

WITNESS STATEMENT OF JIM CREED

I, Jim Creed of 5, Fuddlebrook Cottages, Ayford Lane, Marshfield. SN14 8AB will say as follows:

1. I grew up in the valley and have known it all my life, working and living here for the last 50 years. My current abode for the last 5 years in Ayford Lane, runs parallel to that of Beeks Lane, where for the last 20 years by business has been based. I feel I am in a perfect position to assess the impact of creating a public right of way for vehicles in Beeks Lane. The condition of road re pot holes and tarmac and the ever eroding verge and bank side is something which has accelerated at an alarming rate in the last three years. Use of the lane has increased ten fold, due to light traffic of all shapes and sizes using it as a rat run for release from accidents on the A46. And with regards to the condition of the said Beeks Lane, is poorer than that of Ayford Lane, three years ago. Without further council funding the road surface will not only degenerate into something which is not only dangerous, for vehicles, but also pedestrians, walkers and animals of all types. A thoroughly bad idea.

2. It is now - and was in the past - my understanding that "the track" is and always was privately owned with permission for use by vehicle extended to a few locals. It is now and always was abundantly clear that "the track" is not a Public Right of Way for anyone - by signage on the gate abutting St Catherine's Lane. Horses and pedestrians have enjoyed permissive use - again made clear by signage.

3. For anyone to claim "the track" is a Public Right of Way would not be correct. Over the years I have only ever seen locals' vehicles and the postman. Most of these have been visiting Beeks Farm but some have obviously had permission for business of their own, e.g. "Open Reach", "Wessex Water" and agricultural suppliers.

4. As I run a business in Beeks Lane, we all notice pretty much every vehicle that drives past and it is clear that use is for access purposes only - to Beeks Farm, Beeks Mill and a few other agri businesses in Beeks Lane. There are horse-riders and walkers but as some come off Halldoor Lane and other public footpaths south of where I work, it is not possible to tell if all come via "the track". I would guess at 50% horses and 1% walkers. With the opening of a public right of way in Beeks Lane I would consider this heightening the chance of casual theft and damage around my business.

5. Chats with locals as they pass by demonstrate that my understanding of "the track" is likewise and is local opinion. The owner at Beeks Mill and Beeks Farm have been widely known to challenge unknown vehicles and this has been the case for many years.

6. When the current owner moved in she was obliged to lock the gates, both at the bottom and top of "the track" to stop trespassing by one landowner who claimed use "as of right". As a single female, the current occupant of Beeks Mill discovered verbal challenge to be insufficient (i.e. ignorable) which necessitated in the gates being padlocked. Keys were handed out to the original list of permit holders. The bridge cannot cope with ever-increasingly large farm vehicles so of course a few other farmers' noses will have been put out of joint but that does not equate with a Right of Way here. Those farms with smaller tractors have continued being permit holders. The tractors that travel, at this moment in time in Ayford Lane, are mostly liable to the erosion of banks and road surface and so reflecting on the likely impact in Beeks Lane.

7. Non vehicular users have enjoyed the route as permissive as it is accident-free. To meet traffic on any corner would obviously be highly dangerous. There is no verge to escape to and it is not possible to hear a vehicle round a corner with a high bank and tall hedge till there is trouble. This alone tells you how infrequent vehicles have been, not that there are many non-vehicular users either; the route leads nowhere and if a walker were to park in a layby they would almost certainly return to no wing-mirror situation.

I believe and declare that the contents of this statement are true.



J Creed

10th July 2018