Boundary does not open.

13. If you have ever erected any notices or signs, please indicate (if details are known)

- (a) Their wording?

- 1. Signs requesting walkers to keep to footpaths**
- 2. Signs with yellow arrow pointing, stating "Please use footpath"**
- 3. Signs informing walkers of Neospora infections caused in cows by dog muck and asking walkers to keep to official footpaths – entitled "Please help us to look after our cows"**

- (b) When they were erected?

- 1. Initially in April 2019. These were quickly removed/destroyed by walkers**
- 2. In April 2019**
- 3. In 2020**

- (c) Where were they erected?

At points B and E and other entrances used by walkers in pink and blue outlined fields

- (d) Did you ever maintain or replace them? If so, when?

In 2019 we replaced them several times and then replaced them with new signs (3) in 2020

(e) The length of time that they remained in place?

1. Only days, before being destroyed/ removed each time
2. Months
3. Months

(f) Was there any response / reaction from people?

Anger on social media we have been informed. Fence at Point B was cut and repaired many times over about 2 months then replaced by a gate which was welded shut – to be stock proof and vandal proof. The hedge next to the new gate was cut back by walkers and wire used to seal the gap was cut.

(g) Do you have any photos of previous or existing notices or signs?

- ☒ Yes – please provide copies, and dates. See attachments 1. and 2.
☐ No

14. Do you have any receipts for works carried out (such as for erecting / repairing fencing or gates); photos of notices; letters of permission or police reports, etc., that relate to the claimed route which might be useful in this investigation?

- ☐ Yes – please provide copies
☒ No

15. Have you ever deposited a map and / or statement declaring which routes you know as right of way over your land with the Local Highway Authority under Section 31(6) of the Highways Act 1980 or Section 15(A) of the Commons Act 2006?

- ☒ Yes
☐ No

If YES, when?

August 2019

16. Have you ever given notice to the Local Highway Authority under section 31(5) Highways Act 1980 that the route now being claimed was not dedicated as a highway?

- ☐ Yes
☒ No

If YES, when?

17. Would you be willing to give evidence at a Local Public Inquiry?

☒ Yes

☐ No

18. Please give any further particulars or comments

We have cleared all the official footpaths, replaced all the stiles with kissing gates and marked all the Rights of Way. The public now has better access to Doverow woods than ever before. This work began in April 2019.

We have tried to get walkers to keep to Public Footpaths, particularly in our field coloured blue and outlined in pink. There have been some very angry walkers who have cut fences around the field, not just in areas they had previously walked. That is why we replaced the new fencing with a gate welded shut at point B on the map as we were unable to keep the field stock proof.

Residents of Stonehouse and Parishes beyond this were inundated with banners in the street, flyers and articles, suggesting that they need to complete documentation about where they walk in order to retain access to Doverow Woods. This was very misleading as none of the access points into Doverow Woods would be affected by restricting walkers to Public Rights of Way. I spoke to several people who only completed their evidence because they believed the propaganda, that access to Doverow Woods would be restricted if they did not. See attachment 3 which is an anonymous article put in the Randwick Runner, a weekly newsletter for the Parish of Randwick, which I believe came from Stonehouse Town Council.

If you provide answers to any of the following questions, any personal details you provide will initially be redacted from public view.

However, please be aware that the information may later be disclosed either where the person it relates to consents to disclosure, or where the OMA is required to disclose it because of a statutory requirement to do so or as part of legal proceedings.

19. If you are a tenant or licensee of the land, please advise the name and address of your landlord.

... N/A.....

20. The OMA wishes to be sure that everyone who might be affected by this application has been contacted. Do you know the names and addresses of anyone else who owns or occupies the land affected by the route? If so, please give their contact details.

.....

21. It may assist our investigation if we are able to contact any previous owners of the land. Do you know the name / address of any previous owners or occupiers? If so, please give their contact details.

Mr Sidney Oakhill, [REDACTED]

22. In respect of question 8, please indicate the number of occurrences you stopped or turned people back, stating the identity of the people (if known) and the dates. (How many, when, what was the reason for stopping them, etc.)

At least one walker per week stopped, Identities not known. The reason for stopping them was that they were not walking on official public footpaths. They were asked to keep to footpaths.

23. In respect of questions 10 and 11, please give details of the identity of anyone you have given permission to use the claimed route and for what purpose, (e.g. for use on foot, horseback, bike or motor vehicle), together with their address if known.

Please continue on another page and attach to this form if required.

- a. How many people have you given permission, and have you permitted a certain type of use:

Type of User	Number of people
On foot	None
Bicycle	None
Horseback	None
Horse & Cart	None
Motor Vehicle	None

- b. For each user (or groups of user), please specify:
- (i) Who did you give permission to and what is their relationship to you?
(e.g. Mr Jones (neighbour), Mr & Mrs Smith (tenant), unknown members of the public, etc.)
 - (ii) Was the permission given verbally, or in writing?

(If permission was in writing, please attach a copy; if permission was verbal, please indicate what was said)
 - (iii) When was permission given, and how long was the permission for?

(i.e. indefinite; that day only; did it need to be renewed?)
- c. Have you ever refused to give permission when asked for it? – please provide names (and addresses) and their relationship to you and brief details of what was said.

End of questions.

Please return the completed form to:

Highway Records (Modification Orders), Gloucestershire County Council, Shire Hall, Westgate Street, Gloucester, GL1 2TG.

**ADDITIONAL PUBLIC
FOOTPATHS ACROSS
LAND KNOWN AS VERNEY
FIELDS & SURROUNDING
AREA, STONEHOUSE
PARISH**

**DEFINITIVE MAP
MODIFICATION ORDER
APPLICATION 2024**

Public Footpaths to be added:

- A-B-C
- B-D
- E-F-K-O
- O-Q-T
- N-K
- J-O
- M-O
- L-O
- P-Q
- U-H
- G-I
- R-S

User evidence detached for app
212/4

Unaffected Footpaths

Highway Records

Shire Hall, Westgate Street,
Gloucester GL1 2TG

Tel. 01452 328981

www.gloucestershire.gov.uk

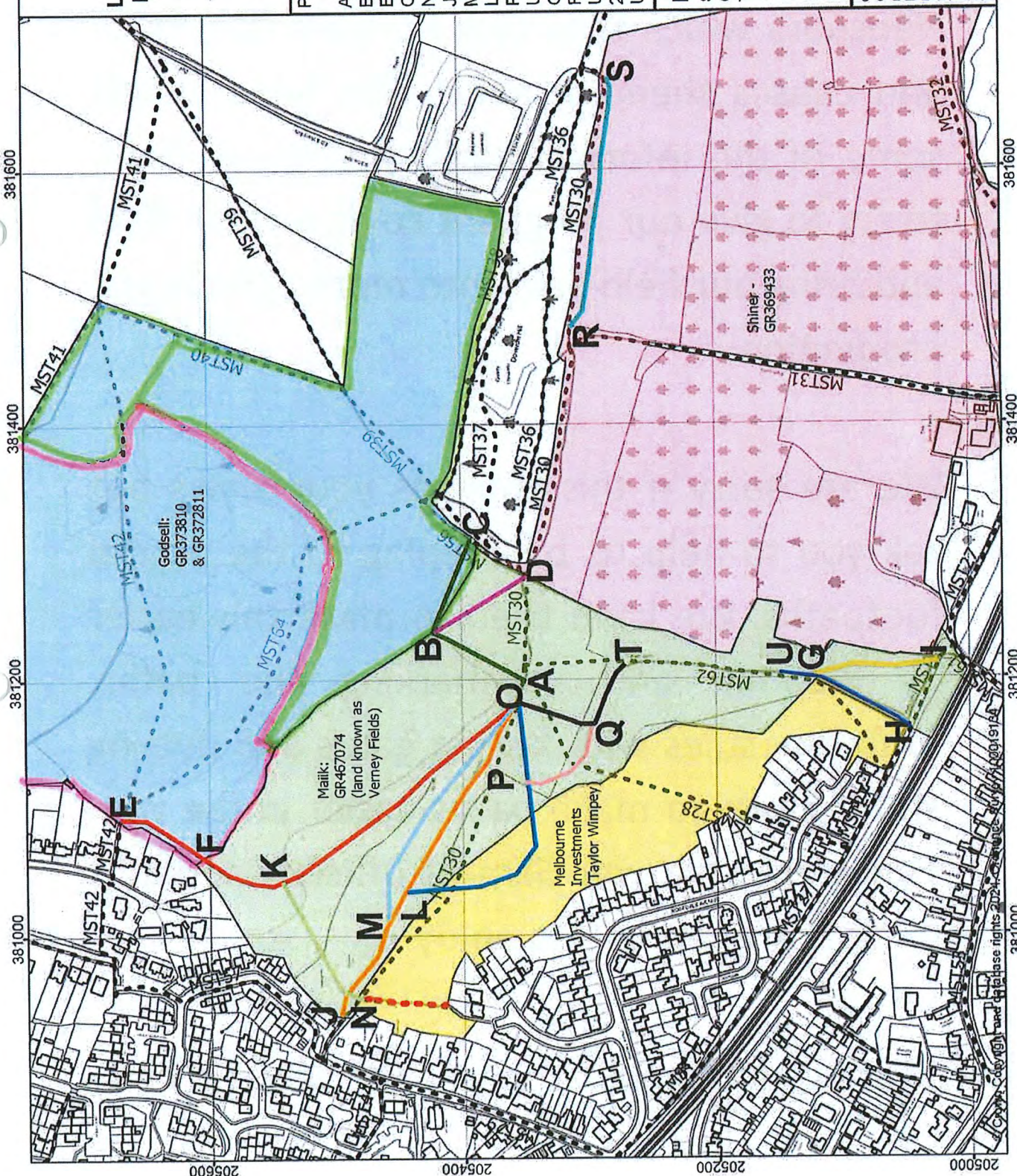
Drawn by:

SCALE: 1:4,000

DATE: 17/07/2024



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Ordnance Survey AC0000850000. Unauthorised
reproduction infringes Crown copyright and may
lead to prosecution or civil proceedings. You are
not permitted to copy, sub-license, distribute or
sell any of this data to third parties in any form.
This plan may be subject to distortions in scale
so any measurements taken may not match
those between the same points on the ground.



1. SIGN from 2020

Please help us look after our cows

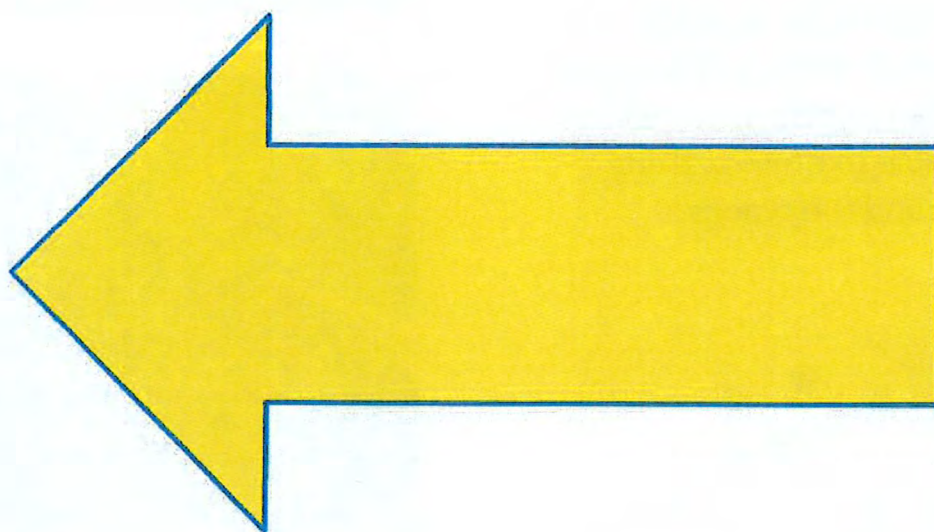
Our cows have been badly affected by Neospora which they pick up from dog muck and causes them to abort. We have closed some of the informal paths previously used, to try to give our pregnant cows a clean field and bring our field back into more agricultural production.

We are sorry if this changes your walks but ask you to help us by keeping to the official footpaths. We have tried to make this easier by clearing and waymarking the paths, replacing stiles with kissing gates and putting stone down to make paths easier in the wet. There are still over 5km of official footpaths on our farm for you to enjoy.

Thankyou for your support. Far Westrip Farm

2. SIGN from 2019 onwards

Please Use Footpath



Doverow Hill footpath danger

Local walkers are being urged to support a campaign to support Stonehouse Council in their bid to register footpaths in the Doverow Wood area.

None of the footpaths are currently registered as public rights of way (PROWs). This means there is a danger the public will no longer be able to enjoy walking near or around the woods.



The campaign is calling on landowners of the surrounding fields to recognise and formally register these footpaths as public rights of way.

You can access details of the campaign on Facebook via #savethefootpathsondoverowhill



Butterflies and moths

One of the Runner's very own editors, Philip Rush, is hosting a fascinating talk at the Museum in the Park next Thursday evening, June 15. His Yew Tree Press is publishing two beautiful new books. Andrew Fusek Peters will be talking about his butterfly photography and Sarah Gillespie about her mezzotints of moths. Copies of both books will be for sale.

http://www.yewtreepress.co.uk/Yew_Tree_Press/events.html

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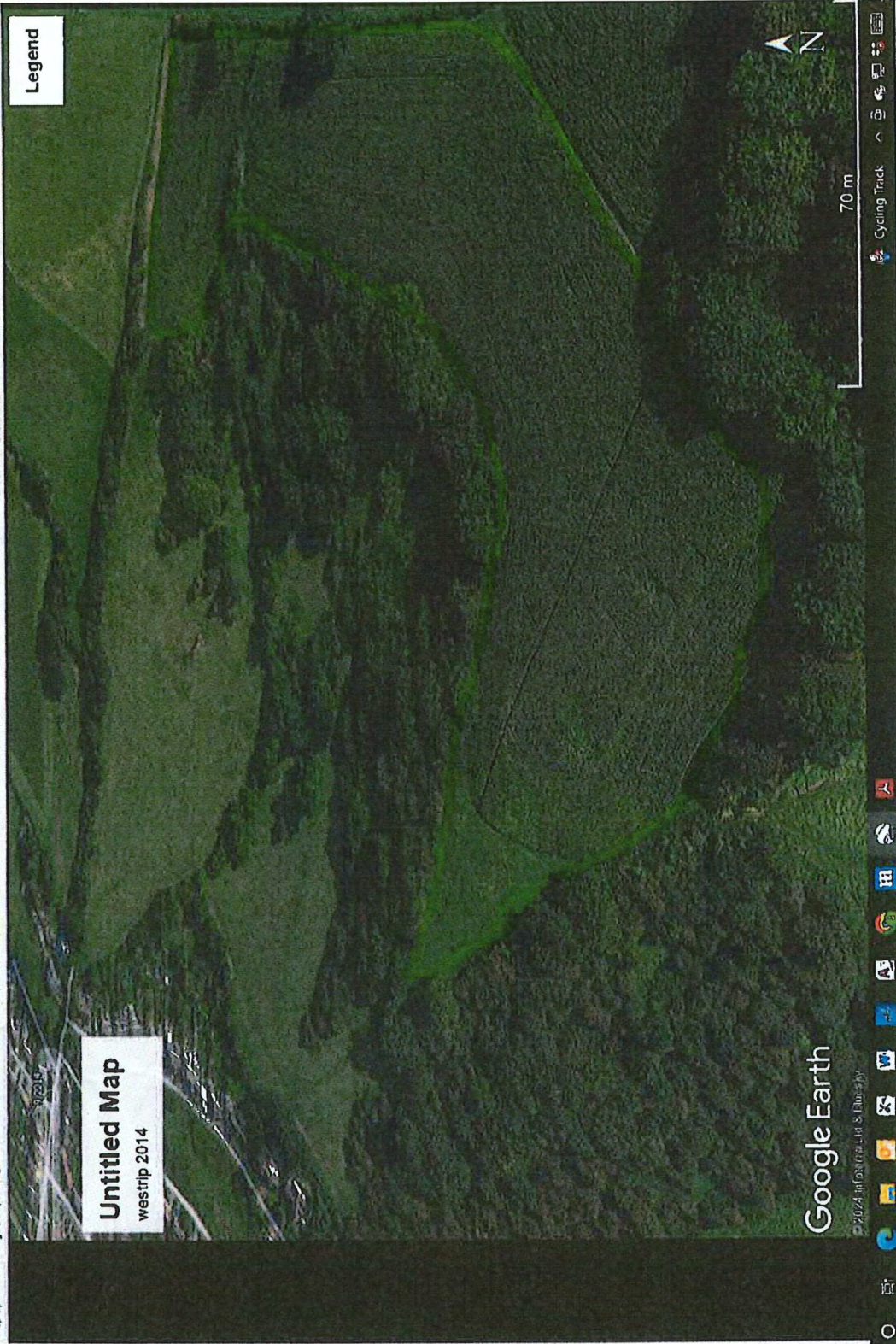
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70 m

15°C Mostly cloudy

24°C
11/08/23