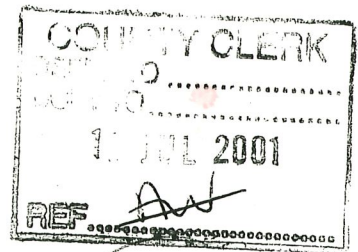


LX130G



(ES)

STAFFORDSHIRE MOORLANDS BRIDLEWAYS PRESERVATION GROUP

pl ack refer to
DCPS

Secretary:
Carol Povey,



The Chief Executive
Staffordshire County Council
Martin Street
Stafford
ST16

9 July 2001

Dear Sir

FP 8 CAVERSWALL

An obstruction has recently been erected at OS map ref. ST9447 4547 (photographs enclosed), with signs that suggest it was erected by Staffordshire County Council Countryside Services. The obstruction is a barrier with a small stile. The effect is to obstruct the free passage of the public, in particular the disabled, and is unlawful. We ask you to take regard to the judgement in *Seekings v Clarke* (1961) 59 LGR 268.

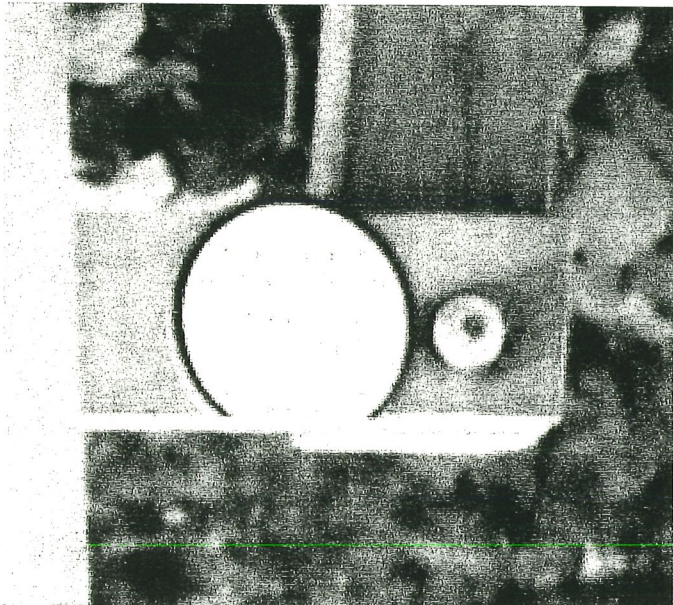
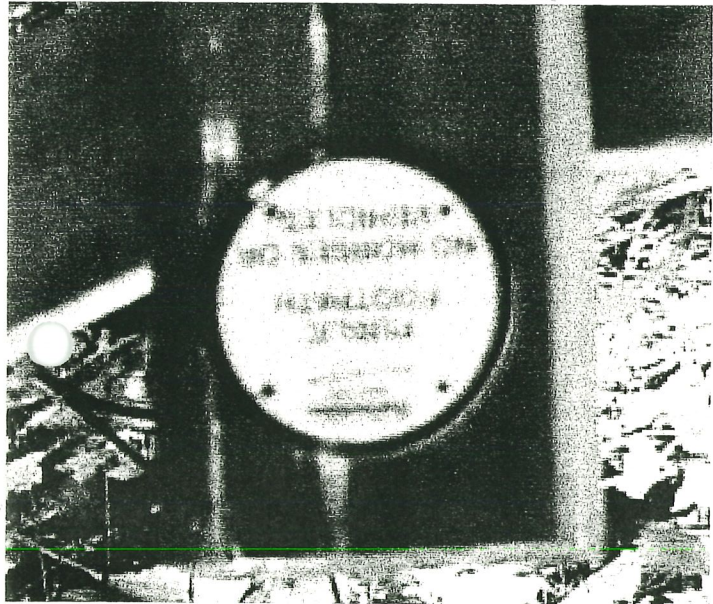
We also note signs stating "No Horses or Vehicles", we would remind you that a way shown on the definitive map as a footpath, simply means that there is a conclusive right of way on foot, and does not prejudice any other rights that may exist.

Parliament's intentions were made clear in DoE circular 1/83 where in Annexe A paragraph 70 the Secretary of State wrote that anyone exercising higher rights, if challenged, would have to show to a Court or inquiry that he did so "as of right". Clearly if the County Council wishes to challenge users or horses, a challenge in the Court should have been made and defended.

The Staffordshire Moorlands Bridleways Preservation Group will shortly submit a modification order to remove the footpath from the definitive map, as it is a pre. 1835 vehicular road, but in the meantime we would be obliged if you would remove the barrier without delay.

Yours faithfully

Carol Povey
Secretary
Staffordshire Moorlands Bridleways
Preservation Group



EXTRACT. CARY'S MAP of STAFFORDSHIRE

