

Appendixes for both Reports

Location Map.....	Appendix 1
DMMO Application certificates	Appendixes 2 & 3
DMMO Application Plan	Appendixes 4
Applicants' submission Report.....	Appendixes 5 - 39
Planning consultation letter: - 7 th September 1988.....	Appendix 40
Planning consultation letter: - 3 rd July 1989	Appendix 41
Detail plan from planning permission A36666.....	Appendix 42
Mr T. Wilkinson-John's letter: - 10 th August 1988.....	Appendix 43
Evidence Forms	Appendix 44 - 49
Ms D. M. Robinson's submission report: - April 2004.....	Appendixes 50.1 – 50.7
Site Photographs with direction plan: - 16 th March 1998	Appendix 51
Site Photographs with direction plan: - 29 th February 2000.....	Appendixes 52 - 53
Site Photographs with direction plan: - 2004.....	Appendixes 54 – 56
Site Photographs with direction plan:- July 2014.....	Appendixes 57 – 58
The Natural Environment and Rural Communities Act 2006.....	Appendixes 59 - 61
Illustration of NERC Act 2006 process for tests	Appendixes 62 – 64
Definitive Map Statement for public paths 6 to 46.....	Appendix 65
Definitive Map Statement for public paths 49 & 50	Appendix 66



Location Map
Appendix 1



**WILDLIFE & COUNTRYSIDE ACT 1981
APPLICATION FOR MODIFICATION ORDER**

CERIFICATE (i)

Monmouthshire County Council Definitive Map and Statement

To: Monmouthshire County Council

of: County Hall, Cwmbran.

I/We SYLVIA HARRIS AND ADAM DANIE
PLOT ADJACENT TO GYALOTE 40 MIDDLE FARM
OLD PRISH ROAD PAININGTON
of L44 9DGG TEWKESBURY
NEAR 4TF GLOS
GL30 8 LX

hereby apply for an order under Section 53(2) of the Wildlife & Countryside Act 1981 modifying the definitive map and statement for the area by:-

[Upgrading] [~~downgrading~~] to a [*footpath / *bridleway / *cart road-bridleway / *~~cart road-footpath~~ / *byway open to all traffic] the [*footpath / *bridleway / *cart road-bridleway / *~~cart road-footpath~~ / *byway open to all traffic] (*delete as appropriate*)

from GRID REFERENCE S23027GB BARGAIN SETTLE

to GRID REFERENCE S22040GB LEDDON STILE GATE

and as shown on the map annexed hereto.

I/We attach copies of the following documentary evidence (including statements of witnesses) in support of this application (please list documents below):

Please see attached report & schedule
.....
.....
.....
.....

Dated: 13 / 04 / 2004

Signed: [Signature]

Please return to: Mr J. Martin
Director of Planning & Economic Development
Monmouthshire County Council
County Hall
Cwmbran
NP44 2WP



**WILDLIFE & COUNTRYSIDE ACT 1981
 CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION
 FOR MODIFICATION ORDER**

CERIFICATE (ii)

Monmouthshire County Council Definitive Map and Statement

To: Monmouthshire County Council

of: County Hall, Cwmbran.

I/We SYLVIA HARPS AND ADAM DANKE
PLOT ADJACENT TO GLYNCOE of MIDDLE FARM
 of OLD PARISH ROAD TRICKESBURY
LLANDRGO NP25 4TF GLOS GL20 8LX

hereby certify that the requirements of paragraph 2 of schedule 14 to the Wildlife & Country side Act 1981 have been complied with.

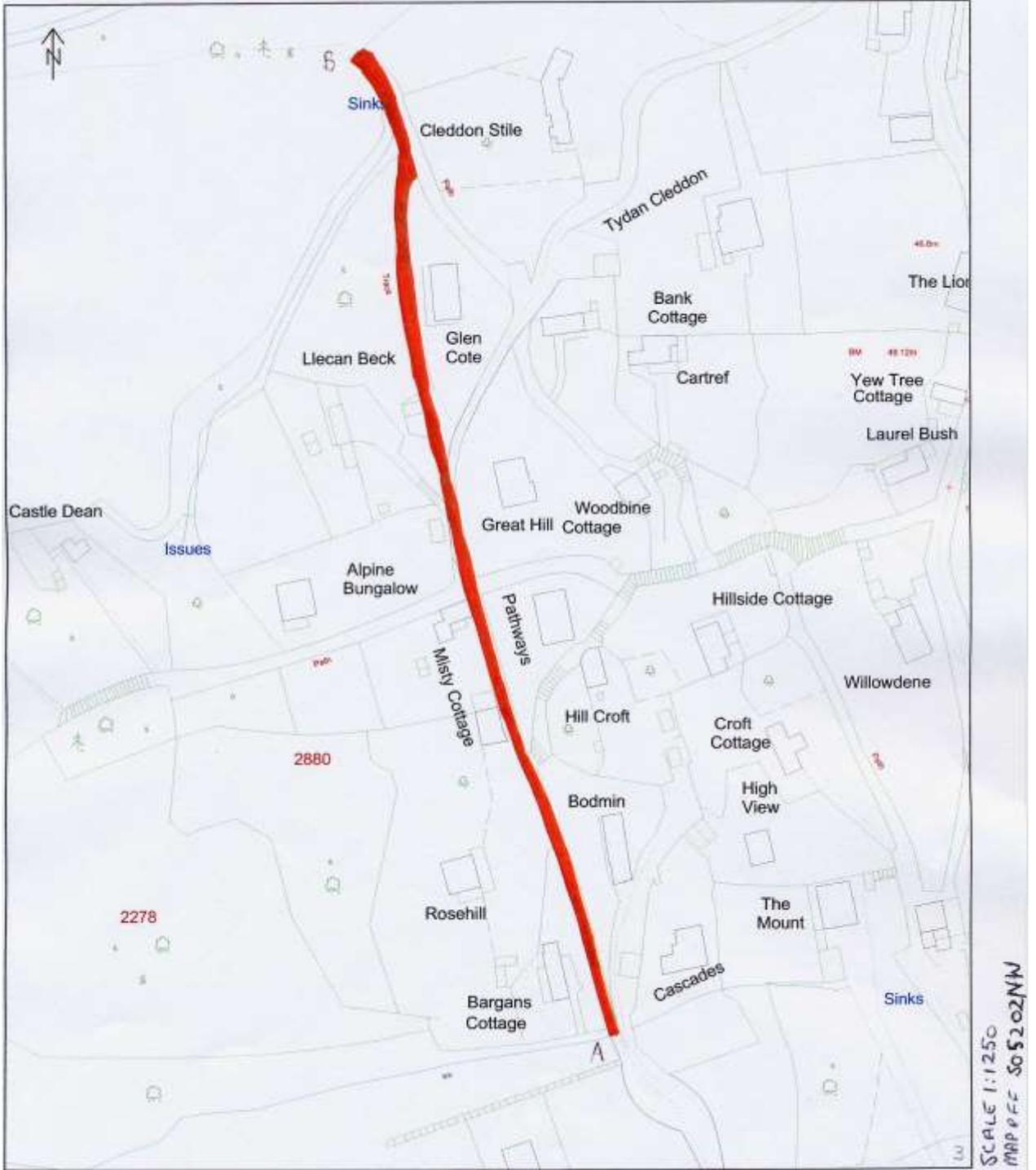
Dated: 13/04/2004

Signed: [Signature]

Notices served on the following persons/bodies:-

1. Please see enclosed map
2. Households highlighted have been notified as owner/occupier
3. and hand delivered
4. _____
5. _____
6. _____

Please return to: Mr J. Martin
 Director of Planning & Economic Development
 Monmouthshire County Council
 County Hall
 Cwmbran
 NP44 2WP



**DMMO Application form – Plan: Applicants' submission
Appendix 4**

The Old Parish Road and CRB 23

List and summary of evidence submitted with this application

	<u>Date</u>	<u>Document</u>	<u>Shown</u>	<u>Not Shown</u>	<u>Comments</u>
1.					
2.	1820	Cary's New Map of E&W		X	The best of the 'county maps'. Not showing does not indicate CRB 23 did not exist, but does indicate it was not particularly significant.
3.	1828	Plan for deed papers – Cleddon Shoots	X		CRB 23 shown as a southwards extension of a track in Cleddon Shoots.
4.	1830	1st edition OS 1" = 1 mile		X	The cluster of lanes between CRB 23 and Llandogo is shown. Quite a change from 1930 to now.
5.	1834	Plan for deed papers – Cleddon Shoots	X		CRB 23 shown as a southwards extension of a track in Cleddon Shoots.
6.	1843	Tithe Award		X	The plot of land is shown, but no reference to CRB 23
7.	1846	Tithe Plan	X		CRB 23 is clearly shown coloured in the same way as public roads and the network of 'tracks'
8.	1881	1 st edition OS 25 inch = 1 mile	X		Survey dates 1875-85. CRB 23 shown with own plot number. Network shown much as today.
9.	1882	1 st edition Book of Reference	X		CRB 23 given an acreage, but no description (no descriptions at all in BoR for this area).
10.	1910	Finance Act working plan	X		CRB 23 is 'coloured out' of the valuation plots.
11.	1929-1951	Map of county roads	x		The southern end of the route is listed as C40-7.
12.	1951	Survey of RoW	X		Describes CRB 23 as a 'rough surfaced road' used by lorries.
13.	1952	Conveyance of property at 'Great Hill' (with plan showing Great Hill)	X		Land conveyed shortly after the first definitive map survey. CRB 23 described as a 'public road' – no reference to any private access.
14.	1994	Letter from Director of Highways	X		Highway authority states belief that CRB 23 is a public vehicular highway.
15.	Various	Letters & statements recording use and knowledge about the road.	X		

The status of the 'Old Parish Road', which is comprised of CRBs 21, 22, and 23. When searching through documentary evidence to find information on the origin of any highway, sometimes there is one piece of evidence that is so clear and cogent that, on its own, it can indicate the status of the route in question. Sometimes there is no single 'decisive' document, and it is necessary to assemble a sequence of documentary references which, when taken together, show on the balance of probabilities that the right being asserted exists. That is the task in this case (ref: *Commission for New Towns v. JJ Gallagher* [2003] 2 P&CR 3; [2002] EWHC 2668). There is no single 'decisive' piece of evidence, either to show public vehicular rights, or that the road was only ever a private road, perhaps with a public bridleway along it. But there is a considerable pattern of evidence which, if taken together and construed in context, points, on the balance of probabilities, to CRBs 21/22/23 being part of a longer public vehicular road, albeit a minor one predominantly used by local people.

The 'private road' question

If the network of roads/tracks including The Old Parish Road was only a network of private roads for landowners' access, why are there so many branches? There is no pattern of consistency between the roads and the plots alongside. The irregularity of the roads suggests antiquity and, if set out by an inclosure process, it seems very wasteful of land and of repair resources. Inclosure tended to rationalise roads and plot shapes and sizes. This area appears to be an ancient, irregular landscape. There is no express evidence that the road of which CRBs 21/22/23 form part was set out as, or later regarded as, a private road for the benefit of one or a number of landowners. The name itself suggests it was not private. Furthermore, the landowner(s) adjacent to CRB 21/22/23 do not have any easement of vehicular access in their deeds and title to property (as per the conveyance of 1952). If The Old Parish Road was only a private road, with there being so many individual adjoining properties, it is almost inconceivable that the properties would be conveyed without an easement of access where such existed before sale. There is available a specimen conveyance of a property adjoining/served by this road – there is no expression or reservation of any 'private road'.

How old is this road?

The oldest document showing any part of the road is a plan made in connection with deeds for Cleddon Shoots in 1828. This shows a road coming in from the south – it is hard to see that this could be any other than The Old Parish Road / CRB 23. Further, the whole of the road is shown in the tithe plan of 1846. In *Roberts v. Webster* [1967] QB 298, it was held that where a road was shown as existing in 1859, it was almost impossible for a highway authority successfully to argue that it did not exist in 1836, when the Highway Act 1835 came into force. On the balance of probabilities The Old Parish Road existed in 1835 substantially as it is now.

There is no inclosure award for this land

A thorough search has been made for any records of parliamentary inclosure, or inclosure by agreement, of the land where this route, and the properties it serves, lie. This land was in the Manor of Llandogo, which was held by the Church of Wales, and there is no record that any inclosure process was carried out. The inclosure act and award for the Parish of Llandogo expressly do not extend to the Manor of Llandogo. This absence of deposited documents – or any reference to inclosure – is supported by a report by the Inland Revenue's District Valuer, in 1952, which report refers to the Parish of Llandogo inclosure, and also to the absence of any other plans or maps of the manor.

The tithe award and plan

The tithe award does not appear to list 'public roads', and so is not helpful in determining the status of the road. The tithe plan shows the road coloured in a typical 'sienna' colour, like all the roads in the area. Roads were not productive and therefore not liable to a tithe rent charge, whether public or private. However, where there is other evidence of status (which in this case there is) then the tithe award might be taken as a small piece of evidence consistent with that other evidence (*Maltbridge Island Management Co. v. SoS for Environment* [1998] EWHC Admin 820 31 July 1998).

First Edition Ordnance Survey map and Book of Reference

The Old Parish Road is shown on the 1st Edition OS 25" = 1 mile map as a road, with, at least as regards the northern portion(s) individual plot numbers. The companion Book of Reference is not helpful – it lists the plot number, and the acreage, but this Book of Reference does not have any descriptions of land use. All we can say here is that the OS map shows the road in a similar way to other public roads, and as part of a through-route.

The Finance Act 1910

This is the single strongest piece of evidence of public road status. The Old Parish Road is shown 'coloured out' from the adjoining plots of land. This is consistent with the requirements of the Act that all land must be valued 'except land held by a rating authority'. The parish council as highway authority, and its successor rural district council as highway authority, were both rating authorities for the purposes of the Act. The Inland Revenue valuers did not treat footpaths and bridleways in this way. Footpaths and bridleways were not 'coloured out' on the plans, but instead received a deduction from the valuation in the 'field books'. This is indicative that The Old Parish Road was regarded in 1910 as a public road other than a footpath or bridleway. This is very powerful evidence. It would require extremely cogent evidence of a mistake being made by the IR valuer to diminish its weight (*Robinson Webster v. Agombar* 9 April 2001, (Ch) HC 000095).

County road status

By the time of the definitive map survey in the early 1950s, the bottom end of the route that is, to its north, recorded as CRBs 20-23, was already recorded as county maintainable highway C40-7, as far north as to a point just west of the south side of The Mount. There is no 'place of public resort' for this county road to go to, other than its continuation as the CRBs. It is highly unlikely to be a publicly maintainable highway as far as The Mount (a private dwelling), yet not similarly a publicly maintainable highway continuing to the dwellings to the north. Further, there is evidence that the highway authority has improved the next section, CRB 20, as a vehicular road, in more-recent years. This course of actions is indicative that the highway authority regarded the route as a public road primarily serving as property access, and surfaced sections accordingly. There is no record of a formal 'adoption' of these improved sections. Further, 'adoption' of a hitherto private road, which is then improved at the public's expense, when it serves only as access to private property, is both highly unlikely, and probably misapplication of public moneys.

The definitive map survey 1951

The record of the survey made for the original definitive map is itself evidential. The description of the route as a 'rough surfaced road', that it was passable by lorries, and the fact that the local surveyors did not regard it as merely a footpath or bridleway. It would seem to be local knowledge at play here, rather than any express reference to old records. Because this part of the full length of the road was not already recorded by the highway authority as a publicly repairable highway, it was entirely proper and consistent with Government advice for the road to be recorded as a 'road used as public path' (RUPP), sub-classified as a CRB due to its width.

A conveyance of 1952

A conveyance dated 21 March 1952 passed to the Applicants (the owners of property served by the alleged BOAT) on purchase of their property. This conveyance names 'Great Hill', and 'Glyn all' (now 'Glyncote') and plots 653 and 654 on the Ordnance Survey map of 1921. The property conveyed is described as being 'bounded ... by the public road leading up to a place there called Great Hill ...' There is no grant or reservation in this conveyance of any private means of access to the property, nor any alternative means of access whatsoever. This is strong evidence of reputation that the road now subject of this order was regarded in 1952, by vendor and purchaser (one might reasonably assume good local knowledge – see the names, locations, and occupations of the parties named in the conveyance) as a public road providing all, and vehicular, access to the property.

Evidence of reputation

Evidence of reputation is manifested in the way people who might be expected to know about the road have regarded it, and treated it, over a period of time. There are two types of evidence of reputation here: that of the highway authority (which has surfaced parts of the route for vehicles), and that of local residents who would be expected to know (*Trafford v. St Faith's RDC* (1910) JP 297). The very fact that the southern portion of the route was removed from the definitive map as a RUPP at the first reclassification, and placed instead on the 'list of streets', is evidence of the whole route being a public vehicular road. If the whole route was not a pre-1836 public vehicular road, then for any portion of it to become publicly repairable would require a formal act of adoption by the highway authority. None is recorded or asserted. The fact that the highway authority felt able to treat the southern portion (CRB 20) as a publicly maintainable vehicular road, and later to make up CRBs 20, 21 and 22, for the benefit of the public in light vehicles, is indicative that the authority regarded the whole road as a public road for vehicles. No authority would make up a 'private road' for the benefit of occupiers into a public road, thus making a cul-de-sac, without an act of adoption. There is none recorded or asserted. In 1994 the Director of Highways for the highway authority stated formally that he believed this route to be a public vehicular highway; surely he should know?

The local people who have made statements about the use of this road are clear that it has had a lot of varied use by vehicular traffic. Much of this use is also consistent with a private road, but these witnesses are clear that they regarded it as a public road – no vehicular user has ever been turned back; no landowner asserts 'ownership' of this road.

What's in a name?

The name 'The Old Parish Road' is itself evidential. The parish was the highway authority from at least 1555 through to 1894, when the rural district councils inherited the role (passing to the counties in 1929). The parishes were responsible for the repair of all types of highway, including footpaths and bridleways, but in practice only the more important roads got 'proactive' maintenance. An 'old parish road' *could* be only a bridleway, but its physical character is an evidential issue – is it likely that a road amply wide enough for vehicles, well made, and enclosed, would be merely a bridleway? Why would a public body put such resources into such a limited facility? In the case of *Commission for New Towns v. JJ Gallagher*, in considering the meaning of 'parochial road', the judge agreed with leading expert Dr Yolande Hodson

that a parochial road was more likely to be a public vehicular road than only a public path. A 'parochial road' is a 'parish road'. Taken with the evidence of the description 'public road' in the conveyance of 1952, with no express private vehicular access, it is unlikely that, in this instance, a/the 'parish road' was only a bridleway.

Summary

We cannot state clearly how or when The Old Parish Road came into being, nor is there any express indication of its status. There is a sequence of evidence that indicates that the route existed as a 'physical road' from before 1835, and that this route was part of the local road network, albeit used almost totally by local traffic (*R v. Inhabitants of Southampton* [1887] QB 590). The survey of 1910, made under strict statutory discipline, recorded the route in a way consistent with its being a public vehicular road, and the original definitive map survey in 1951 is also consistent with a status higher than footpath or bridleway. Since then both the highway authority (particularly in upgrading the status and condition of parts) and local people have treated the route as a public vehicular road.

The test to be applied to this evidence is the simple balance of probabilities: when all the evidence for and against public vehicular status is weighed, is it probable that The Old Parish Road was, and therefore is, a public right of way for vehicles? There is a considerable accumulation of evidence in favour; there is little evidence against. The balance of probabilities test is satisfied, and an order should be made to modify the RUPPs that comprise The Old Parish Road to the status of Byway Open to All Traffic.



**John Cary's 'Improved Map' of England and Wales, series 1820- 1832.
From an original held in The Brotherton Library, Leeds University
Applicants' submission
Appendix 10**



Plan to Deed papers dated 1828 – Cleddon Shoots
GWENT RECORD OFFICE EBBW VALE REF: No. D398 11-13
Applicants' submission
Appendix 11

See Burdie C.

Peoffment.

3 December, 1828.

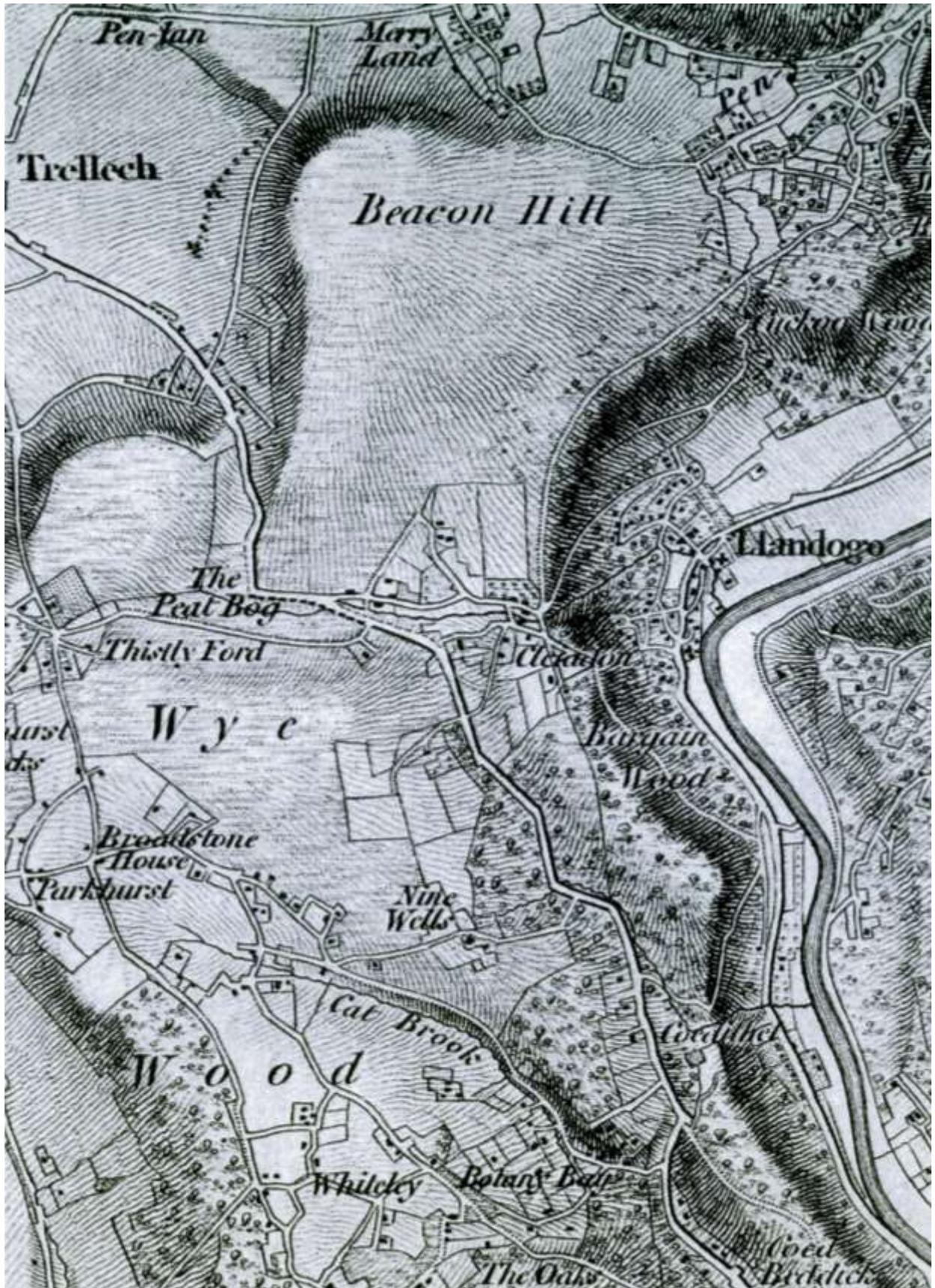
(1-1).

1. Elisabeth Edwards of par. Trelleck, co. Mon., widow.
2. James Edwards of par. Trelleck, yeoman.
3. Wm. Hopkin of par. Llandogo, yeoman.
4. James Morgan of par. Llandogo, yeoman.
5. John Hodges of par. Llandogo, yeoman.
6. The Rev. David Jones of landogo, clerk.
7. Philip Luff of Wye Seal in par. Newland, co. Glas, farmer.
8. John Madley of Llandogo, yeoman.
9. Mary Williams of Llandogo.
10. Charles Madley of Llandogo, yeoman.
11. John Clement of Llandogo, yeoman.
12. Thomas Clement of Llandogo, yeoman.
13. Elias Madley of Llandogo, yeoman.
14. Isaac Madley of Llandogo, yeoman.
15. Arthur Wyatt of Troy House, co. Mon., esq.
16. Wm. Metcalf of town of Worsmouth, gent.

Pieces of land (30p.) now in occupation of Edwards, rough ground (30p.)
 in occupation of James Edwards, rough ground (1a. 3p.) now in occupation of Wm.
 Hopkin, rough ground (1r. 17p.) now in occupation of James Morgan, rough ground
 (2r. 20p.) now in occupation of John Hodges, rough ground (1r. 14p.) now in occupa-
 tion of David Jones, clerk, rough ground (30p.) now in occupation of Philip Luff,
 rough ground (21p.) now in occupation of John Madley, rough ground (16p.) now in
 occupation of Mary Williams, rough ground (1r. 30p.) now in occupation of Charles
 Madley, rough ground (1a. 16p.) now in occupation of John Clement, rough ground
 (1r. 30p.) now in occupation of Thomas Clement, rough ground (1a. 1r. 10p.) now in
 occupation of Elias Madley, rough ground (2r. 35p.) now occupation of Isaac Madley
 situate in par. Llandogo.
 with plan.

Together with.

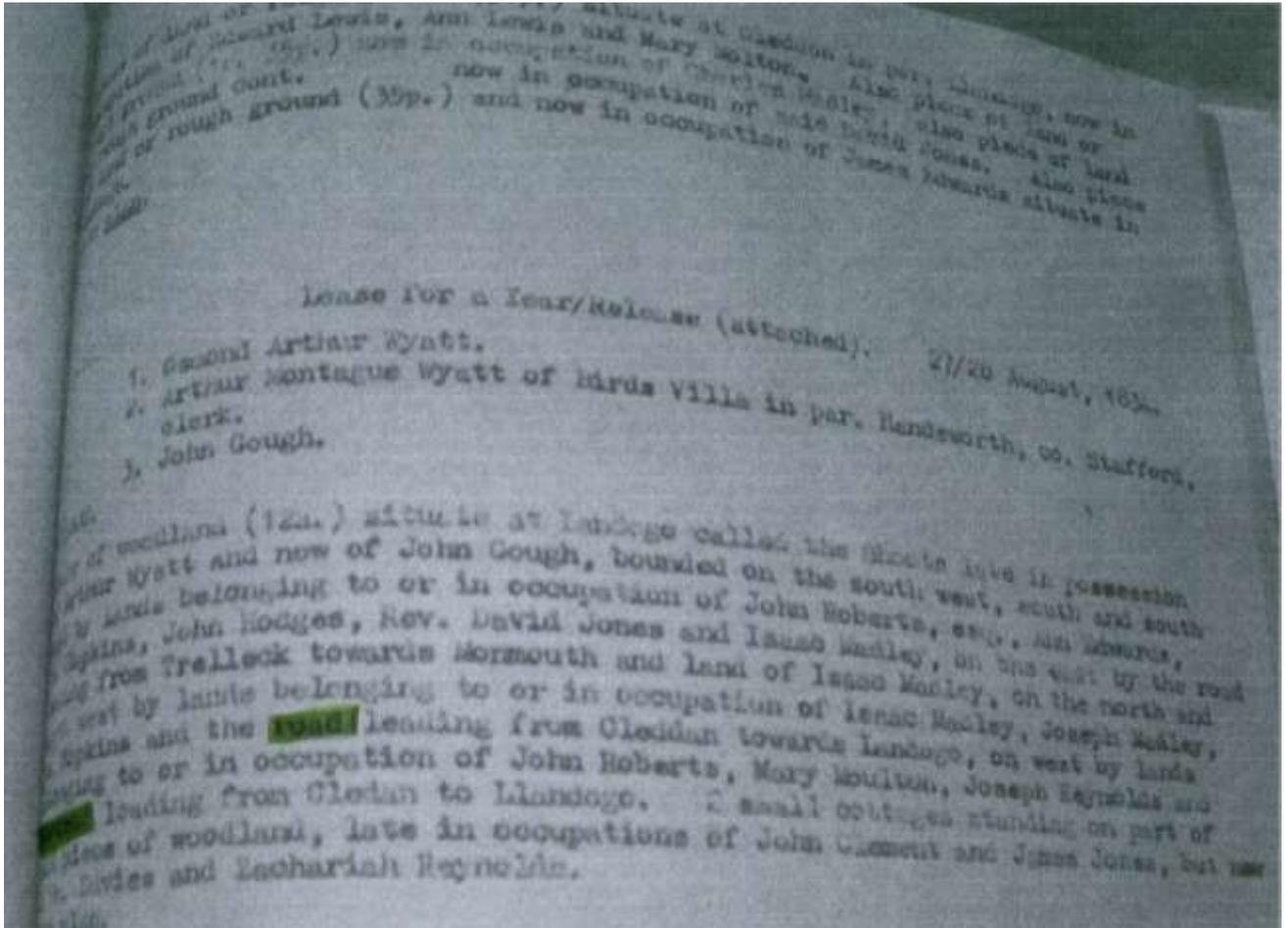
Receipt for £5. 0. 0. dated 8 January, 1828.



**Ordnance Survey 1st Edition Map 1inch to the mile date 1830
GWENT RECORD OFFICE EBBW VALE
Applicants' submission
Appendix 13**



Plan to Deed Papers dated 1834 – Cleddon Shoots
GWENT RECORD OFFICE EBBW VALE REF: No. D398 11-16
Applicants' submission
Appendix 14



**Catalogue Entry for Deeds dated 1834 – Cleddon Shoots
GWENT RECORD OFFICE EBBW REF: No. D398 11-16
Applicant's submission**

Lease for a year 27/28th August 1834 with Plan

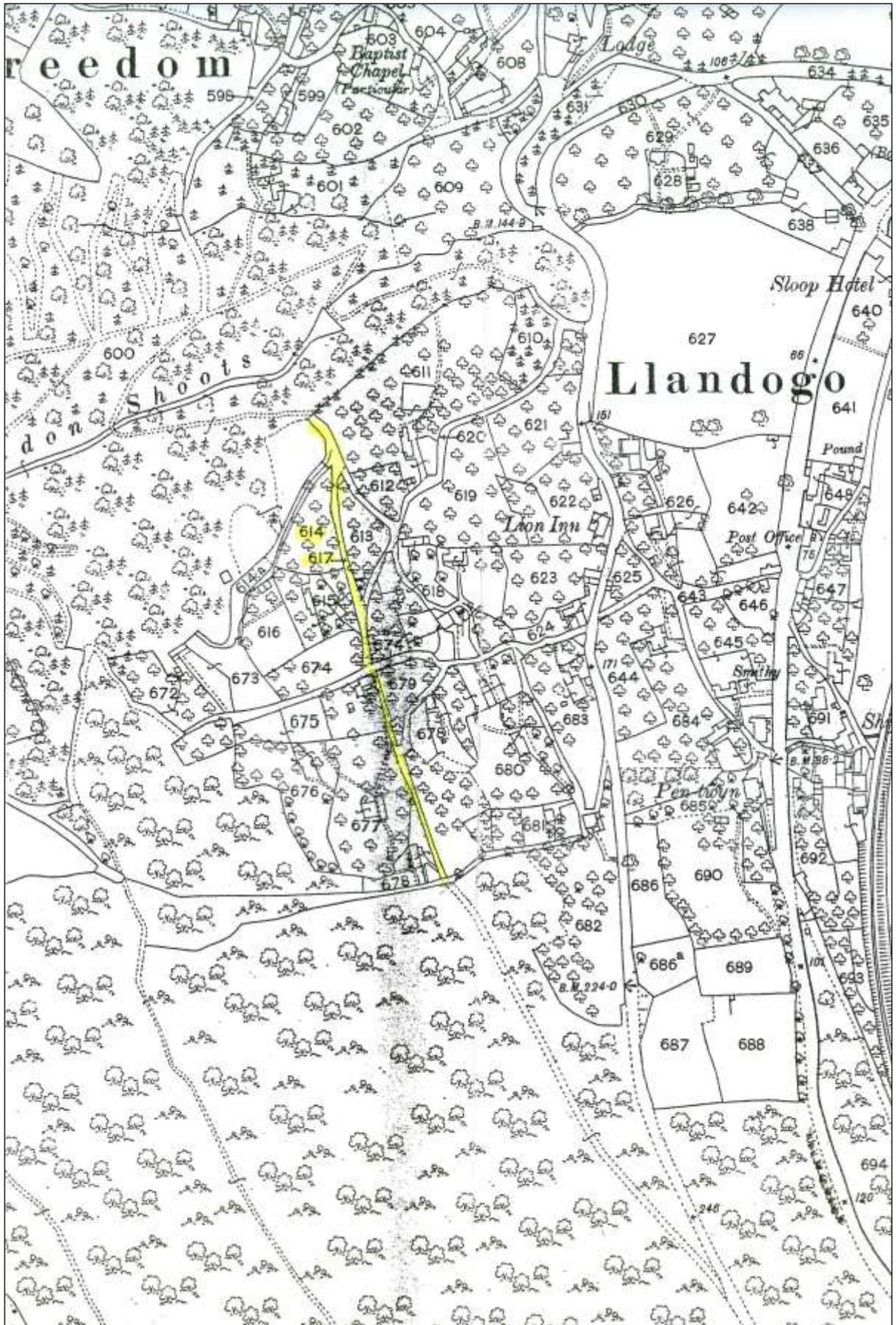
‘Piece of Woodland (12a) situate at Llandogo called the Shoots. Late in possession of Arthur Wyatt and now of John Gough, bounded on the S.W., S and S.E. by lands belonging to or in occupation of John Roberts esq, Ann Edwards, Mr Hopkins, John Hodges, Rev David Jones and Isaac Madley, on the east by the road leading from Trelleck towards Monmouth and land of Isaac Madley, on the north and N.W. by lands belonging to or in occupation of Isaac Madley, Joseph (James) Madley, William Hopkins and the road (Not the road in question) leading from Cleddon towards Llandogo, on west by lands belonging to John Roberts, Mary Moulton, Joseph Renolds and the road (Not the road in question) leading from Cleddon to Llandogo, 2 small cottages standing on part of the said piece of woodland, late in occupations of John Clement and James Jones, but now of Mr Davies and Zachariah Reynolds’.

**Transcript of Deed dated August 1834 – Cleddon Shoots
GWENT RECORD OFFICE EBBW VALE REF: No. D398 11-16
Applicants' submission
Appendix 15**

		24	Some, perhaps, to be
		25	Some out of Ireland
		26	Ireland
		27	
		28	
		29	
		30	
		31	
		32	
		33	
		34	
		35	
		36	
		37	
		38	
		39	
		40	
		41	
		42	
		43	
		44	
		45	
		46	
		47	
		48	
		49	
		50	
		51	
		52	
		53	
		54	
		55	
		56	
		57	
		58	
		59	
		60	
		61	
		62	
		63	
		64	
		65	
		66	
		67	
		68	
		69	
		70	
		71	
		72	
		73	
		74	
		75	
		76	
		77	
		78	
		79	
		80	
		81	
		82	
		83	
		84	
		85	
		86	
		87	
		88	
		89	
		90	
		91	
		92	
		93	
		94	
		95	
		96	
		97	
		98	
		99	
		100	



Tithe Map dated 1846
GWENT RECORD OFFICE EBBW VALE REF: No. D3731.1
Applicants' submission
Appendix 17



Ordnance Survey 1st Edition Map 25 inch to the mile date 1881
GWENT RECORD OFFICE EBBW VALE
Applicants' submission
Appendix 18

ORDNANCE SURVEY OF ENGLAND.

BOOK OF REFERENCE TO THE PLAN

OF THE

PARISH OF LLANDOGO

(HUNDRED OF RAGLAN),

IN THE

COUNTY OF MONMOUTH,

CONTAINING 1821·950 ACRES.

COLONEL A. C. COOKE, C.B., R.E.,
DIRECTOR-GENERAL OF THE ORDNANCE SURVEYS.



LONDON:

PRINTED BY GEORGE E. EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1882.

Price One Shilling.

ORDNANCE MAPS, &c.

W A L E S.

g Cross—LONDON.

D

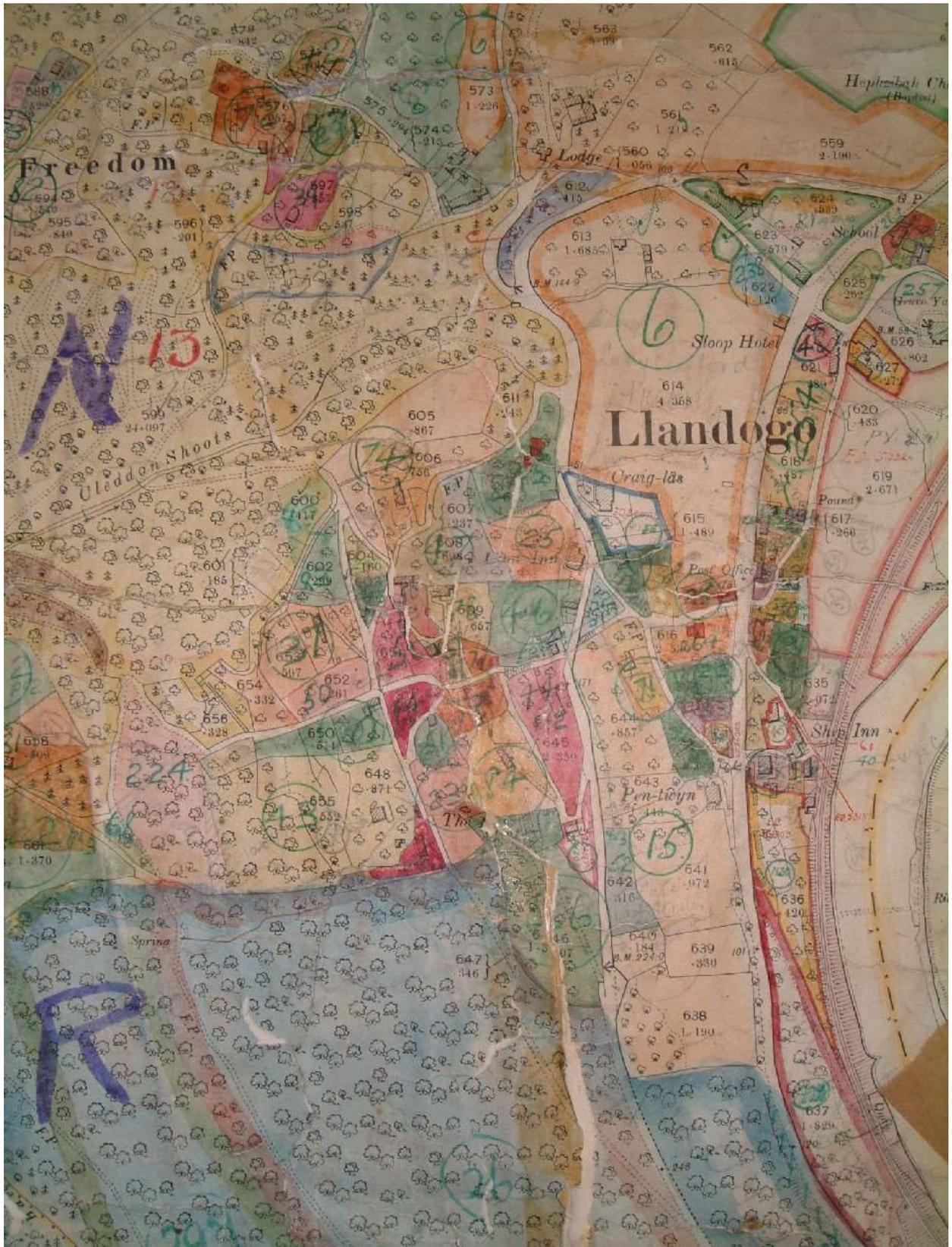
Buildings—EDINBURGH.

),

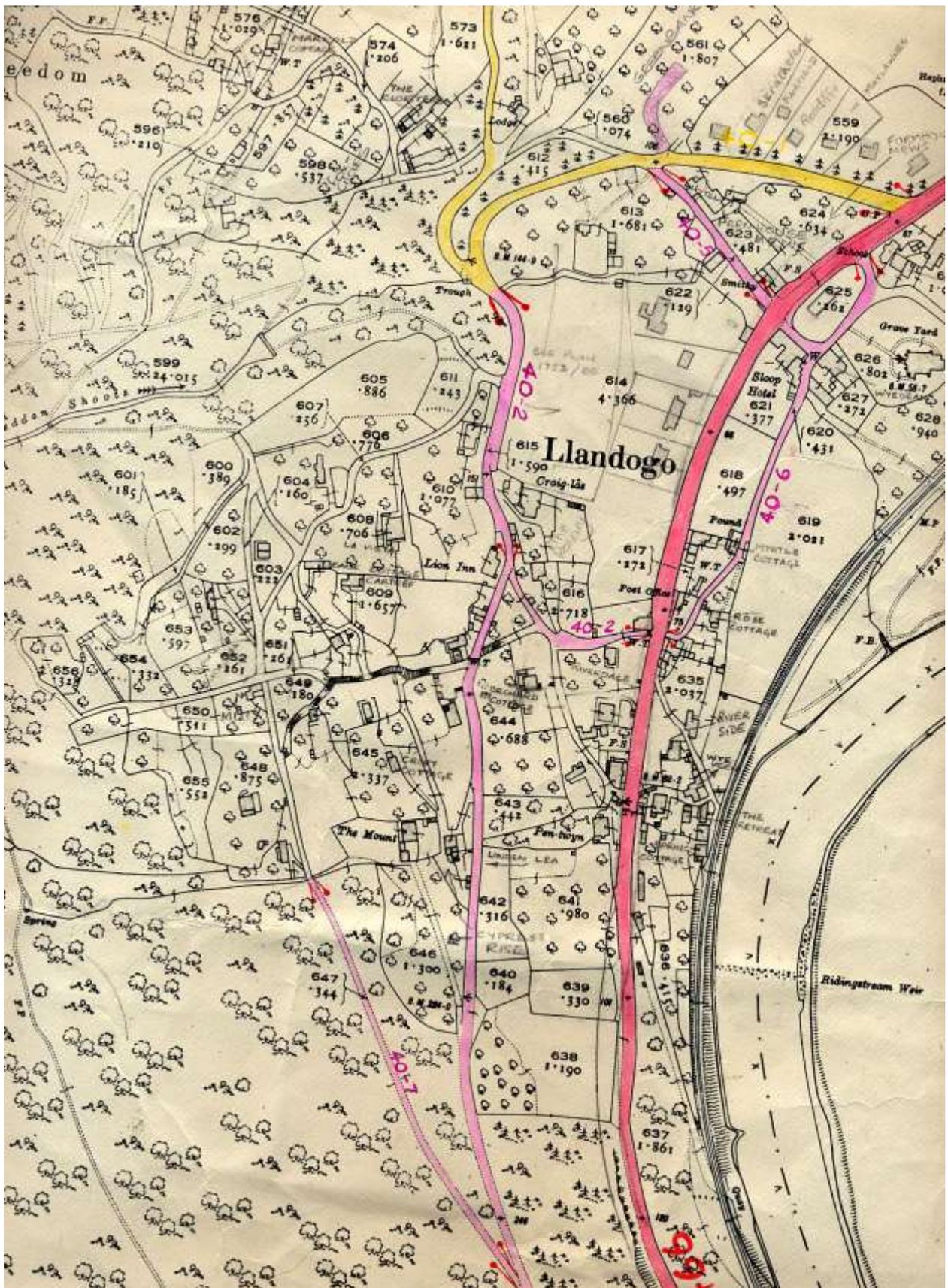
six Park—DUBLIN.

PARISH OF LLANDOGO.

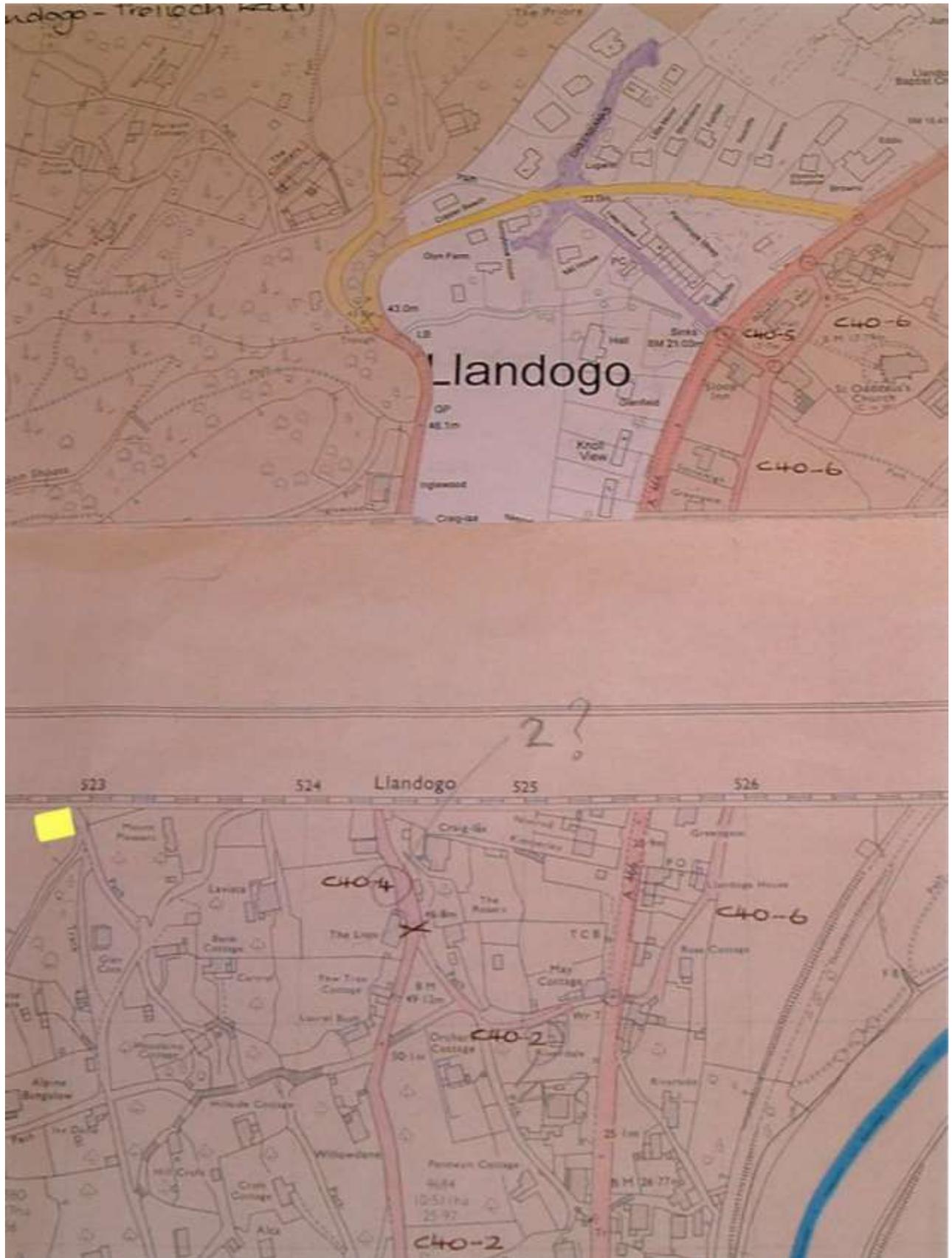
No. of Sheet and Plan and No. on Plan.	Area in Acres.	No. of Sheet and Plan and No. on Plan.	Area in Acres.	No. of Sheet and Plan and No. on Plan.	Area in Acres.
Sheet XXI. 5:—		Sheet XXI. 5:—		Sheet XXI. 5:—	
(cont'd.) 553	3·627	(cont'd.) 604	·213	(cont'd.) 654	1·882
554	·196	605	·294	655	·327
555	·927	606	1·244	656	·284
556	·387	607	·790	657	1·612
557	1·474	608	·375	658	·184
558	·779	609	·922	659	2·247
559	·160	610	·243	660	1·342
560	·332	611	1·492	661	9·235
561	3·692	612	·131	662	2·092
562	1·330	613	·222	663	1·626
563	2·156	614	·299	664	3·178
564	2·836	614a	·185	665	2·559
565	16·718	615	·313	666	1·006
566	4·286	616	·284	666a	·351
567	2·666	617	·160	667	·509
568	6·540	618	1·063	668	·264
569	6·895	619	·698	669	·206
570	·838	620	·272	669a	·188
571	1·523	621	·546	670	·539
572	·790	622	·539	671	·831
573	·786	623	·441	672	·328
574	1·697	624	·153	673	·332
575	4·039	625	·119	674	·261
576	·998	626	·928	674a	·497
577	·224	627	3·390	675	·511
578	9·332	628	·132	676	·552
579	7·474	629	1·549	677	·696
580	6·785	630	·175	678	·175
581	·364	631	·415	679	·909
582	7·256	632	1·995	679a	·180
583	8·489	633	2·190	680	·606
584	·437	634	·406	681	·288
585	8·318	635	·575	682	1·005
586	·218	636	·543	683	·542
587	5·074	637	·120	684	·723
588	·443	638	·374	685	·681
589	·180	639	·262	686	·316
590	·539	640	·389	686a	·184
591	·506	641	·487	687	·552
592	·244	642	·676	688	·638
593	1·080	643	·219	689	·330
594	·529	644	·493	690	·819
595	·240	645	·560	691	·825
596	·342	646	·152	692	·484
597	1·009	647	·610	693	·257
598	·153	648	·266	694	1·843
599	·361	649	2·945	695	19·246
600	23·168	650	·487	Sheet XXI. 9:—	
601	·483	651	·272	696	96·693
602	·537	652	·802	697	2·779
603	·496	653	·445		



Working copy of the Finance Act Map 1910
GWENT RECORD OFFICE EBBW VALE
Applicants' submission
Appendix 21



**Map of County Roads updated
Applicants' submission
Appendix 22**



**Map of County Roads undated
Applicants' submission
Appendix 23**

SURVEY OF RIGHTS OF WAY.

LOCAL AUTHORITY (Borough, District or Parish Council).....**MONMOUTH RURAL DISTRICT**.....

PARISH OF.....**TRELLEK UNITED**.....

N.B.—The Pagelet references in this Form are to the January, 1950 Edition of the Memorandum prepared by the Commons, Open Spaces and Footpath Preservation Society entitled "SURVEY OF RIGHTS OF WAY."

Kind of Path (Use Symbols, See Para. 4).	Name of Path, if any, or its destination	Concise description of Path commencing with its starting point. Give features occurring on Path in correct order, and its width where well defined. If metalled, by whom repaved. (See Para. 5 on Pages 11, 12 and 13).	Brief grounds for belief that way is public.	Signature, description and address of person carrying out survey and date.
F.P.		Starts at Llandogo School, metalled for 137 1/2 yds. repaired by Council with 12 ft. width. Exit on to Monmouth-Chepstow Road near Post Office.	Walked	F. Williams 1st June, 1951
F.P.		From County opposite E.P. 14 No. 12 to County Road to OF CRAIG LAS. Starts May Cottage on Monmouth-Chepstow Road opposite G.R. No. 1. Starts to right by the side of the bog and widens to 8 ft. in places. Signed by F.P. from Post Office to the left hand fork, ending with 14 steps on the Llandogo-School road at Laurel Bush Cottage ending with 14 steps. Right hand fork ending with on the Llandogo-Trelleck road at the end of the road.	Walked	F. Williams 1st June, 1951
F.P.		Starts at Post Office on the Monmouth-Chepstow Road. Width mainly 4 ft. Ends at Railway Cottage (bounded by walls both sides).	Walked	F. Williams 1st June, 1951
F.P.		Starts at Post Office on the Monmouth-Chepstow Road, commencing with 17 steps joining footpath No. 9 by the Old Ship Inn by the river.	"	F. Williams 1st June, 1951.
F.P.	Great Hill	Starts at the Laurel Bush Cottage on the Llandogo-Trelleck Road. After first 25 yards count by stone steps exit on to Glen Road, 20 yds south of Ryevorn Cottage.	"	F. Williams 1st June, 1951.
F.P.	Great Hill	Continuation of F.P. No. 12. Starts at Ryevorn Cottage on the Glen Road, continuation of rough stone steps for 100 yards; then rough pathway through woods to Gladden.	"	F. Williams 1st June, 1951
F.P.	Hollow Lane	Starts at Inglewood House on the Llandogo-Trelleck Road Mounts Hill with stone wall left hand side; earthen bank on other. Approx. width 6 ft. Exit on to Glen Road.	"	F. Williams 1st June, 1951
C.R.F.		Starts on Llandogo-School Road 200 yds from the Mount. Rough surface road passing through wood as far as Young's Cottage. Continuing as unmetalled road for a quarter of a mile approx. with a turning point for lorries at the end. Road now continues as a C.R.F. Footpath crossing Gladden Woods into Cloisters Lane near Marigold Cottage.	"	F. J. Williams 1st June, 1951
F.P.	Cloisters Lane	Starts at the beginning of Praedon Road. Rough stony path bordered by stone walls. Path about 5 ft. wide. Stone walls end at Allnuttree Cottage, where path becomes ill defined until it exits on to the Praedon Road by a stone stile.	"	F. J. Williams 1st June, 1951.

535019 19/1 AS 535018

535020 20/1 CRF

535020 20/2

535020 20/3 WALKED

-2-

DISTRICT : MONMOUTH DISTRICT
COMMUNITY : TRELLECH UNITED

535020 20/4 F. WILLIAMS, 1ST JUNE 1951
535020 20/5 STARTS ON COUNTY ROAD W. OF THE MOUNT. ROUGH SURFACE ROAD PASSING THROUGH WOOD AS FAR AS YOUNG'S COTTAGE. CONTINUING AS UNSURFACED ROAD FOR A QUARTER OF A MILE APPROX. WITH TURNING POINT FOR LORRIES AT THE END. ROAD NOW CONTINUES AS A C.R.F. CROSSING CLEDDON SHOOTS INTO CLOISTERS LANE NEAR MARIGOLD COTTAGE.

535021 21/1 CRF AS 535020

535022 22/1 CRF AS 535020

535023 23/1 CRF AS 535020

535024 24/1 CRF
535024 24/2 AS 535020

535025 25/1 FP
535025 25/2 CLOISTERS LANE.
535025 25/3 WALKED
535025 25/4 F. WILLIAMS, 1ST JUNE 1951
535025 25/5

STARTS AT THE BEGINNING OF FREEDOM ROAD. ROUGH STONY PATH BORDERED BY STONE WALLS. PATH ABOUT 5 FT WIDE. STONE WALLS END AT WALNUT TREE COTTAGE. WHERE PATH BECOMES ILL DEFINED UNTIL IT EXITS ON TO THE FREEDOM ROAD BY A STONE STILE.

535026 26/1 AS 535025

535027 27/1 AS 535025

535028 28/1 FP

535028 28/2

535028 28/3 WALKED

DATED 21st March 1952.

The Personal Representatives of the
late Mrs. Ruth Reynolds and Another

- to -

MRS. E. M. HEMMILL.

Conveyance

of freehold property known as Rock
Cottage 11, Hill Top in the County of
Monmouth.

Williams, Jones, Joyce and Tweedy,
Monmouth.

...ing of the O



2

This Conveyance

is made the *Twenty-first*

day of *March* One thousand nine hundred and fifty two

B E T W E E N HELEN ELIZABETH REYNOLDS of Wayside Garage Llandogo in the County of Monmouth Garage proprietor and BRYAN JAMES YORWEN WILLIAMS of Whitescross Street in the Borough and County of Monmouth Solicitor (hereinafter called "the Vendors") of the first part BERTIE JAMES LYDIA of New Lilla Whitescross in the said County of Monmouth Estate Agent and Surveyor (hereinafter called "the Purchaser") of the second part and MISIE MURIEL BETHELL of Number 22 Primrose Drive Mayton near Liverpool in the County of Lancaster Widow (hereinafter called "the Sub-purchaser") of the third part.

A N D

*Exemptible
estate
W.S.P.*

- (1) By his Will dated the Fifth day of August One thousand nine hundred and eight William Reynolds late of Rock Cottage Llandogo aforesaid devised all his real estate to the use of his wife Ruth Reynolds during her life and appointed her sole executrix thereof.
- (2) The said William Reynolds died on the Eighth day of January One thousand nine hundred and nineteen and his said will was duly proved by the said Ruth Reynolds on the seventeenth day of March One thousand nine hundred and nineteen in the Llandaff District Probate Registry.
- (3) The said William Reynolds was at the date of his death seized of (inter alia) the property hereinafter described in fee simple in possession free from incumbrances.
- (4) The said Ruth Reynolds remained in possession of the said property from the date of death of the said William Reynolds until her own death hereinafter recited.
- (5) By virtue of the Law of Property Act 1925 and the Settled Land Act 1925 the said property on the First day of January One thousand nine hundred and twenty six vested in the said Ruth Reynolds for an estate in fee simple.
- (6) The said Ruth Reynolds died at Rock Cottage Llandogo aforesaid on the Thirteenth day of April One thousand nine hundred and thirty nine and her Will dated the Twenty eighth day of May One thousand nine hundred and thirty five was proved by the Vendors as administrators with the Will annexed on the *Thirteenth* day of *March* One thousand nine hundred and fifty two in the Llandaff District Probate Registry.
- (7) The Vendors have not given or made any assent or conveyance in respect of a legal estate in or affecting the said property or any part thereof.
- (8) The Vendors have agreed with the Purchaser for the sale to him of the said property in fee simple in possession free from incumbrances at the price of Six hundred and fifty pounds.
- (9) The Purchaser has agreed to resell the said property to the Sub-

Purchaser at the price of One thousand and seventy five pounds.

HOW THIS DEED WITNESSETH as follows:-

1. In pursuance of the said agreement and in consideration of the sum of One thousand and seventy five pounds paid by the Sub-Purchaser as to Six hundred and fifty pounds part thereof to the Vendors by the direction of the Purchaser and as to Four hundred and twenty five pounds the balance thereof to the Purchaser (the receipt of which sum of Six hundred and fifty pounds the Vendors hereby acknowledge and the receipt of which sum of Four hundred and twenty five pounds and the payment in manner aforesaid of the said sum of Six hundred and fifty pounds the Purchaser hereby acknowledges) the Vendors as personal representatives of the said Ruth Reynolds deceased and in exercise of their statutory powers and by the direction of the Purchaser hereby convey and the Purchaser as trustee hereby conveys and confirms unto the Sub-Purchaser ALL THAT piece or parcel of land situate in the Parish of Llandogo in the County of Monmouth containing by estimation ~~Three~~ ^{two} roods ~~eight~~ ^{eight} perches or thereabouts TOGETHER WITH the messuage or dwellinghouse known as Rock Cottage and all other buildings erected thereon or on some part or parts thereof All which said premises form part of enclosures numbered 653. and 654 on the Ordnance Survey Map (Monmouthshire Sheet XXX.5) 1921 Edition and are shown but not so as to limit or enlarge the hereinbefore written description thereof on the plan annexed hereto and thereon edged red which said premises were in a Conveyance dated the Third day of December One thousand eight hundred and eighty seven made between Richard Phillips of the one part and the said William Reynolds of the other part known and passed by the description of ALL THAT messuage or garden and premises situate in the Parish of Llandogo in the County of Monmouth aforesaid formerly in the occupation of Elizabeth Phillips afterwards of the said Richard Phillips and now in the occupation of the said William Reynolds as tenant thereof to the said Richard Phillips and bounded by premises belonging to John Williams John Hodges Antonio Gallaga and by the public road leading up to a place there called the Great Hill on all or most parts and sides thereof and a small portion of which premises is intersected by a road leading from the Trelleck Road through the same to a place called the Glyn All which said premises are numbered 679 in the Tithe Map of the said Parish of Llandogo and in the Schedule thereto stated to contain by admeasurement Two roods and Seventeen perches all which lastly described premises are intended to be hereby conveyed TO HOLD the same unto the Sub-Purchaser in fee simple.

2. The Vendors hereby acknowledge the right of the Sub-Purchaser to production of the Letters of Administration with the Will annexed to the estate of the said Ruth Reynolds and to delivery of copies thereof.

NS
has missing
at time of
examination
of this conveyance
W.S.P.

3. IT IS HEREBY CERTIFIED that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds One thousand five hundred pounds.

IN WITNESS whereof the said parties to these presents have hereunto set their hands and seals the day and year first before written.

SIGNED, SEALED AND DELIVERED by }
the said MARIE THOMAS }
WYNDOLFE in the presence of:- }

H. J. Reynolds

Witness *James G. Green*

Ed. C. ...
...

...
Licensed Valuer

SIGNED, SEALED AND DELIVERED by }
the said BRYAN JAMES YORATA }
WILLIAMS in the presence of:- }

Bryan J. Williams

R. C. ...
...
Arthur ...

SIGNED, SEALED AND DELIVERED by }
the said BRYAN JAMES YORATA }
in the presence of:- }

R. J. ...
...

G. W. Fowler
Post Office
...
...

Mr R K Ellis
Brambles
Mitchel Troy
Monmouth
Gwent

r:B.5. Technical Services,
Unit 2,
Hadnock Road,
MONMOUTH,
Gwent.

AMENDED SITING OF APPROVED DWELLING,
SITE ADJACENT GLYNCOTE, THE OLD PARISH ROAD, LLANFOCO.

Application Type: DETAILED
Community Council: TRELLECH UNITED

REPRESENTATIONS

Trellech Community Council recommends approval but point out site is outside Llandogo Development Area.

Two letters of objection have been received from local residents, one being from the occupants of Glyncoth the dwelling immediately in front of and below the application site. The main points raised being.

- Inadequate nature of access track and retaining wall make it unsuitable to accommodate additional vehicular traffic.
- Initial site clearance work pursuant to the extant permission on site has resulted in debris falling onto the garden of the adjacent dwelling Glyncoth. This hazard will be repeated despite the relocation of the dwelling.
- The position of the proposed garage will result in additional pressure on the wall retaining the access track. The garage should be located at the southern end of the plot and set back to allow sufficient space to turn.
- Site outside village development boundary.

Copy correspondence has been received from the County Planning Officer which highlights concerns over the suitability of the access and its retaining wall to accommodate heavy vehicles during the construction period.

It also indicates that there is uncertainty over who is responsible for the maintenance of the retaining wall, the County Council or the owner of Glyncoth. There is recourse to the County Council or the owners of Glyncoth if the highway or retaining wall is damaged by extraordinary traffic.

Lower Wye Valley Preservation Society make the following comments:

- Access is poor, being along a narrow lane which is unsuited to additional domestic and service traffic including emergency vehicles. The retaining wall to the access is showing signs of movement.
- Development of the site will be difficult and cause damage to neighbours from debris falling downhill.
- The dwelling would adversely affect the privacy of the immediate neighbours.
- The site should be retained as it is as the development would be detrimental to the area.

RELEVANT PLANNING HISTORY

29567 Dwelling and garage OUTLINE APPROVED 04.01.1987
30965 Dwelling and garage RESERVED MATTERS APPROVED 06.09.1989.

OFFICERS EXPLANATION/COMMENTS

The application site is located on a steeply sloping hillside at the highest part of the village of Llandogo. As detailed above planning permission has previously been granted for the development of the site by a single dwelling and garage.

Initial site works pursuant to the above approvals revealed a rock outcrop in the position of the proposed dwelling. The application seeks to relocate the development within the plot to avoid this rock outcrop. Details of the dwelling are unchanged since the previous approval. In its revised position the dwelling will sit directly behind and above 'Glyncote'. Due to the existence of only one first floor window in the rear elevation of Glyncote and the respective levels between the dwellings, this relationship will not give rise to unacceptable overlooking between the properties. Indeed the revised positioning is seen as an improvement in this respect as in its previous location where it was offset in relation to Glyncote, it would have overlooked a large section of the garden thereto.

To accommodate the dwelling in this revised position the associated double garage has been moved 14m (46ft) northwards in the plot. This will require use of an additional 18m (59ft) length of the adjacent track for day to day access to the dwelling for residents vehicles. The access is only single track width along much of its length. Furthermore, the section which fronts the application site is supported by a retaining wall, the stability of which has been questioned. As the track is formally designated as a public right of way, over which the public have right of access with vehicles, the principle of use of the track is not at issue. As a public highway the track and supporting wall should be maintained to a standard satisfactory for accommodating vehicular traffic, irrespective of whether the existing site is developed. The traffic likely to be generated by a single dwelling would be relatively light. Domestic traffic is likely to be the lightest to use the track.

Heavy traffic is likely to be required to use the track during the construction of the dwelling. If damage occurs due to extraordinary traffic, steps are available to the persons responsible for the maintenance of the wall to reclaim costs.

The applicant has been approached regarding the question of providing the parking in the south-east corner of the plot. He feels that this option is not practical due to the nature of the retaining wall that would be required to be provided.

Application No. A36666 continued...

RECOMMENDATION: GRANTED

Conditions:

1. The development hereby permitted must be begun not later than the expiration of five years beginning with the date on which the permission is granted.
2. The dwelling hereby approved shall be developed as an alteration to and not in addition to that approval under application A29567 and A30965.
3. The garage indicated on the submitted plans shall be completed and available for use prior to the occupation of the dwelling and shall be retained thereafter in perpetuity for the parking of private motor vehicles.
4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order) no enlargements, improvements or other alterations to the dwellinghouse shall be erected or constructed without the prior approval of the Local Planning Authority.

Reasons:

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure only one dwelling is developed on the site.
3. To ensure proper parking provision.
4. To ensure the proposed development does not prejudice the amenities of the area.

NOTE TO APPLICANT

The demolition of any walls, or part thereof, will require Conservation Area Consent from this Council if; in respect of a wall adjacent to a highway it exceeds one metre in height; or two metres in any other case. This includes retaining walls. You are advised to contact the Council's Conservation Officer for assistance.

GWENT
County Council
HIGHWAYS

Deputy County Engineer
(Head of Client Services)
H J Bolsdon
BSc CEng MICE

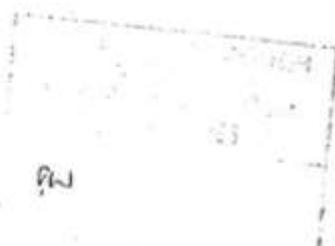


Gwent County Council
County Hall
Cwmbran
Gwent NP44 2XN

County Engineer
M S Cwen
BSc Tech MSc CEng FICE FIHT

Date: 29 October 1993
Your Ref: A36666
Our Ref: 509/PRI/36666/135/
57/FP

If telephoning, the person
dealing with this matter is:
Mr I J Sandeman
Tel. 0633 832729
Fax No. 0633 832986



Dear Sir

**PROPOSED AMENDED SITING OF APPROVED DWELLING
SITE ADJACENT GLYNCOTE, THE OLD PARISH ROAD, LLANDOGO**

With reference to your letter dated 13 October, 1993 and accompanying plans which are returned
herewith, I have to observe as follows:-

I have no observations on the amended siting of the dwelling following grant of permission under
A30965.

Yours faithfully

for County Engineer

Director of Technical Services
Monmouth Borough Council
Mamhilad House
Mamhilad Park Estate
Pontypool
Gwent NP4 0YL

Highway Manager (Gwent)
G.S. - BSc, CEng MICE

Highway Manager (West)
A Oliver BSc MICE

All correspondence should be addressed to the County Engineer

WITNESS STATEMENT

Name and Address of Witness: MARTIN ROGER BRONN.
'MAYLANS',
LLANDOGO,
MONMOUTH.
MON.
NP25 4TL

STATEMENT

Witness statement on the status and use of Old Parish Road, Llandogo. (The area from Bargains Cottage to the rear of Glencote.)

I am a resident of Llandogo and represent the Llandogo Ward on Treleck United Community Council. I have lived and worked in Llandogo for the past 59 years, and I am a member of a family that has been connected with the village for many centuries.

At no time to my knowledge has there been any restriction on access for vehicles, and the road has been open at all times, restricted only by size of vehicles and the condition of the road surface.

In my early years coal was delivered by pony and left on the turning circle at the rear of Glencote, for collection by the residents of Priory Cottage. Families had access to their cottages with limited parking for visitors, this included my Grand Father (croft cottage) and my uncle (now Hixy Cottage formerly Ivydene).

Signature: M. R. Bronn.
Date: 19:10:2001

I believe that the facts that I have stated in this witness statement are true.

M. R. Bronn.
23rd Aug 2002

Witnessed:

Signature: V. Grew
Name: JAMES GREGGAINS
Occupation: RETIRED COMPANY DIRECTOR
Address: 17-DAN-CLEDAN
LLANDOGO
MONMOUTH

WITNESS STATEMENT

Name and Address of Witness:

Thomas Wilkinson John
6 Larkhill Close,
CHEPSTOW, Monmouthshire. NP16 5JD.

STATEMENT

During the thirty years (1969-1999) I lived at Cleddon Stile, Llandoago I was not aware of any restriction on the use of Old Parish Road by motor vehicles. Since my occupation of that property there was constant use by a range of people, who, for a variety of reasons, used the road. The post was delivered daily and in my early years of occupation there was a daily delivery of milk. Subsequently, fuel deliveries (coal, wood, gas) were made by the providers + from time to time, employees of Dwr Cymru, B.T. and S.W.R.B. (water) used the facility of the road to further their supply of services. Over and above these, ambulances, fire tenders + other emergency services (e.g. medical) when, as the need arose, were able to service the dwellings on this hill side.

The constant use of the road by the residents + their families ^{and} their links with the world beyond Old Parish Road, meant that vehicular traffic was a regular element in their daily life. From time to time visitors to the Wye Valley +, in particular, to Cleddon Shoots, found themselves in vehicles along this road and in difficulty, because of the terrain + the condition of the road. Builders, too, and their auxiliaries, often needed a variety of vehicles to fulfil their commitments along Old Parish Road + no restriction was placed upon them as to their use of the road. As far as the public was concerned, the use of Old Parish Road as a means of vehicular access, was quite unrestricted.

Signature:
Date:

T.W. John
17.8.01

I believe that the facts that I have stated in this witness statement are true.

Witnessed:

Signature:
Name:
Occupation:
Address:

V. Grew
JAMES GREGGAINS
RETIRED COMMOB DIRECTOR
TY-DAN-CLEDAN,
LLANDOGO,
MONMOUTH

T.W. John

27-VIII-02

33

WITNESS STATEMENT

Name and Address of Witness: Amelia John.
6 Larkhill Close,
Chepstow,
Monmouthshire. NP16 5JD.

STATEMENT

My husband & I lived at Cheddau Site, (which is at the end of the Old Parish Rd) Llandovery from Dec. 1969 - June 1999. During that time there was never any restriction on the public use of motorised vehicles on this road. For 20 years approximately there was a daily delivery of milk (6 days a week) also a daily delivery of post on weekdays when this service was motorised. Coal, Oil, wood and gas containers were also delivered regularly to residents. Electricity workers & tree fellers who were sub-contracted to the Electricity Board to lop trees & so maintain the power to surrounding villages also used the road. Employees of the Water Board and British Telecom workers used the road as ad-traders, deliverymen and builders. Ambulances & the fire service have also been in attendance. Friends & relations of residents were also regular users. Other members of the public used the road to view properties and plots of land which were for sale. Sometimes people visiting Llandovery often found themselves driving along the Old Parish Rd in error, having taken the wrong turnings. I can only reiterate that there was never any restriction on the public use of vehicles on this road. Whoever wanted to use it, did so.

Signature: A. J. John.
Date: 17th October 2001.

I believe that the facts that I have stated in this witness statement are true.

A. J. John.
27.8.02.

Witnessed: Signature: V. C. C. C.
Name: JAMES GREGGALL
Occupation: RETIRED COMPANY DIRECTOR
Address: TY-DAN-CLEDAN,
LLANBOGO,
MONMOUTH

34

WITNESS STATEMENT

Name and Address of Witness: MARTIN JAMES WOODFORD
GLYNSCOTE, BARBAIN LANE
LLANDOGO MONMOUTH NP25 4TF

STATEMENT

I have lived at Glynscoate adjacent to the Old Parish Road, Llandogo since May 1993 (8 years and 5 months).

During this time there has never been any restriction on the use of the Old Parish Road by members of the public using motorized vehicles. Examples of vehicular users which I have witnessed include :-

- | | |
|---------------|---------------------------------|
| Postmen | Employers of utility companies |
| Delivery men | (water, electricity, telephone) |
| Milk men | Ambulances |
| Tradesmen | Fire engines |
| Removal firms | Police vehicles |
| Builders | Visitors of residents |

and in addition anyone else who has had a mind to use the road for their own purposes has freely done so.

Signature: M's Woodford.
Date: 18/10/2001.

Witnessed:

Signature: 
Name: RAYMOND L HERBERT
Occupation: CHEMIST
Address: THE COACH HOUSE
LLANDOGO
MONMOUTH NP25 4TF

I believe that the facts
that I have stated in this
Witness Statement are true
M's Woodford
18/10/2001

WITNESS STATEMENT

Name and Address of Witness:

JAMES GREGGAINS
TY-DAN-CLEDAN,
LLANDOGO
MONMOUTH NP25 4TQ

STATEMENT

Roger Brown owns the shop in Llandogo where he has lived all his life. When I enquired about the use of Old Parish Road, Roger agreed to provide a statement and suggested I also speak to his older brother Graham, who might remember more.

Graham Brown had recently moved away from Llandogo and I spoke to him on the telephone. I did not press him for a statement as his wife had told me that he had been in ill-health. The telephone conversation was on 10 December 2001 and he told me the following

There had never been, to his knowledge, any restrictions on the public use of Old Parish Road.

He said that coal had been delivered by trucks to a coal dump at the end of Old Parish Road. Alan Brown and Wilf Reynolds who lived in separate houses north of the Claddan ravine (i.e. some way north of the end of Old Parish Road) worked for Bill Morgan, a local farmer. Bill Morgan would deliver coal to them from this dump, using a horse-drawn sledge along the track that leads northward around the ravine.

Signature:

J. Greggains

Date:

12 Dec 2001

Witnessed:

Signature:

Alun Ashton

Name:

ALUN ASHTON

Occupation:

COMPANY SECRETARY

Address:

CARTREF

LLANDOGO

MONMOUTHSHIRE

NP25 4TF

I believe that the facts that I have stated in this statement are true.

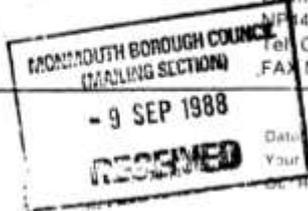
J. Greggains

36

Gwent County Council



M. S. Owen,
B.Sc. Tech., M.Sc., C. Eng., F.I.C.E., F.I.H.T.,
County Engineer and Surveyor,
County Hall,
Cwmbran, Gwent
NP4 2XN
Tel: Cwmbran 838838
Fax: No. 838225



Date: 7th September 1988
Your ref: PB/A29567
Our Ref: 509/PRI/29567/MJH/61/FP

Dear Sir

**PROPOSED RESIDENTIAL DWELLING
GARDEN/ORCHARD TOP SIDE OF CRB 23,
THE OLD PARISH ROAD, DIRECTLY BEHIND GLYNCOOTE, LLANDOGO**

*** With reference to your letter of the 2nd August, 1988 and accompanying plans which are returned herewith, I have to observe as follows:-

This proposed development site abuts a private road that is part of a network of similar substandard roads in the Llandogo area. These roads being narrow and steeply graded with poor horizontal alignment are unsuitable for further residential development. Consequently I would not recommend this proposal from a County Highways standpoint.

Yours faithfully

for County Engineer and Surveyor

The Chief Technical Officer,
Monmouth Borough Council,
Mamhilad House,
Mamhilad Park Estate,
PONTYPOOL, GWENT

If telephoning, the person dealing
with this matter is

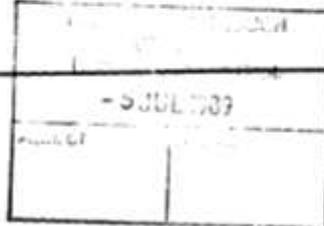
Mr M J Hewson
Tel. Ext: 550

All Correspondence should be addressed
to the County Engineer and Surveyor.

Gwent County Council



M.S. Owen,
B.Sc.Tech., M.Sc., C.Eng., F.I.C.E., F.I.H.T.,
County Engineer and Surveyor,
County Hall,
Cwmbran, Gwent
NP44 2XN.
Tel: Cwmbran 838838
FAX No. 838225



Date: 3rd July, 1989
Your Ref: PB/A30965
Our Ref: 509/PB1/30965/IJS/57/PP

Dear Sir

**PROPOSED NEW COTTAGE WITH ADJACENT DOUBLE GARAGE
ORCHARD TOP SIDE OF CRG 23, THE OLD PARISH ROAD,
DIRECTLY BEHIND GLYNCOYE, LLANDOGO**

*** With reference to your letter of 19th May, 1989 and accompanying plans which are returned herewith, I have to observe as follows:-

I have previously been consulted on this proposal under outline application code A29567.

My views remain unchanged in this respect. The proposed development site abuts a private road that is part of a network of similar substandard roads in the Llandogo area.

These roads are narrow with steep gradients and poor horizontal alignment. It is my opinion that these roads are unsuitable to accommodate further residential development.

Consequently, despite the grant of outline permission I would still not recommend this proposal from a County Highways standpoint.

Yours faithfully

for County Engineer



Chief Technical Officer
Monmouth Borough Council
Manhilad House
Manhilad Park Estate
Pontypool
Gwent NP4 0YL

Person Dealing with this
matter is:
Mr I J Sandeman
Tel. Ext: 2729

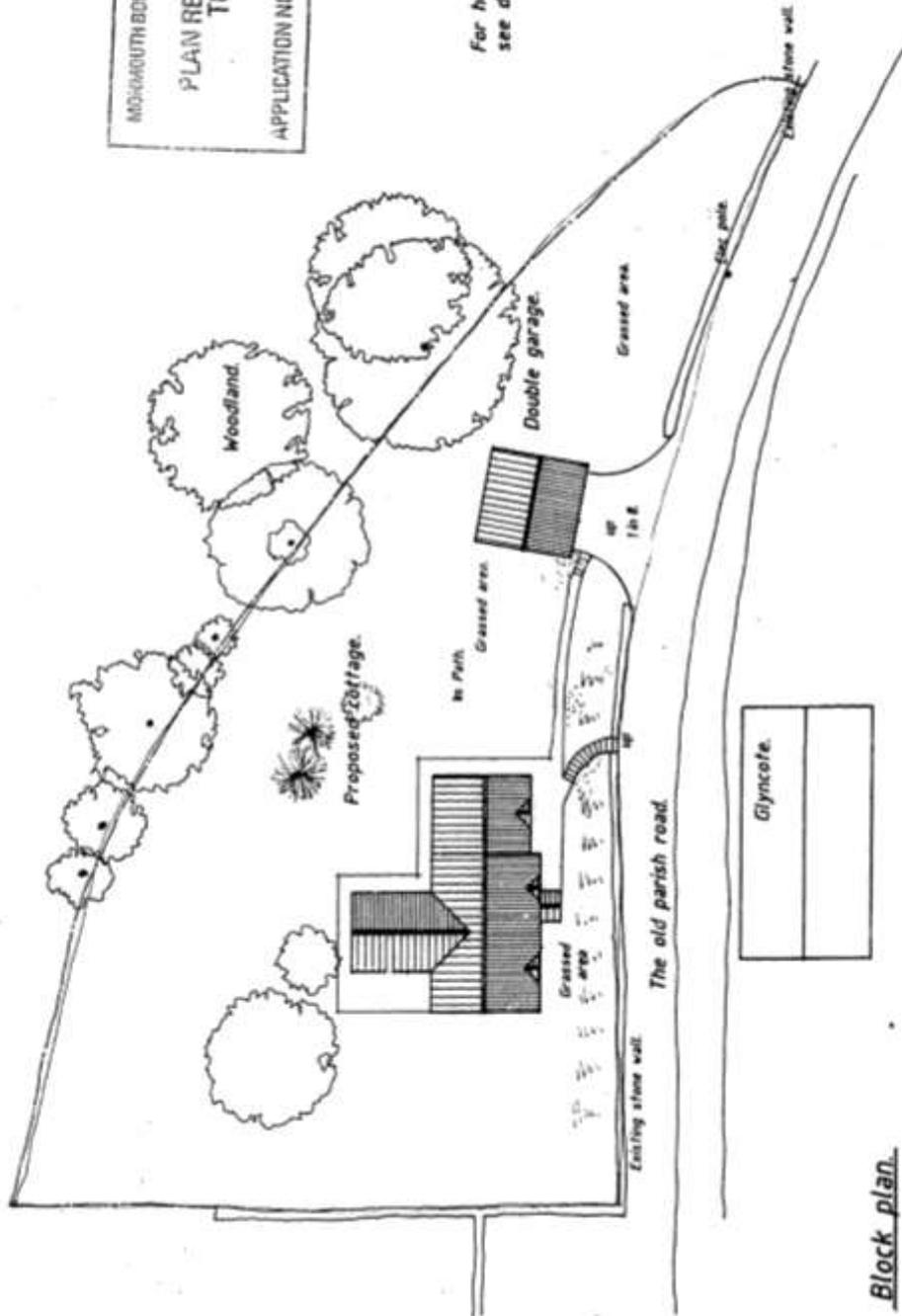
All Correspondence should be addressed to the County Engineer and Surveyor.

P36790 (N)

36666

MIDMOUTH BOROUGH COUNCIL
 PLAN REFERRED
 TO
 APPLICATION NO. _____

For house design
 see drawing BP-550-01.



Block plan.

BS Technical services Unit 2 Badnock road Monmouth Gwent. Tel. 0600 716444.	NOTES: All dimensions must be checked on site and not scaled from this drawing.	Client Mr. & Mrs. R. K. Ellis Job Title New cottage adjacent Glyncofe. The old parish rd. Llandovery, Chepstow.	Scale 1:250 Drawn by DMK Date 7/9/93	Drawing Title Block plan Orig. No. BP-550-05 Rev
--	--	---	---	--

CP-215-A3

Cleddon Stile Landogs Monmouth Gwent

10.VIII.88

Dear Sir,

MONMOUTH DISTRICT
Council
Town & Community Services Dept
2-4 Adelphi Road
14/8/88

Your PB/A2956, of 28 July refers. I have no objection to Application A29567; my two concerns regarding the matter are related to my right of way along the green lane directly behind Glyncoate, lying between Glyncoate + garden/orchard on Top side of CRB 23, The Old Parish Road + the acceptable making-good by the employers of any developer of any damage through access +/or egress of plant + materials to the access road + verges from Bargain's Cottage to the point of development. I would wish my right of way to be maintained at all times + that access to my grounds should not be impeded.

You will be aware that the access road (Old Parish Road) is not adopted; its maintenance is the responsibility of the adjacent landlords. You have, no doubt, been in touch with all of them regarding the proposed development?

Yours faithfully,

T. Wilkinson John.

The Planning Officer
Monmouth District Council
Pontypool.

PUBLIC RIGHTS OF WAY EVIDENCE FORM	
The following questions should be answered as fully as possible and the form returned to the Corporate Director – Environment, FAO Public Rights of Way Officer, Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH, together with a plan showing the alleged public path clearly marked.	
SECTION A: GENERAL	
1. Name:	<u>Mr A. J. HARWOOD</u>
Address:	<u>HIGH VIEW, TRELLECH ROAD, LLANDOGO</u> <u>MONMOUTHSHIRE. NP25 4TP.</u>
Tel No:	<u>(01594) 530798.</u>
2. Date of Birth:	<u>04/11/61</u> Occupation/s: <u>HOMEMAKER & STUDENT</u>
	Place of Work (during period of claim) <u>HOME BASED.</u>
SECTION B: DETAILS OF THE ROUTE	
3. ROUTE OF WAY From	<u>'BARGANS COTTAGE' to 'SINKS'</u>
	To <u>'SINKS'</u>
Believe status of route (* please delete where appropriate) <input checked="" type="checkbox"/> Footpath <input type="checkbox"/> Bridleway <input type="checkbox"/> Byway	
As shown on the attached plan between the Points marked <u>'BARGANS COTTAGE' & 'SINKS'</u>	
4. Have you used the above way?	YES / <input checked="" type="checkbox"/> NO
If so:	(a) State how many years and during which years? <u>8</u> / From <u>1996</u> To <u>Present</u>
	(b) Where you were going to and from? <u>LLANDOGO, CLEDDON, Neighbourhood</u>
	(c) For what purpose? <u>Recreation & Social visits</u>
	(d) How many times a year? <u>Many 20+</u>
	(e) By what means (e.g. on foot, on horseback?) <u>Foot, Bicycle.</u>
5. Has the way always run over the same route?	YES / <input checked="" type="checkbox"/> NO
	If not, give details and dates of any changes.
6. Have there, to your knowledge, ever been any gates or stiles on the way? If so, state (with details of location on attached plan) where the stiles or gates stood.	<u>No</u>

7a.	If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'NO'. <p style="text-align: center; margin-left: 100px;">No</p>
7b.	If 'YES' give particulars and date.
7c.	Did you ever receive any instructions from him / her as to the use of the way by the public? If so, what were they? <p style="text-align: center; margin-left: 100px;">NA</p>
8.	Have you ever been stopped or turned back when using this way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars. <p style="text-align: center; margin-left: 100px;">No</p>
9.	Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. <p style="text-align: center; margin-left: 100px;">No</p>
10.	Have you ever known any locked gates or obstructions to the way? If so, state when and give particulars. <p style="text-align: center; margin-left: 100px;">No</p>
11.	Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notices say? <p style="text-align: center; margin-left: 100px;">No</p>
12.	Have you ever asked permission to use the way? If 'YES', from whom? <p style="text-align: center; margin-left: 100px;">No</p>
13.	Have you ever been told by the landowner that the way was public? Do you have any other information to show the way is public? <p style="text-align: center; margin-left: 100px;">No</p>
14.	Please give any other information that you think is relevant on a separate sheet of paper. <p style="text-align: center; margin-left: 100px;">/</p>

SECTION C: DECLARATION

I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I ~~was~~ am not willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

Signed:

A. Harwood

Date:

22/04/04

NB. As this form is supporting evidence to an application to create or upgrade a public right of way, it will become a public document when submitted to the Council. It will be available for inspection by anyone, on application to the Council.

**Delete as appropriate*

NEW PUBLIC RIGHTS OF WAY EVIDENCE FORM (MM)

PUBLIC RIGHTS OF WAY EVIDENCE FORM

The following questions should be answered as fully as possible and the form returned to the Corporate Director – Environment, FAO Public Rights of Way Officer, Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH, together with a plan showing the alleged public path clearly marked.

SECTION A: GENERAL

1. Name: Dr R. J. HARWOOD
 Address: CROFT COTTAGE, TRELLECH ROAD,
LLANDOGO, MONMOUTHSHIRE. NP25 4TF
 Tel No: (01594) 530453

2. Date of Birth: 30/04/62 Occupation/s: CONSULTANT SOFTWARE ENGINEER
 Place of Work (during period of claim) HOME BASED / UK-WIDE.

SECTION B: DETAILS OF THE ROUTE

3. ROUTE OF WAY From 'BARGANS COTTAGE'
 To 'SINKS'

Believe status of route (* please delete where appropriate) *Footpath/ *Bridleway/ *Byway

As shown on the attached plan between the Points marked 'BARGANS COTTAGE' & 'SINKS'.

4 Have you used the above way? YES / ~~NO~~

If so: (a) State how many years and during which years? 8 / From 1996 To Present

(b) Where you were going to and from? LLANDOGO / CLEDDON FALLS

(c) For what purpose? RECREATION

(d) How many times a year? Many (20+)

(e) By what means (e.g. on foot, on horseback?) Foot, Bicycle,

5. Has the way always run over the same route? YES / ~~NO~~
 If not, give details and dates of any changes.

6. Have there, to your knowledge, ever been any gates or stiles on the way? If so, state (with details of location on attached plan) where the stiles or gates stood.

NO.

PUBLIC RIGHTS OF WAY EVIDENCE FORM

The following questions should be answered as fully as possible and the form returned to the Corporate Director – Environment, FAO Public Rights of Way Officer, Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH, together with a plan showing the alleged public path clearly marked.

SECTION A: GENERAL

1. Name: ANDREW TANSILL
 Address: LLEGAN BECK, LLANDOGO,
MONMOUTH NP25 4TF
 Tel No: (01594) 530100

2. Date of Birth: 18:7:58 Occupation/s: ARCHITECT
 Place of Work (during period of claim) BRISTOL

SECTION B: DETAILS OF THE ROUTE

3. ROUTE OF WAY From BARGANS COTTAGE GRID REF: 523027GB
 To CLEDDON STILE GATE GRID REF: 522040GB

Believe status of route (* please delete where appropriate) *Footpath/ *Bridleway/ *Byway

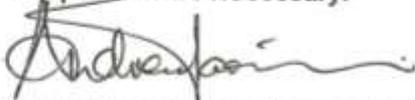
As shown on the attached plan between the Points marked AS ROUTE OF WAY, ABOVE —
BARGANS COTTAGE TO LLEGAN BECK

4. Have you used the above way? YES / ~~NO~~ YES
 If so: (a) State how many years and during which years? 12 / From 1993 To 2004
 (b) Where you were going to and from? FROM HOUSE TO TRELECH RD.*
 (c) For what purpose? ACCESSING & EXITTING PROPERTY
 (d) How many times a year? DAILY
 (e) By what means (e.g. on foot, on horseback?) ON FOOT & VEHICULAR

5. Has the way always run over the same route? YES / NO
 If not, give details and dates of any changes.

6. Have there, to your knowledge, ever been any gates or stiles on the way? If so, state (with details of location on attached plan) where the stiles or gates stood.
NONE

* SEE ATTACHED PLAN.

7a.	If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'NO'.	No
7b.	If 'YES' give particulars and date.	
7c.	Did you ever receive any instructions from him / her as to the use of the way by the public? If so, what were they?	
8.	Have you ever been stopped or turned back when using this way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars.	No
9.	Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars.	No
10.	Have you ever known any locked gates or obstructions to the way? If so, state when and give particulars.	No
11.	Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notices say?	No
12.	Have you ever asked permission to use the way? If 'YES', from whom?	No
13.	Have you ever been told by the landowner that the way was public? Do you have any other information to show the way is public?	I HAVE NEVER BEEN MADE AWARE OF ANY PARTICULAR PERSON CROSSING THE LAND
14.	Please give any other information that you think is relevant on a separate sheet of paper.	THE GENERAL PUBLIC USE THE ROUTE IN QUESTION UNIMPEDED FOR WALKING, BICYCLE & VEHICULAR USE
SECTION C: DECLARATION		
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I <u>am</u> / am not willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.		
Signed:		Date: 17:01:04.
<i>NB. As this form is supporting evidence to an application to create or upgrade a public right of way, it will become a public document when submitted to the Council. It will be available for inspection by anyone, on application to the Council.</i>		
*Delete as appropriate		

PUBLIC RIGHTS OF WAY EVIDENCE FORM

The following questions should be answered as fully as possible and the form returned to the Corporate Director – Environment, FAO Public Rights of Way Officer, Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH, together with a plan showing the alleged public path clearly marked.

SECTION A: GENERAL

1. Name: MARGARET E. MONKS
 Address: "BODMIN" LLANJOGO
MONMOUTH NP 25 4TE
 Tel No: (01594) 530518

2. Date of Birth: 15. 2. 22 Occupation/s: _____
 Place of Work (during period of claim) _____

SECTION B: DETAILS OF THE ROUTE

3. ROUTE OF WAY From the stream
 To the woods

Believe status of route (* please delete where appropriate) *Footpath/ *~~Bridleway~~/ *~~Byway~~

As shown on the attached plan between the Points marked _____

4. Have you used the above way? ~~YES/NO~~ YES

If so: (a) State how many years and during which years? _____ / From 1987 To 2004

(b) Where you were going to and from? _____

(c) For what purpose? EXERCISING DOGS

(d) How many times a year? _____

(e) By what means (e.g. on foot, on horseback?) _____

5. Has the way always run over the same route? ~~YES/NO~~
 If not, give details and dates of any changes.

6. Have there, to your knowledge, ever been any gates or stiles on the way? If so, state (with details of location on attached plan) where the stiles or gates stood.

NONE

28/9
H

PUBLIC RIGHTS OF WAY EVIDENCE FORM	
The following questions should be answered as fully as possible and the form returned to the Corporate Director – Environment, FAO Public Rights of Way Officer, Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH, together with a plan showing the alleged public path clearly marked.	
SECTION A: GENERAL	
1. Name:	<u>B. EDWARDS</u>
Address:	<u>BARGANS COTTAGE, OLD PARISH ROAD</u> <u>LLANDOGO, MONMOUTHSHIRE NP25 4TQ</u>
Tel No:	<u>(01594) 530055</u>
2. Date of Birth:	<u>28/9/44</u> Occupation/s: <u>RETIRED</u>
Place of Work (during period of claim) _____	
SECTION B: DETAILS OF THE ROUTE	
3. ROUTE OF WAY From	<u>GRID REF 523027GB BARGANS COTTAGE</u>
To	<u>GRID REF 522040GB CLEDDON STILE COTTAGE</u>
Believe status of route (* please delete where appropriate) *Footpath/ *Bridleway/ *Byway	
As shown on the attached plan between the Points marked <u>BLACK/YELLOW HATCHING</u>	
4. Have you used the above way?	YES / NO <u>YES</u>
If so: (a) State how many years and during which years?	<u>8</u> / From <u>1996</u> To <u>2004</u>
(b) Where you were going to and from?	VARIOUS <u>VARIOUS UK LOCATIONS, HONG</u>
(c) For what purpose?	<u>SOCIAL/DOMESTIC JOURNEYS</u>
(d) How many times a year?	<u>100</u>
(e) By what means (e.g. on foot, on horseback)?	<u>CAR</u>
5. Has the way always run over the same route?	YES / NO
If not, give details and dates of any changes.	<u>YES</u>
6. Have there, to your knowledge, ever been any gates or stiles on the way? If so, state (with details of location on attached plan) where the stiles or gates stood.	<u>NO</u>

7a.	If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'NO'. <p style="text-align: center;">NO</p>
7b.	If 'YES' give particulars and date.
7c.	Did you ever receive any instructions from him / her as to the use of the way by the public? If so, what were they?
8.	Have you ever been stopped or turned back when using this way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars. <p style="text-align: center;">NO</p>
9.	Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. <p style="text-align: center;">NO</p>
10.	Have you ever known any locked gates or obstructions to the way? If so, state when and give particulars. <p style="text-align: center;">NO</p>
11.	Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notices say? <p style="text-align: center;">NO</p>
12.	Have you ever asked permission to use the way? If 'YES', from whom? <p style="text-align: center;">NO</p>
13.	Have you ever been told by the landowner that the way was public? Do you have any other information to show the way is public? <p style="text-align: center;">NO</p>
14.	Please give any other information that you think is relevant on a separate sheet of paper.
SECTION C: DECLARATION	
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. I am <u>am not</u> willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.	
Signed:	<i>B Edwards</i>
Date:	<i>18/1/09</i>
<i>NB. As this form is supporting evidence to an application to create or upgrade a public right of way, it will become a public document when submitted to the Council. It will be available for inspection by anyone, on application to the Council.</i>	
<i>*Delete as appropriate</i>	

PUBLIC RIGHTS OF WAY EVIDENCE FORM	
The following questions should be answered as fully as possible and the form returned to the Corporate Director – Environment, FAO Public Rights of Way Officer, Monmouthshire County Council, County Hall, Cwmbran, NP44 2XH, together with a plan showing the alleged public path clearly marked.	
SECTION A: GENERAL	
1. Name:	<u>D. MARIANA ROBINSON</u>
Address:	<u>CASCADES, LLANDOGO,</u> <u>MONMOUTH NP25 4TE</u>
Tel No:	<u>(01594) 530484</u>
2. Date of Birth:	<u>18/2/54</u> Occupation/s: <u>ARTIST</u>
Place of Work (during period of claim)	<u>AS ABOVE</u>
SECTION B: DETAILS OF THE ROUTE	
3. ROUTE OF WAY From	<u>STREAM NR. BARGAN'S COTTAGE</u>
To	<u>WOODS + ZIG-ZAG PATH</u>
Believe status of route (* please delete where appropriate) *Footpath/ <u>Bridleway</u> / *Byway	
As shown on the attached plan between the Points marked _____	
4. Have you used the above way?	<u>YES</u> / NO _____
If so: (a) State how many years and during which years?	<u>20</u> / From <u>1984</u> To <u>2004</u>
(b) Where you were going to and from?	<u>CASCADES TO MYRTLE COTTAGE</u>
(c) For what purpose?	<u>VISITING FRIENDS, OR EXERCISE</u>
(d) How many times a year?	<u>REGULARLY, ESPECIALLY IN SUMMER</u>
(e) By what means (e.g. <u>on foot</u> , on horseback?)	
5. Has the way always run over the same route?	<u>YES</u> / NO _____
If not, give details and dates of any changes.	
6. Have there, to your knowledge, ever been any gates or stiles on the way? If so, state (with details of location on attached plan) where the stiles or gates stood.	<u>No</u>

7a.	If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'NO'.	NO
7b.	If 'YES' give particulars and date.	
7c.	Did you ever receive any instructions from him / her as to the use of the way by the public? If so, what were they?	NO
8.	Have you ever been stopped or turned back when using this way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars.	NO
9.	Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars.	NO
10.	Have you ever known any locked gates or obstructions to the way? If so, state when and give particulars.	No
11.	Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notices say?	NO
12.	Have you ever asked permission to use the way? If 'YES', from whom?	NO
13.	Have you ever been told by the landowner that the way was public? Do you have any other information to show the way is public?	NO KNOWLEDGE OF A LANDOWNER
14.	Please give any other information that you think is relevant on a separate sheet of paper.	TO BE FORWARDED LATER - THIS SHOULD REMAIN A FOOTPATH.
SECTION C: DECLARATION <i>not suitable for vehicular use.</i>		
I hereby certify that to the best of my knowledge and belief the facts that I have stated are true. (I <u>am/am not</u> willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.)		
Signed:	<i>Mr Robinson</i>	Date: 20 April 2004
<i>NB. As this form is supporting evidence to an application to create or upgrade a public right of way, it will become a public document when submitted to the Council. It will be available for inspection by anyone, on application to the Council.</i>		
<small>*Delete as appropriate</small>		

**MY FINDINGS HAVING READ THE FILE OF EVIDENCE AND REPORT
SUPPLIED BY SYLVIA HARRIS – RE: The historical status of CRB 20 -
21/22/23 as Old Parish Road and its status as a road rather than a bridleway.**

*D. Mariana Robinson
April 2004*

Having read the report and looked at the “evidence”, I am not convinced of the arguments. I have to ask myself three basic questions:

1. Why would a young newcomer to a village in Wales be so pro-active in trying to get a lane status changed, when she doesn't even live here yet? When I posed this question to Sylvia Harris (SH), she did not give me a definitive answer, merely that it was something Jim Greggains had done before her and she thought it public-spirited and in the interests of everyone to find out about the status of the lane and get MCC to confirm this status. When I again said, “Why”, she changed the subject.
2. Why doesn't the report at the beginning tell us who wrote it and during what dates?
3. My findings below, will suggest that it is at least mis-leading if not entirely wrong in parts. To me, what is conveniently left out of the report is just as valid.

The Status of “Old Parish Road”

I don't have access to all the old maps referred to in the report but from the ones supplied in the file, (unless I'm mistaken), I didn't see any reference to the name “Old Parish Road” anywhere. The evidence presented fails to mention the historical importance of WATER. I asked SH and AD if they had had a geological survey carried out on their plot – to which they said yes. That report should, at the very least, have alerted them to the fact that in general this is a collapsed limestone valley. The exception is bedrock in a thin strip running roughly N-S in the direction of the “lane” for a width spanning approximately half a mile. In my opinion, it is the fact that fresh water springs are dotted around the hillside that has caused the tracks and lanes up from the village to be established over the years. This would be the nearest clean, fresh water supply. There are at least 5 springs shown on the OS maps of the area, all emerging from the hillside at the point where the sub-strata changes. They run downhill, but most sink again (into the limestone area) well before they reach the river. The exception to this is Cleddon Shoots, which continues on the surface until it reaches the river Wye.

Bargan's cottage, behind my house, is probably the oldest cottage in the village. It was once called Young's Cottage and was a slaughterhouse/butchers. Wild boar, deer etc. would be slaughtered and smoked. This activity took advantage of the stream water to wash away blood etc. taking advantage of both a clean, cold water supply and the fact that there was a natural “plug hole” for it to disappear down, just a few yards downhill (now just below the house called Wye View). Hazel was plentiful too for making charcoal and fuel for smoking meat. Slaughter hooks were still visible on

the beams of Bargan's Cottage – certainly up to 8 years ago, and are probably still there. The tall "slaughter" stone, where animals were tethered, is still next to the stream.

In later years, Water was also the reason that CRB 40 became a public highway as 40-7, by the construction of a storage tank of water, again taken from the same spring, and which supplied the village up until the early 1990s. In my dealings with Forest Enterprise on establishing my own property boundary in 2001, I had access to their map. This shows that a narrow strip (about 1 metre) down each side of the lane, as well as the central lane itself, was adopted by the Council on behalf of the Water Board vehicles who regularly serviced the tank. Similarly, council refuse wagons stop at the turning area. They had no need to travel any further than Bargan's cottage. It is true what SH says in her letter to me that "local residents" used spoil etc. to widen the turning area. They needed to: older houses were not built with garages or parking spots – because it was not a road.

I dispute the report findings that CRB 40 was part of a continuous road that included CRBs 21,22, and 23. Whilst I believe there has always been a right of way for public access to the spring, either on foot or with a cart, I don't believe it was an historical road that "went anywhere".

The former use of the eastern side (Cascades side) of the turning circle was that of a local refuse dump or tip. It doesn't take long to dig down and find evidence of Victorian pottery, glassware etc. There is no foundation under the widened turning area and the council has now put tarmac on an unstable foundation upon which people (including the general public) park their cars. The actual land to the east of the turning circle is owned either by me at Cascades or Forest Enterprise. It is only on the very latest OS maps (2002 onwards) that this "bowing out" or turning area is shown. OS Maps record physical features of an area, they are NOT necessarily the legal boundaries, although some lines are. Deeds are needed to provide evidence of status, boundaries and easements for rights of way.

Private road question

The antiquity of pattern suggests paths and not roads. Many cottages would have been tithe cottages to the bigger houses of the area. It is inconceivable that properties would be conveyed without proper easements of vehicular access. The fact that they haven't any, is not strong evidence that this was a private or public road – it is evidence that people along the lane CRB 21-23 should NOT be using motorised vehicles along a path. By now, there are many residents, including Councillor Thomas, who say they have obtained a "right" from 20 years' unhindered use, but this is not true of SH and AD's plot – where no house has existed before. Illegal use cannot be used to establish a legal right.

From Bargan's Cottage to Misty Cottage – it is a bridleway. *At this point the path is intersected E-W by what is probably the correct road, uphill to one of the springs. The path then continues to Glyncote and on into the woods.

* see later note.

How old is the road?

I am not convinced by their plans for Cleddon Shoots – it looks to me as if someone has inserted a pencil line at a convenient point, to prove their documentation. There are no other obvious roads or paths shown on the Cleddon shoots map so why include just a tiny bit of the lane in question? On the balance of probabilities, I do not think this part is a road.

The lane probably dates back to Roman times – Llandogo was part of the England - Wales defences throughout history. Springs were precious commodities and would have been protected and used by locals for fresh water. Indeed, part of many ancient paths, such as Offa's Dyke and the Wye Valley Way follow routes where spring water is available for travellers.

There is no enclosure award for this land

The absence of plans or maps for the Manor of Llandogo does not, in my opinion, mean that the lane is a road. It doesn't prove anything one way or another.

It might be best to check out what documentation is held by the Parish Archivist, Gale Reynolds.

The tithe award plan

Do not agree with the author's assumptions on this one. Again, it is not proof at all one way or another.

First Edition OS Map and Book of Reference.

I have not had access to this book or map unless this is the 1881 first edition map he is referring to – the report is not clear.

If it is the 1881 1st Edition – then the plot numbers shown on later maps are different from this one. E.g. the 1952 conveyance shown as evidence in support refers to plots 653 and 654 of the **1921 Edition OS map**. These numbers on the 1881 map refer to land in a completely different area – down by the river (behind Pat Yallup's studio and Roger Brown's horse field). The report is very confusing so I am not persuaded by his argument without checking the precise reference to which he is referring.

Finance Act 1910

What does he mean "coloured out"? Is this the opposite to "coloured in"? As far as I can see from the documentation – and I may be wrong – the only coloured bits on the map were the local authority roads and this only shows the road up to Bargan's Cottage – as we have already agreed is correct.

County Status road

The author is wrong here and mis-interpreting the maps.

I have proved to the OS, who came to survey my property when dealing with my boundaries, that The Mount was an area of land on this hillside – roughly in the area we are discussing. The Mount – the dwelling – is just the name of a house. (See Electricity board map of area). This mix up appeared in the 1951 revision of the 1921 OS map. Similarly, the property now known as Great Hill, is not the Great Hill mentioned in the 1952 conveyance given as evidence. It is likely, historically, that

Great Hill and The Mount were local names given to the rough area high above the village, where spring water emerged. Confusing, yes, but fact, No.

I have already established why the road is a public road up to Bargan's cottage – the water board tank and supply.

There is no record of formal adoption nor, I suspect, of any record of the council "filling in" bits of the CRB 21-23. Why? Because, along the years, "bits" of tarmac have more likely been obtained by back-handers to council workers to "do a bit of their road". Indeed much of the turning area and parking area now used, was by the direct instigation and direction of a former local Ted Devey – who arranged with the council when re-surfacing the A466, to have them tip the old scalplings onto this area. (He needed somewhere to park his boat). A team of local residents from CRB 20-23 worked to rake it in and harden a previously muddy, leafy unstable surface. I saw this happen although I can't now recall the year.

The large stones that are placed around the edge of the turning area were put there by the people who dug out the hillside to make Councillor Thomas's two garages – this was done prior to my living at Cascades but I was told this by both Councillor Thomas himself and by Betty Edmunds who used to live at High View.

The latest tarmac covering, was authorised by a member of the council, I am told, one George Ashworth, in an agreement with Jim Greggains, if he agreed to drop his legal case against the Council. THIS IS AN OUTRAGEOUS misappropriation of rate-payers' funds – since, if the Council had done their homework, they would have had a strong case. All they have done now, is take the easy route out by upgrading a bridlepath to an unnecessary quality surface which itself is making more problems for residents with speed, surface water drainage, unsuitable surface with no foundations, etc.

Map survey 1951

In my searches at the Public Records Office when establishing my own enquires, I was told by an officer of the OS, that the last definitive map of this area took place in 1921. Since then – maps have been "revised" only. Therefore the 1921 map should be the one used for evidence in this case. Revised editions appeared in 1951, 1971 and probably 1991 – although I'm surmising this last revision. The OS inspector who walked and measured my land in October 2002 stated that a full survey of Llandogo was being carried out because of new building, such as Pathways, the Millennium Hall etc.

The reference to "passable by lorries" is quite easily cleared up. The local coal merchant owned a house along the lane. At the time, he was probably the only person who owned a motorised vehicle and used the small turning area near Glyncote to store his coal and to turn his own vehicle. He probably established private vehicular rights of way from the 1950's. Because he used the lane for his own private access and storage does not mean it is a public road open to all traffic. One of the statements at the end of the file confirms this point.

Conveyance of 1952 *

Interestingly, no copy of the 1921 map is included in the file, but talked about at this point. Instead, there is a copy of the 1952 conveyance – so we are told, since again, there is no way of checking. I have a copy of the 1921 map – although not of the whole area in question. However, plots 653 and 654 are shown. These two plots are different to the two shown with these numbers on the 1881 edition map. In my view, the description is not talking of a N-S route to these properties, but more likely an E-W route since the description clearly states “**up** to a place there called Great Hill”. The word “up” is significant, since CRB 21/22/23 is virtually flat along the hillside, whereas the steps and path coming up from the Trellech Road, immediately to the north of Misty Cottage (formerly Ivydene) and onwards and upwards to the Great Hill is in fact, the road in question. This would bound plots 653 and 654. Similarly, the reference to Glyn All, (Glyncote) in my opinion, is the path that also comes up from the Trellech Road and curves southwards onto the lane at Misty cottage. This cross roads shows the main right of way in an E-W direction and not a N-S direction and is likely to be a public road rather than a path.

I would need to check an OS map of the whole area, because I’m interested to know where 679 is in relation to these plots (also mentioned in the Conveyance) and also whether there is any reference to The Great Hill and if so, where it is located. The Council needs to be aware that historically many areas of land in the lower Wye valley had the word “The” in front of them, e.g. The Freedom, The Mount, The Fence, The Hudnalls – these were areas of land and not individual dwellings although many dwellings have taken these names.

Evidence of Reputation

This paragraph states that the highways authority has surfaced parts of the route for vehicles – this has only been done in the last 12 months and was not the case when this file was first compiled by Jim Greggains. Not evidence at all.

In 1994 the Director Surely he should know? – Again, he may not have known and my experience of most council workers is that they don’t bother to find out either. The fact that areas of the lane were surfaced either officially or unofficially by the council might depend more on “who lives along the lane” rather than any right by owners.

I do not agree with one aspect of the statements in particular. Several mention the lane being used by fire engines. This is not the case in the twenty years that I have lived here. Indeed, it is why one of the new houses has recently been built – on the site of Mrs Andrew’s cottage that “burnt out” in the late 1980’s because the fire engine COULD NOT GET to her property (CRB-22). The nearest fire hydrant is next to Bargan’s Cottage – therefore I doubt that the fire engines would have gone up the lane even if they were narrow enough to do so, which I don’t think they are. So how can we rely on these witness statements, all of which are made by people who want to establish their vehicular right of way along a path?

I dispute that the road is “well made” – it is not. It is for this reason that I object to building vehicles and general public vehicles using this track. I live downhill from it, and I am already experiencing rock fall from under the lane. There are no

foundations. It was built as a path in a time when there were no motorised vehicles of any kind. The volume of traffic using the lane and the speed with which it now travels is both alarming and dangerous. We invite tourists (many with children) to explore our ancient footpaths, steps and lanes – and are putting them in danger of being knocked down! The council's decision to tarmac surface the lane has now made it dangerous for pedestrians because there are no verges or passing places.

Summary

I do not feel there is compelling evidence that CRB21/22 and 23 are a public road open to all traffic, even on the balance of probabilities. I do not agree with the author that these tracks are simply a continuation of 40-7 – it would be nice if they were and the council maintained both the surface and the subsoil for all concerned, but I don't think the "evidence" proves anything other than the fact that there is as much confusion now as there has always been.

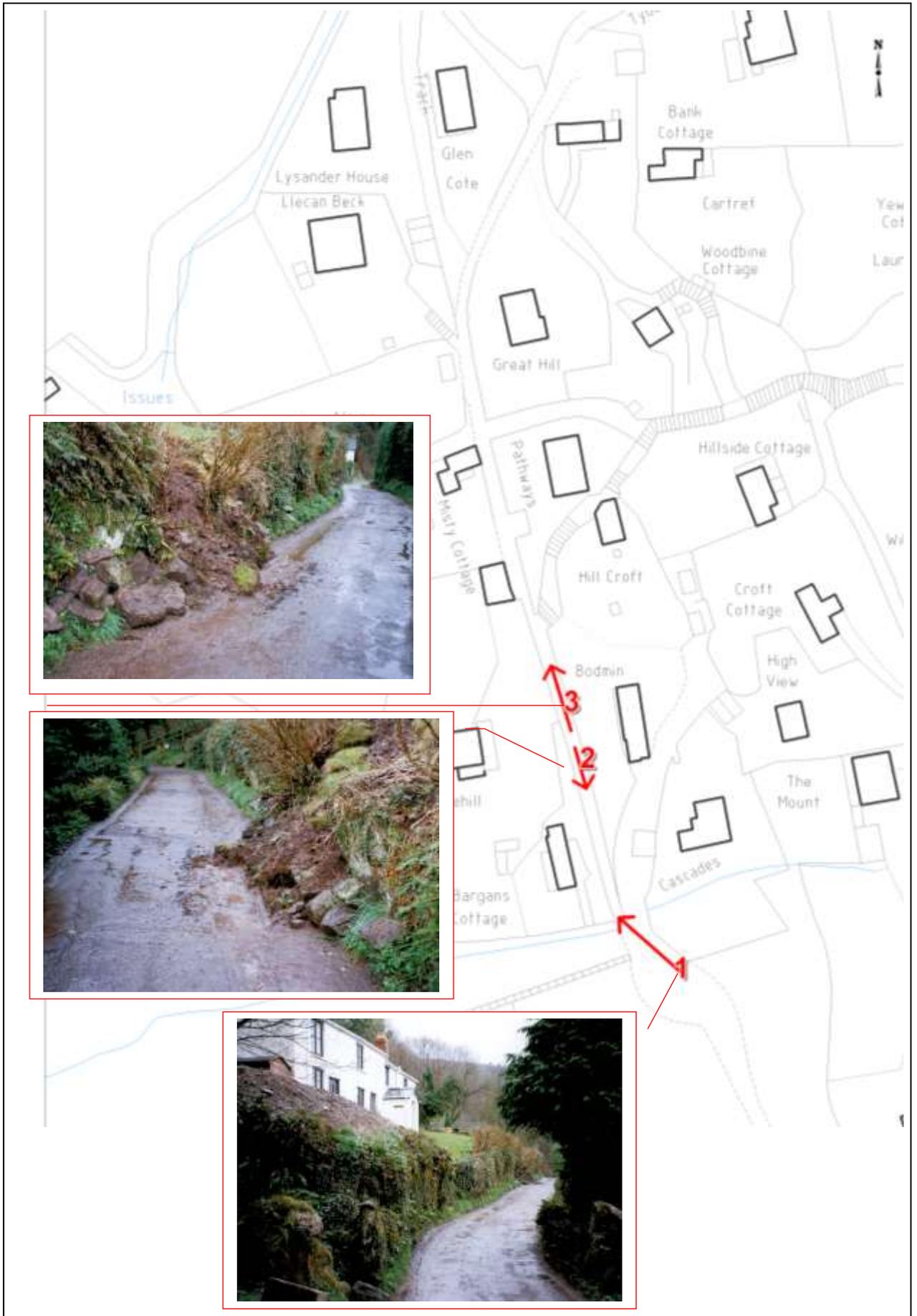
My wishes

Since no-one seems to actually own the land on which the lane is built, and the fact that the council have invited cars and other traffic to use the lane by their wayward planning consents without proper vehicular access, and the fact that they have resurfaced the lane at rate-payers' expense, I think MCC should adopt the lane for limited private vehicular use only and they must deal with the urgent problem of underpinning it and providing drainage – at their expense. In order to police light use only, I suggest that they insert bollards or posts at the Bargan's cottage end to provide just width enough for a large family car and NOT allow any further planning consents off this lane again.

In view of the arguments about the turning area and building materials being dumped there, I further suggest that the MCC formerly purchase the land from Forest Enterprise and put in safe foundations with sufficient parking along one side of the lane for all of the properties it serves. They should mark out both spaces and turning areas to be kept free, accordingly. This would solve the problem for all concerned. It would cost a lot of MCC money – but over the years they have been unwittingly spending large amounts on projects they seem to know nothing about!

*D. Mariana Robinson
Cascades
Llandogo
Monmouth NP25 4TE*

26th April 2004



Site Photographs dated 16th March 1998
Appendix 51



Site Photographs dated 29th February 2000
Appendix 52



Site Photographs dated 29th February 2000
Appendix 53



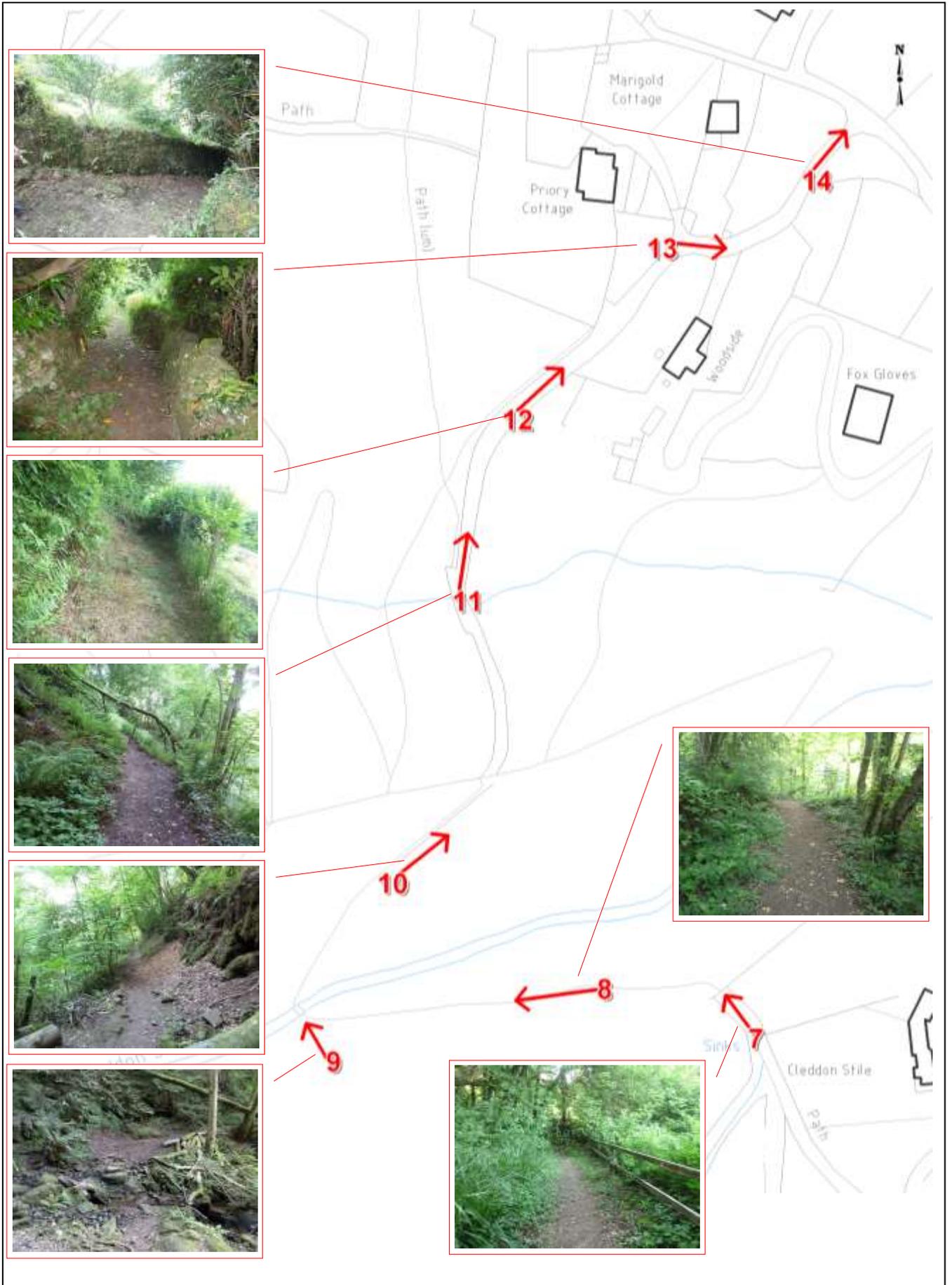
Site Photographs taken in 2004
Appendix 54



Site Photographs taken in 2004
Appendix 56



**Site Photographs taken July 2014
Appendix 57**



**Site Photographs taken July 2014
Appendix 58**

The Natural Environment and Rural Communities Act 2006

Testing of the claim against the Natural Environment and Rural Communities Act (NERC) 2006

1. Section 67(1) extinguished, on commencement, public motor vehicular rights over every highway that was not already shown on the definitive map and statement, or was shown only as a footpath, bridleway, or restricted byway. In effect this means that public rights of way for mechanically propelled vehicles have been extinguished over every highway not already shown on the definitive map and statement as a byway open to all traffic.
2. If this section 67(1) were left with no further explanation then that means that not only do public vehicular rights along the route in question extinguish but also virtually the whole of the existing highway network including county unclassified road 40-7. However, subsection 67(2) introduces a series of exceptions to protect certain highways from such extinguishment under subsection 67(1). Any route that qualifies under any one or more of these exceptions would not have its public rights of way for mechanically propelled vehicles extinguished.
3. Subsection 67(2)(a) – excepts ways that have been lawfully used more by motor vehicles than by any other users types in the five years preceding commencement. The intention here is to except highways that are part of the 'ordinary roads network' such as C40-7.
4. The Authority does not have extensive records of motor vehicle use of the county unclassified road 40-7 but there is evidence from local residents who reporting using the route in question in motorised vehicles to gain access to their properties. It is not incumbent on the local highway authority to undertake a detailed investigation or survey of "main lawful use" on every way.
5. Subsection 67(1) says that public mechanically propelled vehicle rights are extinguished if the route in question is not shown on the Definitive Map and Statement in accordance with subsections 67(1)(a) & (b) then the public MPV rights are extinguished only if the rights are not subject to the exceptions listed in subsection 67(2) & (3).

Comment

6. *The route in question is registered on the Definitive Map and Statement. The only types of highway registered on the Definitive Map and Statement are public byways open to all traffic, restricted byways, bridleways and footpaths. This Act now prevents those previously unregistered routes to be recorded on the Definitive Map and Statement as byways open to all traffic.*

The Natural Environment and Rural Communities Act 2006 contn'd

By using the flow chart that illustrates the process of determining whether a public right of way for Mechanically Propelled Vehicles (MPVs) over any given way is extinguished by section 67 of the NERC 2006 (Appendixes 59 to 61)

7. Subsection 67(2)(a) states that public MPV rights are extinguished unless the way is mainly used by MPVs.

Comment

8. *The five witness statements submitted with the claim report that the route in question was regularly used by motorised vehicles. However the use is reported to be mainly the residents and those invited as visitors or service providers such as the postman and not by the public at large therefore public MPV rights are extinguished.*

9. Subsection 67(2)(b) states that public MPV rights are extinguished unless the way is shown on the List of Streets.

Comment

10. *The route in question is not shown on the List of Streets therefore public MPV rights are extinguished. However the route in question is recorded on the Definitive Map and Statement as Cart Road Bridleways 20, 21, 22, 23 and Cart Road Footpath 24*

11. Sub-Section 67(2)(c) states that public MPV rights are extinguished unless the way is created expressly for MPVs.

Comment

12. *In the absence of the 1810 Enclosure Award map for this area the earliest and most reliable map available is the 1830 Ordnance Survey map. On this document the route in question is not shown. More importantly what is shown on the 1830s OS Map is one main route and one other route that ascend up the "Great Hill" from the east and not from the north east or the south east during the approximate time period 1830 to 1881.*

13. *The Ordnance Survey mapping available during this period shows that the route in question was not created specifically for motorised vehicles.*

14. *It is acknowledge that in 1821 mechanical propelled vehicles (MPVs) were not the major form of transportation. Although wheeled horse drawn carriages were probably more frequently used along these routes to transport home building materials, equipment and contents up the "Great Hill" to the private dwellings.*

15. *The 1881, 1886, 1902 and 1922 OS maps all show the route in question with the markings that indicate the alignment of the route as a fenced minor road. The Ordnance Surveyors were only required to accurately depict the physical features they encountered in the area and not to determine whether or not a route where public or private.*

The Natural Environment and Rural Communities Act 2006 contn'd

16. *The 1846 Tithe and the 1910 Finance Act Maps both record the route in question as a road that is in most cases recorded on the "List of Street". However, both the Tithe and Finance Act Maps were conducted for the purpose of raising taxes against land and land produce and not compiled specifically for the record of public or private rights. These historical documents normally helpful when assessing whether or not, on balance, public rights may or may not already exist are not always reliable when attempting to determine what the level or type of rights the public are utilising.*
17. *The evidence suggests that the route in question was not created expressly for mechanically propelled vehicles therefore public vehicle rights over the route in question are extinguished by the 2006 NERC Act.*
18. **Sub-Section 67(2)(d) states that public MPV rights are extinguished unless the way is built for use by MPVs.**

Comment

19. *Due to the 1846 Tithe map showing the route in question and as this map predates the availability of any MPVs the way being investigated was not built for or by motorised vehicles. This would mean that MPVs are extinguished.*

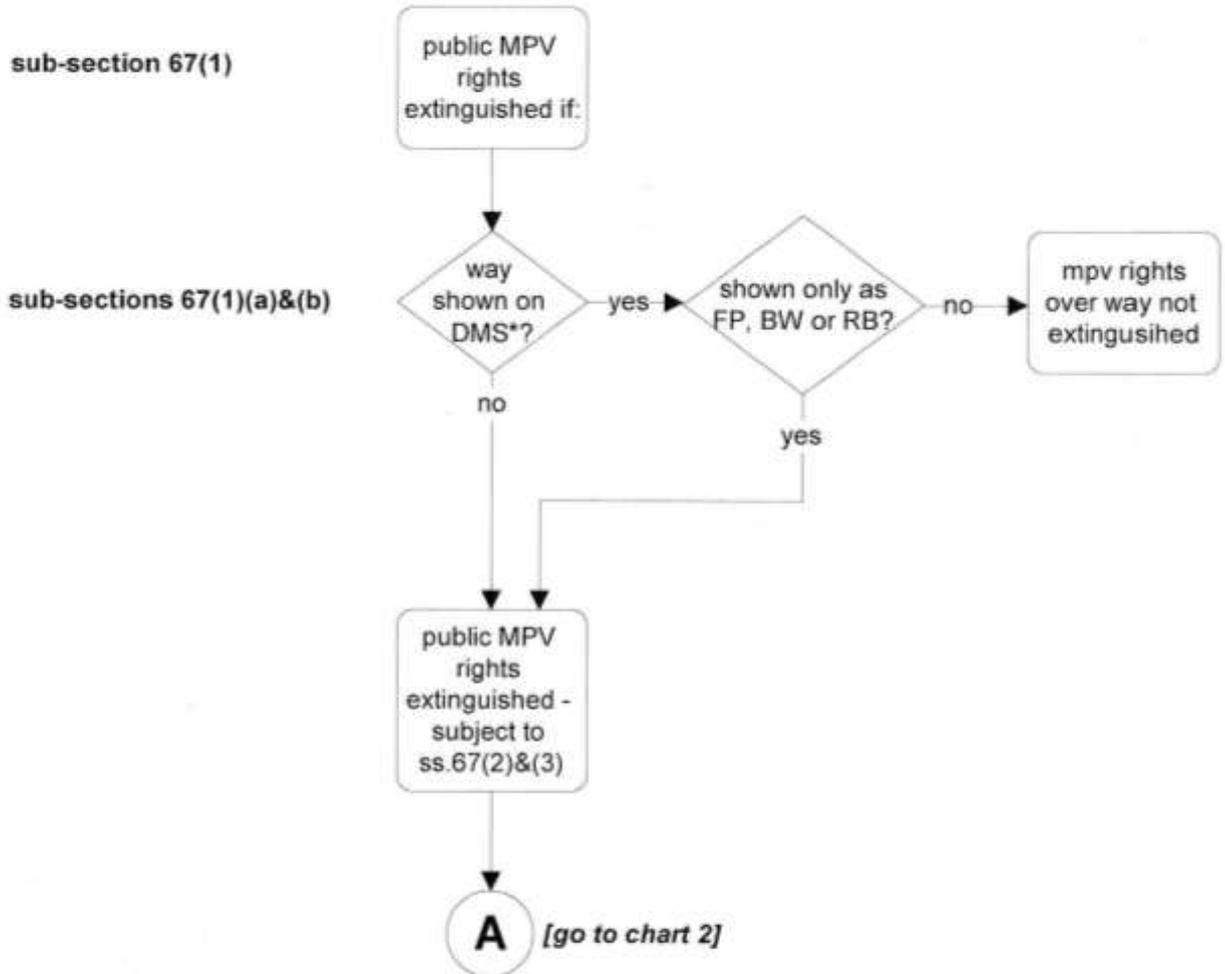
20. **Sub-Section 67(2)(e) states that public MPV rights are extinguished unless the way was created by MPVs use pre-1930.**

Comment

21. *Due to evidence of the 1846 Tithe and 1881 OS map that shows the route in question was constructed pre-1930 and not created by MPVs usage prior to that date therefore MPV rights are extinguished.*

Chart 1 of 3 - subsection 67(1)

(This chart illustrates the process for determining whether rights of way are extinguished and does not provide an interpretation of the law; it must be read in conjunction with Defra's guidance on Part 6 of the Act)



Guide to abbreviations

MPV - mechanically propelled vehicle

DMS - definitive map and statement

FP - footpath

BW - bridleway

RB - restricted byway

BOAT - byway open to all traffic

s. - section

ss. - sections

LOS - list of streets

DMMO - definitive map modification order

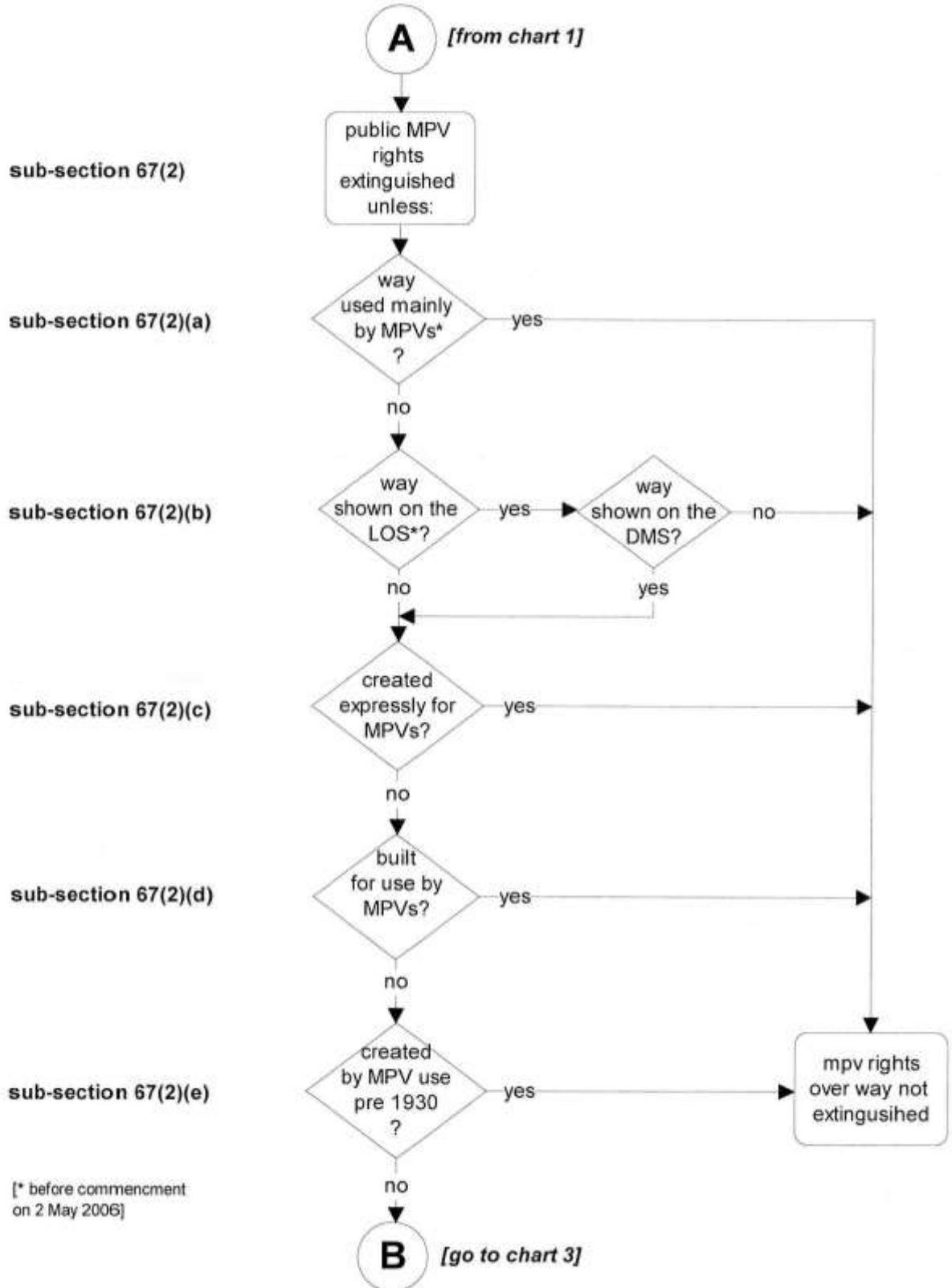
LHA - local highway authority

[* before commencement on 2 May 2006]

Flow chart illustrating the process of determining whether a public right of way for mechanically propelled vehicles over any given way is extinguished by section 67 of the NERC Act 2006

Chart 2 of 3 - subsection 67(2)

(This chart illustrates the process for determining whether rights of way are extinguished and does not provide an interpretation of the law; it must be read in conjunction with Defra's guidance on Part 6 of the Act)



Flow chart illustrating the process of determining whether a public right of way for mechanically propelled vehicles over any given way is extinguished by section 67 of the NERC Act 2006
Appendix 63

Chart 3 of 3 - subsection 67(3)

Chart illustrates the process for determining whether rights of way are extinguished and does not provide an interpretation of the law; it must be read in conjunction with Defra's guidance on Part 6 of the Act)



Flow chart illustrating the process of determining whether a public right of way for mechanically propelled vehicles over any given way is extinguished by section 67 of the NERC Act 2006
Appendix 64

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.
SURVEY OF RIGHTS OF WAY.

LOCAL AUTHORITY (Borough, District or Parish Council).....
PARISH OF.....

N.B.—The Pamphlet references in this Form are to the January, 1950 Edition of the Memorandum prepared by the Commons, Open Spaces and Footpath Preservation Society entitled "SURVEY OF RIGHTS OF WAY."

Number of Paths coinciding with No. on Map (See Paras. 2 and 3).	Kind of Path (Use Symbols, See Para. 4).	Name of Path, if any, or its destination	Concise description of Path commencing with its starting point. Give features occurring on Path in correct order, and its widths where well defined. If metalled, by whom repaired. (See Para. 5 on Pages 11, 12 and 13).	Brief grounds for belief that way is public.	Signature, description and address of persons carrying out survey and dates.
6	F.P.		From County road to F.P. 14 N.E. to join County road S. off bridge	Metalled	F. Williams 1st June 1951
9	F.P.		Starts at foot of trees on the Hemmels-Chapman road, 100 yds north of left bank at Railway Cottage (crossed by wall with stile)	*	*
10	F.P.		Starts at foot of trees on the Hemmels-Chapman road, connecting with 17 steps joining footpath 10, 9 by the 14 1/2 mile inn by the river.	*	*
11, 12, 13, 14	F.P.	Great Hill	Starts at The Laurel Bush Cottage on the Llanbryn Ffestiog road, after first 25 yards met by stone steps east on to the hill, 20 yds south of the Laurel Bush Cottage.	*	*
15, 16, 17	F.P.	Great Hill	Continuation of F.P. 11, 12, 13, 14. Starts at the Laurel Bush Cottage, continues on rough stone steps for 100 yds then rough pathway through woods to Clodion.	*	*
18, 19	F.P.	Clodion Lane	Starts at the Laurel Bush Cottage on the Llanbryn Ffestiog road, 100 yds north of the Laurel Bush Cottage, where path becomes metalled until it meets on to the Freedom road by a stone stile.	*	*
20, 21, 22, 23, 24	F.P., C.P., F.P.	Clodion Lane	Starts on County road S. of the Laurel Bush Cottage, rough stone path bordered by stone walls, path about 5 ft wide, stone walls end at Laurel Tree Cottage, where path becomes metalled until it meets on to the Freedom road by a stone stile.	*	*
25, 26, 27	F.P.	Clodion Lane	Starting from Clodion Lane by Laurel Tree Cottage, about 500 yds bordered by stone wall through path ending at an exit on the Freedom road.	*	*
28	F.P.		Starts from Hemmels-Chapman road 1/2 mile north of Llanbryn Ffestiog. Passes through wood and bounded by hedge of Good Hill farm on one side after 200 yds south for Clodion path; continues another 200 yds and then there is a branch left via stile and stile on to main road. Path continues following boundary of Good Hill Farm, the boundary being a stone wall and joins Llanbryn Ffestiog road; stile from Llanbryn Ffestiog.	*	*
29, 30, 31, 32, 33	F.P.	Clodion F.P.	From 200 yds stone footpath N.E. continues up through woods to Llanbryn Ffestiog road, 1/2 mile from Llanbryn Ffestiog. Path continues either side of road through wood and comes out on the Great Hill path 200 yds east of Clodion Hill.	*	*
34, 35	F.P.		Starts from Hemmels-Chapman road 200 yds south of Good Hill Farm. Starts with a wooden stile and continues through wood and steps to north side of main stream going in a westerly direction and crosses hill road path. Path ends on the Hemmels-Chapman road by a wooden stile in stone wall, 200 yds south of Ivy Cottage.	*	*
36, 37	F.P.	Pettit Lane Path	Starts from Llanbryn Ffestiog road; 1/2 mile from Llanbryn Ffestiog road to stone stile. Broad track about 80 yds wide through wood. After 200 yds it crosses path 10, 9 and 35 from Good Hill Farm and a small stream. Starts at the Laurel Bush Cottage 1/2 mile from Llanbryn Ffestiog road, where it crosses the Laurel Bush Cottage road by a wooden stile in stone wall, 200 yds south of Ivy Cottage.	*	*
38	F.P.		Starts from Hemmels-Chapman road 200 yds from Llanbryn Ffestiog road. Right way to the river passing down through wood, track very indistinct. Passes under railway track by iron bridge to river.	*	*
39, 40	F.P.	Ten path	Starts from F.P. 10, 9 by the old slip way, crosses on to railway track by wooden stile continues by side of track nearest river and leaves by another stile into river meadow, then following edge of river crosses stream by stone footbridge 100 yds from stile. Continues near edge of river through five fields each field entered by stile. Path ends in last field by 10 p.m.	*	*
41	F.P.		Starts from F.P. 10, 9 1/2 A near Llanbryn Ffestiog road through church yard, leaving church yard by stone stile through south wall crossing meadow to wooden stile crossing railway track. Passes in front of the house through meadow to stone footbridge on the F.P. 10, 9 at 10	*	At June 1951
42, 43, 44	F.P.		Starts from Freedom road 25 yards north of railway, where earth surface off of the road through wood 20 yds north of Good Hill Farm where there is a junction with a footbridge path. Path then continues as a grass track through wood, crossing side of valley terminating on 'topping' road which follows edge of valley. 200 yds from the Laurel Bush Cottage.	*	1st June 1951

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT, 1949.
SURVEY OF RIGHTS OF WAY.

LOCAL AUTHORITY (Borough, District or Parish Council) PARISH OF

N.B.—The Pamphlet references in this Form are to the January, 1950 Edition of the Memorandum prepared by the Commons, Open Spaces and Footpath Preservation Society entitled "SURVEY OF RIGHTS OF WAY."

Number of Paths coinciding with No. on Map (See Paras. 2 and 3).	Kind of Path (Use Symbols. See Para. 4).	Name of Path, if any, or its destination	Concise description of Path commencing with its starting point. Give features occurring on Path in correct order, and its widths where well defined. If metalled, by whom repaired. (See Para. 5 on Pages 11, 12 and 13).	Brief grounds for belief that way is public.	Signature, description and address of persons carrying out survey and dates.
47	F.P.		Starts on opposite side of road (Chapman-Lambeth) to path No. 50, then by side of private steps to fence, and passes four cottages to F.P. 48.	metalled	F.J. Williams 1st June 1951
48	F.P.		Starts from Lambton-Fretlock road - 50 yds from start of path No. 5. Passes to approach the View then Ambles back to join path No. 13 and 14 - 25 yds from the start of path No. 13. After doubling back path serves the cottages, bordered by the stone wall.	"	"
49, 50	F.P.		Starts 10 yds above the junction of F.P. 48 bordering right from the Great Hill (F.P. 49, 5) rough track bordered by the stone walls serving 3 cottages before crossing F.P. 48, 10 : 19 and then runs up to join F.P. 49, 23 & 24 at its terminus.	"	"
51	F.P.		Starts from F.P. 49, 45 & 46 about 15 yds above Cobden Cottage. Passes behind a stone wall and continues up through woods, bordered by stone wall and garden banks. It makes no contact with any other path or house but passes a spring on left, joins to a path which runs round edge of valley leading Cladon and beyond.	"	"
52, 49, 50	F.P.		Starts from Old Church Road 50 yds after leaving South Cladon road, branches left through Fir wood and follows edge Park's field (F.P. 49, 50) until reaching stream. Then follows stream up through alder wood to gateway which gives access to the Green Plantation. It passes through this growing stream by stepping stones, leaving the grove by another gate, then continues as hard earth path bordered by stone walls and reaches freedom road after 50 yds.	"	4th June 1951
53	F.P.		Starts from freedom road, appears to be continuation of F.P. 49, 28. Green path passes through stone wall and no boundary to path but passes remains of a few stone walls that used to be a cottage. Surges on to path No. 44 and 45, both paths being about 70 yds long.	"	"
54, 55	F.P.	Destination Cladon Hill 4	Starting point junction of main road from Lambton with the main stream Fretlock road, bordered by a little adjoining a field gate, skirted on right by the burgate road - 5 - 9 ft wide, used as a bridge path but chiefly as footpath, after passing burgate it emerges from between two forestry plantations by a stile adjoining a field gate where it seems to be unferred and is bounded by dry walls past the front of Cladon Hill until it reaches the junction of burgate at Cladon Hill, bordered by the road by a boundary stone beyond 1/4" rough metalled throughout.	in ancient way, believed to be part of the original Fretlock road.	F.C. Day, Cladon Hill, Fretlock 4th January 1950
56	F.P.	Joining into Fretlock road with F.P. 49, starting burgate road.	Footpath (unfenced) arising from main Fretlock-Fretlock road appears to pass over stone through field gate and reaches burgate which serves as a stile in line of a field gate which became unworkable. The footpath proceeds up the hill between young forestry plantations to the edge of the burgate road where it joins the F.P. 49, which connects Cladon and the junction of the main road Lambton with Fretlock-Fretlock.	"	"