Statement of Case – John Callinan on behalf of Stonehouse Town Council

Wildlife and Countryside Act 1981
The Definitive Map and Statement of
Public Rights of Way for Gloucestershire

Ref: ROW/3377321 - Additional Public Footpaths across land known as Verney Fields and Surrounding Area, Stonehouse Parish Modification Order 2025

1. The land now referred to as Verney Fields was and still is, known by me and many older members of the Parish as Doverow Hill. In 1896 Stonehouse Parish Council became a Trustee of Doverow Woods. In the last decade, ownership of the woods transferred to Stonehouse Town Council, when the last family member of the Trust was unwilling to continue. Access to and from the woods was by the footpaths claimed by right. Adjoining parishes enjoyed the same access rights.

2. In 2015 Stonehouse Town Council was encouraged by the recently introduced Localism Act (2011) to prepare and submit for approval a Neighbourhood Plan. Included in the plan was reference to Verney Fields, In the section titled Policy Env3: Local Green Space, Verney Fields is identified as being of "local significance due to the beauty, historic landscape features, tranquillity, wildlife; a rural, recreational amenity close to the town centre".

3. In May 2016 Stonehouse Town Council made an application to Stroud District Council for Verney Fields to be nominated as a Community Asset, referred to in application No. 2016/0004/ASSTEC. A letter of objection was received in June 2016 from the owner via their agent Bruton Knowles (Property Consultants), a copy of which is attached **(JC1).** In September 2016 Stroud District Council refused the nomination. Some concern was raised at the time that the District Council sought only a response from the Owners and failed to consider the 54 members of the public who responded to a questionnaire survey. A copy of that survey is attached **(JC2).** It is of interest that, in 2023, 241 members of the public completed witness statements for the Definitive Map Modification Order (DMMO) and later in the same year over 1,170 members of the public responded positively to a request for support of a Town Green application.

4. In submitting the nomination request, the Council clearly understood that a financial agreement would have to be reached with the owner, if the freehold was to be transferred.

In 2022 Stonehouse Town submitted a sealed bid as part of a tendering process. On the 19th May 2022 Council received an email from the Owner's agent confirming that they had received instructions from the Owner to accept Council's bid. Some weeks later Council was advised that the Owner had received a higher bid, which they had accepted.

5. A copy of the conveyance document showing Verney Fields as having a new owner from the 9th March 2023 was obtained.

6. In March 2023 all the footpaths used for many decades were blocked off with signs erected insisting "Private Keep Out". In later weeks heavy machinery was brought onto the site and trenches dug across the footpaths. Access gates were fitted with barb wire.

7. Stonehouse Town Council via the Council's Public Right of Way (PROW) working group received numerous requests to formally object to the blocking of these footpaths. A public consultation was organised, resulting in 242 written witness statements being provided.

8. Stonehouse Town Council formally submitted a request for the historically used footpaths to be added to the Gloucestershire Definitive Map, using the modification order process. From this point on the process was in the hands of the highly professional team of County Council officers. The report provided to the Commons and Rights of Way Committee (CROW) of Gloucestershire County Council in December 2024 contained all the necessary information to enable a recommendation by the Committee for the formal Modification Order to be issued. The Modification Order was issued on 14th January 2025.

9. The owners appealed the Modification Order on 28th February 2025. I have assumed the letter of the same date sent by John Copland & Son was the formal appeal notice. I could not find any other document confirming this date.

10. Having provided a timeline of the events leading to this Enquiry I think it is appropriate to comment on the objections received:

a. **John Copland & Son**

The language used in the letter of objection is heavily loaded with legalese, taking much of the content into areas where I have limited knowledge. However, much of the objection seems to contest the thoroughness of the County Council report submitted to CROW. Having attended several of the CROW meetings at Shire Hall, including the December

meeting at which the decision was made, I am confident that the Committee, after forensic questioning from members, made the correct decision.

b. **Far Westrip Farm**

Only four positions (B, C, E & F) in the area are affected by the modification order. In the cases of B, C & F the date that the existing stiles were removed is different from my recollection. All the stiles were being used during lockdown, which started in March 2020, and it wasn't until later in 2020 that the stiles were removed and replaced with 5 bar gates (welded). Much else in the objection letter is contentious, particularly when suggesting that Stonehouse Town Council persuaded the public to claim new paths. The reverse is true; it was the public who insisted that these paths be claimed. I emphatically assert that the paths claimed are paths that I have walked since I was a boy, as have many others.

c. **The Jones Family**

I have read and re-read the comments but feel that their general objection is levelled at the Town Green application.

d. **Ms. Backus**

Ms. Backus contends that footpaths restrict farming. I believe the reverse is true, in that wider access to the countryside improves the public's awareness of farming methods.

e. **Mr. Nagai**

Mr. Nagai's letter of objection is a lengthy submission of anecdotal events, many of which cannot be within his specific knowledge. My understanding is that Mr. Nagai lived in Cheltenham and has never lived in Stonehouse. Mr Nagai's suggestion that the routes visible on Google Earth maps are made by tractors is difficult to understand, unless single wheeled tractors have been used for the last 60 years on this specific hillside. I say again, I emphatically assert that the paths claimed are paths that I and many others have used over many decades.

11. From an early age (8) I and many others have used these paths for access to areas for recreation and games. My children used the paths for the same purposes. Up until 2023 my grandchildren could come to share the same experiences.

12. I have been a Stonehouse Parish and Town Councillor off and on since 1987. (Periods of working overseas meant that I have had to resign from the Council and later re-stand). I

am at present a Stonehouse Town Councillor and a Stroud District Councillor for Stonehouse.

I confirm that the contents of this Statement of Case are true to the best of my knowledge and belief and are based upon my own personal experience.

Signature.... [redacted] **Date**.....17th Sept 2026

BK Bruton Knowles

Date: 24 June 2016
Our Ref: PBVF0800616
Your Ref:

Property Consultants

Bisley House
Green Farm Business Park
Bristol Road
Gloucester
GL2 4LY

T: 01452 880000
F: 01452 880088
E: paul.barton
@brutonknowles.co.uk

W: brutonknowles.co.uk

Offices across the UK

By email only

Ms Rachel Russell
Stonehouse Town Hall
High Street
GL10 2NG

Dear Ms Russell

Verney Fields, Stonehouse: Proposal to designate as Local Green Space in the draft Stonehouse Neighbourhood Plan

I refer to your letter dated 11th May 2016 notifying us that my client's site is planned to be designated as Local Green Space within the emerging Stonehouse Neighbourhood Plan.

You will be aware that my client has already written to the Council objecting to the application for the land to be considered an Asset of Community Value and are considering legal advice to take the matter forward. Should a designation for Local Green Space be pursued my client will consider widening the legal advice to include dealing with the designation. In addition, consideration will be given to fencing the land to ensure any unconsented access to the land- beyond the footpaths- is stopped. I am sure you will agree this would be an unfortunate position for residents but you will appreciate my client has no option but to protect any interest in the land.

However there may be an opportunity within the emerging Neighbourhood Plan for both the Town Council/residents and my client. My client would consider gifting a part of the land to the Town Council in order residents could use the land as they see fit. In return my client would like to discuss an allocation for the development of a small number of residential properties -to the west of the site accessed off Bramble Lane -within the neighbourhood plan.

Should this be of interest we would be willing to meet to discuss the possibility in greater detail. Clearly any meeting should only proceed if there is a will within the Town Council to negotiate on the matter for the benefit of the community.

INVESTOR IN PEOPLE
BMTRADA
BMTRADA

Regulated by RICS
Authorised and regulated by the Financial Conduct Authority

A list of Partners is available upon request

Bruton Knowles

Should you have any queries please do not hesitate to contact me.

Yours faithfully

Paul Barton MRTPI
Associate Planner

Regulated by RICS
Authorised and regulated by the Financial Conduct Authority

INVESTOR IN PEOPLE

BMTRADA

BMTRADA

A list of Partners is available upon request

How often do you walk through Verney Fields?

- Answered: 54
- Skipped: 4

21 MAR 2013

Created with Highcharts 3.0.10
Every day
More than once a week
More than once a fortnight
0%10%20%30%40%50%60%70%80%90%100%

Answer Choices –	Responses –
–	24.07%
Every day	13
–	40.74%
More than once a week	22
–	35.19%
More than once a fortnight	19
Total	54

PAGE 2: Recreation Needs
Q2

Export

Customize

Please choose one answer from the following:

- Answered: 57
- Skipped: 1

Created with Highcharts 3.0.10
I enjoy the close proxim...
I enjoy the freedom to r...
0%10%20%30%40%50%60%70%80%90%100%

Answer Choices –	Responses –
–	64.91%
I enjoy the close proximity of the countryside to the town	37
–	35.09%
I enjoy the freedom to roam the open countryside	20
Total	57

PAGE 3: Reasons for your visit
Q3

Export

Customize

How do you use the land?

- Answered: 57
- Skipped: 1

Created with Highcharts 3.0.10
Family Picnics
To enjoy the views

To get some exercise
To walk the dog
To reach the next village
To teach my children abo...
0%10%20%30%40%50%60%70%80%90%100%

Answer Choices –	Responses –
Family Picnics	19.30% 11
To enjoy the views	82.46% 47
To get some exercise	84.21% 48
To walk the dog	50.88% 29
To reach the next village	19.30% 11
To teach my children about the countryside	40.35% 23

Total Respondents: 57

PAGE 4
Q4

Export
Customize

Maintain as community land?

- Answered: 51
- Skipped: 7

Created with Highcharts 3.0.10
Would the land be suitable ...
Should the land be...
Should the land be owne...
0%10%20%30%40%50%60%70%80%90%100%

Answer Choices –	Responses –
Would the land be suitable for the creation of parkland?	37.25% 19
Should the land be developed for housing?	1.96% 1
Should the land be owned and maintained by the community?	86.27% 44

Total Respondents: 51

Q5

Export
Customize

Please say what might happen in the future if Doverow Wood became inaccessible due to housing development

- Answered: 54
- Skipped: 4

Created with Highcharts 3.0.10

It would not matter, the...
The wood might be difficult...
The Community would lose a...
0%10%20%30%40%50%60%70%80%90%100%

21 MAR 2013

Answer Choices –	Responses –
It would not matter, the wood is not important	0.00% 0
The wood might be difficult to manage and might be closed to public access	1.85% 1
The Community would lose an important source of recreation	98.15% 53
Total	54