

COMMONS AND RIGHTS OF WAY COMMITTEE
12 December 2023

PUBLIC QUESTIONS ON MATTERS WHICH ARE WITHIN THE POWERS AND DUTIES OF THE COMMITTEE

Questioner's Name: Michael Giles	Respondent's Name: Philip Cameron, Traffic Manager
<p>Stonehouse Town Green and Verney Fields Public Rights Of Way status. On behalf of the interested community of Stonehouse and others further afield: I would like to know when the Town Green application (number 77161) submitted on the 27 February 2023 with over 118 Witness Statements will be advertised. What is preventing progress with this application?</p> <p>In addition, when will the subsequent applications (Definitive Map Modification Orders) to make well-trodden pathways official Public Rights Of Way be actioned? These applications are supported by over 338 Witness Statements by Stonehouse residents.</p> <p>The situation is urgent as the relationship with the owners has deteriorated dramatically into farce. From hostile signs, intimidation, police involvement, and most recently, accusations of the council being corrupt and wishing to steal farmland from the owners. It is pantomime season with a wild-west twist, narrow barbed wire fencing to control stock that has yet to materialise, grazing an orchard where a tree is yet to be planted. This has led to wire fencing being cut through frustration and to gain access.</p> <p>The owners have shown a blatant disregard to the instructions of Gloucestershire Highways Department. They have deliberately failed</p>	<p>The Highway Records team have confirmed that five 'Definitive Map Modification Orders' ("DMMO") applications were received on 4 July 2023, to add a number of currently unrecorded footpaths to the Definitive Map; the applications were supported by over 200 DMMO user evidence forms.</p> <p>DMMO applications are complex and resource heavy and due to staffing pressures, the Council is unable to process all applications immediately on receipt; however, we are aware of the strength of feeling around the area of Verney Fields.</p> <p>Work has begun to log and summarise all of the user evidence forms, in readiness for a determination of the application. The process of compiling the determination Report additionally includes research and investigation of any available documentary evidence and an analysis of the user evidence. This is often a lengthy process and is programmed to commence in the new year.</p> <p>Unfortunately, because the process of compiling evidence for the Report requires certain statutory consultations and 'rights of reply', we are unable to advise when the Determination Report will be ready for presentation to the Commons & Rights of Way Committee for consideration until work on the application is more advanced.</p>

to provide the specified pathway width and surface modification in a timely fashion, leaving previous users severely challenged.

Due to the bureaucratic process of recording the footpath status and positions, their upkeep has been severely neglected over many years, the current situation is woeful and inadequate.

MST30 is not fit for purpose, it was hastily reinstated when access to Verny Fields was denied. Steps were installed and topsoil removed for levelling purposes by the Cotswold Volunteers. This, unfortunately, has made the path slippery and dangerous in wet conditions due to the exposed clay subsoil (exacerbated through concentrated use). It is too narrow and does not allow 2 abreast for passing without risk of a steep fall.

MST62 is closed, waiting for the Cotswold Volunteers to finish the specified widening and surface modification work that the owners have failed to complete even after being given a time extension. It is uneven, long and narrow with no opportunity to escape a difficult situation, also it does not allow 2 abreast passing without the risk of coming into contact with barbed wire.

MST28 has been deemed extinct by the owners, they have removed a stile and denied access with barbed wire fencing, yet it is shown on the Gloucestershire County Council Rights Of Way online map. A diverted path exists to the side of the old quarry face that could be linked to the existing Public Right Of Way through the owners field with little effort.

This whole situation can ultimately be resolved with timely progress on the resolution of the application of Town Green status of Verney Fields.

The Public Rights of Way Team have confirmed they are liaising with the landowner in respect of maintenance works to the currently recorded paths of MST30 and improving MST62. The closure of MST62 has been extended until the New Year, but depending on weather conditions this may need to be extended further so work can progress in a safe manner.

The matter of MST28 being historically severed by the former quarry is also being investigated.

The Commons Registration Authority has had to undertake formal due diligence as part of its statutory duty when considering TVG (Town Village Green) applications, which it has now concluded to allow the CRA to move to stage 2 and the formal publication of notice of the TVG application.

The TVG application is due to be published before Christmas or very early in the New Year.

Respectfully we ask that prompt action is taken to move to stage 2 and public consultation.

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