

[REDACTED]

From: [REDACTED]
Sent: 31 May 2018 14:10
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: DMMO Wood Nook and Manor Farm Wilshaw.

Good afternoon [REDACTED]

1. I do not have further information on the people named below who were turned back but I understand they are connected to the applicant so UEFs might be expected. It remains a pity that the Council is unwilling to share such information.

[REDACTED]

2. The lower section is at the lower southern end and legitimately obstructed. This was subject to a complaint to the Council and subsequent Section 143 Notice. The Notice was withdrawn after discussion, thus showing the benefit of sharing information.

3. The Notice was in the side entrance wall of Manor farm. I am more than willing to meet to indicate the precise location.

Whilst I have your attention, can you confirm that the DM has now been altered to show the correct line as per the 1990s diversion Order.

Cheers

[REDACTED]

Sent from my iPad

On 31 May 2018, at 13:16, [REDACTED] wrote:

[REDACTED]

[DMMO application ref: 193. Wood Nook to Wilshaw](#)

Thanks for your email.

Perhaps you may wish to share what the "proposals" are, that you suggest may be beneficial to discuss.

In the meantime:

- Do you have further identifying or contact details for the people you name below?
- Do you have any further evidence and/or further details about the claims of council action in 2005? E.g. where/what/correspondence.
- What/where is "the lower section of the FP" you describe?
- Where were the alleged 1977 notice and sign you describe?

Regards,

[REDACTED]

e [REDACTED]

W www.kirklees.gov.uk/

o Public rights of way: local authority responsibilities <https://www.gov.uk/public-rights-of-way-local-authority-responsibilities>

o Public rights of way: landowner responsibilities <https://www.gov.uk/public-rights-of-way-landowner-responsibilities>

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
From: [REDACTED]

Sent: 31 May 2018 11:58

To: [REDACTED]

Subject: Re: DMMO Wood Nook and Manor Farm Wilshaw.

Good Morning [REDACTED]

Do you have any update on this. I am aware that a decision is due soon and it may be beneficial to the Council if we discuss proposals before finalization of a report.

[REDACTED]

-----Original message-----

From : [REDACTED]

Date : 09/04/2018 - 14:13 (GMTDT)

To : [REDACTED]

Subject : DMMO Wood Nook and Manor Farm Wilshaw.

Dear [REDACTED]

I write in response to your letter of the 26th February 2018 to [REDACTED] I represent them in this matter.

They own or have an interest in all of the claimed routes and have done so since 1976 in relation to the Wood Nook Estate and 1977 in relation to the Manor Farm Estate.

I have had the benefit of seeing the application to add a Bridleway but only had sight of heavily redacted versions of the User Evidence Forms.

You will be aware that the claimed historical evidence has no bearing on this matter and brings nothing new to the fore that has not been already examined when part of the claimed route was added to the Definitive Map and Statement as a Footpath.

Since the [REDACTED] occupation of the land there has been some limited use of the route by friends and neighbours with the [REDACTED] express permission. Users with permission have included family, their friends, [REDACTED], his livery users and their guests.

When users have been seen who do not fit within that criteria they have been turned back.

Notable cases have included [REDACTED] in 2006, [REDACTED] in 2002 and [REDACTED] [REDACTED] recently (although [REDACTED] did ride the route with permission previously).

The express permission has been withdrawn on a number of occasions because of excess damage to the surface or to prevent intrusion during building works or family events.

These include express closures, for all except footpath users, for a three day period for a wedding in 2006.

In 2005, because of public nuisance damage caused by people abusing their permission and others the [REDACTED] contacted KMBC and [REDACTED] arranged for a structure to be installed part way along the route to slow permissive users and placed official signs at all access points stating "No Horses, No cycles. Foot path Only" to supplement the "Public Footpath" signs at each end.

The lower section of the FP has always been, except for a short time, gated and obstructed against non legitimate users. I prepared a report on this matter some time ago and it was provided to the Council. I attach a copy herewith.

The side access via Manor Farm was signed in 1977 with a Notice in the yard that stated "No access for horses or bikes without permission from the farm manager".

In view of the above, but without access to the full User Evidence Forms, I can say that the owners of the routes claimed have taken all reasonable steps to prevent presumed dedication of the claimed route, they have not dedicated the routes and will resist any attempt to add it to the Definitive Map.

It would assist us to assist you if we could see the UEFs in an unredacted state.

If I can be of any further assistance please do not hesitate to contact me.



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