

WITNESS STATEMENT OF JANET MARIE PRIEST

I, Janice Priest of 59, Forrester Green, Colerne. SN14 8EA - do solemnly and sincerely declare that:-

1) When we moved here in 1973, we initially used to keep my daughter's pony, "Snippy" at Motcombe Farm. It's not far from the route at Beeks Mill. From Motcombe, we would ride all around the area. There are several Public Bridleways off all these single-track roads making it a relatively safe area to ride with some good circular routes. The ride to and from Beeks Mill is particularly pleasant and in my opinion, the un-surfaced section of route there has never been a Public Right of Way.

2) I have liaised with my horse-riding friends in the area a lot over all this and we can all recall that the route at Beeks Mill, about a furlong in length, was a private 'permissive' route for non-vehicular traffic. Our reasoning: signs on the gates and either side of it made things clear that motorised vehicles were prohibited and the opposite if you were non-vehicular.

3) There were two signs, both on and near the farm gate, next to the road. One was on the main farm gate which was set back from the road (initially, less set back than it is today) and the other on post and rail leading up to the farm gate. There may also have been a third sign, to the west side of the gate. I cannot recall. Or maybe this was put there at a later date. In addition to the hand-made signs, there were no Public Bridleway or Public Byway signs or any public guide posts anywhere nearby.

4) The first sign I saw was on a hardwood backing with vehicle registration lettering saying, "Private Road". It was quite a clumsy affair, not decorative like the later, hand-painted signs. This was there when I first rode down the route and for many years hence. I'd heard the owner liked horses so I went down there. (see no. 8 below) I also remember a later hand-made sign with quite ornate, black painted lettering on what looked like a ply-board framed picture saying, "Private, Horses Only". I do not recall a sign saying, "Beeks Mill" at this time as

well, which I thought was a bit odd. Maybe they did not want visitors to come down that way. Either way, everything about the scene told you that it was not a Public Right of Way of any variety. The signs were always clear, amateur and not public. If you could read you could not be in any doubt as to their meaning. Many people ignore signs though, especially these days.

5) The gate beside "St Catherine's Lane" was eventually replaced with a side pedestrian gate in addition to the farm gate. I really cannot recall when this exactly was - sometime in the late 1980s or first half of 1990s, my horse-riding friends all think. This could still be at least five years out as I always tend to recall earlier things far better than the later ones. The signs all changed - or certainly some of them did - at this time too but I can never be sure of the wording. You were politely asked to shut the gate. That's all I can recall. This new side gate coincided with more liverys and horses in the whole area and so it was very much appreciated by the wider horse-riding community. That's why I thought they put it there.

6) Much more recently, a proper 'wicker' gate was repeated at the lower gate by the streams as well as by the farm at the top. This lower gate today is slightly further south of where the old iron gate is - which I notice is still there and still tied back.

7) After the time of the foot and mouth path closures, I noticed a hand-made and painted sign saying, "Bridleway Only" which co-existed with other signs, "Beeks Mill" and "Private Road". Discussing this with my friends now, we think that following the foot and mouth path closures, we noticed many things as if for the first time, with fresh eyes, as if they too were new. It could well be that these signs went up at the same time as the side gate was put in, alongside the farm gate. It would certainly seem more logical. I just cannot recall anything precisely and neither can any of us. All we are sure of was that the route was not a Public Right of Way.

8) I expect some horse-riders who have used the route in the past will not come forward today because they might worry that they would be accused of trespassing. The owner at Beeks Mill in 1970s, 80s, and 90s however always made my horses feel welcome as he said that he liked the sound of horse hooves. That's how I even came across the route in the first place, by word of mouth. Some of us saw him quite a few times in the Spring and Summer and later his family who were there on holiday. They were all always very welcoming when you did see

them. He was a headmaster at Clifton School in Bristol and then stayed more once he retired. Horse-riders who never met him, (incl. many of my friends) rode down that way without thinking that they had a right to do so, just that they were allowed to. I believe this was because the signs on the gates made it clear. I was told Beeks Mill was a holiday place which did not surprise me as very often no one was in. You could sometimes see a bird flying round inside the house as you rode by which was a bit worrying.

9) If cars had trespassed, and I never saw one, the signs all must have been very effective otherwise there would surely be large numbers of drivers and horses today saying they had a right to use the route. Many people have 4x4s today, and for the past 10-20 years, especially round here. The route would provide an ideal escape off A46 to Marshfield. If it is a good short-cut for horses then, it would certainly be no different for vehicles. I just want to state this logical observation as to my mind, it underlines that the route never a Public Right of Way, really, more than anything else anyone says.

10) Judging by the number of hoof prints on the ground, you'd think that horses were the only users and this was as true back then as it is today. I never saw a motorised vehicle once, not in all the time we rode out that way - which was often, at least weekly in the early days, and later, monthly. I am in my early seventies now so I use it less often, obviously. I was told that the postman used it and the Water Board also but I never saw either of them. I did not even see any visitors drive down there either. This is why horses so appreciated the route - it was so safe.

11) They apparently had problems at Beeks Mill with motorbikes at one time but this did not last all that long, a few years perhaps. But it would go in spates, apparently. While it lasted it was bad however. I do not recall seeing the middle of the route rutted by motorbike tyres and we rode out that way at least weekly for twenty odd years - from soon after we arrived. Maybe it felt worse if you were staying down there and only happened at weekends. They are very loud and frighten not just the animals. The whole route is watered by springs however so only fresh prints in the ground would tend to survive. One of my horse-riding friends said that one of the reasons the owner so encouraged horses was in the hope that they would deter motorbikes. But I honestly believed he liked horses apart from this. I also heard that the

farmer would challenge people off if vehicles drove through there not visiting, i.e. trespassers. But obviously it would have been much harder to stop motorbikes because they would have been far quicker. Down that route in a flash and even faster up the hill due north.

Trespassing vehicles could only go down such a route at a snail's pace which would surely allow enough time to nip out and challenge them. The motorbikes concern was pressing while it lasted. There has not been a problem with motorbikes for a long time now.

12) In the early days of using the route, I sometimes had to ride back up again because the lower iron gate was shut. It was nearly always tied back and you would simply ride past. I heard they only drew it shut for parties. Today it is still there but there is a wooden gate, further up hill. The wicker gates are much easier for horses.

13) Again, when I first rode the route, there was a shed with a car parked inside, towards the top of the route, to the east of it. I was told that the car belonged to the man at Paper Mill who worked over at Monkswood Reservoir. The shed was made of stone and had a corrugated iron roof. After the owner of it died, the shed fell into disrepair. Now it is gone altogether. Apparently, the owner of this car used to lock the gate at night - so as to stop his car from being stolen, I heard.

14) I cannot remember any of the signs exactly and I defy anyone who could. None of my friends can remember anything precisely either. We are all as vague as you like, often a good ten years out. We all agree and then someone remembers something else and we are all thrown again. Apart from the sign written with the vehicle registration lettering, the oldest one - later signs changed every five to ten years or so. The later painted ones were made of less strong material. It's only really this first sign that I remember vividly, either because it was up there the longest, or, because I accepted at that time that the route was not a Public Right of Way and I never looked as hard again. It's probably a bit of both.

15) The overriding impression was always that the route was a permissive path for bridleway traffic and absolutely prohibited vehicles, except obviously if you were visiting. Probably if any trespassing drivers (and I do not believe there would have been many at all) had got as far as Beeks Lane without being challenged, they'd be long gone. I think that everyone knew in their

minds that it was not a Public Right of Way because the signage was all highly effective. Maybe if you were in a big hurry you would not notice but out here, the ground is not great and with many corners so you have to drive slowly. Everyone had to see the signs because you had to open and close the gate. It is easy to miss a sign though, especially if you do not believe it applies to you for whatever reason.

16) Back in the 1970s, 1980s, 1990s and early part of 2000s, I do not believe there was any abuse of the route, only with the spates of motorbikes. I never noticed any problems with it till more recently when the gates - not the side 'wicker' ones - were locked. They have since been vandalised a few times and signs ripped off. In my mind and to those of my horse-riding friends, the route never ever was a Public Right of Way and so it's a good thing vehicles are locked out, in my opinion, as horses get a safe passage.

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

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