

Kirklees Council
(Huddersfield Public Bridleway 231 – Sandy Lane to Nether Moor Road, South
Crosland)
Public Path Modification Order 2018

WILDLIFE AND COUNTRYSIDE ACT 1981

PINS Ref: ROW/3202859

INQUIRY DATE: 29 January 2019

Proof of Evidence: Helen Virginia STEWART (known as Virginia Stewart)

33 Manor Farm Drive, Churwell, Morley Leeds, LS27 7RN

1. I was born in February 1965, and lived with my parents at 6, Bluebell Hill, Taylor Hill. I spent weekends and school holidays at Walker Syke Farm where my mum's parents farmed and lived. My mum worked for the farm delivering milk. My uncles still have the farm and my parents now live at the Old Dairy. It was and still is a family farm.

2. I became friends with Sue Chadwick (Whitham) and Mary Whitham, who lived at the Airfield, when I was six or seven. We all learnt to ride on one of their ponies. Pat Whitham, (Sue and Mary's mum) had a pony which was broken to the trap and Pat would sometimes take us out on a Sunday around the tracks (Byways). The tracks were not overgrown in those days because cars and tractors used them.

3. I got my first pony Bonnie when I was about 8, by this time there were quite a few ponies at the Airfield, so we would all ride out together around the tracks at every opportunity.

4. Walker Syke Farm has a Byway through the middle and this Byway forms part of the circular ride that we all did, which includes the route that is subject of this inquiry. Whenever we rode the Nether Moor track no one tried to stop us, if it was milking time, there would be a pole or chain across the lane, we would sometimes have to wait, but Mr Arthur Bradley or his wife would come and open it for us. They always spoke to us.

5. Since my first pony I have always had at least one pony or horse. They have been kept at Walker Syke Farm. When I was 11, I moved in with my grandparents, riding at every opportunity.

6. I left school at 16 and went to college. I had a motorbike and also rode it on the route. I learnt to drive a car when I was 17 and would take my Grandad to visit Clifford Bates who lived at Delves Cottage, on Nether Moor Road and I would go down the route in the car. It was always open to cars, tractors etc.

7. In 1982 I worked away in the Lake District for three months April to June, so I would not have used the route until my return in June 1982. I got a job at a Solicitors, and moved back to my parents at 6, Bluebell Hill, but I still rode this route every weekend and evenings in the summer. That was the pattern until 1985

- when I had an accident riding and broke my collar bone. I remember being in hospital, it was the time of the Bradford Football Stadium Fire, I couldn't remember the date, but I looked it up and it was May 1985. I probably didn't ride for two or three months after the accident.
8. By 1986 I had two horses, and my cousin or various friends would ride out with me along the route.
 9. I moved to Leeds in 1992. But carried on using the route at least weekly. I carried on doing this till I was 6 months pregnant with my first daughter (born March 1993). I resumed riding about three months after she was born. Apart from a brief period when one of my horses developed a foot problem in 1996, I cannot recall there being any time when I did not ride the route.
 10. In April 1997 I bred my first foal, I didn't ride for a couple of months after the foal was born, but then resumed riding. My use of the route carried on until I became pregnant with my second daughter (born April 2001). I didn't ride in the winter of 2000/2001 whilst I was pregnant. In the summer of 2001 I walked the young horse I had bred, in hand around the route, so using the route on foot. The route is ideal for backing young horses or taking out novice riders like my two daughters, as it has walls at both sides and not much traffic.
 11. In around 2008 or 2009 the Bradleys put boulders at the bottom of the route at the Nether Moor Road end to stop 4x4 users, due to Mr Bradley being threatened and

- also gypsies getting onto the land. But we were able to still ride between the boulders.
12. Later a gate was put half way up the route. Initially, these did not stop walkers or riders. This was a big gate which I thought was locked, with a small gate with a long lever handle, so we could open it from the horse.
13. I have never been told that I couldn't use the route, even Mr Edward Bradley and his son, would sometimes open the gate or move the chain, if they saw me. Sometimes I would shout and they would come out, so I didn't have to get off in the mud. And if they were on a tractor, they would turn off the engine, to not frighten the horse.
14. I have ridden the route with both my daughters and various friends, right up to the Bradleys blocking it in 2015 with more boulders, another gate by Mrs Bradley's house, barbed wire, a caravan and large muck heap, also they parked the tractor across the lane. They also put up two home-made notices both saying NO PUBLIC RIGHT OF WAY BEYOND THIS POINT.
15. I have always understood this to be a public right of way. I never asked for permission to use it. I still believe it is a BOAT (Byway open to all traffic). Both Mr Arthur Bradley and Mrs Margaret Bradley knew it was a public right of way and never tried to stop us or anyone I know using it.

I believe that the facts and matters contained in this proof of evidence are true.

Signed: Dated:.....