

13<sup>th</sup> June 2019

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr M Reed  
[REDACTED] Church Lane  
Trowbridge  
Wiltshire  
BA14 0[REDACTED]

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Mr Reed,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Path no.8 Trowbridge (part) to a Byway Open to All Traffic –**  
**Church Lane, Trowbridge**

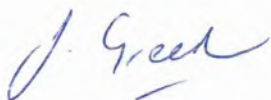
Thank you for your letter dated 9<sup>th</sup> June in respect of the above-mentioned application to upgrade Path no.8 Trowbridge (part), (Church Lane), to a byway open to all traffic.

The additional information which you have provided is very helpful and will be fully considered in the determination of the application. I note that your letter dated 9<sup>th</sup> June forms very much your initial thoughts and findings and please do feel free to provide a more detailed reply. The area of land subject to the application is recorded on the plan enclosed with my letter dated 23<sup>rd</sup> May 2019, between OS Grid Reference ST 8412-5640 and OS Grid Reference ST 8407-5648, from 20a Church Lane to its junction with Acorn Meadow. The applicant has claimed a width of 5m, but has shaded a wider area on the application plan.

In considering an application of this nature, Wiltshire Council may only consider the evidence relating to public rights which may or may not exist over the path and we have a duty to correctly record those rights. We do not create a new right, but record only the existing public rights, i.e. where Path no.8 Trowbridge is presently recorded as a footpath in the definitive map and statement of public rights of way, this is without prejudice to the possible existence of other rights. In this case the applicant has submitted evidence to suggest that the definitive map incorrectly records Path no.8 as a footpath, which the Council is now placed under a duty to investigate. I am not yet in a position to comment on the likely success of the application, where I have not yet begun investigating the evidence.

Thank you for your assistance in this matter, I will of course keep you updated on the progress of the application.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'J. Green', with a horizontal line underneath the name.

Janice Green  
Senior Definitive Map Officer

Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*



# Wiltshire Bridleways Association

*Campaigning for riders rights since 1970*

c/o [REDACTED] Coombe  
Enford  
Nr Pewsey  
Wiltshire  
SN9 6 [REDACTED]  
10 July 2019

Mrs J Green  
Rights of Way & Countryside Team  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Your Ref:- JG/Dist.10 2018/05

Dear Mrs Green

**Wildlife and Countryside Act 1981 – Section 53**

**Application to Upgrade Path no. 8 Trowbridge (part) to a Byway Open to All Traffic, Church Lane, Trowbridge.**

Thank you for allowing Wiltshire Bridleways Association to have sight of this application for consideration.

The committee of Wiltshire Bridleways Association have no objection to raise in respect of this application.

Yours sincerely

[REDACTED]  
Norman Beardsley  
Chairman  
Wiltshire Bridleways Association

Tele:- [REDACTED]

Mob:- [REDACTED] [www.wiltshirebridlewaysassociation.co.uk](http://www.wiltshirebridlewaysassociation.co.uk)

5<sup>th</sup> August 2019

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr N Beardsley  
Wiltshire Bridleways Association  
[REDACTED] Coombe  
Enford  
Nr Pewsey  
Wiltshire  
SN9 6 [REDACTED]

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mr Beardsley,

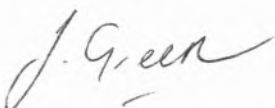
**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Path no.8 Trowbridge (part) to a Byway Open to All Traffic,**  
**Church Lane**

Thank you for your letter dated 10<sup>th</sup> July, regarding the above-mentioned application to upgrade Path no.8 Trowbridge to a byway open to all traffic, with many apologies for the delay in getting back to you.

I note that Wiltshire Bridleways Association have no objection to raise in respect of the application and we will now go forward to produce a decision report in which all of the evidence submitted will be considered.

Thank you for your help in this matter, I will of course keep you updated on progress.

Yours sincerely



Janice Green  
Senior Definitive Map Officer

Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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Church Lane  
TROWBRIDGE

BA14 0

8<sup>th</sup> July 2019

Dear Ms Green

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to upgrade path No. 8 Trowbridge (part) to a Byway**  
**Open to All Traffic, Church Lane, Trowbridge**

**Further evidence regarding public use of the route in question.**

St John's Church was dedicated in 1854. It was built for the workers (labourers) in the brick fields. A narrow track was provided to the south of the church providing access to visitors on foot or cart to the grounds and graveyards surrounding the church. This modest access-way in time became known as Church Lane, as its purpose was evidently to serve the church.

Church Lane was never intended to be a public highway. This rural lane overlooking Southwick Country Park remains to this day an unadopted route, its upkeep remaining the responsibility of St John's Church.

In my time here, Church Lane (footpath No 8) has been used mostly by pedestrians, runners, dog walkers, child and adult cyclists, parents with prams and pushchairs, as well as a significant number of wheelchair users as there are nearby homes for people with disabilities. Disabled groups also regularly use the church hall on Church Lane. During the last 3 years horses from the paddocks on Church Lane have also been ridden along the lane as it is a quiet route that links to other nearby areas of countryside.

The other main users of Church Lane are visitors to St John's Church for the Sunday services, weddings and funerals as well as groups using the church hall during weekdays and evenings. Individuals and groups of children such as The Brownies, and those with disabilities and their helpers frequently walk from the church hall along the quiet lane and into the countryside or elsewhere on various activities. There are little clusters of motorised vehicle use on Church Lane at the times of events interspersed by long periods of quiet when the lane is inhabited by pedestrians and the local wildlife.

Churchfields was built around 1980 - a close of some 20 dwellings off Church Lane just west of St John's Church. This brought an increased volume of motor vehicles onto Church Lane, and with the subsequent incidence of one and two-car families becoming the norm the level of conflict on the narrow Church Lane between vehicles and pedestrians has increased.

I strongly object to Church Lane being opened up to Acorn Meadow as a through road as this would seriously increase the danger to all existing users of the lane. The accident risk at the hazardous blind junction of Church Lane with the A361 Frome Road would also sky-rocket if Church Lane became a through road.

Yours sincerely

S.J.Wylie

Janice Green  
Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
BA14 8JN

5<sup>th</sup> August 2019

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

S J Wylie  
Church Lane  
Trowbridge  
Wiltshire  
BA14 0

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mr Wylie,

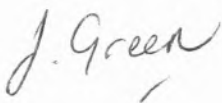
**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Path no.8 Trowbridge (part) to a Byway Open to All Traffic,**  
**Church Lane**

Thank you for your letter dated 8<sup>th</sup> July, regarding the above-mentioned application to upgrade Path no.8 Trowbridge to a byway open to all traffic, with many apologies for the delay in getting back to you. I note your objection to the application.

Your local knowledge of the history of the area and the lane and your recollections of the path as a resident of Church Lane, are very interesting and the additional information which you have provided will be very helpful in our determination of the application. We will now go forward to produce a decision report in which all of the evidence submitted will be investigated.

Thank you for your help in this matter, I will of course keep you updated on progress.

Yours sincerely



Janice Green  
Senior Definitive Map Officer

Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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A/c J.S. 27/09/18.

Church Lane  
Trowbridge  
BA14 0EH

23<sup>rd</sup> September 2018

Dear Sirs,

**Objection to Application dated 30<sup>th</sup> August 2018 by Andrew May and Michelle Dunne of Church Lane, Trowbridge BA14 to alter the right of way on Church Lane between Grid references ST 84084 56477 to ST 84115 56422 to that of a byway open to all traffic BOAT.**

I wish to object to this proposal in the strongest terms for a number of reasons:

- 1. Church Lane is unsuitable to be opened up to additional motorised traffic.** Church Lane is a narrow country lane established in the middle of the nineteenth century to serve St Johns Church. The main motorised traffic on Church Lane is church users and residents of Church Fields – the small dead-end close just past the church housing just 20 dwellings. Church Lane is an unadopted lane, quite rural in nature and overlooking Southwick Country Park. Being unadopted the highway is not maintained, has cracks and potholes, has a considerable camber in places, there are pipes and drains near the surface of the highway, and there is minimal street lighting. Given the era when the lane was constructed (before motor vehicles) the lane is narrow, only single lane width, and owing to the presence of a number of Listed Buildings on both sides of the lane it is not possible to widen the road to the width necessary to meet modern day planning standards for access roads.

If the application was approved Church Lane would become an access route for the hundreds of dwellings in the Lambrok Road to Westfield Road area, particularly for anyone wanting to join Frome Road A361 to head south. As well as all the residential traffic the road would be available to all the business traffic serving those addresses including home deliveries like supermarket vans, construction/DIY chain lorries, refuse vehicles, home removal lorries, plumbers, electricians, builders vehicles, Post Office vans and emergency vehicles. Church Lane could not cope with such large/heavy vehicles nor the additional volumes of motorised traffic.

- 2. The junction of Church Lane onto Frome Road A361 is unsuitable for more traffic.** Church lane joins the A361 Frome Road at the top of the notorious Firs Hill. The junction is narrow and as stated above the width here is restricted by Listed Properties on either side of the junction so there is no scope for widening the junction. Visibility is poor and it is difficult to drive out of Church Lane onto Frome Road which is not helped by the volume and speed of traffic travelling on the A361, and is further complicated by traffic entering and leaving the two opposite junctions of The Poplars and Oldbrick Fields.

There have been a number of road accidents on Firs Hill in the past including the fatal accident on 18<sup>th</sup> January 2015. Bringing more traffic to this junction is only likely

to lead to more accidents and casualties.

The Wiltshire Housing Site Allocation Plan WHSAP includes a proposal to develop a site immediately south of Church lane - site number 1021. The site proposals are restricted to a maximum of 45 homes due to a variety of factors, one of them being motorised traffic. Wiltshire Council have deemed Church Lane to be too narrow and the exit onto the A361 as too dangerous. Given the narrow width and poor visibility Church Lane will not be considered as an access route for potentially 45 houses and a new site entrance will be considered further down the A361 if the development is to proceed. Having made the decision under the WHSAP that Church Lane is unsuitable as a route for up to 45 houses it would be contradictory and highly irregular for Wiltshire Council to now decide to open up Church Lane for potentially hundreds of existing local residential and business vehicles.

- 3. Opening Church Lane as a BOAT would put at risk the safety of the many pedestrians and cyclists who currently use the lane.** Given Church lane is currently a quiet and safe lane many people walk and cycle along it, to and from the church and also just because it is a pleasant and quiet lane. The many pedestrians as well as the cyclists include elderly people enjoying the view to Southwick Country Park, families with pushchairs, wheelchair users, Guides and Brownies, dog walkers, the occasional horse and rider from the adjacent paddocks and others. These people are able to use the lane in relative safety despite the lane being narrow, having no pavement, and with limited street lighting because there is a limited volume of mainly light residential traffic and because Church lane is a no-through road. This means that traffic speeds are kept low and local drivers know to watch out for pedestrians on the road. If Church Lane was opened up to all and sundry unfamiliar drivers and inevitably higher traffic speeds would mean the risk of accidents and injuries to pedestrians and cyclists would increase, and/or pedestrians and cyclists would simply no longer be able to enjoy this route – as people have done before them for generations.

Yours faithfully,

Steve Wylie

Rights of Way & Countryside Section, Waste and Environment  
Wiltshire Council, Bythesea Road  
Trowbridge  
BA14 8JN

Church Lane  
Upper Studley  
Trowbridge  
Wiltshire  
BA14 0

Janice Green  
Rights of Way & Countryside Team  
County Hall  
Bythesea Road  
Trowbridge  
BA14 0EH

8<sup>th</sup> July 2019

Dear Ms Green

**Wildlife and Countryside Act 1981 – Section 53**

**Application to upgrade Path no.8 Trowbridge (part) to a Byway Open to All Traffic, Church Lane, Trowbridge**

I am writing to express concern at the above application to upgrade Path no. 8 (part) to a BOAT.

I have lived at the above address for over 31years (since February 1988) and there was never any vehicular access beyond the entrance to the drive of no.22 until the construction of numbers 24 and 26 Church Lane in 2011.

Up until that time, there were posts in place just beyond the entrance to no.22 which as far as I can remember were lockable and only removed to allow the council to cut the hedge/verge back to maintain the footpath. These posts can clearly be seen if you do a search on Google Street View for Church Lane. The image is dated May 2009. This was the state of the footpath up until 2011, therefore covering your key dates of 2000-2006.

I hope this information helps your research into this footpath.

Yours sincerely,



Felicity Gilmour



5<sup>th</sup> August 2019

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Felicity Gilmour  
[REDACTED] Church Lane  
Upper Studley  
Trowbridge  
Wiltshire  
BA14 0 [REDACTED]

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Ms Gilmour,

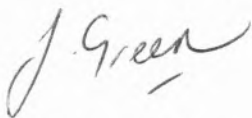
**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Path no.8 Trowbridge (part) to a Byway Open to All Traffic,**  
**Church Lane**

Thank you for your letter dated 8<sup>th</sup> July, regarding the above-mentioned application to upgrade Path no.8 Trowbridge to a byway open to all traffic, with many apologies for the delay in getting back to you.

Your recollections as a resident of Church Lane for over 30 years are very interesting and the additional information which you have provided will be very helpful in our determination of the application. We will now go forward to produce a decision report in which all of the evidence submitted will be investigated.

Thank you for your help in this matter, I will of course keep you updated on progress.

Yours sincerely



Janice Green  
Senior Definitive Map Officer

Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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# TREVOR and SHELLEY McGRATH

Church Lane, Trowbridge, Wiltshire BA14 0

Janice Green  
Senior Definitive Map Officer  
Wiltshire Council, County Hall  
Bythesea Road, Trowbridge,  
Wiltshire BA14 8JN

11/07/2019

Dear Ms Green,

We would like to object in the strongest terms to the application to change Path No. 8 at Church Lane, Trowbridge into an Open Byway for all traffic. Clearly such a move will have a detrimental impact on everyone living in Church Lane, become a real and present danger to all who now walk or cycle this quite, safe lane. This path is used daily by children and adults going to and from school or work and weekend walkers particularly enjoy this route.

Enclosed with this letter are some photographs of the lane and an aerial photo taken before the development of the housing estate at Studley Green. The former show the bollards that unambiguously prevented the lane for being used by any traffic other than pedestrians or horses. These same bollards, we believe, are marked on OS maps. The photos show no sign of any wheeled vehicle having disturbed the grass verge or the snowfall. The aerial photo indicates that the lane simply connected to another footpath that presumably led to Frome Road.

For your information we enclose an email sent by a lifetime resident of this area who used the lane more or less his whole life and confirms that it has never been open to traffic of any kind. This is repeated by any number of local people who emphatically state the lane passed where the bollards were fixed was never open to either carts or cars. For a long period in the 1980s it was so overgrown that it would have been difficult to get anything down it. This situation would never have been allowed to arise if it was an open byway for traffic. The remnants of dozens of the trees can still be found in the front garden of No 22 indicating that the lane was only ever a footpath. Many others no doubt will reinforce these facts in other submissions.

The negative social consequences of opening Church Lane as a new byway cannot be overstated. Traffic movement after 5pm is virtually non-existent and the lane is little used during the day by other than local residents and even that is minimal. The peaceful, and above all safe, environment now enjoyed by the residents of Church Lane and the pedestrians, cyclists, school children and runners is under threat for reasons that most will consider to be blatant self-interest. This is just the first move in the eventual aim of opening Church Lane to through traffic from the adjacent estate, creating a "rat-run" for the convenience of car drivers who want a faster route to Frome Road.

Thank you for your time,

Trevor & Shelley McGrath

📁 Inbox 6554

🗑️ Junk Email 62

✍️ Drafts 7

▶️ Sent Items

🕒 Scheduled

🗑️ Deleted Items 35

📁 Archive

Conversation Hist...

Unwanted

[New folder](#)

### Church Lane

NC

Fri 28/06/2019 11:09

You; jane Cathrew ✉️

↶ ↵ → ⋮

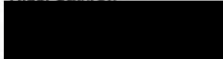
To whom it may concern,

I have until recently lived in St Johns crescent all my life (from 1965) during this period of time there has never been any vehicle access through Church Lane to Lambrok road. The access has only ever been for pedestrians and bicycles. There has always been posts or barrier of some description in place to prevent any other vehicle access.

I think it is obvious to see that if this was to be opened to have vehicle right of way, the route would immediately become a "Rat Run" from Frome Road along Lambrok Road and on to Wingfield Road (and vice versa). This would have a serious detrimental impact on the safety of residents of this area. The entrance to and from Church Lane on to Frome Road is only suitable for light residential traffic.

Regards

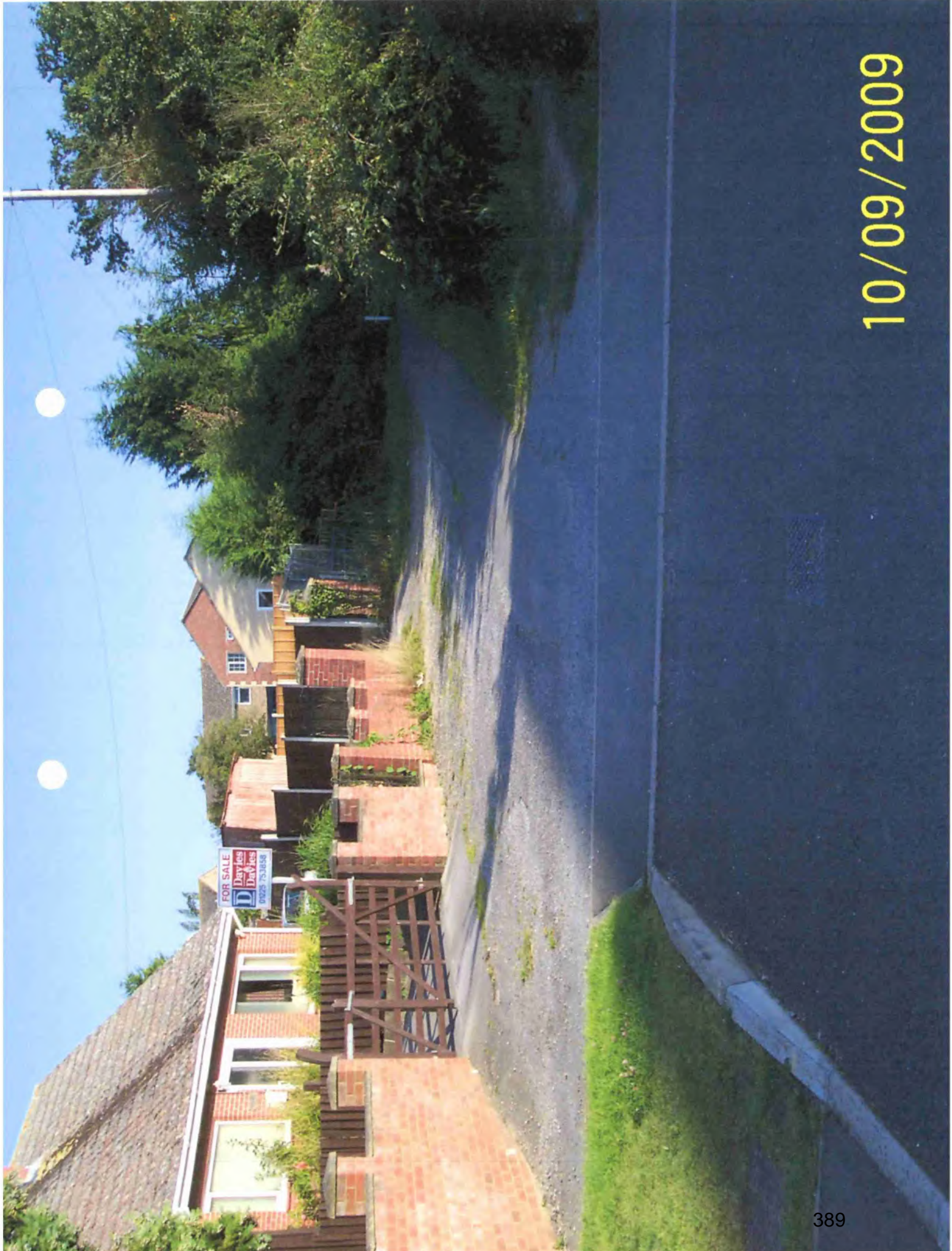
Nigel Cathrew



🔹 Upgrade to Office 365 with premium Outlook features

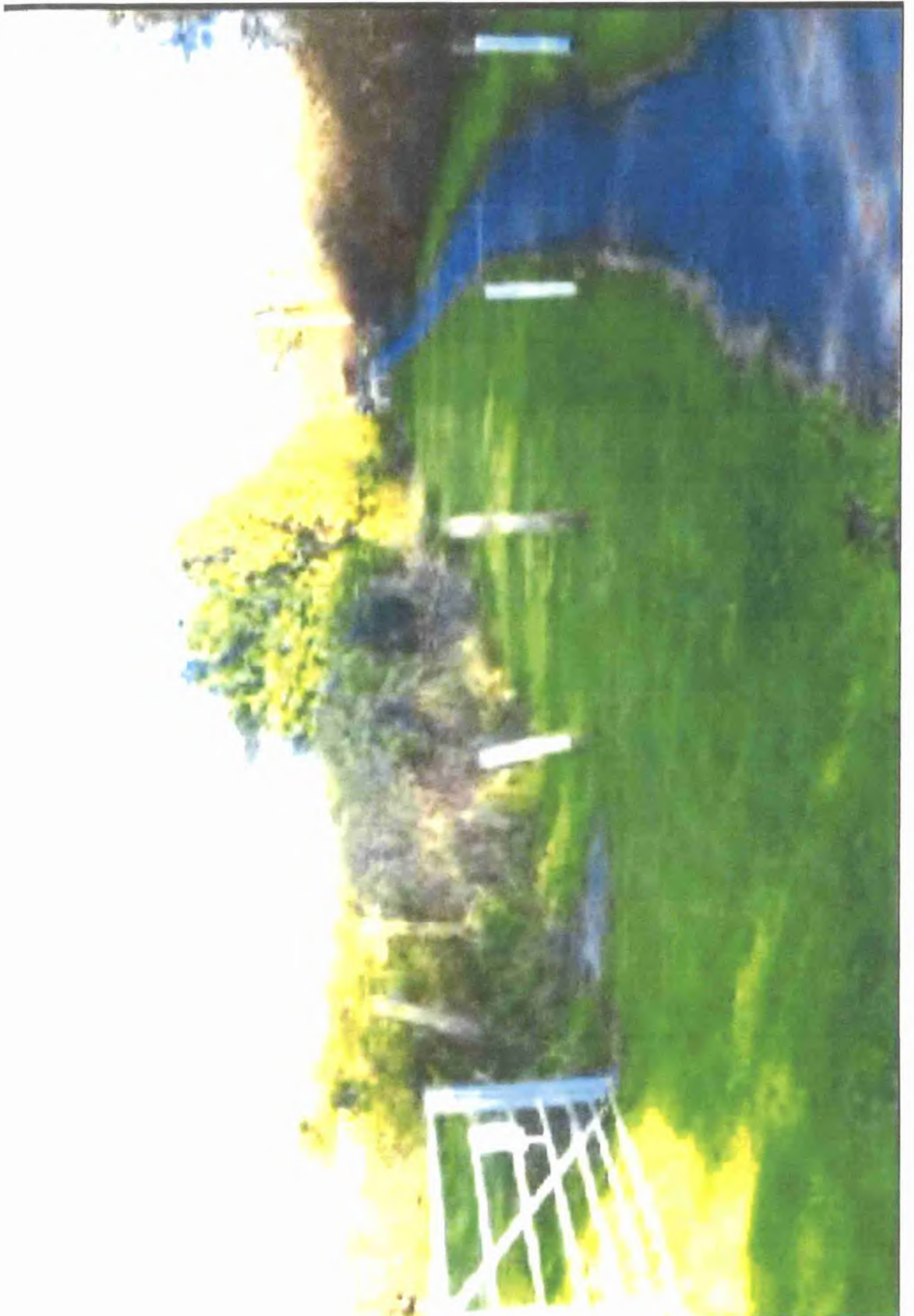


 getmapping





10/09/2009



March 2006



10/09/2009



10/09/2009



10/09/2009



10/09/2009





# TREVOR and SHELLEY McGRATH

Church Lane, Trowbridge, Wiltshire BA14 0

Janice Green  
Senior Definitive Map Officer  
Wiltshire Council, County Hall  
Bythesea Road, Trowbridge,  
Wiltshire BA14 8JN

31/07/2019

Dear Ms Green,

Enclosed are two documents (marked A&B) from our deeds to Church Lane that we believe will be useful.

The photo is of the sign at the entrance to Church Fields directing traffic away from Church Lane, specifically for access to 4 houses via Lambrok Road, off Acorn Meadow, one of which is Kynance.

We would appreciate your consideration of the following questions:

- (1) The photo submitted by the applicant (referred to now as A) purports to show a bollard which could be removed to allow vehicular access to Church Lane. This appears to be a unique memory. If this was the case, A would presumably have had permission from local authority to vary the use of the bollards as a barrier against vehicles and been granted exceptional leave to do so. Where is the documentation giving A or anyone else permission to remove a barrier specifically placed to prevent vehicles using the Lane, then using it for that purpose, when was the permission sought, who gave consent and on what grounds of exceptionality?
- (2) There are comments on the survey forms concerning the dilapidated state of footpath 8, etc. While a matter of concern what relevance are they to the issue of vehicular access?
- (3) It appears that out of 59 pieces of "evidence" submitted only 4 support the claim that Church Lane was ever open to vehicles. These are A, A's live-in partner, mother and solicitor. What purpose do the other submissions serve other than to disprove the assertion that Church Lane was open to vehicles?

Thanks for your time,

Shelley and Trevor McGrath

A

WILTSHIRE DISTRICT COUNCIL

THE SCHEDULE TO THE PERMISSION

Name of Local Planning Authority:

WEST WILTSHIRE DISTRICT COUNCIL

Name and address of applicant:

K.F. Pinch, Esq.,  
Greenlands,  
30 pasture road,  
Trowbridge,  
Wiltshire

Agent: Quartleys,  
The Hart  
Castle Street,  
Trowbridge  
Wiltshire

Brief Details of the Application:

Application Date: 20.3.75

Location: Plot 341 364 land at rear of 70 Winterow Park, Trowbridge

Proposed Development: Outline application for the erection of 1 detached bungalow and garage.

Conditions:

1. This permission is granted under the provisions of Article 5(2) of the Town and Country Planning General Development Orders 1973 to 1974 and the further approval of the local planning authority shall be obtained with respect to the undermentioned matters hereby reserved before any development is commenced.

(a) The layout, siting, size, height, design and external appearance of the proposed dwelling.

2. The extension to Church Lane together with the turning head shown cross hatched on the plan deposited with the West Wilts District Council on 15th April, 1975 shall be constructed to the same standard as Church Lane to the satisfaction of the local planning authority before the dwelling is occupied.

3. Bollards shall be placed across the extremity of the turning head.

Reasons:

1. This is only an outline application.

2. To ensure a proper road access is constructed to the site.

3. To prevent traffic going beyond the proper road access provided.

Dated this

12th

day of

May

1975

Signed

*E.A. Peal*

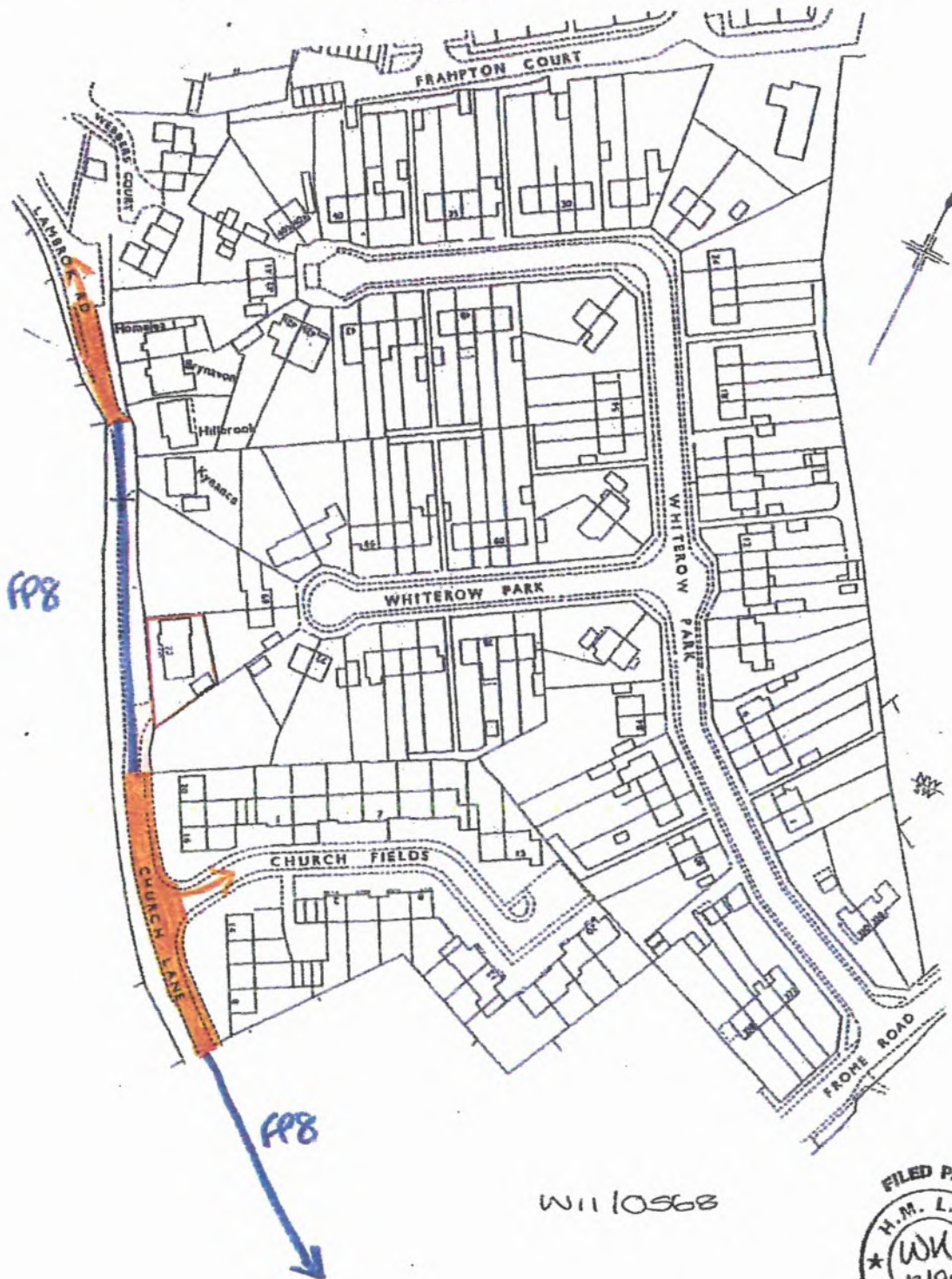
Director of Development Services

Author

(B)


H.M. LAND REGISTRY		TITLE NUMBER	
		WT 135748	
ORDNANCE SURVEY PLAN REFERENCE	ST 8456	SECTION G	Scale 1/1250
COUNTY WILTSHIRE	DISTRICT WEST WILTSHIRE	© Crown copyright 1988	

TROWBRIDGE



W110568



CHURCH LANE  
ACCESS TO   
AVONLEA, BRYNAVON  
HILLBROOK, KYNANCE  
VIA LAMBROK ROAD  
OFF ACORN MEADOW

5<sup>th</sup> August 2019

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr & Mrs McGrath  
Church Lane  
Trowbridge  
Wiltshire  
BA14 0

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mr & Mrs McGrath,

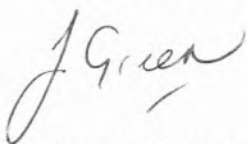
**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Path no.8 Trowbridge (part) to a Byway Open to All Traffic,**  
**Church Lane**

Thank you for your letters dated 11<sup>th</sup> July and 31<sup>st</sup> July, regarding the above-mentioned application to upgrade Path no.8 Trowbridge to a byway open to all traffic, with many apologies for the delay in getting back to you. I note your objection to the application.

Thank you for providing additional photographs and documents which will be very helpful in our determination of the application. We will now go forward to produce a decision report in which all of the evidence submitted will be investigated and I note the points raised in your letter dated 31<sup>st</sup> July, which will require further consideration in the decision report.

Thank you for your help in this matter, I will of course keep you updated on progress.

Yours sincerely



Janice Green  
Senior Definitive Map Officer

Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*

Janice Green  
Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Trowbridge  
Wiltshire  
BA14 8JN

Ramsbury House  
30 Market Place  
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Wiltshire  
SN10 1JG

T. 01380 726913  
F. 01380 729107  
DX. 42904 DEVIZES  
W. [www.goughs.co.uk](http://www.goughs.co.uk)

Our Ref: LMM/COL00416/00001  
Date: 31st July 2019

Dear Janice,

**Re: Wildlife and Countryside Act 1981 – Section 53**  
**Application to upgrade Path no.8 Trowbridge (part) to a Byway Open to**  
**All Traffic, Church Lane, Trowbridge**

Thank you for providing the bundle of evidence submitted by Mr May and Miss Dunne in their application to upgrade path no.8 Trowbridge to a Byway Open to All Traffic, and for allowing an extension to the consultation period.

I have considered that evidence and now enclose the following documents in support of my client, Stephen Coleman's, objection to the above application:

1. Witness Statement of Stephen Coleman dated 30<sup>th</sup> July 2019.
2. Photographs referred to in the above statement.
3. Statements from the following residents:
  - 1) S. Eddleston of [REDACTED] Church Lane.
  - 2) S.J. Wylie of [REDACTED] Church Lane.
  - 3) Anna Evans-Wylie of [REDACTED] Church Lane.
  - 4) Ingrid Figueirado of [REDACTED] Church Lane.
  - 5) Edward Figueirado of [REDACTED] Church Lane.
  - 6) S. Brewer of [REDACTED] Church Lane.
  - 7) Clive Knight of [REDACTED] Church Lane.
  - 8) Felicity Gilmour of [REDACTED] Church Lane.
  - 9) P. Marchant of [REDACTED] Church Lane.
  - 10) C. Harrington of [REDACTED] Church Lane.
  - 11) Steven Tripp of [REDACTED] Church Lane.
  - 12) Susan Tripp of [REDACTED] Church Lane.
  - 13) T. and S. McGrath of [REDACTED] Church Lane.
  - 14) Michael Thomas Reed of [REDACTED] Church Lane.
  - 15) Roy Pegrum of [REDACTED] Church Lane.

Excellence through understanding

- 16) RM Hunt of [REDACTED] Frome Road.
- 17) Daniel Brown of [REDACTED] Churchfields.
- 18) J.J. Brown of [REDACTED] Churchfields.
- 19) S. Foley of [REDACTED] Churchfields.
- 20) M. Hillier of [REDACTED] Churchfields.
- 21) Steven Ball of [REDACTED] Churchfields.
- 22) Derek Major of [REDACTED] Churchfields.
- 23) G. Robinson of [REDACTED] Churchfields.
- 24) D.M. Perkins of [REDACTED] Churchfields.

I should be grateful if you would let me know when an investigating officer is appointed, when a decision is made and the reasoning for that decision.

I look forward to hearing from you.

Yours sincerely

A large black rectangular redaction box covering the signature area.

**Lauren Morris**  
Trainee Solicitor  
email: [laurenmorris@goughs.co.uk](mailto:laurenmorris@goughs.co.uk)  
direct dial: 01380 736661

Church Lane  
Trowbridge  
Wiltshire  
BA14 0

Janice Green  
Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Trowbridge  
Wiltshire  
BA14 8JN

Dear Janice,

**Re: Wildlife and Countryside Act 1981 – Section 53**  
**Application to upgrade Path no.8 Trowbridge (part) to a Byway Open to All**  
**Traffic, Church Lane, Trowbridge**

**Witness Statement of Stephen Alfred Coleman – Church Lane, Trowbridge**

1. My name is Stephen Alfred Coleman and I live at Church Lane, Trowbridge, Wiltshire BA14 0. I purchased the above property with my late wife in February 2013 not long after it was constructed.
2. Andrew May and Michelle Dunne, the legal proprietors of Church Lane, Trowbridge, BA14 0 have made an application to modify footpath no.8 Trowbridge (“the Byway”) to a Byway Open to All Traffic. I object to that modification of the Byway because (a); the practical problems it would cause to me and to the other residents of Church Lane, and (b); the absence of vehicular rights existing during the five years prior to the enactment of the Natural Environment and Rural Communities Act 2006.

**Statutory Declaration of Jacqueline McClurg**

3. In the evidence enclosed in his witness statement, Mr May refers to Jacqueline McClurg’s Statutory Declaration dated 1<sup>st</sup> August 2005 which states that

*“the [Byway] has been used by myself my family and persons visiting or calling at the Property at all times for all purposes with or without vehicles as of right without let or hindrance” since 23<sup>rd</sup> July 1999.*

Mrs McClurg's alleged use of the Byway only dates back six years and Mr May has not produced any other evidence that the Byway was used by vehicles between 1985 and 2005. Therefore the requirement for acquiring a right of way by prescription through the uninterrupted and continuous use for 20 years has not been fulfilled and such vehicular access during the period of five years prior to May 2006 would have been unlawful.

4. If the public ever had vehicular access rights over the Byway before May 2006, these were unrecorded and so the enactment of the Natural Environment and Rural Communities Act 2006 has extinguished those rights.
5. The Council cannot create vehicular rights which have not existed so it follows that it has no authority to upgrade path no.8 Trowbridge (part) the Byway to a Byway Open to All Traffic.

#### **Documentary/Historical Evidence**

6. The additional documentary evidence submitted by Mr May only relate to the situation after 1930 and before 2006. This evidence does not add any weight to Mr May's application to upgrade the classification of the Byway because unrecorded public vehicular rights between these two dates have now been extinguished.
7. It is irrelevant that the Byway was once, many years ago, the only way to access Mr May's property. For the avoidance of any doubt, these documents do not provide proof that the Byway was ever used by vehicular traffic.
8. Mr May has also produced an undated letter written by the County Secretary & Solicitor's Office in Trowbridge. Mr May highlighted an extract in the document which says:

*"It will be observed that Church Lane, from its junction with Whiterow Hill (Frome Road) to its junction with Lambrok Road is shown by purple hatching which indicates that there is a public right of way on foot along the whole width of Church Lane."*

There is no mention of vehicular access in this letter so it has no relevance to the modification of the Byway being considered.

9. Furthermore, the developer naturally sought planning permission from Wiltshire Council prior to the erection of 26 Church Lane, copies of which Mr May has provided in his evidence at item 9. The permission provides that it is a condition of the development that

*“bollards are retained and maintained for the lifetime of the development [...] to prevent the formation of an unauthorised through-road from Frome Road/Church Lane to Acorn Meadow and to limit the amount of traffic generated along Church Lane.”*

If the planning officer at Wiltshire Council believed the footpath was being used by vehicles then they would not have imposed that condition.

10. Mr May has also adduced documents to try to assert that the Byway is a private street by producing a vague Private Street Works notice and a few extracts from Trowbridge Urban District Council meeting minutes. These documents are not accompanied by any plans so it is impossible to determine which section of Church Lane these relate to. In any event, the owner of the Byway is still unknown and it is now considered to be a public road over which the public has a right of way on foot.

#### **Photographic evidence**

11. The photographs that were provided by Mr May support the position that the Byway has not been used by vehicles. Two of these photographs show the bollards that were previously positioned to prevent vehicular traffic up the narrow footpath; it is evident that vehicular access was not permitted, or in fact possible, before or during the development of 24 and 26 Church Lane.
12. I enclose a photograph confirming that one of these bollards is still in place, and another illustrating that the path itself has not been altered. The only significant difference is that the grass was removed and was replaced with what is now my driveway.

#### **Witness Statements**

13. Only four out of the 59 statements, submitted in support of the application to upgrade application to upgrade the status of the Byway to a Byway Open to

All Traffic, refer to vehicular use: Andrew May, Michelle Dunne, Carol May and Terence Bishop, all of whom are related parties to this application. Mr May and Miss Dunne made the application, Carol May is Mr May's mother and Mr Bishop is a solicitor who is or has been instructed by Mr May and Miss Dunne in this matter.

14. All four witness statements lack credibility because they are understandably partial, and in the case of Mr Bishop it is not clear how he comes to his stated knowledge as he only uses it once a year. I trust that these statements would not heavily influence the Council's decision; the rest and majority of the statements confirm, among other things, that the Byway has only ever been a footpath used by pedestrians, cyclists and horse riders.
  
15. As an example of what has been said in the witness statements:
  - (a) Robert Brice says that the Byway has been an established footpath for at least 50 years.
  - (b) Mrs A Whelan, who has been using the Byway for at least 15 years, believes that there used to be a footpath sign at the entrance to the footpath.
  - (c) Ella Whelan confirms that there used to be a footpath sign in this area.
  - (d) Christopher Howell, also a resident on the estate since 1978, maintains that to his knowledge the Byway has always been a footpath.
  
16. I have also enclosed signed letters from the residents of Church Lane, and Churchfields, who all confirm that the Byway has only been used by pedestrians, cyclists and horse-riders. The residents also maintain that the Byway has never been used by vehicles.
  
17. The primary concern of the other witnesses relates to the condition of the Byway, namely the overgrowth of the foliage and the lack of lighting in the area, not to its current status. They should not be considered by the Council when considering this application.

**Security of [REDACTED] Church Lane**

18. One of the main features that attracted my wife and I to [REDACTED] Church Lane was the large driveway. At present, the driveway is separated from the frequently used footpath by a 1 metre fence which has, on a number of occasions, been damaged by pedestrians using the path.

19. I enclose photographs showing the different colour panelling on the fence caused as a result of intermitted essential repairs. If the fence was removed, my driveway would be extinguished and there would be an increased risk to the security of my property and the vehicles on it.

I look forward to hearing from you.

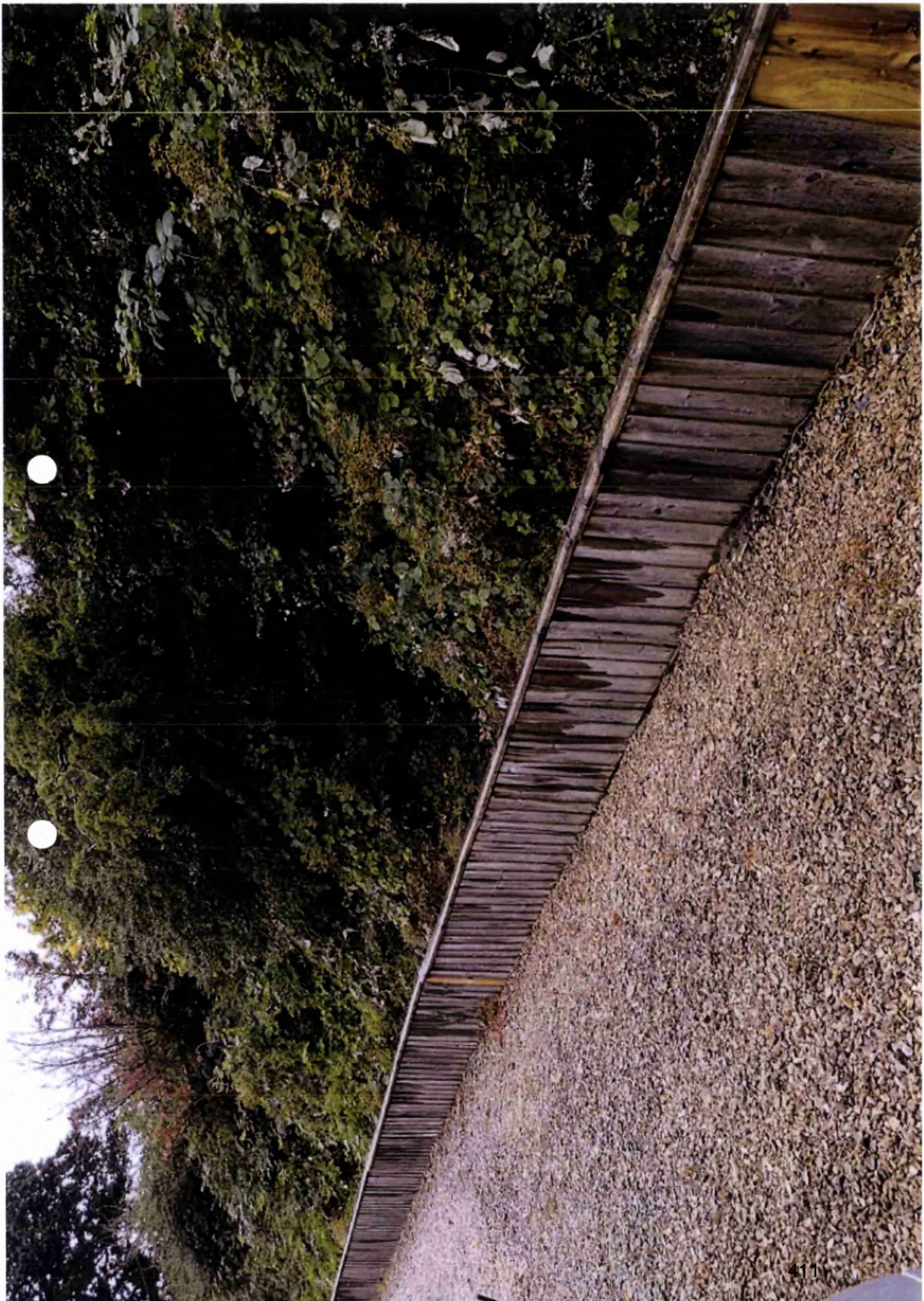
Yours sincerely,

[REDACTED]

Stephen Alfred Coleman

30/07/2019

Dated







To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since \_\_\_\_\_ and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[Redacted Signature]

Dated 25/07/2019

Print name

SEADLEYTON

Address

[Redacted]  
CHURCH LANE  
TROWBRIDGE  
BA13 4 [Redacted]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic


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**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

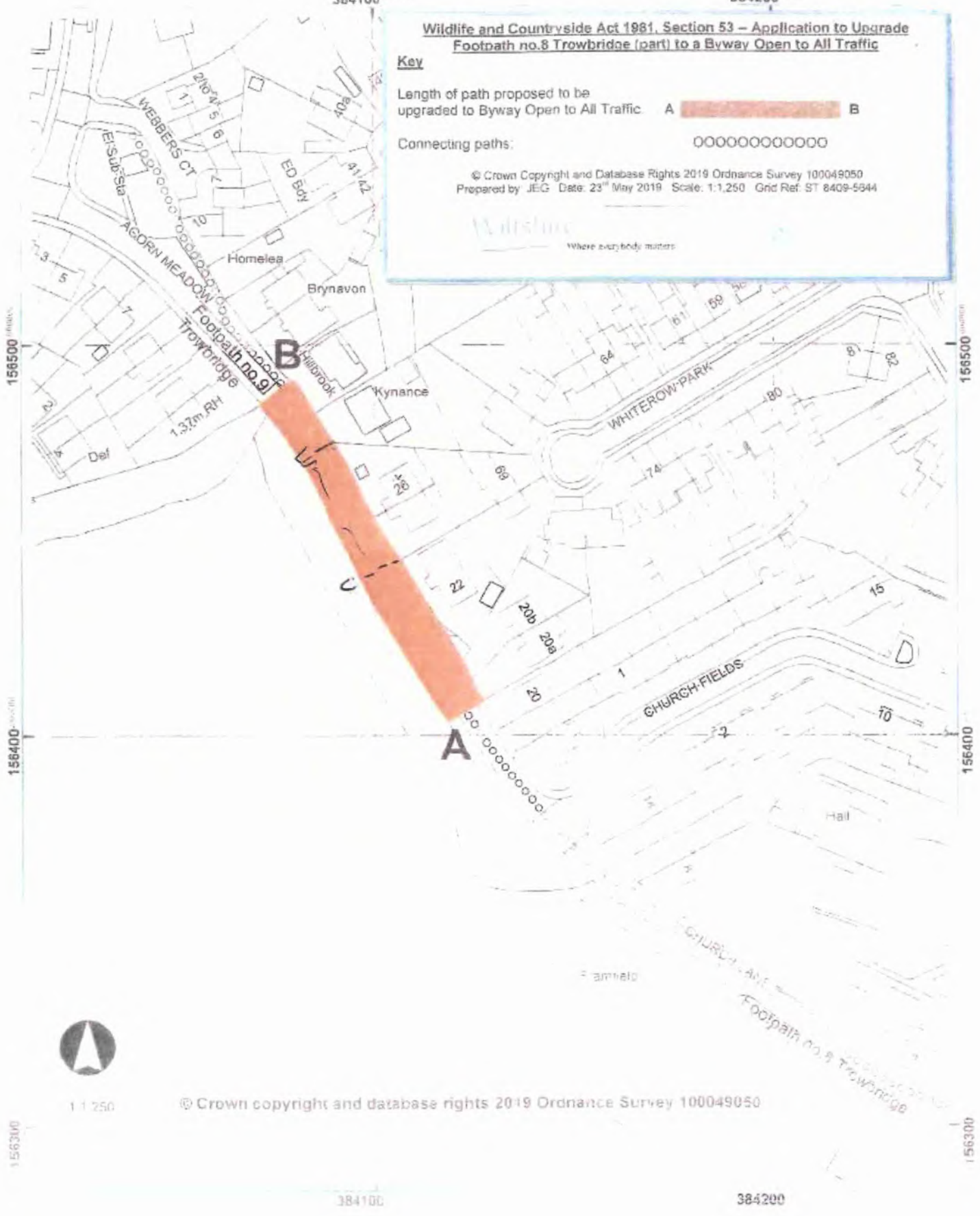
Length of path proposed to be upgraded to Byway Open to All Traffic. A  B

Connecting paths: 

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Prepared by J.E.G. Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644



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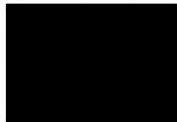
384200

To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since 2016 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed



Print name

ANNA EVANS-WYLIE

Dated 25.07.19

Address

Church Lane  
Trowbridge  
BA14 0

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

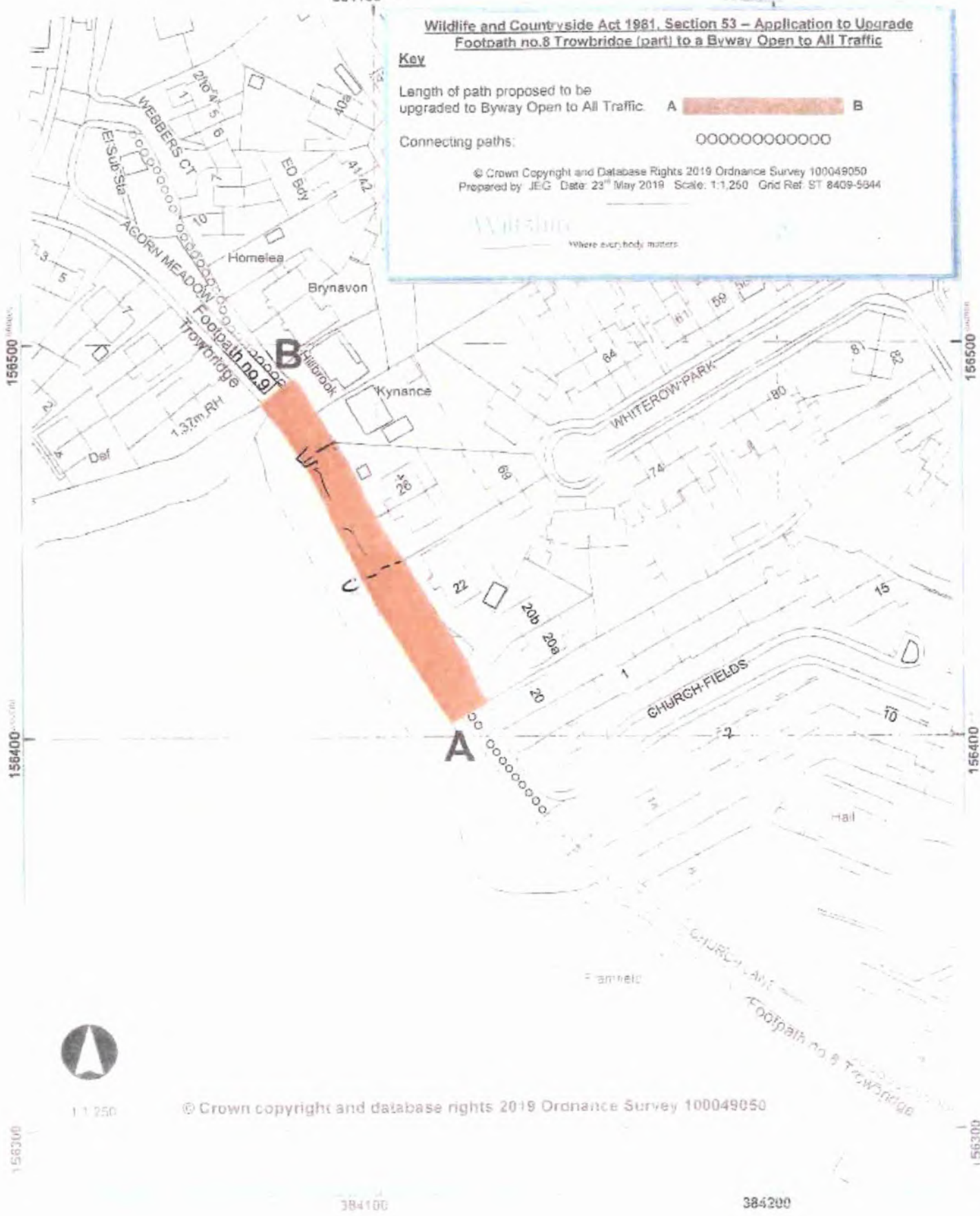
Length of path proposed to be upgraded to Byway Open to All Traffic. A  B

Connecting paths: 

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Prepared by J.E.G. Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref. ST 8409-5644

Walsingham

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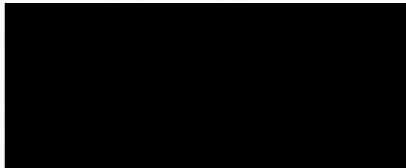
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To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since *MARCH 2016* and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed



Dated

*25/7/2019*

Print name

*S. J. WYLIE*

Address

*CHURCH LANE  
TROWBRIDGE  
BA14 0*

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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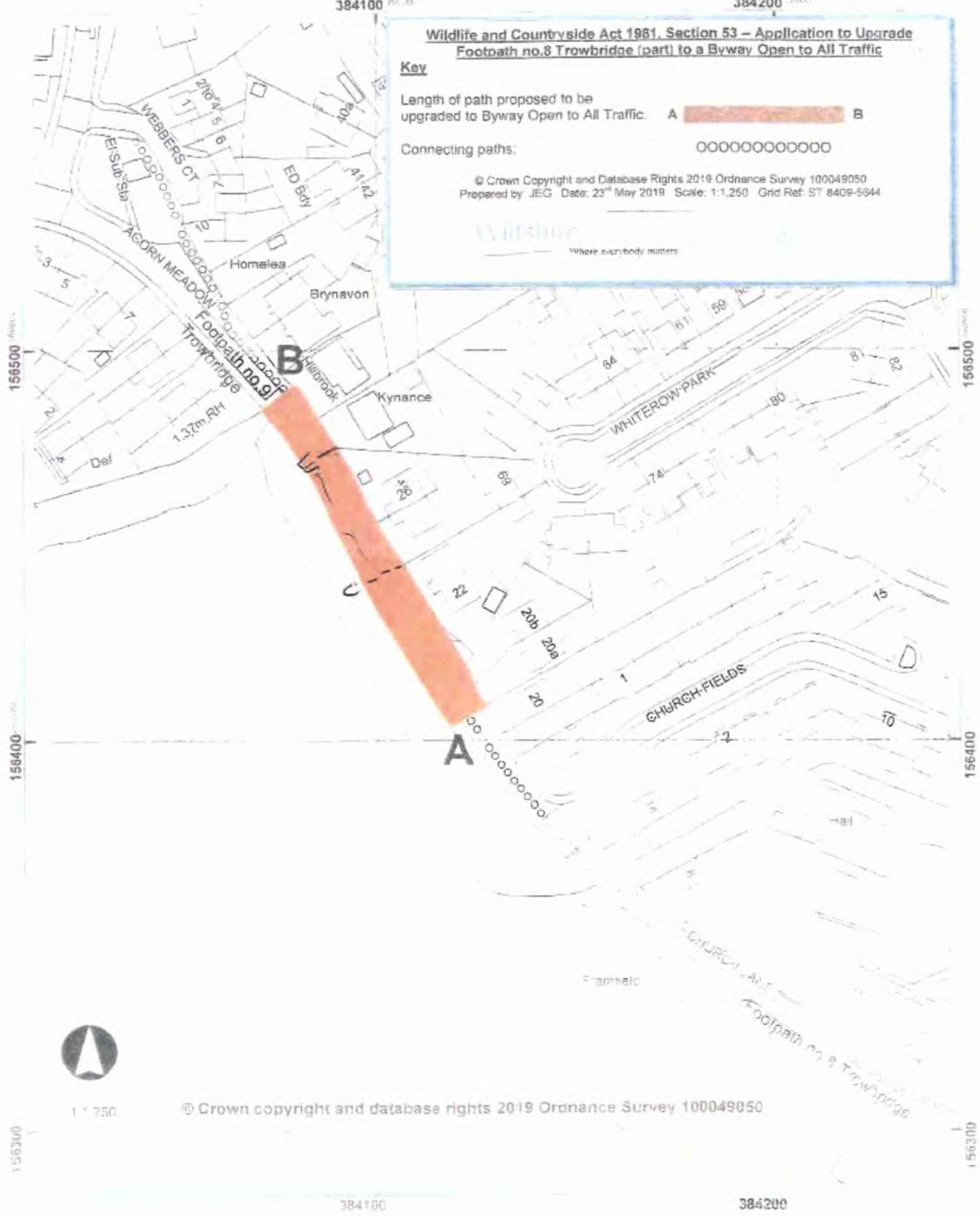
**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by: JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644



1:1250

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To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since 2012 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[Redacted Signature]

Dated 26/07/2019

Print name

EDWARDS FIGUEIRADO

Address

[Redacted]  
C. HURLE LONG  
UPPER STONEY  
TROWBRIDGE  
BA14 0 [Redacted]


# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

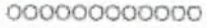
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384100 156400 384200 156500

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

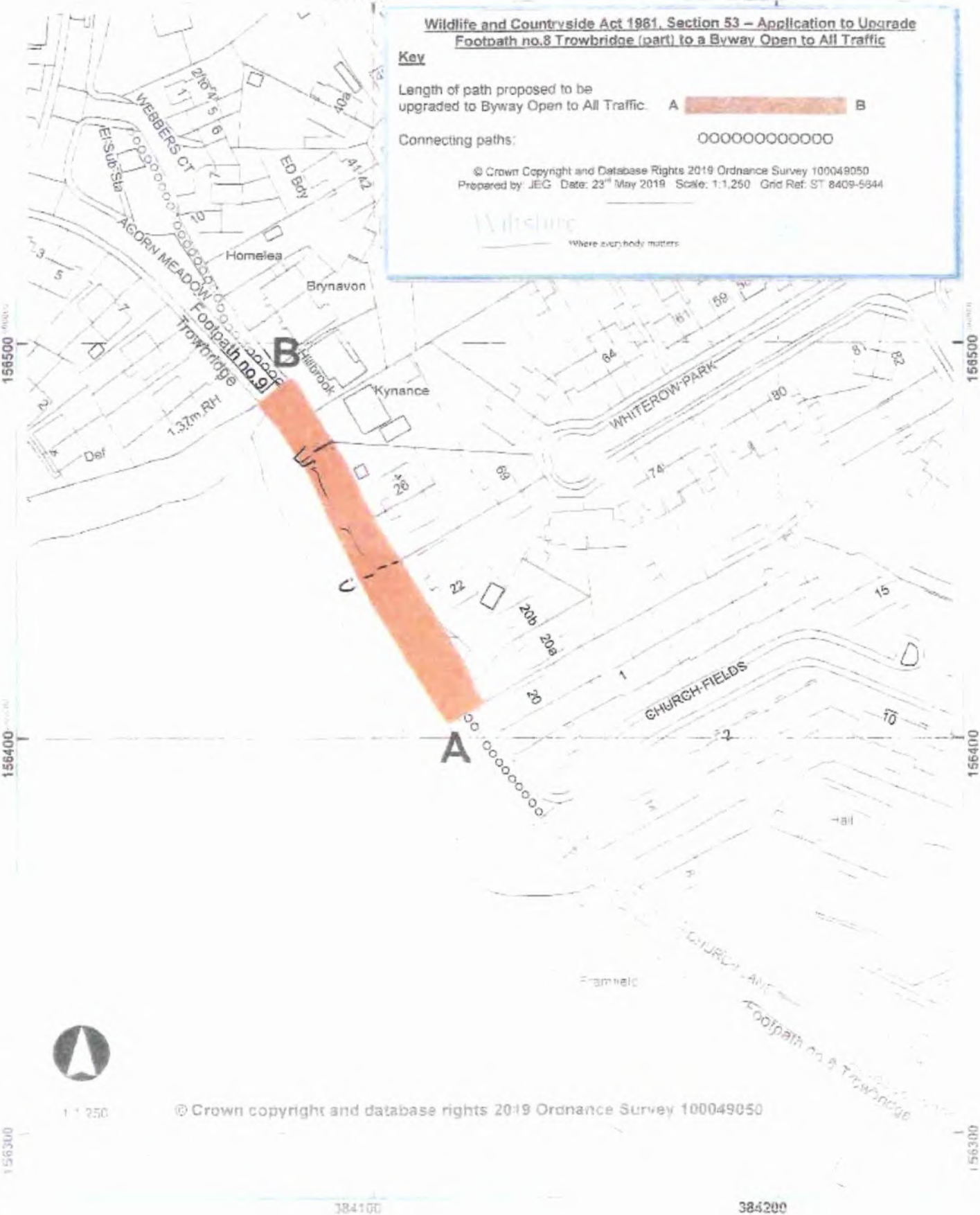
**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: **A**  **B**

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5844

*Wildlife*  
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1:1250

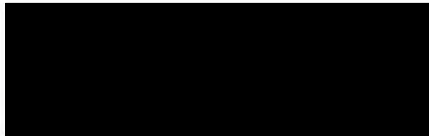
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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 2012 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed



Dated 25/07/2019

Print name

LUGRID+IGUEIRADO

Address

CHURCH LANE  
UPPER STUDLEY  
TROWBRIDGE  
BA14 0

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

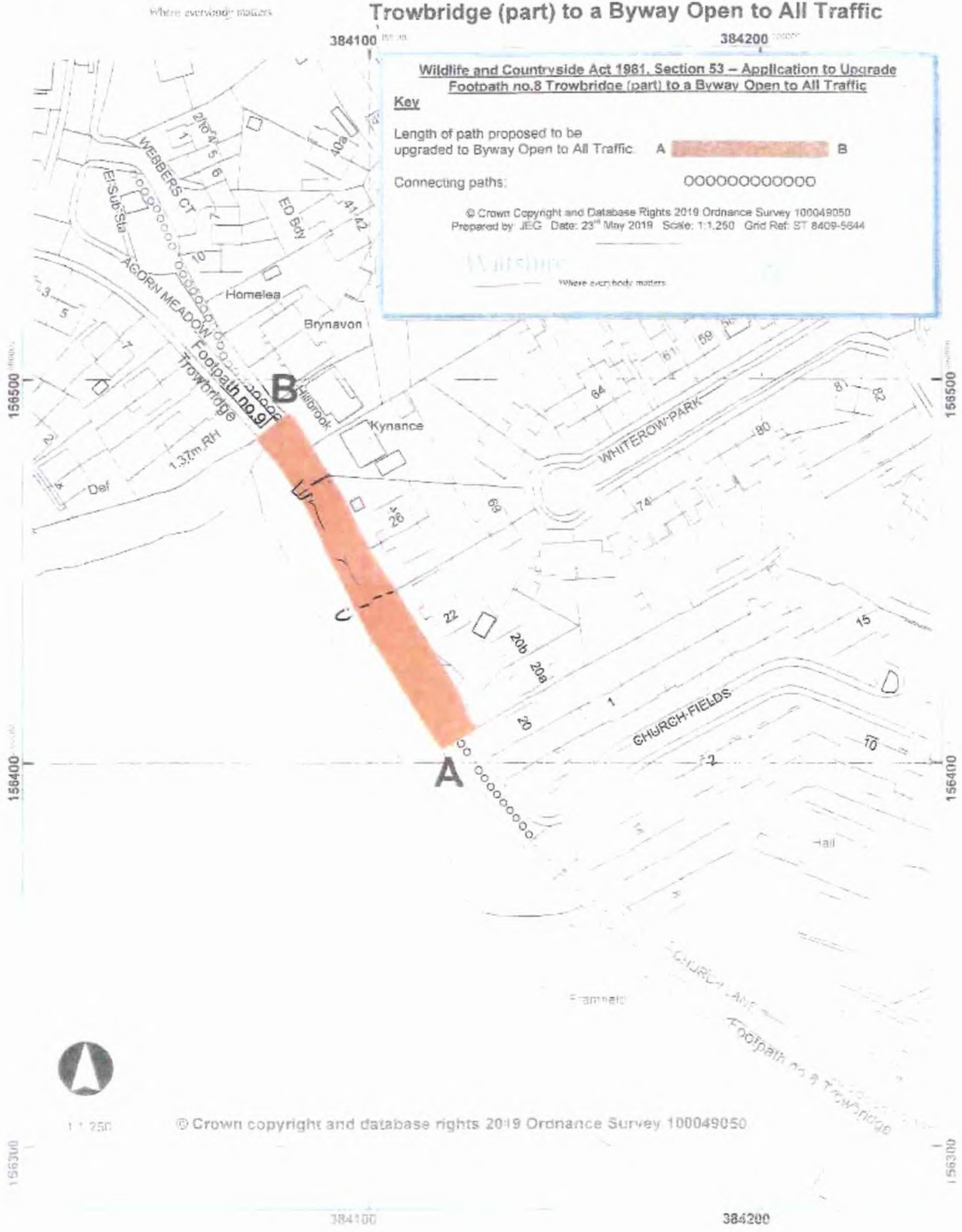
**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by: JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

*Wildlife*  
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1:1,250

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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 2004 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[Redacted Signature]

Print name

S. Brewer

Dated

26/7/19

Address

[Redacted] CHURCH LANE  
TROWBRIDGE  
WILTSHIRE  
BA4 0 [Redacted]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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## Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

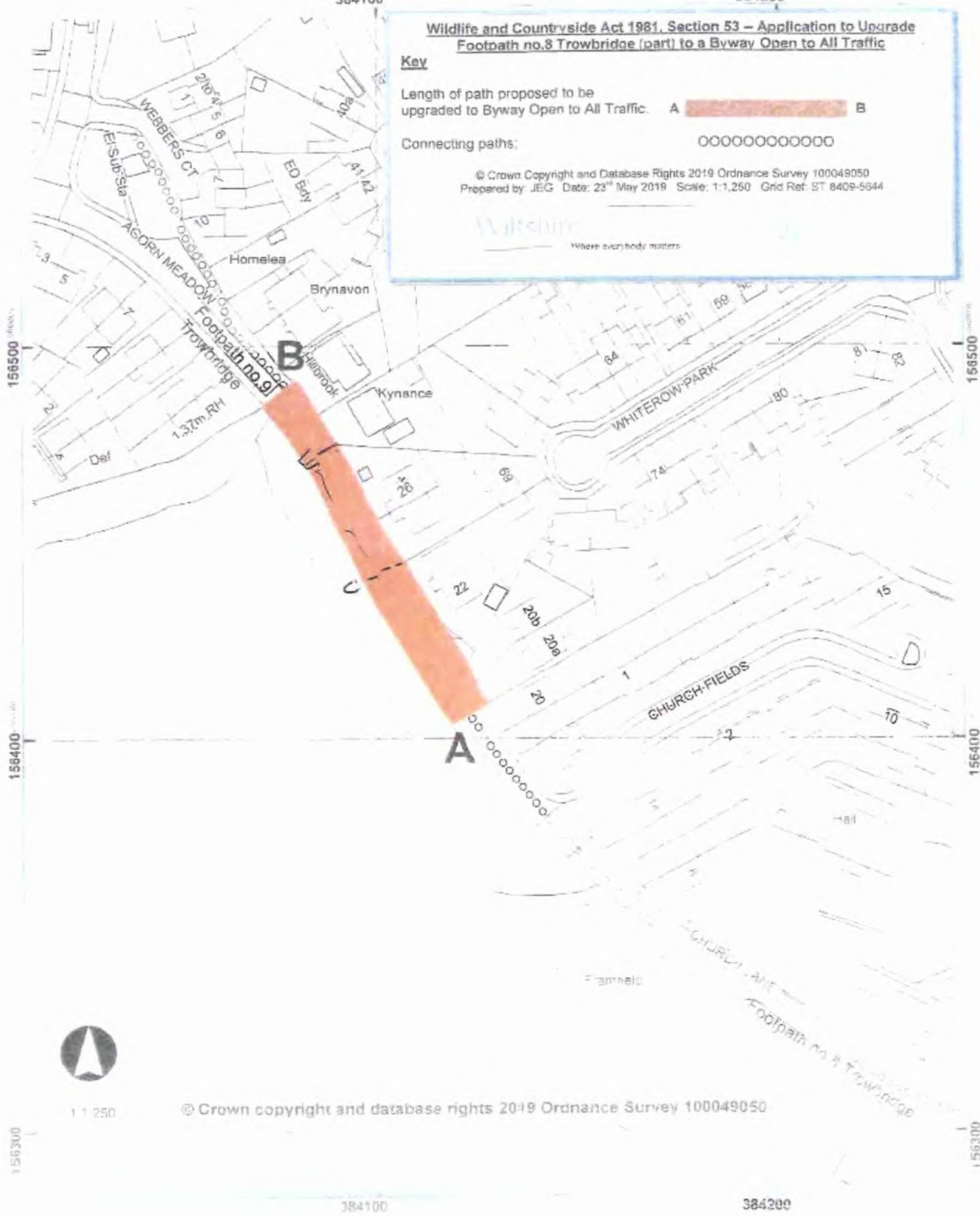
### Key

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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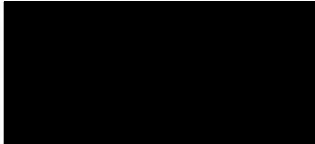
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To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since 1979 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed 


Dated 26/07/19

Print name CHIVE KNIGHT

Address  CHURCH LANE

TROWBRIDGE

WILT.

BA14 0 

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

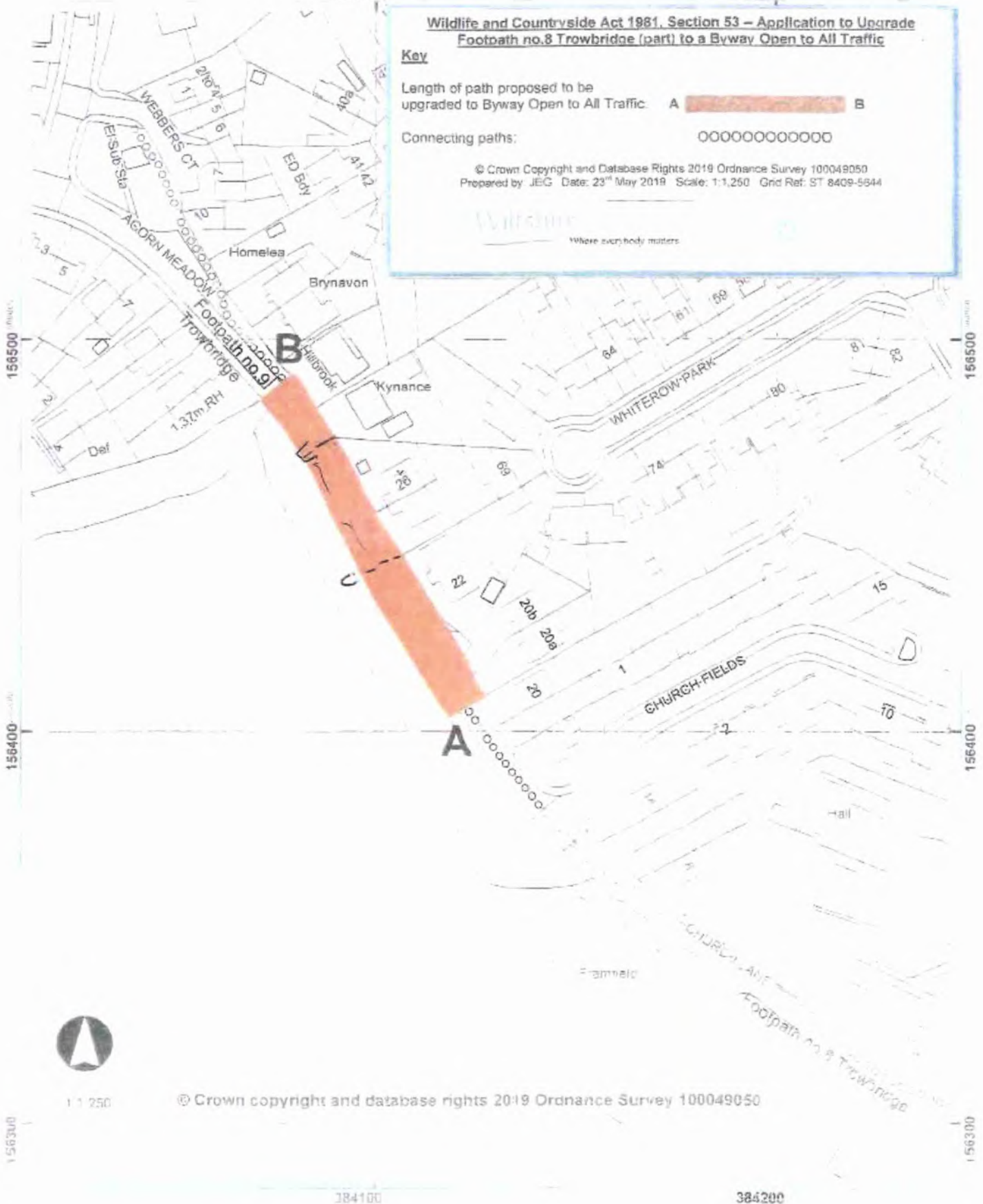
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5544

Wildlife

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To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since Feb 1988 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed





Print name

FELICITY GILMOUR

Dated 26/7/19.....

Address

 CHURCH LANE  
TROWBRIDGE  
BAILEY   
.....  
.....

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

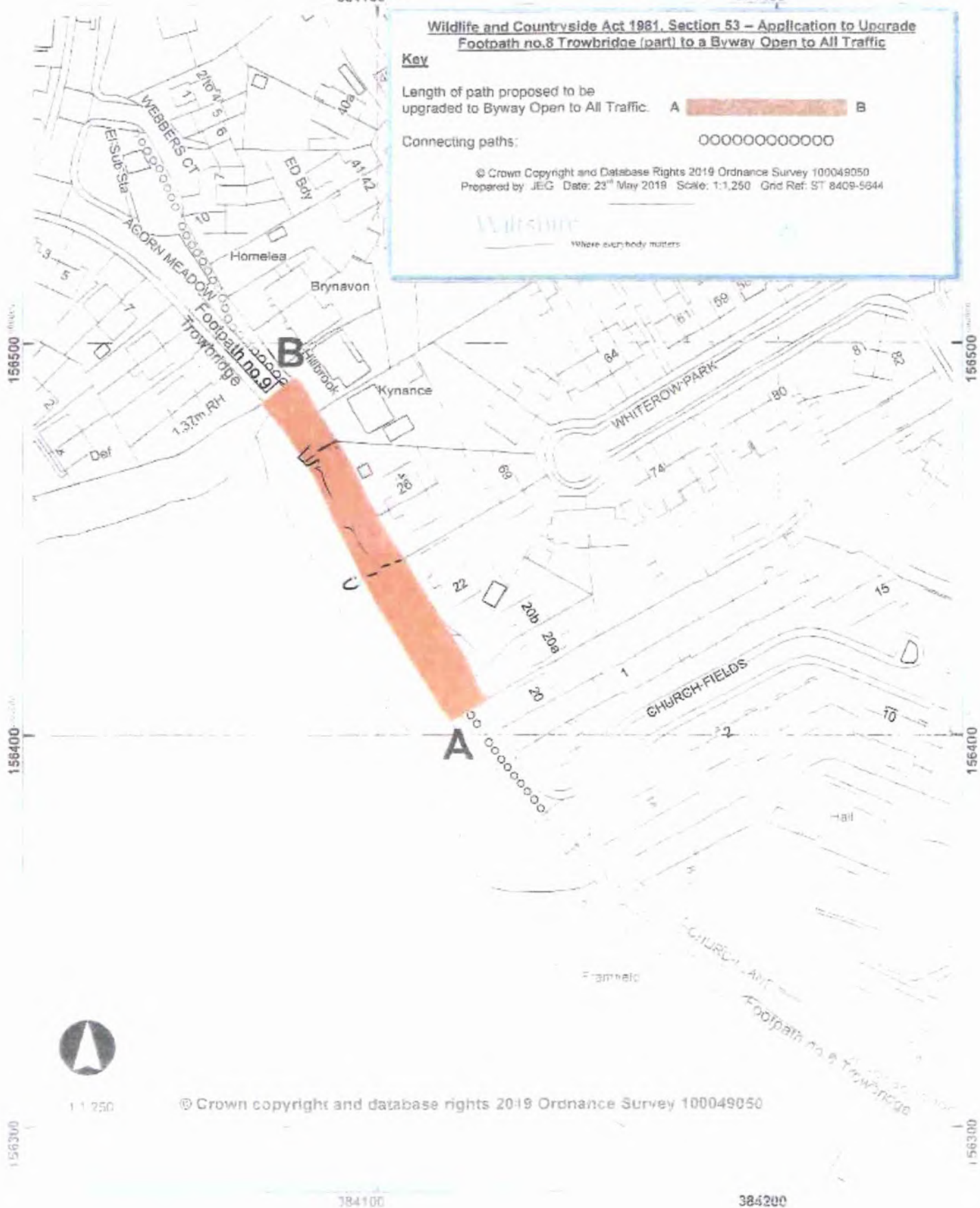
Length of path proposed to be upgraded to Byway Open to All Traffic. A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

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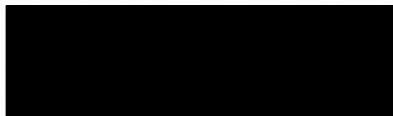


To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since OCTOBER 07 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed




Dated 26/7/19


Print name

P. MARCHANT

Address



CHURCH LANE  
UPPER STUDLEY  
TROWBRIDGE  
BA14 0



P. MARCHANT

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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## Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

### Key

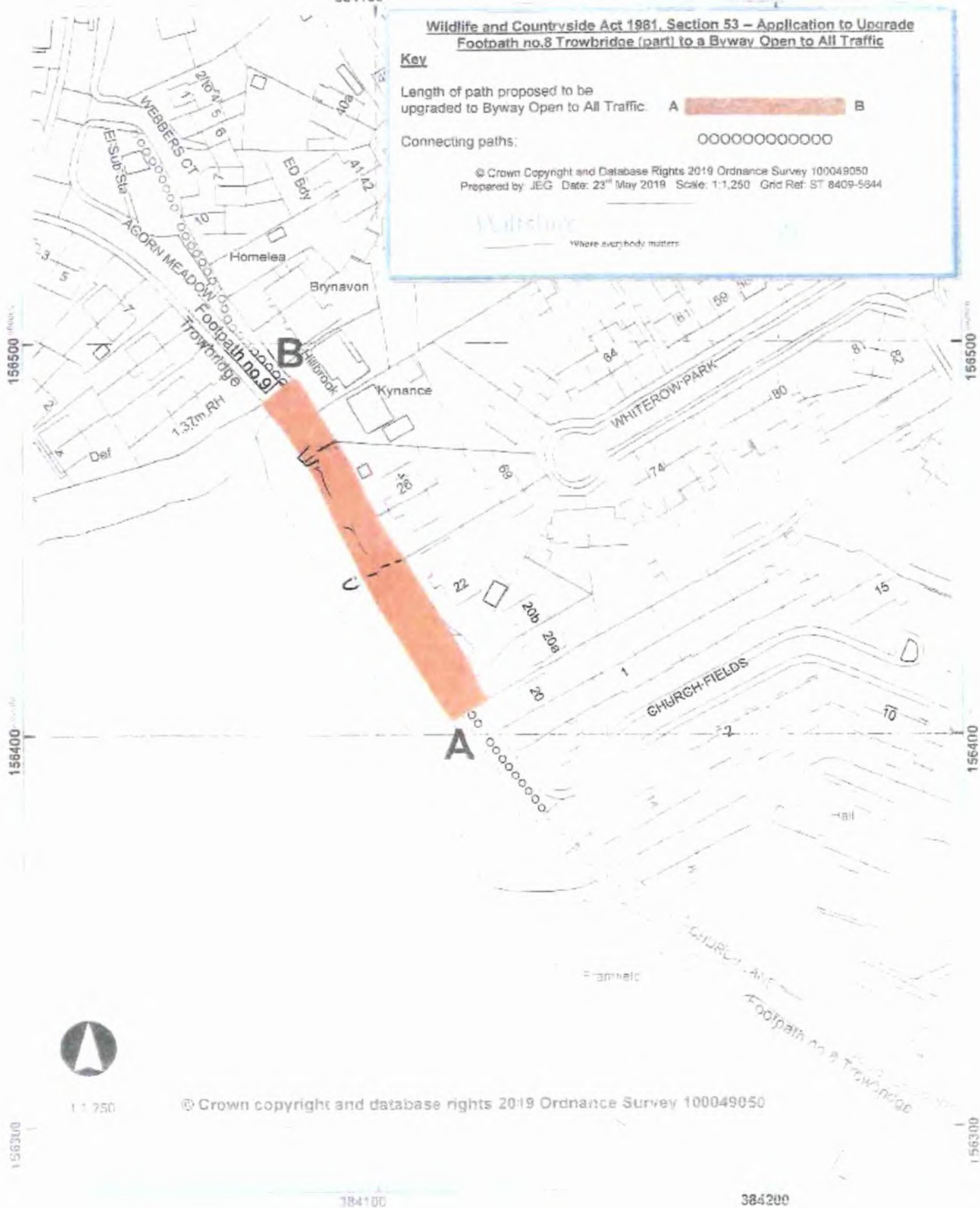
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

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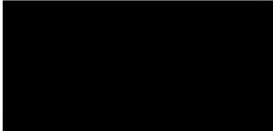
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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 2014 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed  .....

Dated 26 July 2019

Print name C. HARRINGTON

Address  ...CHURCH LANE

...TROWBRIDGE.....

...WILTSHIRE.....

...BA14 0  .....

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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## Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

### Key

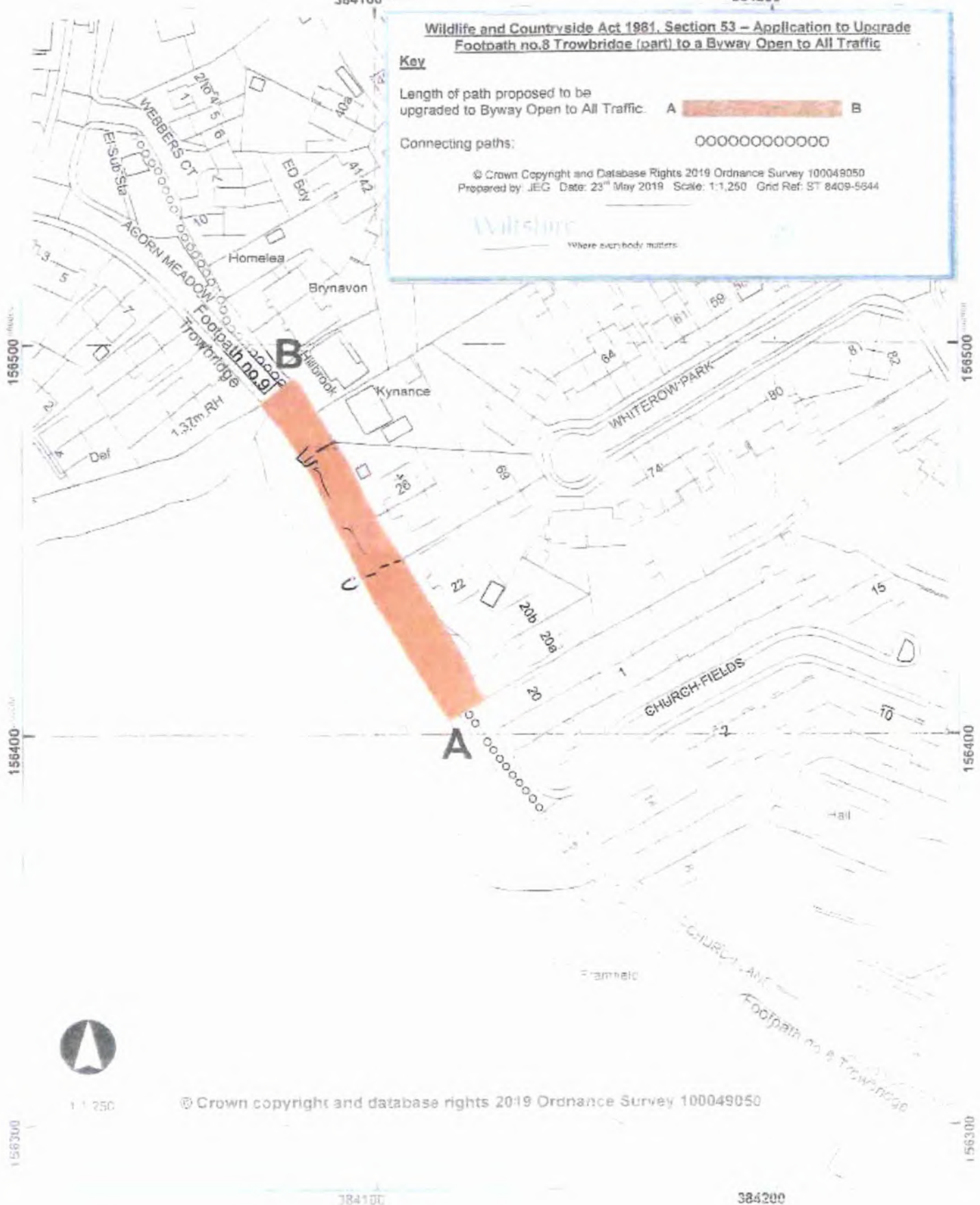
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by: JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

Wiltshire

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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since *20 Years* and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed




Dated *28/7/19*

Print name

*STEVEN TRIPP*

Address

 *CHURCH LAZE  
UPPER STUDLEY  
TROWBRIDGE.*

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

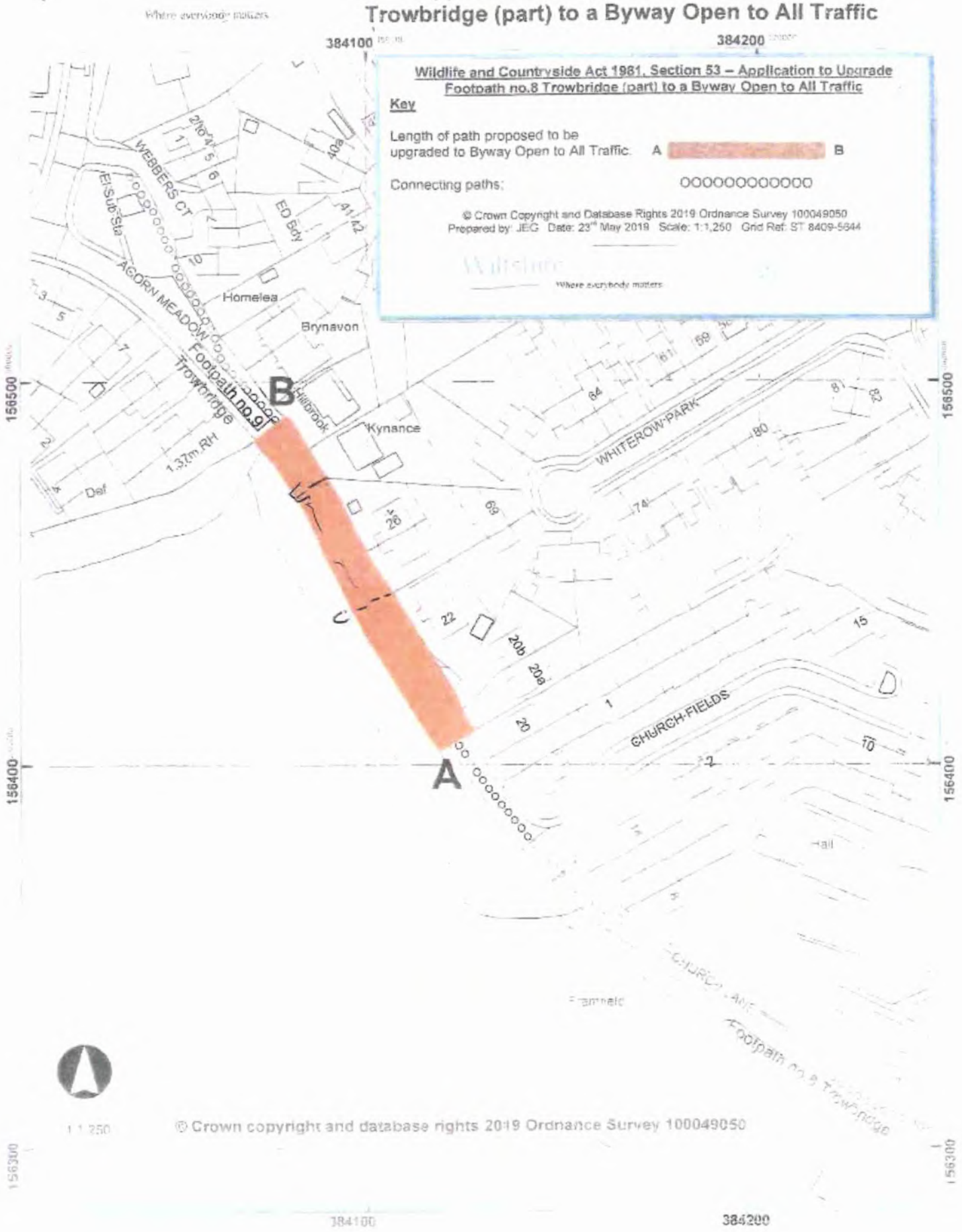
**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by: JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

Wildlife  
Where everybody matters



To Wiltshire Council (Rights of Way & Countryside Team)


Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since 20 years. and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed 

Dated 28-7-2019

Print name SUSAN TRIPP

Address  CHURCH LANE  
UPPER STUDLEY  
TROWBRIDGE

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

Where everybody matters

384100

384200

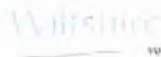
**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

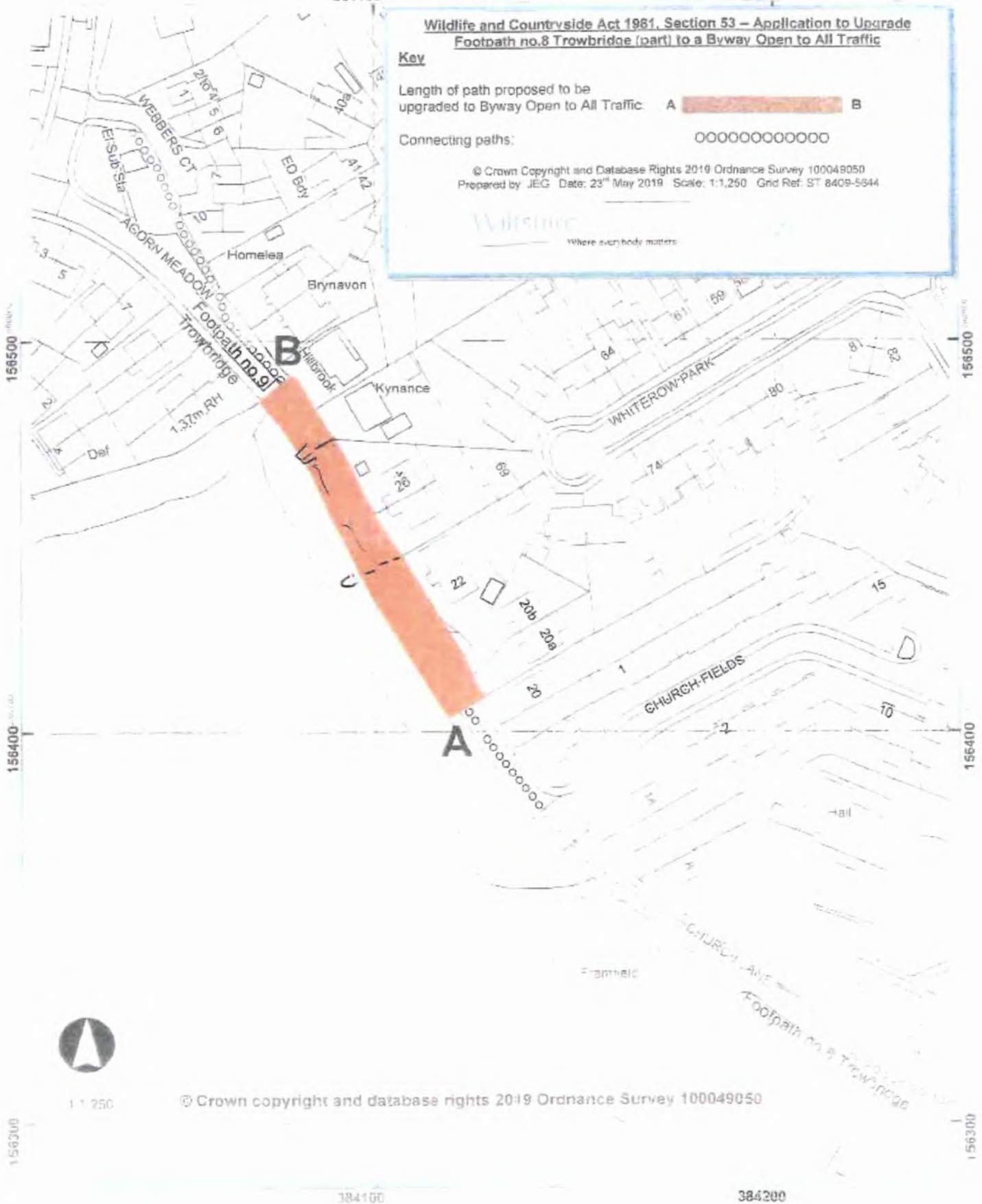
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

© Crown Copyright and Database Rights 2019 Ordnance Survey 100049050  
Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644



Where everybody matters



1:1,250

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To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since Sept. 2014 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[Redacted Signature]

Dated

26/7/19

Print name

S. McGRATH  
S. McGRATH

Address

[Redacted] CHURCH LAWE  
TROWBRIDGE  
WILTSHIRE  
BA14 0 [Redacted]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

Where everybody matters

384100

384200

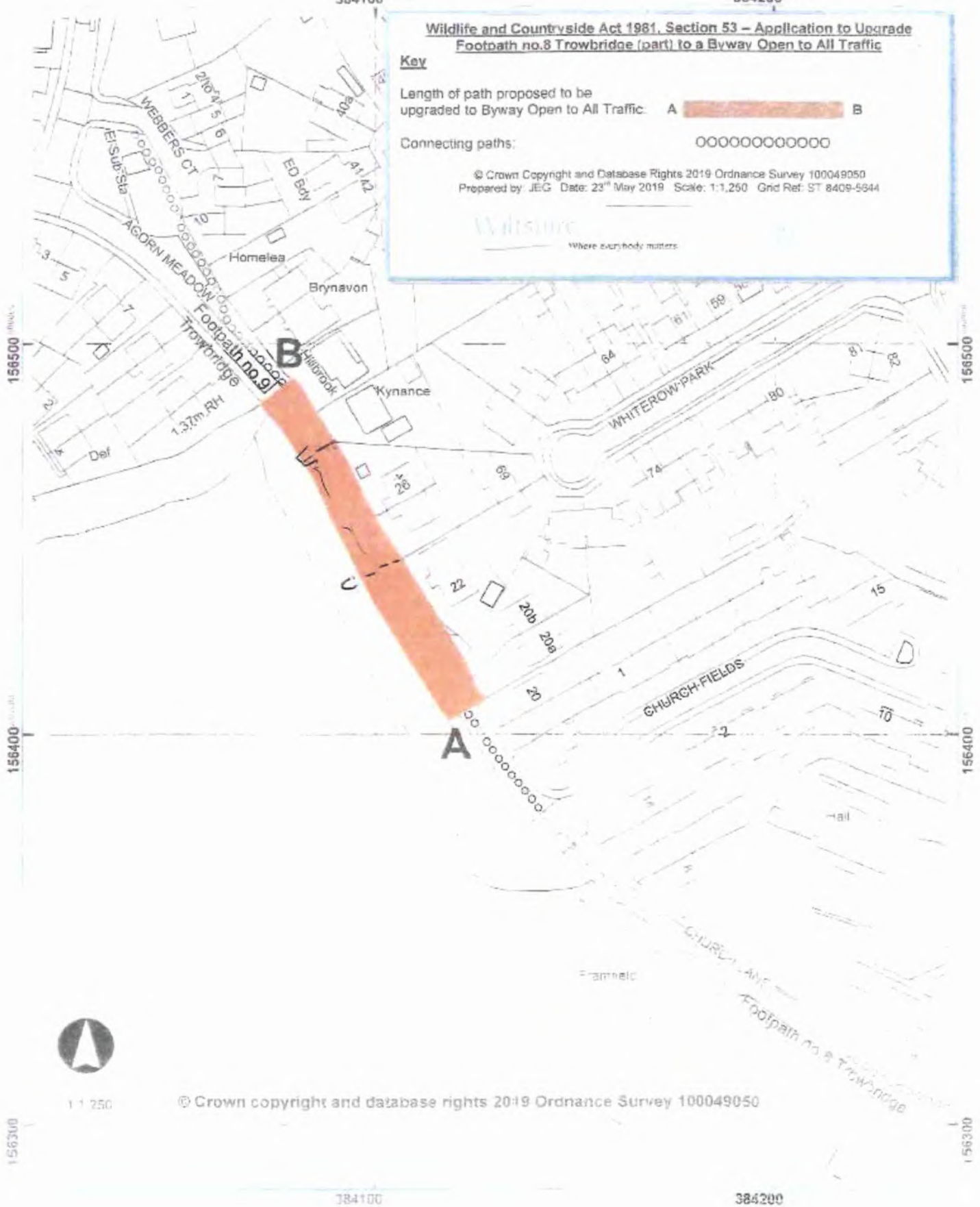
**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644



1:1,250

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384100

384200

To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since 5 YEARS and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[Redacted Signature]

Print name

MICHAEL THOMAS REE

Dated

25/07/19

Address

[Redacted Address]

CHURCH LANE

TROWBRIDGE


WILTSHIRE

BA14 0 [Redacted]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

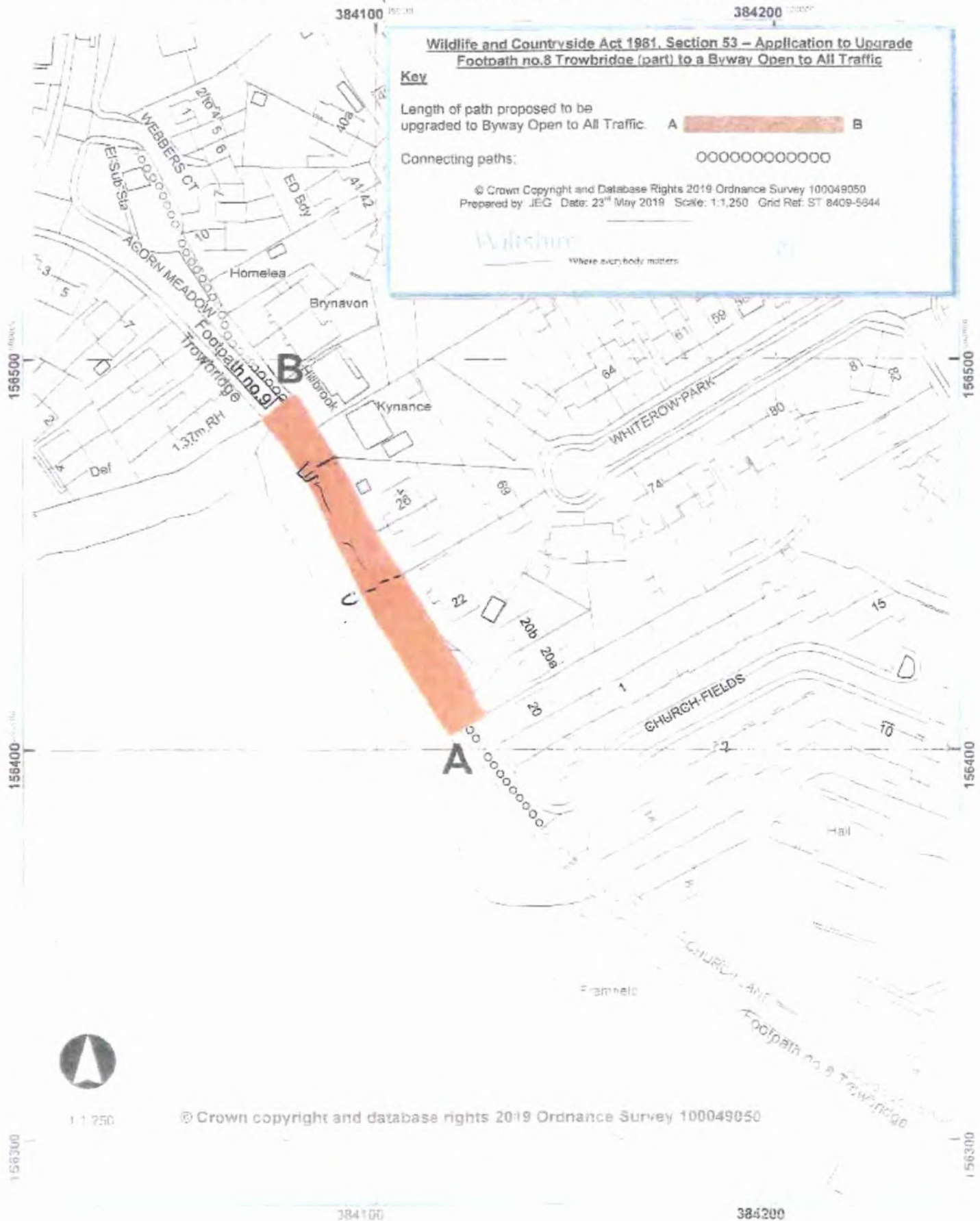
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

Waltshire

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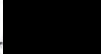

To Wiltshire Council (Rights of Way & Countryside Team)


**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 2014 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed   
Print name RMITTANT

Dated 25/7/19

Address Church Lane  
 Frame Road,  
Trowbridge  
Wiltshire BA14 0 

(I lived at  prior to this, since 1999 and know that it was not open to traffic).

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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384100

384200

## Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

### Key

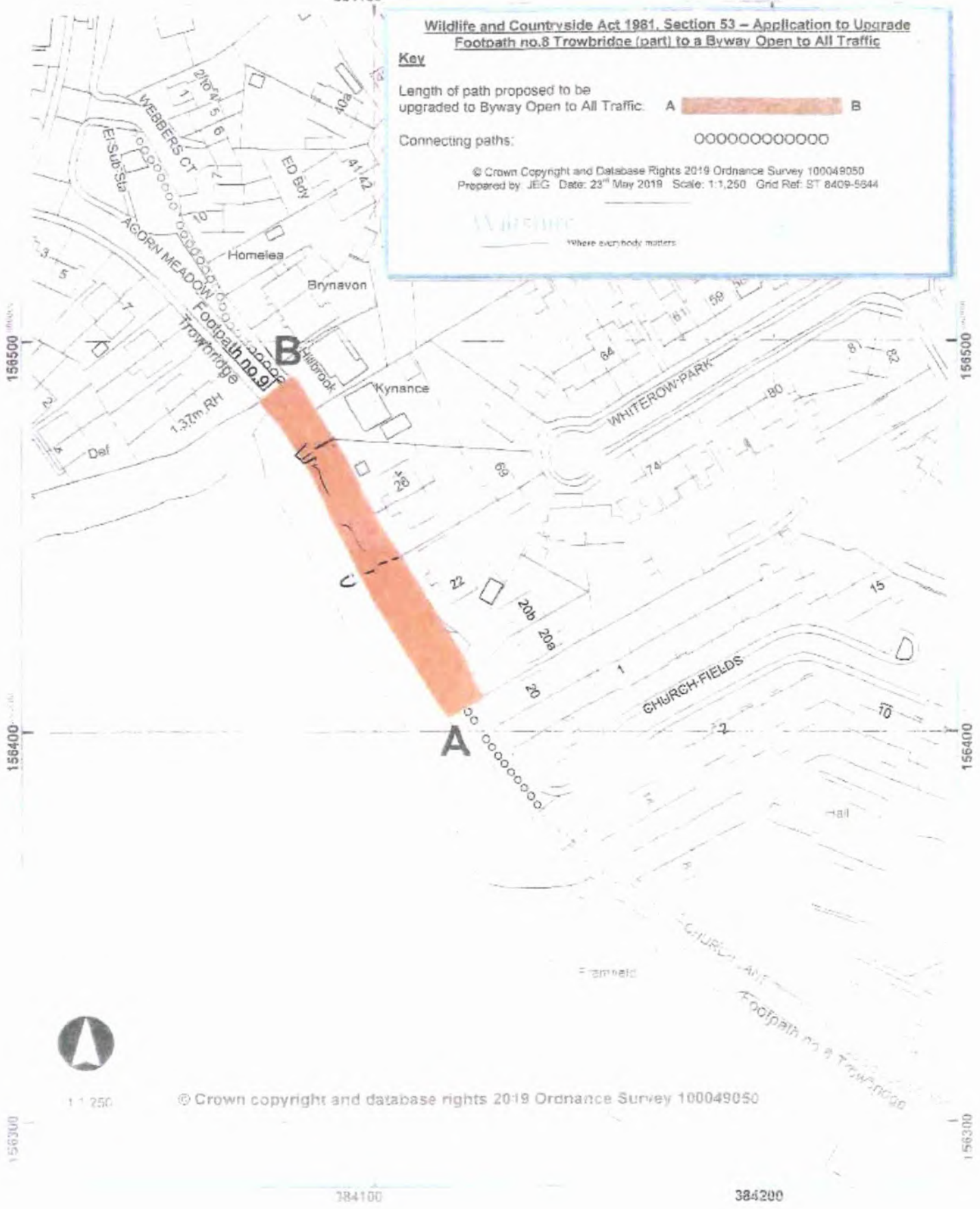
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

© Crown Copyright and Database Rights 2019 Ordnance Survey 100049050  
Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644



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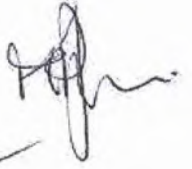


1:1,250

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To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic



I have been living in my property below since August 1994 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed



Dated

25/7/19

Print name

ROY KEARNEY

Address



CHURCH LANE  
TROWBRIDGE  
BAVA

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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384100

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**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

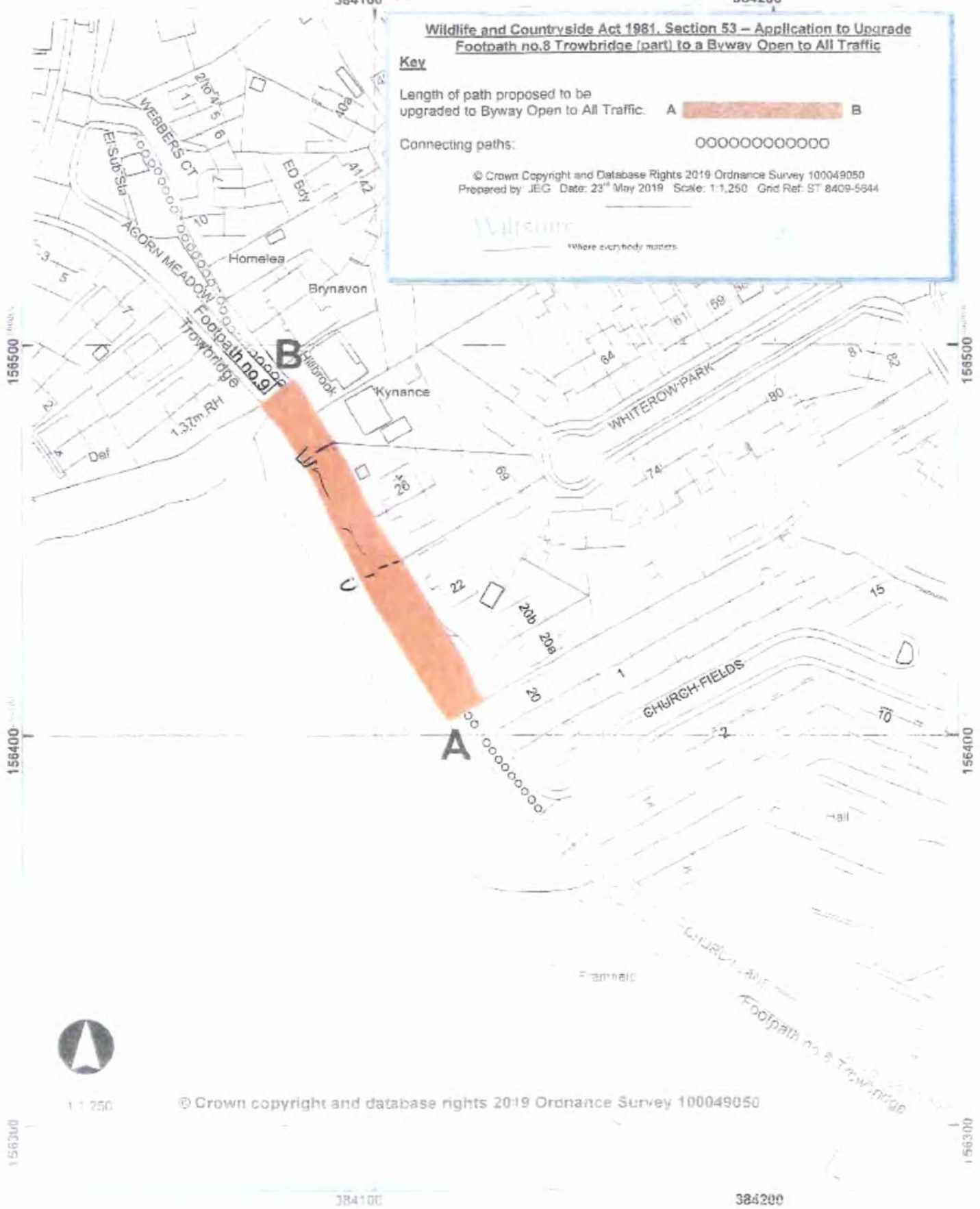
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by: JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

Wilsons

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1:1250

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384100

384200

To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 4<sup>1</sup>/<sub>2</sub> yrs - and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

Print name

[Redacted]  
[Redacted]  
J. J. BROWN

Dated

27/7/19

Address

[Redacted] CHURCHFIELDS  
TROWBRIDGE  
WILTS  
BA14 0 [Redacted]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

Where everybody matters

384100

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**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

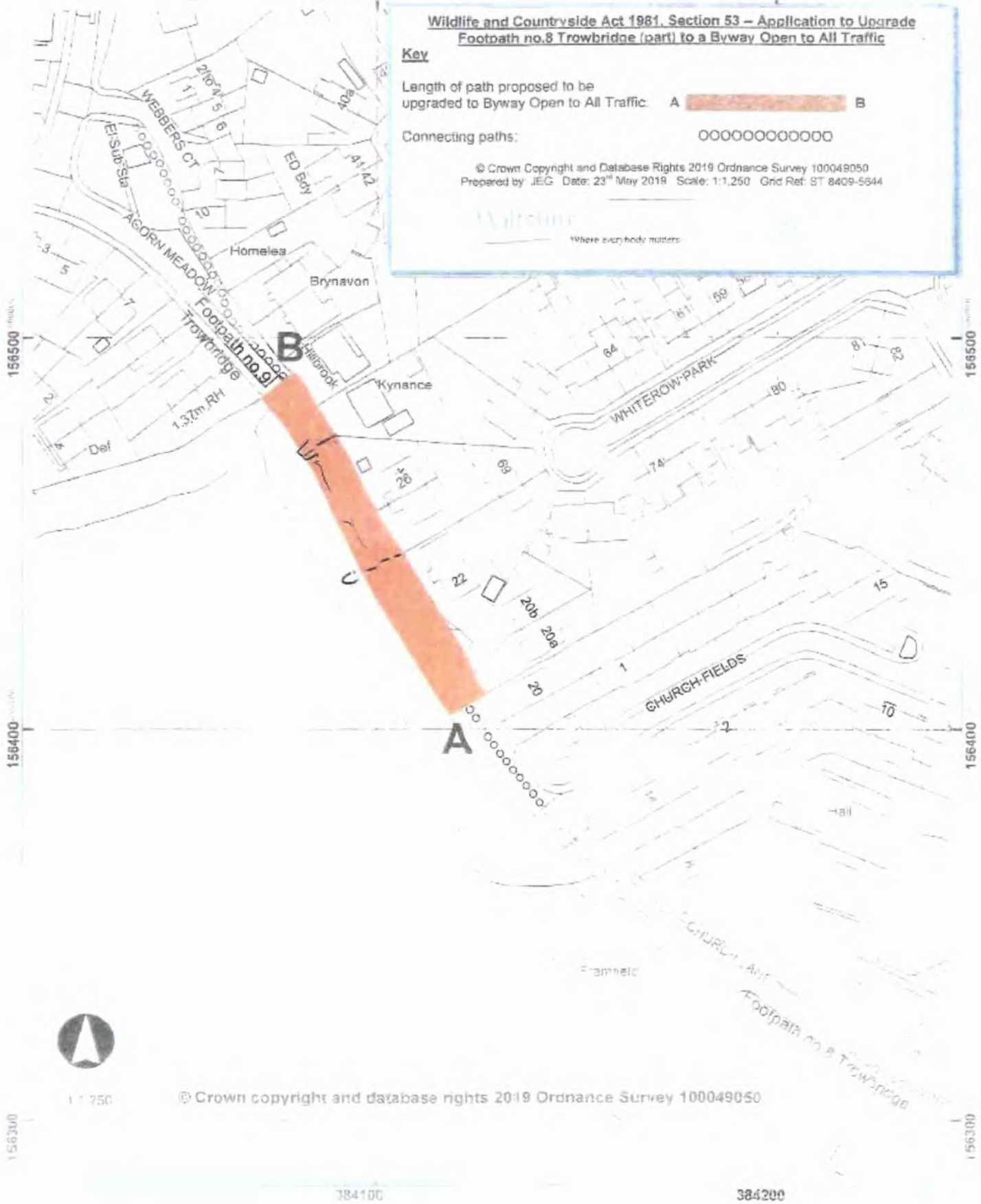
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5544

Walters

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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 4.5 years and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[Redacted Signature]

Dated 27/7/19

Print name

Daniel Brown

Address

[Redacted]  
CHURCH FIELDS  
TROWBRIDGE  
BA14 9 [Redacted]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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384100

384200

## Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

### Key

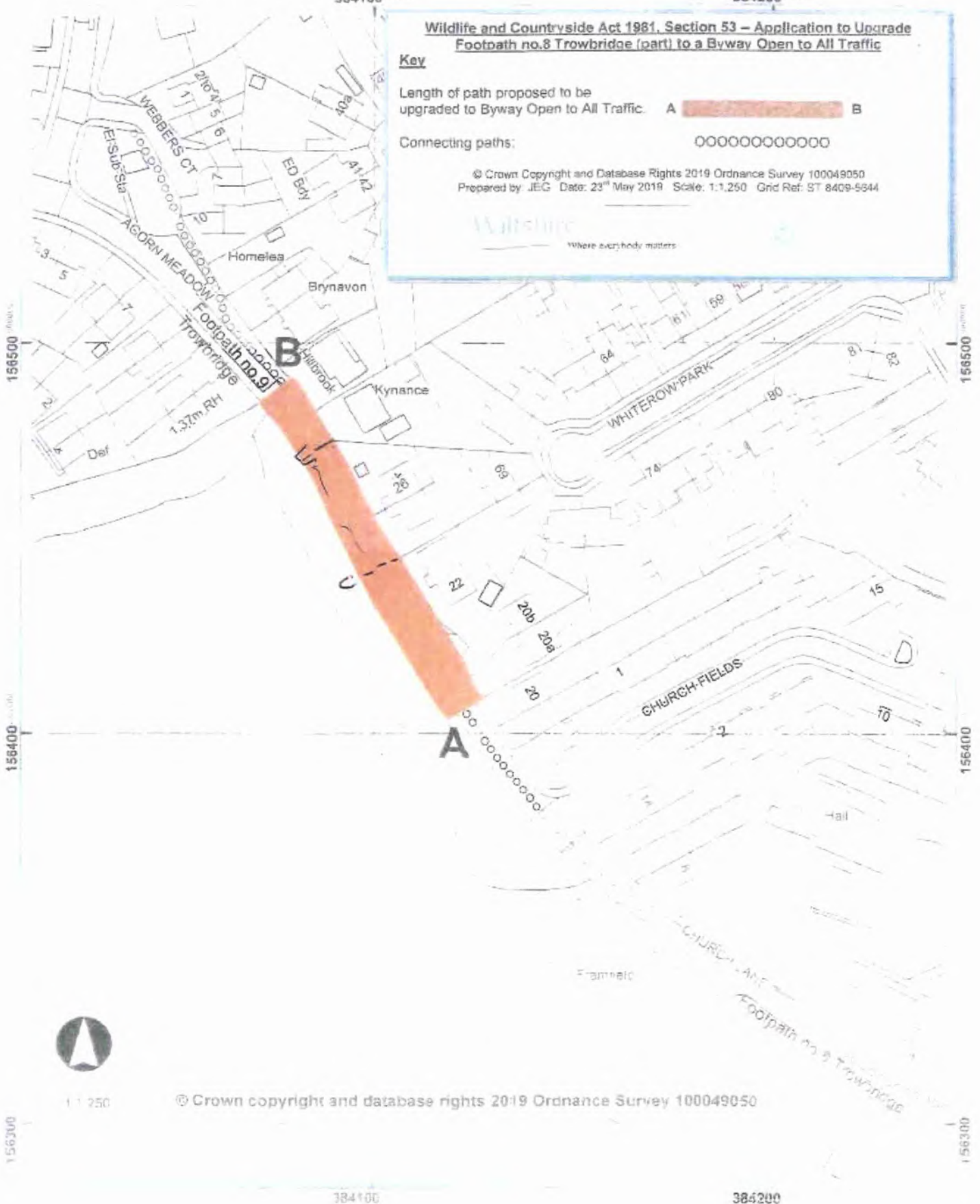
Length of path proposed to be upgraded to Byway Open to All Traffic. A  B

Connecting paths: 

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Prepared by: JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

Wildlife

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1:1250

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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 2005 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed [REDACTED] .....

Dated 27 Jul 19 .....

Print name S FOLEY .....

Address [REDACTED] CHURCHFIELDS .....

LIPPER STUDLEY .....


TROWBRIDGE .....


BAILEY [REDACTED] .....

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

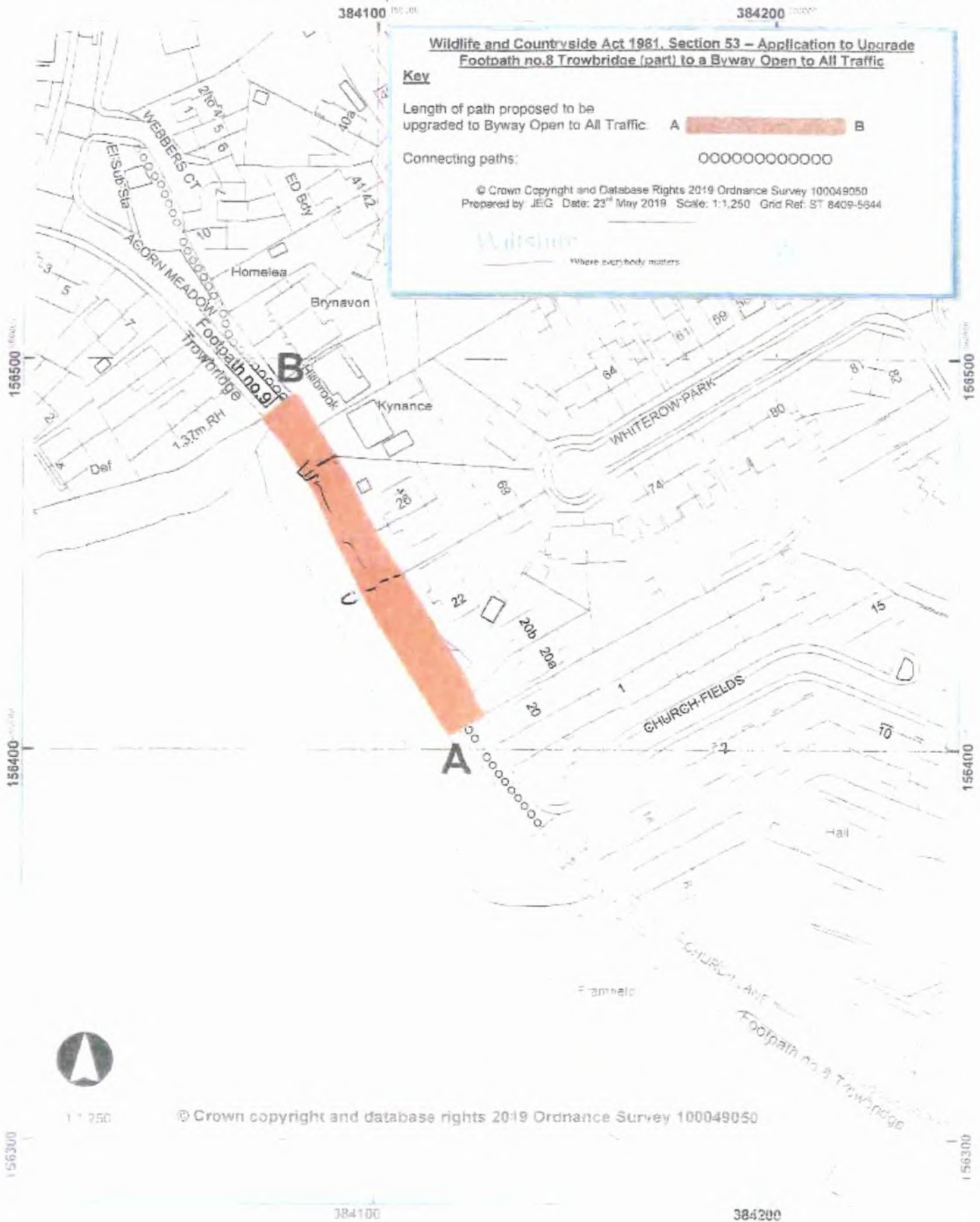
**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since \_\_\_\_\_ and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed  .....

Dated 27.7.19 .....

Print name N. ALLWER .....

Address  CHURCH FIELDS  
TROWBRIDGE .....

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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384100

384200

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

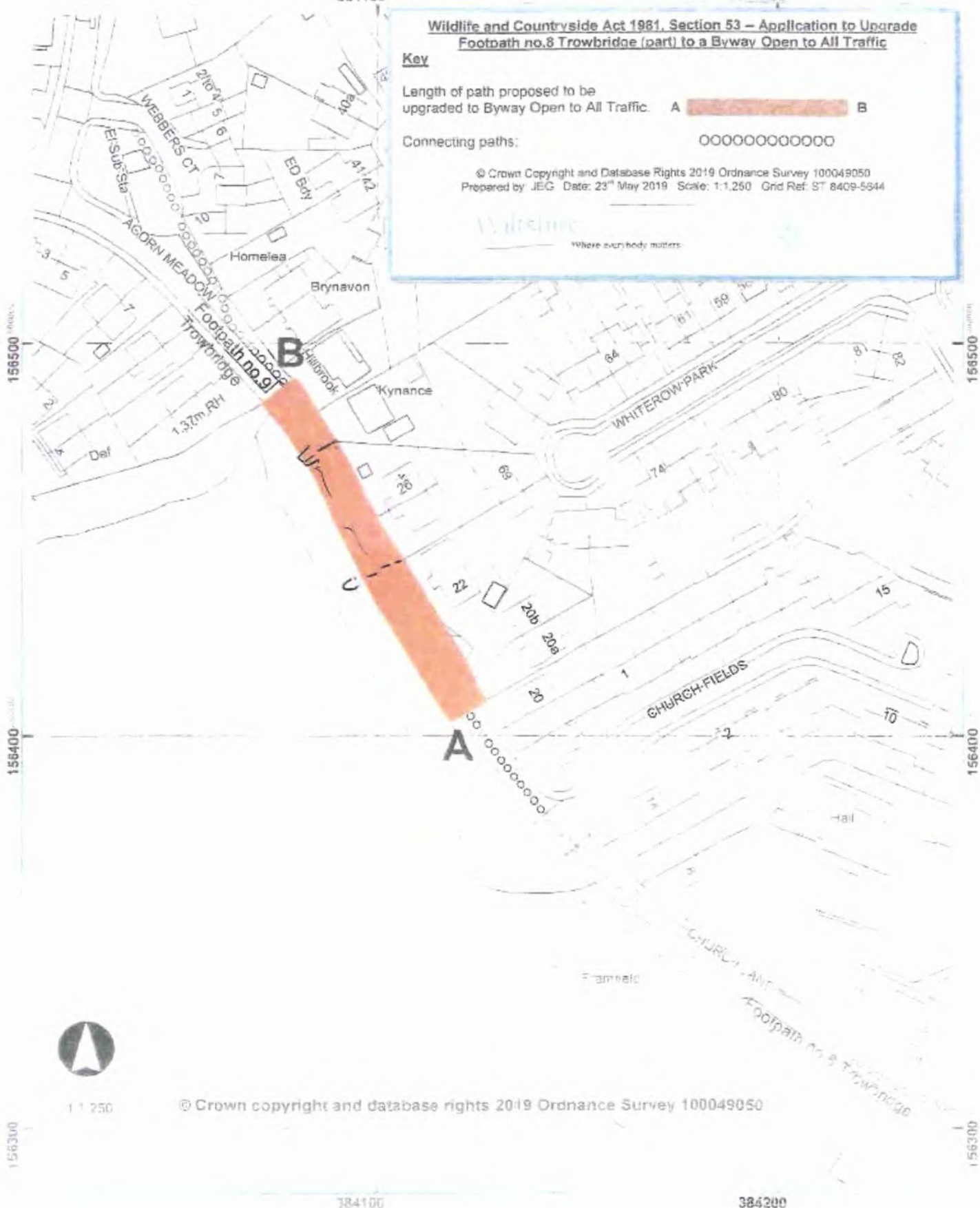
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5544

Wildlife

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To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since Jan 2015 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed ..... [redacted] .....

Dated ...27/7/2019


Print name ..... STEW BEE .....


Address [redacted] Churchfields  
..... Trowbridge  
..... Wiltshire  
..... BA14 C [redacted] .....

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic


**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

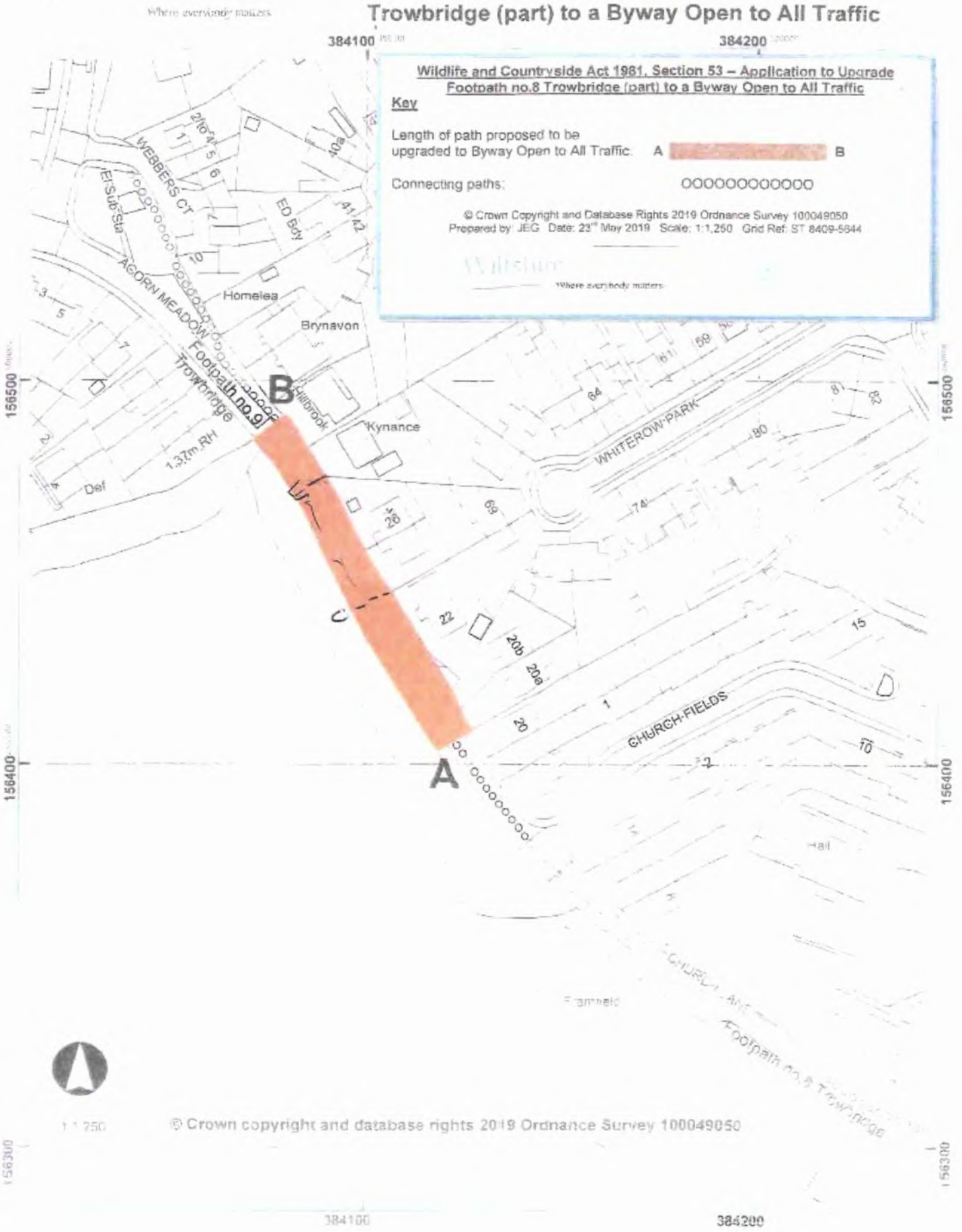
**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by: JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

  
Where everybody matters



To Wiltshire Council (Rights of Way & Countryside Team)

Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic

I have been living in my property below since 1989 and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[REDACTED]

Dated 27/07/19

Print name

DEREK MASOR

Address

[REDACTED] CHURCHFIELD  
UPPER STWOLEY  
TROWBRIDGE  
WALTON [REDACTED]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

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384100

384200

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

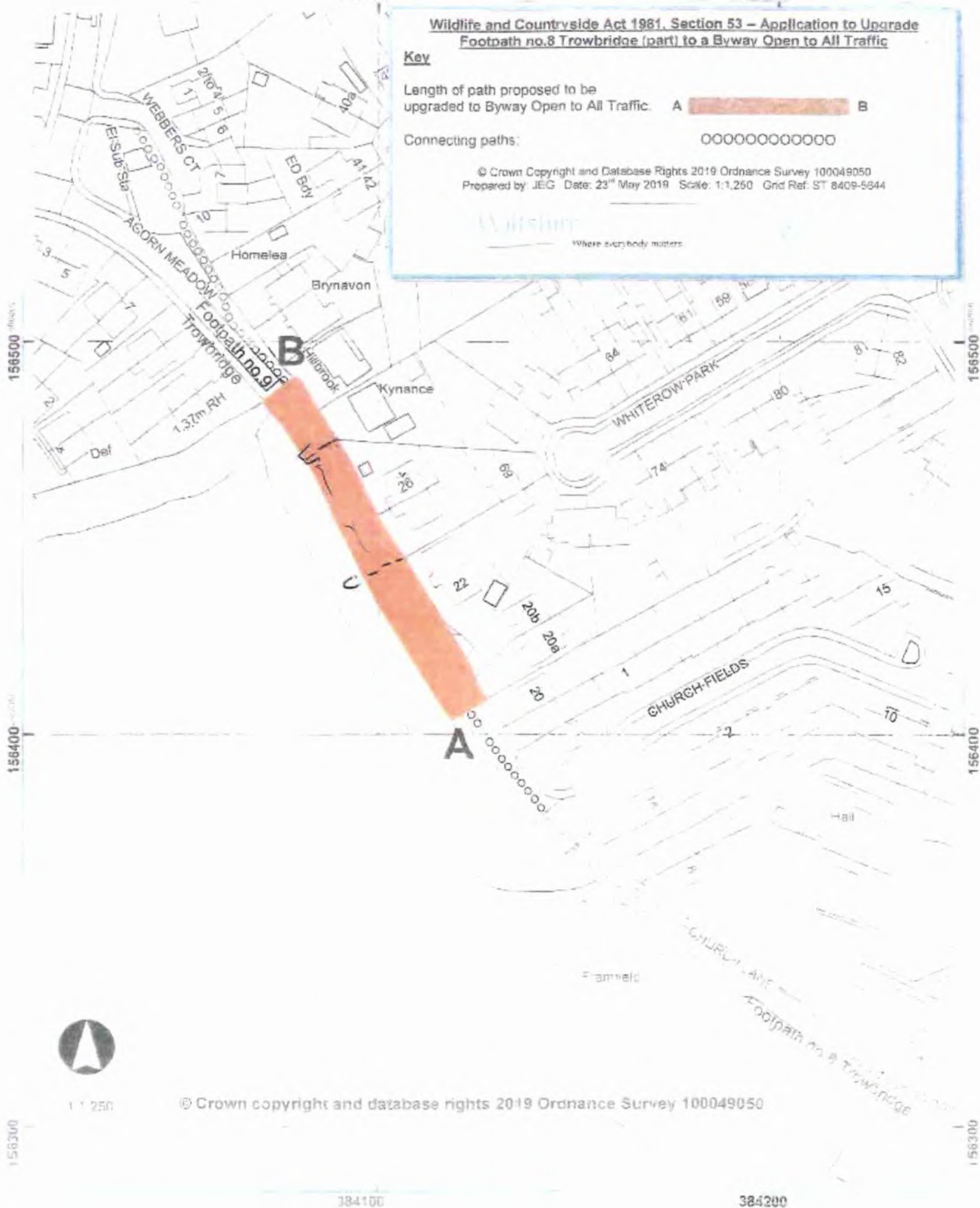
Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by: J.E.G. Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644



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384100

384200

To Wiltshire Council (Rights of Way & Countryside Team)

**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since 33 yrs and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed

[Redacted Signature]

Dated 27/7/18

Print name

G. ROBINSON


Address


[Redacted]  
Church fields  
Trowbridge  
Wilts  
BA14 0 [Redacted]

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

© Crown Copyright and Database Rights 2019 Ordnance Survey 100049050  
Prepared by J.E.G. Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644

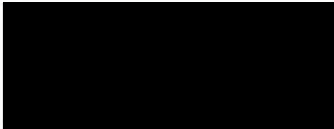
*Wildlife*  
Where everybody matters



To Wiltshire Council (Rights of Way & Countryside Team)



**Re: Application to upgrade path no.8 Trowbridge (part) to a Byway Open to All Traffic**

I have been living in my property below since *50 years* and, to the best of my knowledge, the footpath shown on the attached plan, between points A and B, has only ever been used by pedestrians, cyclists and horse-riders. The footpath has never been used by motor vehicles and I would not wish it to be.

Signed 

Dated *27/7/19*

Print name *PERKINS*

Address  *CHURCH FIELDS*  
*TROWBRIDGE*  
*BATH* 

# Application to Upgrade Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic

Where everybody matters

384100

384200

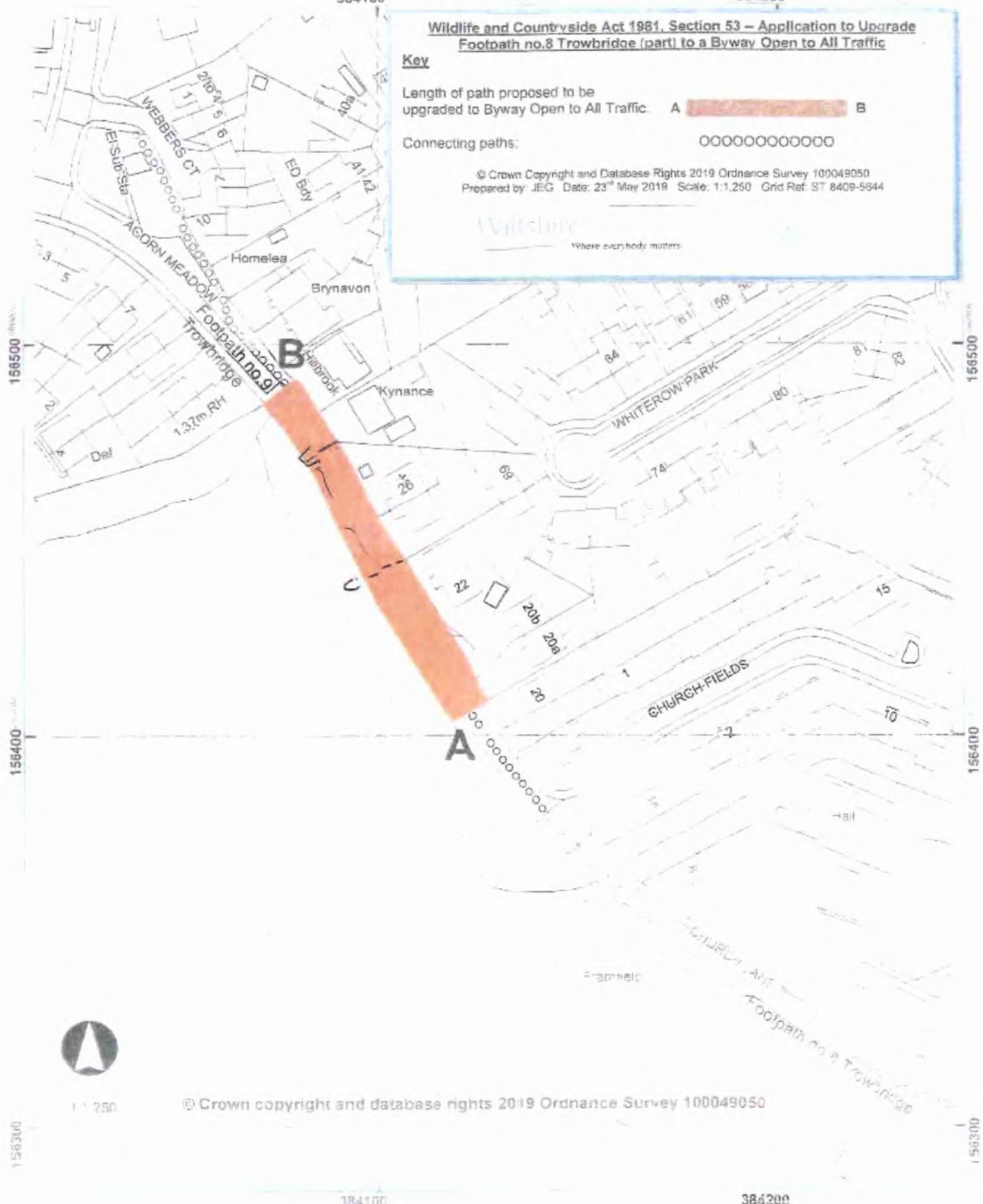
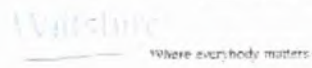
**Wildlife and Countryside Act 1981, Section 53 – Application to Upgrade  
Footpath no.8 Trowbridge (part) to a Byway Open to All Traffic**

**Key**

Length of path proposed to be upgraded to Byway Open to All Traffic: A  B

Connecting paths: 

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Prepared by JEG Date: 23<sup>rd</sup> May 2019 Scale: 1:1,250 Grid Ref: ST 8409-5644



1:1,250

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## Green, Janice

---

**From:** Green, Janice  
**Sent:** 02 August 2019 18:29  
**To:** 'laurenmorris@goughs.co.uk'  
**Subject:** Application to Upgrade Path no.8 Trowbridge to a Byway Open to All Traffic

Dear Lauren,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Path no.8 Trowbridge (part) to a Byway Open to all Traffic, Church Lane**

Thank you for your letter and enclosures dated 31<sup>st</sup> July, with reference to the above-mentioned application to upgrade Path no.8 Trowbridge to a byway open to all traffic. I confirm safe receipt.

The evidence you have provided is very helpful and will assist in our determination of the application.

I have now been appointed as Case Officer for this application and I will now proceed to investigate the evidence and produce a draft decision report, for approval by Senior Officers, which will include detailed reasons for the decision. This report will of course be made available to interested parties, once they are notified of the decision.

Thank you for your help in this matter, I will of course keep you updated on progress.

Kind regards,

Janice

Janice Green  
Senior Definitive Map Officer  
Rights of Way and Countryside  
Wiltshire Council, County Hall, Trowbridge, BA14 8JN  
Telephone: Internal 13345 External: +44 (0)1225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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

Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

Follow Wiltshire Council



Follow Wiltshire Countryside



4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr S Wylie  
Church Lane  
Trowbridge  
Wiltshire  
BA14 0

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mr Wylie,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

I am intending to make the order in the week commencing 11<sup>th</sup> January 2021. Formal notice of the making of the order will be served upon all interested parties and this will be followed by a statutory objection period of at least 6 weeks, (likely to be extended due to Covid 19 restrictions), during which time formal objections and representations to the making of the order may be lodged in writing with Wiltshire Council.

I hope this information is helpful and you will of course receive notice of the making of the order in due course.

Yours sincerely

Janice Green  
Senior Definitive Map Officer  
Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

Enc.

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*

4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Ms A Evans-Wylie  
Church Lane  
Trowbridge  
Wiltshire  
BA14 0

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Ms Evans-Wylie,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

I am intending to make the order in the week commencing 11<sup>th</sup> January 2021. Formal notice of the making of the order will be served upon all interested parties and this will be followed by a statutory objection period of at least 6 weeks, (likely to be extended due to Covid 19 restrictions), during which time formal objections and representations to the making of the order may be lodged in writing with Wiltshire Council.

I hope this information is helpful and you will of course receive notice of the making of the order in due course.

Yours sincerely

Janice Green  
Senior Definitive Map Officer  
Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

Enc.

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*

4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr R Pegrum  
[REDACTED]  
Church Lane  
Trowbridge  
Wiltshire  
BA14 0 [REDACTED]

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Mr Pegrum,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

I am intending to make the order in the week commencing 11<sup>th</sup> January 2021. Formal notice of the making of the order will be served upon all interested parties and this will be followed by a statutory objection period of at least 6 weeks, (likely to be extended due to Covid 19 restrictions), during which time formal objections and representations to the making of the order may be lodged in writing with Wiltshire Council.

I hope this information is helpful and you will of course receive notice of the making of the order in due course.

Yours sincerely

Janice Green  
Senior Definitive Map Officer  
Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

Enc.

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*

4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr C Knight  
[REDACTED] Church Lane  
Trowbridge  
Wiltshire  
BA14 0 [REDACTED]

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mr Knight,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

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4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr & McGrath  
[REDACTED]  
[REDACTED] Church Lane  
Trowbridge  
Wiltshire  
BA14 0 [REDACTED]

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Mr & Mrs McGrath,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

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4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr M T Reed  
[REDACTED] Church Lane  
Trowbridge  
Wiltshire  
BA14 0 [REDACTED]

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mr Reed,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

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4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mr S Coleman  
[REDACTED] Church Lane  
Trowbridge  
Wiltshire  
BA14 0 [REDACTED]

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mr Coleman,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan. A copy of the decision report which sets out in full the evidence and the reasons for this decision, has been e-mailed separately to Natalie Forshaw of Goughs Solicitors, but please do let me know if you would like to receive a copy.

I am intending to make the order in the week commencing 11<sup>th</sup> January 2021. Formal notice of the making of the order will be served upon all interested parties and this will be followed by a statutory objection period of at least 6 weeks, (likely to be extended due to Covid 19 restrictions), during which time formal objections and representations to the making of the order may be lodged in writing with Wiltshire Council.

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4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Judith Parry

[REDACTED]  
Llansoy  
Usk  
Monmouthshire  
NP15 1 [REDACTED]

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Ms Parry,

**Wildlife and Countryside Act 1981 – Section 53**

**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

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4<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Mrs R Hunt  
[REDACTED] Frome Road  
Trowbridge  
Wiltshire  
BA14 0 [REDACTED]

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Mrs Hunt,

**Wildlife and Countryside Act 1981 – Section 53**  
**Application to Upgrade Footpath no.8 Trowbridge (part), (Church Lane), to a Byway**  
**Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the enclosed plan.

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## Green, Janice

---

**From:** Green, Janice  
**Sent:** 04 December 2020 09:23  
**To:** Natalie Forshaw  
**Subject:** Application to Upgrade Footpath no.8 Trowbridge, Church Lane (Your Ref: LMM/COL00416/00001)  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf; Trowbridge 8 Report (final redacted reduced).pdf

Dear Ms Forshaw,

### **Wildlife and Countryside Act 1981 – Section 53**

### **Application to Upgrade Footpath no.8 Trowbridge, (Church Lane), to a Byway Open to All Traffic**

**Your Ref: LMM/COL00416/00001**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the attached plan. A copy of the decision report which sets out the evidence and reasons for this decision in full, is attached.

I am intending to make the order in the week commencing 11<sup>th</sup> January 2021. Formal notice of the making of the order will be served upon all interested parties and this will be followed by a statutory objection period of at least 6 weeks, (likely to be extended due to Covid 19 restrictions), during which time formal objections and representations to the making of the order may be lodged in writing with Wiltshire Council.

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Yours sincerely

Janice Green  
Senior Definitive Map Officer  
Rights of Way and Countryside  
Wiltshire Council  
County Hall  
Trowbridge  
BA14 8JN

**Wiltshire Council**

Telephone: Internal 13345 External: +44 (0)1225 713345

Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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**Green, Janice**

---

**From:** Green, Janice  
**Sent:** 04 December 2020 08:32  
**To:** [REDACTED]  
**Subject:** Application to Upgrade Footpath no.8 Trowbridge, Church Lane  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf

Dear Ms Gilmour,

**Wildlife and Countryside Act 1981 – Section 53**

**Application to Upgrade Footpath no.8 Trowbridge, (Church Lane), to a Byway Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the attached plan.

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Wiltshire Council  
County Hall  
Trowbridge  
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## Green, Janice

---

**From:** Green, Janice  
**Sent:** 04 December 2020 08:24  
**To:** 'property.dept@salisbury.anglican.org'  
**Subject:** Application to Upgrade Footpath no.8 Trowbridge, Church Lane  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf

Dear Sir or Madam,

### **Wildlife and Countryside Act 1981 – Section 53**

### **Application to Upgrade Footpath no.8 Trowbridge, (Church Lane), to a Byway Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the attached plan.

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Yours faithfully

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Rights of Way and Countryside  
Wiltshire Council  
County Hall  
Trowbridge  
A14 8JN

## Wiltshire Council

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**Green, Janice**

---

**From:** Green, Janice  
**Sent:** 04 December 2020 08:21  
**To:** Lance Allan  
**Subject:** Application to Upgrade Footpath no.8 Trowbridge, Church Lane  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf

Dear Mr Allan,

**Wildlife and Countryside Act 1981 – Section 53**

**Application to Upgrade Footpath no.8 Trowbridge, (Church Lane), to a Byway Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the attached plan.

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Wiltshire Council  
County Hall  
Trowbridge  
\14 8JN

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Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## Green, Janice

---

**From:** Green, Janice  
**Sent:** 04 December 2020 08:18  
**To:** Halik, David  
**Subject:** Application to Upgrade Footpath no.8 Trowbridge, Church Lane  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf

Dear Cllr Halik,

### **Wildlife and Countryside Act 1981 – Section 53**

### **Application to Upgrade Footpath no.8 Trowbridge, (Church Lane), to a Byway Open to All Traffic**

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I am intending to make the order in the week commencing 11<sup>th</sup> January 2021. Formal notice of the making of the order will be served upon all interested parties and this will be followed by a statutory objection period of at least 6 weeks, (likely to be extended due to Covid 19 restrictions), during which time formal objections and representations to the making of the order may be lodged in writing with Wiltshire Council.

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Yours sincerely

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Rights of Way and Countryside  
Wiltshire Council  
County Hall  
Trowbridge  
BA14 8JN

## Wiltshire Council

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Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## Green, Janice

---

**From:** Green, Janice  
**Sent:** 04 December 2020 08:10  
**To:** Lauren Morris  
**Subject:** Application to Upgrade Footpath no.8 Trowbridge, Church Lane (Your Ref: LMM/COL00416/00001)  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf; Trowbridge 8 Report (final redacted reduced).pdf

Dear Ms Morris,

### **Wildlife and Countryside Act 1981 – Section 53**

### **Application to Upgrade Footpath no.8 Trowbridge, (Church Lane), to a Byway Open to All Traffic**

**Your Ref: LMM/COL00416/00001**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the attached plan. A copy of the decision report which sets out the evidence and reasons for this decision in full, is attached.

I am intending to make the order in the week commencing 11<sup>th</sup> January 2021. Formal notice of the making of the order will be served upon all interested parties and this will be followed by a statutory objection period of at least 6 weeks, (likely to be extended due to Covid 19 restrictions), during which time formal objections and representations to the making of the order may be lodged in writing with Wiltshire Council.

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Rights of Way and Countryside  
Wiltshire Council  
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Trowbridge  
BA14 8JN

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Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## Green, Janice

---

**From:** Green, Janice  
**Sent:** 04 December 2020 08:05  
**To:** Andrew May  
**Subject:** Application to Upgrade Footpath no.8 Trowbridge, Church Lane  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf; Trowbridge 8 Report (final redacted reduced).pdf

Dear Mr May & Ms Dunne,

### **Wildlife and Countryside Act 1981 – Section 53**

### **Application to Upgrade Footpath no.8 Trowbridge, (Church Lane), to a Byway Open to All Traffic**

I am writing to advise you that Wiltshire Council has now completed its investigation of the available evidence in the above-mentioned application to upgrade Footpath no.8 Trowbridge (part), to a byway open to all traffic (Church Lane). It has been resolved to make a definitive map modification order to upgrade Footpath no.8 Trowbridge to a bridleway, for its full length (Church Lane), with a width varying between 7m and 13m, (excluding the central area of Church Lane, (Church Fields), already recorded as adopted highway), as shown on the attached plan. An electronic copy of the decision report, which sets out the evidence and the reasons for this decision in full, is attached, please do let me know if you would like to receive a paper copy.

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Yours sincerely

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Senior Definitive Map Officer  
Rights of Way and Countryside  
Wiltshire Council  
County Hall  
Trowbridge  
BA14 8JN

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## Green, Janice

---

**From:** Green, Janice  
**Sent:** 04 December 2020 10:01  
**To:** Millard, Paul; Roscoe, Vicky  
**Subject:** FP 8 Trow - Church Lane  
**Attachments:** Proposed Order Map - Trowbridge 8.pdf

Hi Paul and Vicky,

Hope you are both well. Just to let you know that we have now finished our investigations in the Church Lane – TROW 8 application and we have resolved to make a DMMO to upgrade the whole length of Church Lane to a bridleway, as shown on the attached plan. I won't send you the full report, its over 200 pages altogether (its on T/I drive), but basically not sufficient evidence of public vehicular rights, but use on bikes for 20 years can give rise to the bridleway and please note the full width proposed to be added of 7-13m as per user and historic OS mapping. I will be making the order in January, the interested parties are being made aware today, just in case you get any queries and if confirmed we will need to think about obstructions. There are lots of points for objection, so I'm sure the order will receive objections.

Kind regards,

Janice

Janice Green  
Senior Definitive Map Officer  
Rights of Way and Countryside  
Wiltshire Council  
County Hall  
Trowbridge  
BA14 8JN

## Wiltshire Council

Telephone: Internal 13345 External: +44 (0)1225 713345

Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

Information relating to the way Wiltshire Council will manage your data can be found at:

<http://www.wiltshire.gov.uk/recreation-rights-of-way>

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Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE DEFINITIVE MAP AND STATEMENT FOR THE TROWBRIDGE URBAN DISTRICT COUNCIL AREA DATED 1953**

**THE WILTSHIRE COUNCIL TROWBRIDGE PATH NO.8 DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2021**

This Order is made by Wiltshire Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Trowbridge Urban District Council Area Definitive Map and Statement dated 1953 require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(ii) and 53(3)(c)(iii) of the Act, namely the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows-

- ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.
- iii) that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority have consulted with every local authority whose area includes the land to which the order relates. The Wiltshire Council hereby order that:

1. For the purposes of this Order the relevant date is 19<sup>th</sup> January 2021.
2. The Trowbridge Urban District Council Area Definitive Map and Statement dated 1953 shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. The Order shall take effect on the date it is confirmed and may be cited as The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement Modification Order 2021.

THE COMMON SEAL OF }  
THE WILTSHIRE COUNCIL }  
was hereunto affixed this }  
19<sup>th</sup> day of January 2021 }  
in the presence of:



Senior Solicitor



## SCHEDULE

### PART I

#### Modification of Definitive Map

##### Description of public right of way to be upgraded

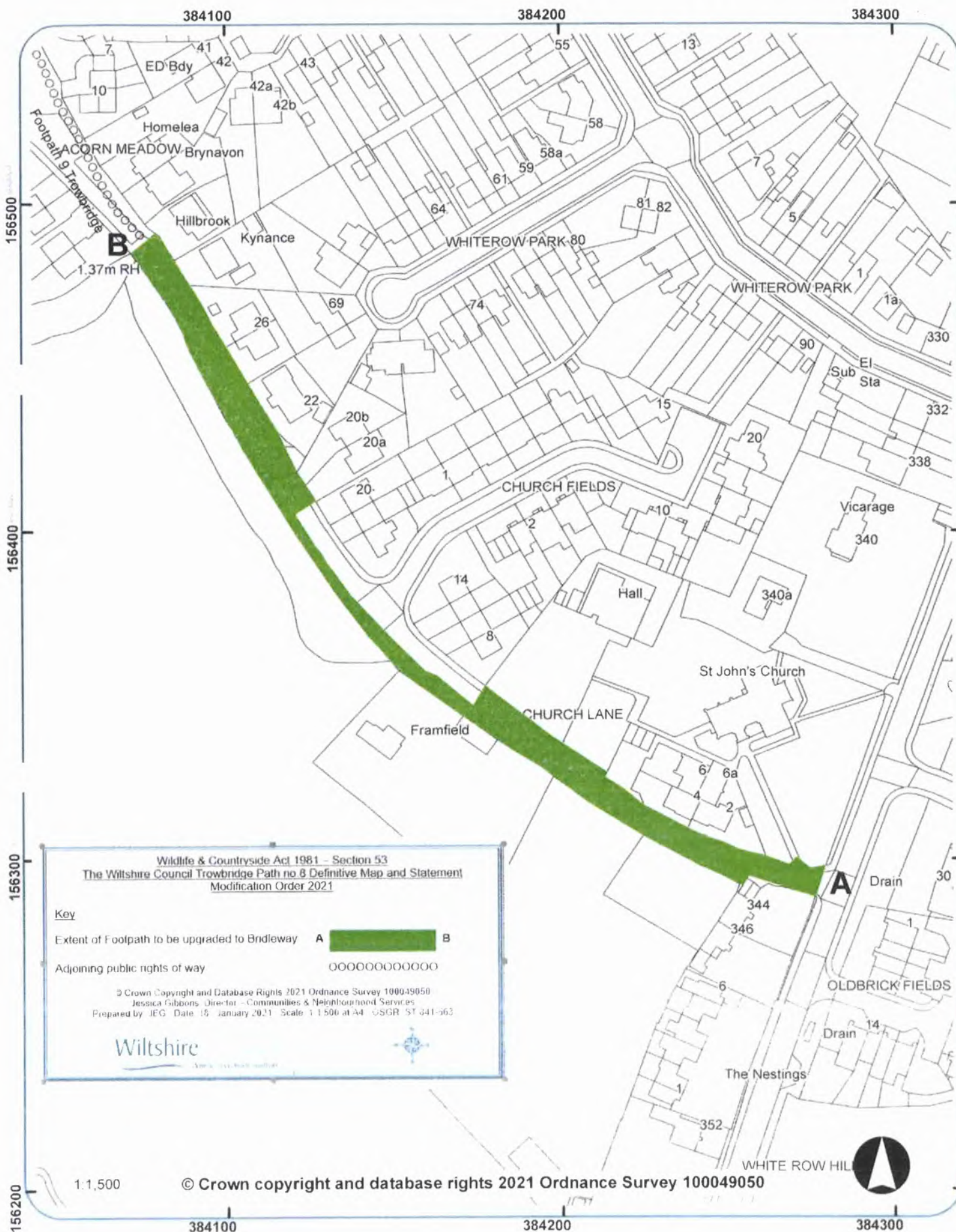
The extent of path as shown in green on the attached plan leading from point A at OS Grid Reference ST 8427-5629, at its junction with Frome Road, in a generally north-westerly direction for approximately 294 metres to point B at OS Grid Reference ST 8407-5648, at its junction with Path no.9 Trowbridge, having a width varying between 7 metres and 13 metres, as shown in green on the order plan, excluding the central part (Church Fields) which is recorded as adopted highway, at which point the path narrows to between 4 metres and 6 metres.

### PART II

#### Modification of Definitive Statement

##### Variation of particulars of path or way

Parish	Path No.	Modified Statement to read:-	Modified under Section 53(3) as specified
Trowbridge	8	<p><u>BRIDLEWAY</u>. From Frome Road at Whiterow Hill, south of the Church and School, leading north-west for the length of Church Lane to its junction with path No.9.</p> <p>Approximate length 294m. Width varying between 4m and 13m (see order plan – The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement Modification Order 2021).</p>	53(3)(c)(ii) 53(3)(c)(iii)



8<sup>th</sup> December 2020

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Helen Sparks  
Rights of Way Section  
The Planning Inspectorate  
3A Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol, BS1 6PN

Your ref:

Our ref: JG/Dist.10 2018/05

Dear Ms Sparks,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council (District of Trowbridge) Path no.8 Definitive Map and**  
**Statement Modification Order 2021**

Wiltshire Council is proposing to make the above-mentioned order under Sections 53(3)(c)(ii) and (iii) of the Wildlife and Countryside Act 1981 ("the Act"), in the New Year, to upgrade Footpath no.8 Trowbridge to a bridleway and record a definitive width, (proposed order plan attached).

The full extent of the proposed bridleway is over unregistered land and it has not been possible to identify the landowner.

I note from Section 3(4) of Schedule 15 to the Act that the Secretary of State may direct that it shall not be necessary for notice of the making of the order to be served on every owner or occupier of the land, (as described in 3(2)(b)(i) of Schedule 15), and the authority may affix notices addressed to the owners and any occupiers' to some conspicuous object on the land.

Please could the Secretary of State consider such a direction to enable the Council to proceed to make and advertise the above-mentioned order. Thank you for your help in this matter.

Yours sincerely

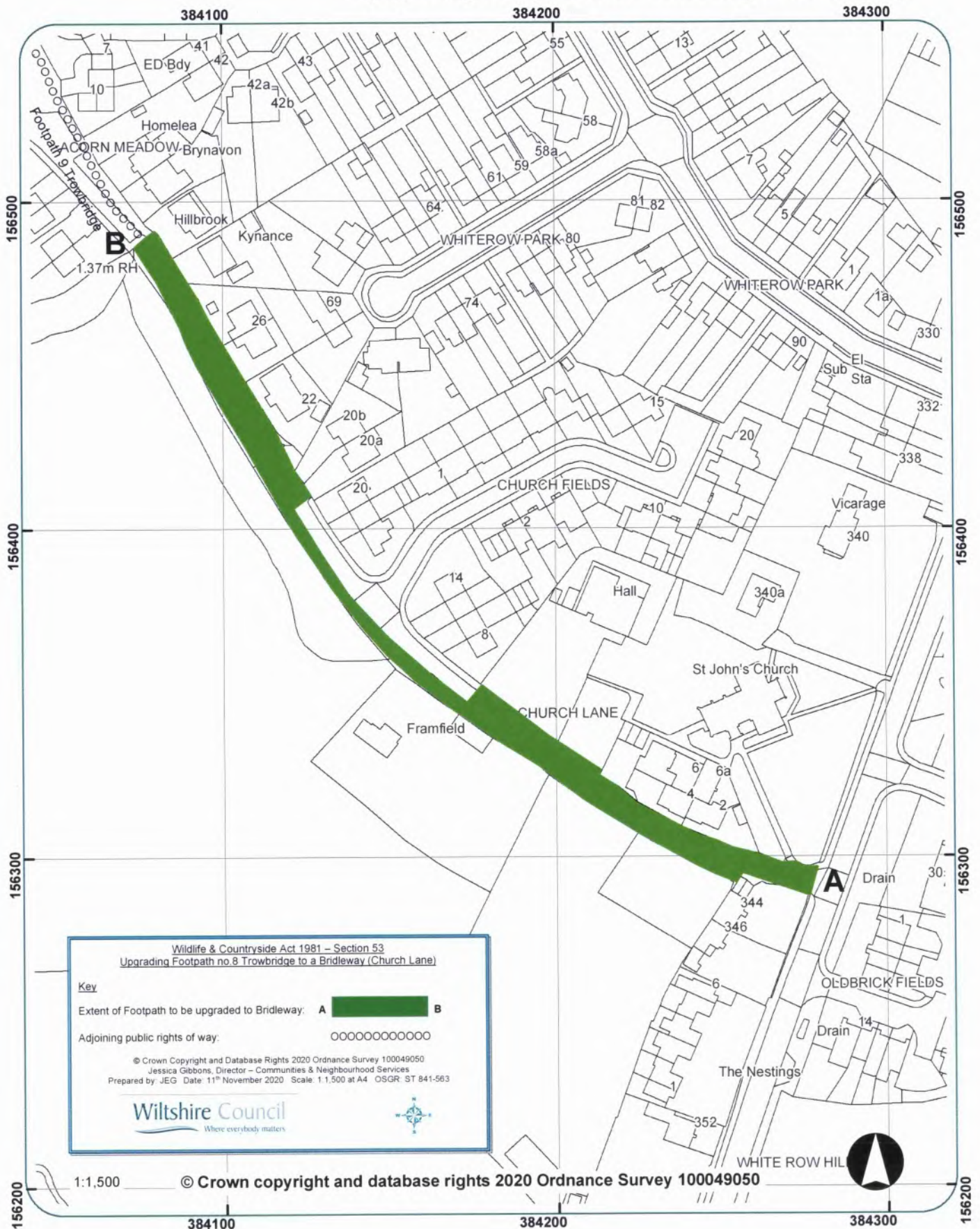


Janice Green  
Senior Definitive Map Officer  
Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)  
Enc.

---

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*

## Wildlife & Countryside Act 1981 - Section 53 Upgrading Footpath no.8 Trowbridge to Bridleway



## Green, Janice

---

**From:** Sparks, Helen <helen.sparks@planninginspectorate.gov.uk>  
**Sent:** 08 December 2020 17:35  
**To:** Green, Janice  
**Subject:** FW: Dispensation request - Path no.8 Trowbridge, Wiltshire  
**Attachments:** Dispensation from SoS request - Trowbridge 8 Wiltshire.doc.pdf; JG\_Dist.10 2018\_05 Letter granting Dispensation to Council.pdf

Dear Janice, thank you for your e-mail of earlier today. Please find attached the letter granting your Council Dispensation as requested.

Best regards

Helen  
*H Sparks*  
(DEFRA Team – Rights of Way)

The Planning Inspectorate  
<https://www.gov.uk/government/organisations/planning-inspectorate>  
Email: [helen.sparks@planninginspectorate.gov.uk](mailto:helen.sparks@planninginspectorate.gov.uk)  
Telephone: 0303 444 5646

---

**From:** Green, Janice <janice.green@wiltshire.gov.uk>  
**Sent:** 08 December 2020 11:48  
**To:** Sparks, Helen <helen.sparks@planninginspectorate.gov.uk>  
**Subject:** Dispensation request - Path no.8 Trowbridge, Wiltshire

Dear Ms Sparks,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council (District of Trowbridge) Path no.8 Definitive Map and Statement Modification Order 2021**

Please find attached request for dispensation from the Secretary of State in the making of the above-mentioned definitive map and statement modification order – Path no.8 Trowbridge, Wiltshire.

I thank you for your help in this matter. I look forward to hearing from you.

Kind regards

Janice Green  
Senior Definitive Map Officer  
Rights of Way and Countryside  
Wiltshire Council  
County Hall  
Trowbridge  
BA14 8JN

**Wiltshire Council**

Telephone: Internal 13345 External: +44 (0)1225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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DPC:76616c646f72





# The Planning Inspectorate

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Customer Services: 0303 444 5000  
e-mail: [helen.sparks@planninginspectorate.gov.uk](mailto:helen.sparks@planninginspectorate.gov.uk)

---

Ms Janice Green  
Senior Definitive Map Officer  
Rights of Way & Countryside Team  
Communities and Neighbourhood  
Services  
County Hall, Bythesea Road  
Trowbridge, Wiltshire  
BA14 8JN

Your Ref: JG/Dist.10 2018/05

Our Ref:

Date: 8 December 2020

---

BY E-MAIL ONLY  
[janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

---

Dear Madam

**WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53**  
**The Wiltshire Council (District of Trowbridge) Path no.8 Definitive Map and Statement Modification Order 2021**

I am directed by the Secretary of State for the Environment, Food and Rural Affairs to refer to your e-mailed letter dated 8 December 2020 requesting dispensation concerning the service of notice on owners and occupiers in respect of the above.

It is noted that, despite your extensive enquiries, you have not been able to ascertain the ownership of the land in question. In these circumstances and in accordance with paragraph 3(4) of Schedule 15 to the Wildlife and Countryside Act 1981, the Secretary of State hereby directs that it is not necessary for your Council to serve notice on the owners and occupiers of the land over which the Order path(s) run as required by paragraph 3(2)(b)(i). Your Council's attention is drawn to the requirements in paragraph 3(4) regarding the manner in which the notice should be addressed and displayed.

Should the above Order be submitted to the Secretary of State for determination in the future would you please ensure that a copy of this letter is enclosed with the necessary documentation.

Yours faithfully  
*H Sparks*  
(Rights of Way Section)

29<sup>th</sup> January 2021

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Chris Solman

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Mr Solman,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement**  
**Modification Order 2021**

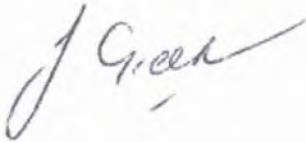
I am writing to advise you that Wiltshire Council made the above-mentioned definitive map modification order, on 19<sup>th</sup> January 2021. The effect of the order, if confirmed as made, is to upgrade public Footpath no.8 Trowbridge (Church Lane), to a bridleway, from its junction with Frome Road, leading generally north-west for approximately 294m to its junction with Path no.9 Trowbridge and to vary the description of this path by adding a width varying between 4m and 13m, as shown on the order plan.

Please note that the order as made, to upgrade Footpath no.8 Trowbridge (Church Lane), to a bridleway, refers to public rights of way. Wiltshire Council cannot give advice in relation to private rights of way and any party seeking further information regarding private rights should seek independent advice.

Please find enclosed a copy of the order and the associated public notice. If you would like to make any representations relating to the order, I would be very grateful if you could forward them in writing, to the address given above, or e-mail to [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk) not later than 5:00pm on Friday 26<sup>th</sup> March <sup>2021</sup> ~~2020~~, but please do let me know if you should require additional time.

Please note that any representations made in reference to the order cannot be treated as confidential and will be made available for public inspection and/or published, (with personal information redacted).

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Green', with a long horizontal stroke extending to the right.

Janice Green  
Senior Definitive Map Officer  
Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

Enc.

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*

29<sup>th</sup> January 2021

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Land Access and Recreation Association

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Sir or Madam,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement**  
**Modification Order 2021**

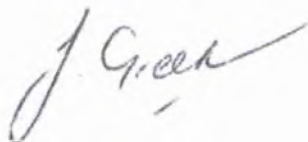
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Direct line: 01225 713345  
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29<sup>th</sup> January 2021

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Paul Millard & Vicky Roscoe  
Countryside Access Officers  
Wiltshire Council

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Mr Millard & Ms Roscoe,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement**  
**Modification Order 2021**

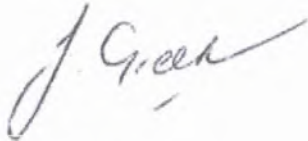
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29<sup>th</sup> January 2021

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Cllr David Halik  
Councillor for Trowbridge Grove  
Wiltshire Council

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Cllr Halik,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement**  
**Modification Order 2021**

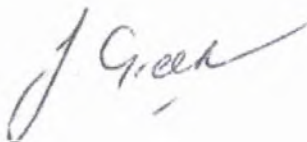
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Senior Definitive Map Officer  
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Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

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29<sup>th</sup> January 2021

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Byways & Bridleways Trust  
Burgate  
Harwood Dale  
Scarborough  
North Yorks  
YO13 0DS

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear Sir or Madam,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement**  
**Modification Order 2021**

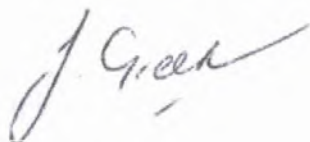
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**NOTICE OF MAKING AN ORDER**  
**SECTION 53 WILDLIFE AND COUNTRYSIDE ACT 1981**  
**WILTSHIRE COUNCIL**  
**THE DEFINITIVE MAP AND STATEMENT FOR THE TROWBRIDGE URBAN DISTRICT COUNCIL**  
**AREA DATED 1953**  
**THE WILTSHIRE COUNCIL TROWBRIDGE PATH NO.8 DEFINITIVE MAP AND STATEMENT**  
**MODIFICATION ORDER 2021**

The above Order made on 19<sup>th</sup> January 2021, if confirmed as made, will modify the definitive map and statement for the area by upgrading to a bridleway the public right of way, (Path no.8 Trowbridge, Church Lane), leading from its junction with Frome Road at OS Grid Reference ST 8427-5629, in a generally north-westerly direction for approximately 294 metres to its junction with Path no.9 Trowbridge at OS Grid Reference ST 8407-5648, and varying the particulars relating to Path no.8 Trowbridge by providing a recorded width varying between 4 metres and 13 metres, as shown on the Order Map.

A copy of the Order and the Order Map may be seen free of charge at Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN, from 9:00am to 5:00pm on Monday to Friday, please ask at Reception to view a copy. Copies of the Order may be obtained by contacting J Green, Senior Definitive Map Officer, e-mail: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk) or tel: 01225 713345.

Any representation or objection relating to the Order must be sent in writing to J Green, Senior Definitive Map Officer, Communities and Neighbourhood, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN quoting reference no. JG/Dist.10 2018/05, not later than 5:00pm on Friday 26<sup>th</sup> March 2021 and applicants are requested to state the grounds on which it is made.

If no representations or objections are duly made to the Order, or to any part of it, or if any so made are withdrawn, the Wiltshire Council, instead of submitting the Order to the Secretary of State, (or part of it if the authority has by notice to the Secretary of State so elected under paragraph 5 of Schedule 15 to the Wildlife and Countryside Act 1981) may itself confirm the Order (or that part of the Order). If the Order is submitted to the Secretary of State for Environment, Food and Rural Affairs, in whole or in part, any representations or objections which have been duly made and not withdrawn will be sent with it.

Dated 5<sup>th</sup> February 2021

Wiltshire Council  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE DEFINITIVE MAP AND STATEMENT FOR THE TROWBRIDGE URBAN DISTRICT COUNCIL AREA DATED 1953**

**THE WILTSHIRE COUNCIL TROWBRIDGE PATH NO.8 DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2021**

This Order is made by Wiltshire Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the Trowbridge Urban District Council Area Definitive Map and Statement dated 1953 require modification in consequence of the occurrence of an event specified in Section 53(3)(c)(ii) and 53(3)(c)(iii) of the Act, namely the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows-

- ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.
- iii) that there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The authority have consulted with every local authority whose area includes the land to which the order relates. The Wiltshire Council hereby order that:

1. For the purposes of this Order the relevant date is 19<sup>th</sup> January 2021.
2. The Trowbridge Urban District Council Area Definitive Map and Statement dated 1953 shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. The Order shall take effect on the date it is confirmed and may be cited as The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement Modification Order 2021.

THE COMMON SEAL OF }  
THE WILTSHIRE COUNCIL }  
was hereunto affixed this }  
19<sup>th</sup> day of January 2021 }  
in the presence of:



Senior Solicitor



92814

## SCHEDULE

### PART I

#### Modification of Definitive Map

##### Description of public right of way to be upgraded

The extent of path as shown in green on the attached plan leading from point A at OS Grid Reference ST 8427-5629, at its junction with Frome Road, in a generally north-westerly direction for approximately 294 metres to point B at OS Grid Reference ST 8407-5648, at its junction with Path no.9 Trowbridge, having a width varying between 7 metres and 13 metres, as shown in green on the order plan, excluding the central part (Church Fields) which is recorded as adopted highway, at which point the path narrows to between 4 metres and 6 metres.

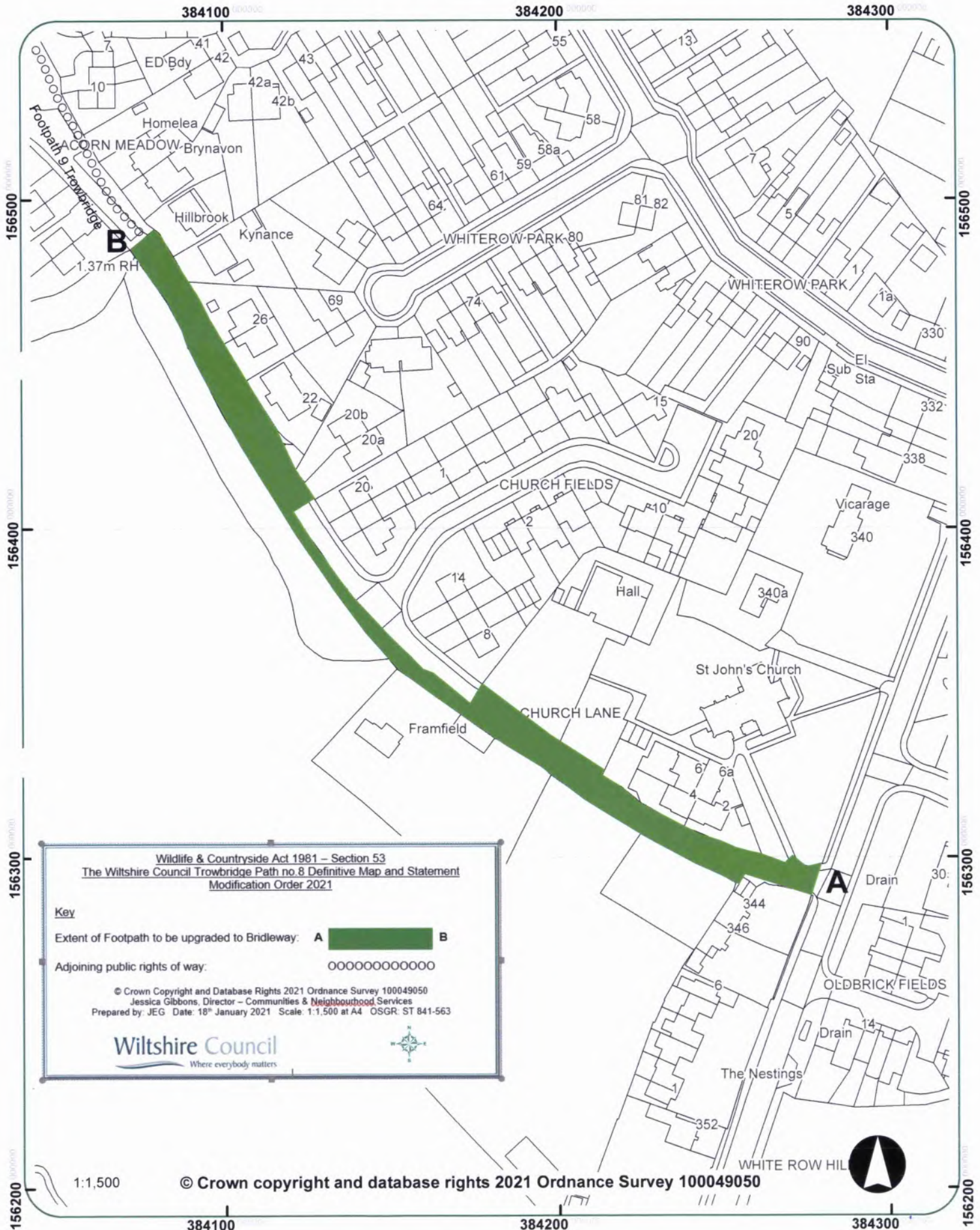
### PART II

#### Modification of Definitive Statement

##### Variation of particulars of path or way


Parish	Path No.	Modified Statement to read:-	Modified under Section 53(3) as specified
Trowbridge	8	<p><u>BRIDLEWAY</u>. From Frome Road at Whiterow Hill, south of the Church and School, leading north-west for the length of Church Lane to its junction with path No.9.</p> <p>Approximate length 294m. Width varying between 4m and 13m (see order plan – The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement Modification Order 2021).</p>	53(3)(c)(ii) 53(3)(c)(iii)

## The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement Modification Order 2021



Wildlife & Countryside Act 1981 – Section 53  
 The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement  
 Modification Order 2021

**Key**

Extent of Footpath to be upgraded to Bridleway: **A**  **B**

Adjoining public rights of way: 

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 Jessica Gibbons, Director – Communities & Neighbourhood Services  
 Prepared by: JEG Date: 18<sup>th</sup> January 2021 Scale: 1:1,500 at A4 OSGR: ST 841-563

**Wiltshire Council**  
 Where everybody matters



1:1,500

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29<sup>th</sup> January 2021

Rights of Way & Countryside Team  
Communities and Neighbourhood Services  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

«Name»  
«Address\_1»  
«Address\_2»  
«Address\_3»  
«Address\_4»  
«Address\_5»  
«Address\_6»

Your ref:  
Our ref: JG/Dist.10 2018/05

Dear «Salutation»,

**Wildlife and Countryside Act 1981 – Section 53**  
**The Wiltshire Council Trowbridge Path no.8 Definitive Map and Statement**  
**Modification Order 2021**

I am writing to advise you that Wiltshire Council made the above-mentioned definitive map modification order, on 19<sup>th</sup> January 2021. The effect of the order, if confirmed as made, is to upgrade public Footpath no.8 Trowbridge (Church Lane), to a bridleway, from its junction with Frome Road, leading generally north-west for approximately 294m to its junction with Path no.9 Trowbridge and to vary the description of this path by adding a width varying between 4m and 13m, as shown on the order plan.

Please note that the order as made, to upgrade Footpath no.8 Trowbridge (Church Lane), to a bridleway, refers to public rights of way. Wiltshire Council cannot give advice in relation to private rights of way and any party seeking further information regarding private rights should seek independent advice.

Please find enclosed a copy of the order and the associated public notice. If you would like to make any representations relating to the order, I would be very grateful if you could forward them in writing, to the address given above, or e-mail to [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk) not later than 5:00pm on Friday 26<sup>th</sup> March 2021, but please do let me know if you should require additional time.

Please note that any representations made in reference to the order cannot be treated as confidential and will be made available for public inspection and/or published, (with personal information redacted).

Yours «Close»



Janice Green  
Senior Definitive Map Officer  
Direct line: 01225 713345  
Email: [janice.green@wiltshire.gov.uk](mailto:janice.green@wiltshire.gov.uk)

Enc.

*Please note that any responses to this letter will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>*







Name	Address 1
The Owner / Occupier	Church Lane
The Owner / Occupier	Church Lane
The Owner / Occupier	Church Lane
The Owner / Occupier	Church Lane
The Owner / Occupier	Church Lane
The Diocese of Salisbury	Property Team
Reverend Alastair Wood	
Ramblers	2nd Floor Camelford House
Paul Millard & Vicky Roscoe	Countryside Access Officers
Open Spaces Society	25a Bell Street
Natalie Forshaw	Senior Associate Litigator
Ms F Gilmour	Church Lane
Ms A Evans-Wylie	Church Lane
Mrs R Hunt	Frome Road
Mrs R Cunningham	Wiltshire Bridleways Association
Mrs Myra Bennett	BHS CABO Wiltshire
Mrs H D Woodbridge	Area Commissioner
Mr S Wylie	Church Lane
Mr S Coleman	Church Lane
Mr R Pegrum	Church Lane
Mr M Reed	Church Lane
Mr M Moore	Southern Counties Off Road Club Ltd
Mr M Harrington	Church Lane
Mr M Grant & Ms R McMillan	Church Lane
Mr L Allan	Trowbridge Town Clerk
Mr John Lipplatt	Andover Road
Mr Jeremy Bell	Solent and District Land Rover Club
Mr James Higgs	Trail Riders Fellowship
Mr J Reynolds	Shire Land Rover Club
Mr D Yearsley	West Wilts Group Footpath Secretary
Mr Clarke	Wiltshire Cycling Touring Club
Mr B Riley	Bath Road
Mr and Mrs May	Chantry Gardens
Mr A Thomas & Ms A Hanson	
Mr A May & Ms M Dunne	

	Address 2	Address 3	Address 4	Address 5
Trowbridge		Wiltshire	BA14	
Trowbridge		Wiltshire	BA14	
Trowbridge		Wiltshire	BA14	
Trowbridge		Wiltshire	BA14	
Trowbridge		Wiltshire	BA14	
Church House		Salisbury	Wiltshire	SP1 2QB
Frome Road		Trowbridge	Wiltshire	BA14 0
87-90 Albert Embankment		London	SE1 7TW	
Wiltshire Council				
Henley-on-Thames		Oxfordshire	RG9 2BA	
Goughs Solicitors		Unit 5	Greenways Business Park	Chippenham
Trowbridge		Wiltshire	BA14 0	
Trowbridge		Wiltshire	BA14 0	
Trowbridge		Wiltshire	BA14 0	
		Charlton St Peter	Pewsey	Wiltshire SN9 6
		Pugs Hole	West Tytherley	Hampshire
British Driving Society		Hafaway House	Hoggs Lane	Purton
Trowbridge		Wiltshire	BA14 0	
Trowbridge		Wiltshire	BA14 0	
Church Lane		Trowbridge	Wiltshire	BA14 0
Trowbridge		Wiltshire	BA14 0	
Hillary Close		Lynchurst	SO43 7	
Trowbridge		Wiltshire	BA14 0	
Trowbridge		Wiltshire	BA14 0	
Trowbridge Town Council		Civic Centre	St Stephens Place	Trowbridge
Chirton		Devizes	Wiltshire	SN10 3
		The Granary	Gooseberry Lane	Ringwood
Massey Road		Devizes	Wiltshire	SN10 3
Foxley Fields		Urchfont	Devizes	Wiltshire
Ramblers		Dunkirk Hill	Devizes	Wiltshire
Hill House		Kelsey Road	Salisbury	Wiltshire SP1
Bradford on Avon		Wiltshire	BA15 1	
Southwick		Trowbridge	Wiltshire	BA14 9
Church Lane		Trowbridge	Wiltshire	BA14 0
Church Lane		Trowbridge	Wiltshire	BA14 0