

RUSSELL, Rachel

From: HARRIS, Jaci
Sent: 05 March 2025 11:00
To: Kay Nagai
Subject: RE: Objection to modification order 573/11/212(12)

Kay,

I acknowledge receipt of your objection relating to MST28. I will acknowledge your objection to the Verney Fields Order, separately.

Please note that this is specific legal process which is being carried out by Highway Records. Please do not include Nic or Sarah in emails or correspondence relating to this process.

Once I have submitted my Statement of Case to the Planning Inspectorate, the process will be entirely within their authority. From that point onwards, the County Council will be subject to the same timetable / schedule as you. Any queries/ requests you may have from that point going forward will need to be directed to the Planning inspectorate.

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.

The way we use your data, and your rights, are set out in our published Privacy Notice at:

<https://www.gloucestershire.gov.uk/prow/definitive-map-and-associated-registers/>.

From: Kay Nagai [REDACTED]
Sent: 05 March 2025 06:09
To: PEARMAN, Karen <Karen.PEARMAN@gloucestershire.gov.uk>; HARRIS, Jaci <Jaci.HARRIS@gloucestershire.gov.uk>; Modification Orders <modificationorders@gloucestershire.gov.uk>
Cc: CHIDLEY, Nicola <[REDACTED]>; MACAULAY-LOWE, Sarah <[REDACTED]>
Subject: Objection to modification order 573/11/212(12)

Dear Highways Modifications

I write in reference to modification order 573/11/212(12)

I object independently of the legal owner, as farmer occupier.

I object to the DMMO decision being confirmed as a partial deletion, it is clear to all that no Highway was intended to be dedicated on the position of MST28 & it was recorded in error; there is no justification for a partial deletion when a full deletion is the appropriate outcome. Partial deletion does not resolve the issues of which the error causes.

I request decision is deferred to the Secretary of State for the correct decision, which the DC Cllrs were unfortunately unable to make.

MST28 was not the original ROW, it was one of several evolutions of a path that ended up being MST62. It was registered in 1950s, it was obstructed in 1920s; this alone shows an error. It was approx. 300ft in the air, at time of registration.

GCC Highways Report, clearly evidences sufficient to prove an error has been made & there was no such intention to dedicate both MST28 & it's replacement, MST62. It is wrong that the DC Cllrs failed to decide correctly when it was set out clearly.

The error of MST28 has caused considerable issues, not just to us, but to the houses & living rooms it crosses, in the estate below. A class 6 bin alley exists on Rosedale, which is completely disconnected from MST28, however, using it as access, a local group of militant R2R Activist, NIMBY vandals have taken it upon themselves to slash through, fell our trees, dig & create a way up the cliff to wind around all sorts 'to save MST28 from deletion'. This error has led to severe repeated fence & tree vandalism at the top of the cliff, fence intended to contain livestock & safeguard the public from the cliff edge. Police records available in reference to these incidents specifically. Videos of vandalism at the top end also available. It has cost considerable time to attempt to deal with & has rendered a 2.7 acre portion of grazing land untenable due to stock proof concerns, with 2 pony / horse grazing tenancies falling through around the time this 'Rebel Path' became a contentious fence cutting nuisance. This vandalised route is now also a DMMO, to be handled in a future year. Deletion of part, only encourages these vandals to continue their interference; they will not simply walk a dead-end to retrace their steps; once they get to the end, they vandalise whatever is there & continue to do more damage to fences & to our land, trying to make more paths on the edge of & below a 300ft cliff face.

Tragically, I've been informed persons have been badly injured in the vicinity due to the unsafe nature of the quarry, with the 'Rebels' directing people onto it. It's a path leading to unsafe land. Any warning signs we have placed there have been vandalised or removed. We've also had considerable online backlash from these extremist activists for closing off this area; thankfully GCC have issued a formal closure due to safety concern. This however has not stopped them.

I wish to give further evidence when this is considered by Secretary of State, irrespective of when that occurs & irrespective of if I have any direct involvement with the land at such time; please ensure I am notified, so that I can make due representations

yours faithfully

D. K. Nagai - horticulturalist