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From: [Bill Riley](#)
Sent: 21 September 2022 12:00
To: [Harlow, Craig](#)
Subject: 2011/03 and D/2021/105
Attachments: [Charlton 6 Summary of Evidence.pdf](#)

Follow Up Flag: Follow up
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Hi Craig,

Thanks for your recent letter.

When I submitted my 2011/03 application, I don't think I attached the images to go with the summary of evidence; so, just in case, here's a link: 

The images are not captioned but when viewed in conjunction with the summary, they are fairly easy to identify.

All the best,

Bill

From: [Catriona Cook](#)
Sent: 16 October 2022 15:14
To: [Harlow, Craig](#)
Subject: 2011/03 & D/2021/105

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Dear Craig,

I write on behalf of the Byways and Bridleways Trust (BBT) to support the above two DMMO applications. I note the applicants are Bill Riley and Natalie White, both excellent researchers and therefore have nothing further to contribute.

Yours sincerely,

Catriona Cook MBE (Mrs)
BBT trustee

From: [Alan Woodford](#)
Sent: 10 November 2022 20:46
To: [Harlow, Craig](#)
Cc: [Myra Bennett](#)
Subject: DMMO applications 2011/03 and D/2021/105 - comments by BHS Wiltshire

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Dear Craig,

Thank you for inviting the BHS to comment on DMMO applications 2011/03 and D/2021/105. These comments are on behalf of BHS Wiltshire.

My understanding is that application 2011/03 has worked itself to the top of the priority list and that D/2021/105 in the normal way of things would not be dealt with for some time. Presumably they are being determined simultaneously for reasons of efficiency.

Based on my visit to the site on Nov. 8th 2022 I am concerned that determination of application 2011/03 at this time will involve a considerable amount of effort, especially in the event of an opposed order, for no real benefit at all.

South of the stile at SU11435595 the line of the 2011/03 application route is extremely overgrown and would require major work to reinstate it. Even if that work was somehow funded and completed there then appears no way that anyone other than a pedestrian could exit at the southern end of CSTP6 onto the A342. The exit at the moment (from the used route) is up a flight of stone steps. I could not see how a route for horses or carriages could easily be provided.

If such an exit could be provided then the route would be useful, as it would provide a crossing straight over the A342 to BOAT CSTP7.

The southern spur of CSTP2 is badly overgrown, similarly to CSTP6. If it could be cleared or if the route were diverted around it that would mean exiting on to the A342 with nowhere to go other than a hair-raising ride eastwards to CSTP6 or CSTP7.

Upgrading CSTP6 would not create any useable route other than in the very best case a dead end at the steps and upgrading the southern spur of CSTP2 would at best create a route that most people would not wish to use. For those reasons, and as proceeding would tie up WCC ROW resources for a significant period of time (in the event of an opposed order a long period of time) and as the length of CSTP2 that might be usefully upgraded (westwards to Wilsford) is of such low priority compared to many other outstanding DMMO applications BHS Wiltshire would support any decision made to shelve these two applications for the foreseeable future. This would enable other applications of similar priority to 2011/03 to be determined and which would deliver real enhancements to the network.

Yours sincerely

Alan Woodford

BHS Wiltshire Access and Bridleways Officer (volunteer)

GEOFFREY PARSONS
FOOTPATH SECRETARY
MID WILTS COUNCIL

TROUBRIDGE
MILTS BA14
17/9/2022

Dear Andy,
with regard to the application to upgrade Footpath Charlton St Peter
NO 6 to a restricted byway (REF: 2011/03) and an application to
upgrade Bridlemay Wilford NO 5 and Charlton St Peter NO 2 to restricted
byways (REF: 2021/105).

I have taken a look at these paths and have no objection to the
upgrading, however I noted there is no waymark where Bridlemay
CSTP2 leaves the road at GR-SU 415554 and no waymarks at the horse
tracks GR-SU 407566 where CSTP2 junctions with WILSG and WILSS.

Yours Faithfully

P.S. The enclosed form referring to paths in the Romsbury and Little Bedwyn
are not in the Mid Wilts Area, I believe this is in the Swindon and
North East Wilts Area, I believe Peter Gallagher is their footpath Secretary.

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Dear Craig,

This map also shows clearly the path from the Village of Charlton St Peter to the Charlton Cat (then the Poores Arms) was a footpath. The map of 1958 also shows it as a footpath.

[National Library of Scotland](#)
 Leithornum Nisranta
 181-182

Wiltshire Sheet XLJ
 Surveyed: 1886, Published: 1889
 Size: map 61 x 92 cm (ca. 24 x 36 inches), on sheet ca. 70 x 100 cm (28 x 40 inches)

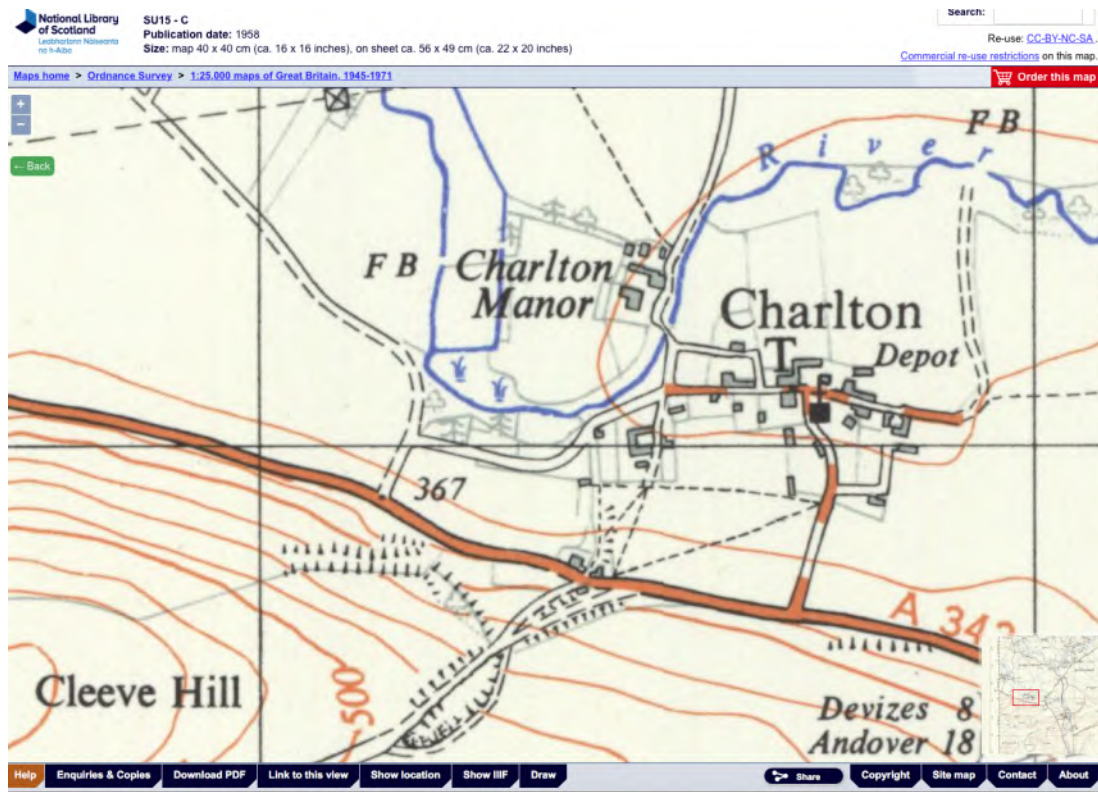
Re-use: [CC-BY-NC-SA](#)
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[Map home](#) > [Ordnance Survey](#) > [OS Six-inch England and Wales, 1842-1952](#)

[Back](#)

Search:

[Order this map](#)



yours sincerely,
Georgina Boyle.

Dear Georgina,

Thank you for your email.

I will consider it as part of my decision process on the application and inform you of any decision.

Kind Regards

Craig

Craig Harlow MIPROW
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

Direct Line: 01249 468568
Email: craig.harlow@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

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Information relating to how Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>

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-----Original Message-----

From: [REDACTED]

To: Harlow, Craig <Craig.Harlow@wiltshire.gov.uk>

Subject: ref; 2011/03 and D/2021/105

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Application to upgrade footpath Charlton St Peter no.6 to a restricted byway (ref;2011/03)

Dear Craig,

In reply to your letter of the 6th September, there may be historical evidence of a byway running north from the A342 from the Charlton Cat to Charlton St Peter village (CSTP 6) however historically the A342 was not such a major road with fast traffic and large lorries. It has become a footpath (over 50 years) from disuse as a bridleway/byway as it is such a dangerous point to cross the road, bad enough on foot but both dangerous and foolhardy to try on a horse, not only to horse and rider but to all other road users/ drivers. Having lived on this road for the past 9 years I have seen a lot of near misses and although the number of accidents are few the amount of lorries using the road is increasing and the speed of drivers is very fast even with the speed limit and reduce speed signs.

Yours sincerely,
Georgina Boyle,
[REDACTED]

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From: [Gill Gadd](#)
Sent: 10 November 2022 10:59
To: [Harlow, Craig](#)
Subject: Applic ref: 2011/03 CSTP6 upgrade to RB

Follow Up Flag: Follow up
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Dear Sir,

I wish to record that I am wholly opposed to the application to upgrade Charlton St Peter footpath No.6 to a restricted byway. Firstly I note that the application was made some 11 years ago and believe the applicant, who wished the lane to be used for his horse-drawn vehicles, has left the parish. I also note that the traffic on the A342 has increased in that intervening period. The main point of concern here is the junction with the A342 next to the Charlton Cat. Having good knowledge of this junction I wish to point out that it is already a hazardous point at which to cross on foot to access the plain, given the corners on that section of the road and the speed at which traffic passes through. The limit of 50mph is often exceeded by motorists but even at 50mph on the 2-lane carriageway two cars passing would have insufficient stopping time and no-where to go on meeting a horse or bicycle emerging from CSTP6. Any person would be reckless to introduce a horse onto the A road at this point. In short the junction would be too dangerous.

The junction would also interfere with the area used for parking at the Charlton Cat and the pedestrian movement from cars to cafe entrance. This also creates a further potential hazard.

In short, I see nothing to be gained by upgrading this route which is already enjoyed by walkers from the locality and further afield.

There are many tracks for equestrians in the area, also enjoyed by cyclists.

I hereby record my opposition to the upgrade of CSTP6.

Regards,
Gillian Gadd

[REDACTED]

Charlton St Peter SN9 [REDACTED]

Added to this, the path of the existing footway follows a run-off channel where rainwater passes by gravity to the area marked "Drain" at the junction with CSTP2. Opening up this track will surely destabilise the ground for no good reason?

From: [Mary Gillmore](#)
Sent: 08 November 2022 13:13
To: [Harlow, Craig](#)
Subject: DMO Application references 2011/03 – CSP 6 and D/2021/105 – WILS 5
Attachments: [Short stretch of bridleway.pdf](#)

Follow Up Flag: Follow up
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Dear Mr Harlow

RE DMO Application references 2011/03 – CSP 6 and D/2021/105 – WILS 5

I have reviewed the evidence submitted for both the above applications and, believe that on the balance of probabilities that restricted byway rights subsist over the routes and complies with the statutory tests specified in S.119 of Highways Act 1980 and I would support the Order being confirmed.

In addition to that evidence, I would submit that reference be drawn from the decision of Michael Aldous FPS/A0665/6/1 3rd December 2012, an extract of which is attached, which I would respectfully suggest, is analogous with this stretch of bridleway in that it would create a missing link in the network, ie between CSP 6 and CSP 7 (Byway north of A342).

Yours sincerely

Mary Gillmore

[REDACTED]

Wilsford

Pewsey SN9 [REDACTED]

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[REDACTED]
[REDACTED]

R [REDACTED]

[REDACTED]

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scale, which has then been enlarged. This is different to the position where a map of a smaller scale is enlarged or altered in order to fit the prescribed scale. On the basis of the information supplied to me, I consider that the application map corresponds to the prescribed scale specified in the regulations." The application thus satisfies the requirements of the 2006 Act.

The order is confirmed, subject to the correction of errors in its preamble and schedules.

Back in the Loop

The creation of a short stretch of bridleway restores a 'convenient and enjoyable' circular route for riders in Cheshire.

Michael Aldous

FPS/A0665/6/1

3 December 2012

In 2010 the landowner concerned terminated an arrangement whereby a 124m.-long stretch of footpath in the parish of Cuddington enjoyed the status of permissive bridleway. This created a gap in the 'Delamere Loop', a circular route of around 22 miles in length. In 2011 an order from Cheshire West and Chester Borough Council sought to rectify this state of affairs by making a creation order giving bridleway rights to this 'missing link'. The order route runs mostly in a north-westerly direction, and passes through a tunnel underneath a railway line. Following an objection from the landowner, the order was the subject of a one-day public inquiry, conducted by Mr Aldous.

In his decision letter, the Inspector first considers questions of convenience and enjoyment. He notes, of the 'Loop' as a whole, that it "was devised over many years, utilising rights of way and quiet lanes. It responds to local demand ... is actively promoted and is well used by local equestrians, cyclists and walkers. There is every indication that this bridleway network is popular and well used. The loss of the section ... creates a gap in the network which necessitates users having to negotiate part of Stoneyford Lane... Stoneyford Lane is a busy traffic route, which because of its use and nature, is not well suited to safe and pleasant horse riding use." The restoration of the order route would provide a link to Cuddington Lane, "which is quieter and more conducive to safe passage on horseback."

The landowner argued that the Stoneyford Lane alternative, linking to a permissive Forestry Commission path, maintained the continuity of the circuit. The Inspector comments that "whilst that might be true it provides an inferior route in my view which requires riders to use a busier and more dangerous section of road, and does not have the advantage of linking with bridleway connectiv-

ity in the Cuddington area." Objectors pointed to "potential danger arising from conflict between legitimate motorised traffic, cyclists and riders at the point south of the railway where the route turns through ninety degrees." However, while Mr Aldous fully accepts "that this point on the route needs to be approached in an appropriately cautious manner by all forms of users", he does not "consider that it is manifestly unsafe, it just requires appropriate diligence... I therefore conclude ... that there are very clear advantages in terms of convenience and general enjoyment to the broader walking, cycling and horse riding public and to more immediate local residents in having this section of bridleway confirmed."

The Inspector also finds that "given the scope for any compensation which might arise from the proposal and on which the council has already taken advice, the creation of the way would not have an adverse effect on the privacy or security of those persons with an interest in the land over which it would pass." He also considers the landowner's concern that "the council had reneged on previous assurances that the bridleway would not be made a permanent public route", and her allegation that "it was always the council's intention to have a permanent bridleway in this area and as such it misled the landowner." Mr Aldous comments that "given the circumstances of this case the council had no realistic alternative but to make the order in order to attempt to complete the appropriate bridleway linkages in the area. That is what it did, and there has been the appropriate allowance for public involvement and objection."

The order is confirmed, subject to a modification correcting an error in the order schedule.

A BOAT by mistake

A BOAT which has been on the definitive map for nearly forty years is downgraded to the status of footpath.

Alan Beckett

FPS/M6825/W/2012/515584

4 December 2012

An order made by Carmarthenshire County Council proposed to change the status of BOAT 39/5 in the community of Llanwrda to that of footpath. An objection from the Trail Riders Fellowship led to the determination of the order by Mr Beckett, on the basis of written representations.

Rather unusually, Mr Beckett's decision letter begins not with a consideration of the case for the order, but rather of modifications to it that may be needed. He identifies three of these. The first is the specification of width. The order contained no such specification, but, in response to objections from the TRF, the council requested a modification including

██████████
Charlton St Peter
Pewsey
Wilts
SN9 ██████████

06/11/2022

Reference 2011/03 and D/2021/105

Dear Sir

I write to record some observations regarding these two applications.

CSTP6. Going South from the bridleway leading towards Wilsford. From the junction leading south, and passing Timber Lodge, the lane is currently about 2.4 metres wide, with mature trees on both sides. If the upgrade is allowed, who sacrifices trees and land to enable the upgrade to take place? On one side there is a 1.5-2.0 metre high bank opposite the bungalow, which would also need reduction to enable the required width to be achieved. At whose expense?

As the path approaches the Charlton Cat, it passes through a 1m wide gateway, and then up 12 steps, to the back of the Charlton Cat car park. This then crosses the busy A342, at one of the most dangerous places on this stretch of road. Increasing the width to the required 6m is almost impossible without massive expense to make the road crossing safe. When this path was a highway, the heaviest traffic using it was a horse and cart, with NO A342 traffic to contend with. My wife has been riding horses in this area for years, and refuses point blank to use this crossing point, as she considers it to be too dangerous.

CSTP 2

The Spur south (Marked B C on the map) suffers much the same problems joining a dangerous road, on a bend with limited visibility in both directions. It also has a steep slope to join the highway. When my father used to use this track to move sheep across the main road in the 1970's, we used to need an extra two people just to control the traffic. After a close encounter with an impatient driver, we then used to call the police to assist. Even then, we were advised by the police to no longer use this route to move the sheep across the road, and introduce a new gateway where the crossing would be safer.

I feel that both of these so-called upgrades are potentially introducing extra hazards onto an already dangerous section of the A342, and I hope that if the upgrades are made, and a serious accident occurs, Wiltshire Council are prepared to put their hands up and take at least some responsibility, both legal and financial. I am almost certain that this will happen.

As a landowner affected by both these applications, I am extremely concerned about the potential consequences of these applications.

Yours

T C Fowle

11th November 2022

Ref: DMMO Applications – Wilsford & Charlton St. Peter - upgrading footpath CSTP2 and bridleways WILS5 and CSTP2 to restricted byways

Dear Craig,

Thank you for engaging with the parish council on these DMMO applications and for your email dated 5th October 2022 confirming this stage is an informal consultation to gather as much evidence as possible to help inform any decision Wiltshire Council may make on these applications.

Some general comments on the application evidence and inferences by the applicant are shared below.

The Parish Council is supportive of extending the use of our PROW network, where approved, for more leisure users to enjoy our parish, but we wish them to be able to do that safely. Both applications - D/2011/003 in particular - have raised safety concerns that we are sharing, recognising these do not relate to the historical evidence.

Comments in relation to the evidence and inferences in the application

A) In general,

1. Much of the evidence presented is based on earlier maps with no key. These would be subject to local convention and stylised inference from the cartographer, so status of routes cannot be clearly ascertained
2. Where keys to symbols and notes are provided on maps, the terminology used is also subjective e.g the applicants interpretation of 'track' to mean 'road'; 'road' to mean 'full vehicular road'
3. The area covered under these proposals formed part of estates with a number of grass drovers routes connecting parcels of land. Estate maps would have been produced for the benefit of the estate owner. It is unclear if the routes covered by the DMMO were part of a public road network or if they were permissive for workers and inhabitants of the estate (the applicant includes a note on drovers paths in section 14.b.3)

B) Relating to D/2021/105: WILS5 & CSTP2, in addition to the general points in section A,

1. Page 1, section a, the applicant describes the route following 'the bridleways WILS5 & CSTP2 along the Lane in an easterly direction to Point C'. For clarity the route is a grass path with an unmade surface. The present route is ~2-3m in width
2. Currently, there are two parallel and intersecting routes running from north of section C along to section E. The application does not differentiate between these routes.

C) Relating to D/2011/003: CSTP6, using evidence presented for D/2021/105 and in addition to the general points in section A,

1. Local maps published in 1886, 1889 and 1900 all denote the path as a footpath (marked as F.P.)

Safety Considerations

Both applications request routes leading onto the A342 to be reclassified to restricted byways from an existing bridleway (D/2021/105) and footpath (D/2011/003). If approved, both proposals would lead horse riders and carriage drivers directly onto the A342. The A342 is a narrow road, bounded by grass banks on both sides. It has a 50mph speed limit in the area covered by the applications, is one of the main routes out of Devizes and a number of large lorries use this route.

Relating to D/2021/105: WILS5 & CSTEP2,

1. Visibility east along the road is limited where the road bends heading towards the Charlton Cat. The landowner covering the bridleway route up to the A324 used to use this route to move sheep across the road and was advised by the police not to use this route, leading to the landowner creating a new gateway where the crossing would be clearer.
2. Horse riders typically use routes WILS6 and WILS7 instead of this to avoid using the A342

Relating to D/2011/003: CSTEP6,

1. The current footpath comes out into the car park of the Charlton Cat tearoom and runs up adjacent to steps forming the entrance to the Charlton Cat. Charlton Drove is opposite. Visibility is restricted in both directions by bends in the road and from Charlton Cat being positioned on the edge of the road to the west. A convex mirror is provided for car users to safely exit the car park from further up the carpark. The location of the existing path makes it a hazardous crossing point on foot, in both directions. Attempting to cross in either direction on horseback or in a carriage would be highly risky. There is a further hazard to horse riders / carriage drivers from cars entering the carpark of the road where the byway is proposed.
The ability to cross to Charlton Drove on horseback from Charlton St Peter would be very much welcomed by the horse-riding / driving community if safe crossing could be provided e.g. by provision of a horse crossing.
2. The safety of patrons of the Charlton Cat Tearoom is another consideration. This includes those driving vehicles into the car park and those entering / leaving the building on foot.

Kind regards

PROW Working Group

Charlton St. Peter & Wilsford Parish Council



Wiltshire Bridleways Association

Campaigning for riders rights since 1970

Please reply to:

Mrs R. Cunningham

Charlton St Peter, Pewsey, Wilts. SN9 [REDACTED]
[REDACTED]

7th October 2022

Reference: 2011/03 & D/2021/105

Mr Craig Harlow
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall, Bythesea Road,
Trowbridge,
Wiltshire
BA14 8JN

Dear Mr Harlow,

Re – Application to Upgrade FP Charlton St Peter 6 to a Restricted Byway (ref:2011/03)
And an application to upgrade bridleways Wilsford 5 and Charlton St Peter 2 to
Restricted Byways (ref:2021/105)

With reference to your letter of 6th September regarding the above upgrades of Footpath Charlton St Peter no.6 and Bridleways Wilsford no.5 and Charlton St Peter no 2 to Restricted Byways.

I write to state that the Wiltshire Bridleways Association supports the proposed applications and has therefore no objections.

Yours sincerely

[REDACTED]

Rosie Cunningham
WBA Administration Secretary