

Title page

Ref 008112.

S53 application to a Public  
Bridle way from Trent Walk  
Bridge to public road  
SE corner of Home Farm.

Mr G. T. TAVERNOR.

Birch Hall Farm.

Ingestre.

Stafford.

ST18 0RE

Dear Hannah Tichener

Thanks for your correspondence, as is  
evident from my address the Alleged  
Route borders my property Birch Hall Farm

Over leaf are my comments: -



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# Application for the addition of an Alleged Public Bridleway from Trent Walk Bridge to the Public Road at the South East Corner of Home Farm.

1/ My first comment is one of confusion the title of the Application says from Trent Walk bridge to the road at the South East Corner. and sights in Appendix B the letters G to H, which only stretches from Trent Bridge to the top of Trent Walk, where is the section from the top of Trent Walk to the SE Corner of Home Farm actually specified, it seems to be a complete oversight. that even at the points 1 and 2. Recommendations this obviously very important section is not even identified. At point 53 you refer to in Appendix B, the Alleged route marked C to D. if this is the section sighted in the Application title it's very confusing to say in the title "to the Public road at the South East corner of Home Farm", point D is clearly on a corner South East of Home Farm.

If the Application is following G to H and then C to D as shown on Appendix B then two things are evident.

- i. The Application Title wording is wrong and at best very misleading.
- ii. And all of the User's evidence is compromised as they couldn't have been walking from G to D as C to D has been from the early 1800's the



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garden to Home Farm farmhouse and for the last 15 years after the conversion of Home Farm buildings to private dwellings, it has been the garden to 4 private homes.

2, Evidence submitted by the Applicant. At 27 on your letter. The Main Applicant. Mr Martin Reay "you say" "evidences" to the section of the route marked C-D" with an attached plan.

Mr Reay's evidence surely has a major flaw, as he couldn't possibly have used the said route he alleges he has done. As I at my point 1, said I feel this negates all the other users evidence of using the route from G to D. totally they couldn't have possibly been able to follow that route!!

3, At 48 you say that the 1801 Order refers to the stopping up of a small section of the lane running between "Dog Kennel Cote" and "Tixall Park Gate" I don't see the relevance of this information regarding the Alleged alternative route.

At 49, you say "The consent from the Earl of Talbot shows there was an intention for there to be a network of Public Bridleways in place from the direction of Hoo Mill. which lay to the South passing through Dog Kennel Gate and thence to pass by Trent Walk." I honestly don't understand how you could connect so much information from the so little amount of unspecific words in the transcript of the Earls 1801 declaration.



3. At your point. 50 and 51 you state "It would appear that the Earl of Talbot allowed the route from Dog Kennel Gate to Trent Walk as part of the diversion and that people used the route as part of the bridle network surrounding Ingestre Park." you go on to say "There is no conclusive evidence from the Quarter Session Order that this part of the route was officially stopped up, and when reviewed in conjunction with the Ingestre Estate Plans there appears to be an intention that this part of the route would be used by the public as a bridleway connecting with the new diverted bridleway to Hopton and connecting to Trent Walk." The key words I would emphasise here are: - There is no conclusive evidence. and - There appears to be an intention again I think there is a great deal of supposition in this statement. If we are to attempt to understand what was meant in the wording of such an ancient document such as the 1801 Diversion Order, one needs to be mindful that the Earl of Talbot in 1801 was the Owner and Master of all he surveyed, and that the public you refer to all worked for him and lived in the village of Ingestre at his behest, I'm not saying that was socially or morally acceptable by today's standards, but if we are endeavouring to understand a 220 year old document, such as the 1801 document which lets face it is the crux of the





3 The matter were dealing with here it makes trying understand what is actually meant easier to put oneself in the shoes of people at that period of historic time.

4. I go on to observe that if as has obviously been done in this case, a body presents as evidence, when that same body has a certain objective at the core of its argument, a collection of copies of transcripts of 220 year old manuscripts, and very crude - not to scale - hand to decipher maps, in this particular case to attempt to support the claim of an alleged route.

With only a cursory perusal of these documents and having the overarching title of "Proof to substantiate an Alleged Route" one might be convinced - but with much closer scrutiny of the disparate collection of purported evidence, it becomes clear that just because the disparate paper thin evidence is bundled together under the heading "Proof of an Alleged Alternative route", doesn't mean necessarily that they were all originally regarding the same purpose, or actually prove anything very much, and certainly do not categorically site and identify the Alleged Bridle Way mentioned as the Diversion in the 1801 Order.

5. In your letter you say the following.



4. The combination of the Order and the attached plan provides a fairly accurate description of the path intend to be diverted and the new bridle path"

I feel the resulting disruption to the land owners affected really deserves evidence that is very accurate and without any shred of doubt, and a description of the evidence presented as being Fairly Accurate, is simply not very clear or without a shred of doubt.

5. I propose that the documents relating to Quarter session Order 1801 are obviously very old, and even with the transcripts, are open to interpretation, and the accompanying maps are very crude and not clear.

6. In point 27. you highlight a letter from Dr Fawkes @ Appendix I, he only states that there is no doubt that the length of the bridleway stopped is 739 yards in front of the Hall, he doesn't offer any insight into the ~~alternative~~ routes exact location at all, only saying that it runs through the Earls own land, which could have been anywhere on the vast Ingestre Estate.

7. If the 1801 document is absolutely reliable, and I'm not convinced, that it is.

It's quite clear that the Alleged alternative route was never used as a route to Stafford.

It's a fact that the closed Bridle Way in front of Ingestre Hall, was already out of use, as by 1801 the current road between Great Haywood and Stafford



was the actual road that residents of Ingestre would use to reach Stefford. The Alleged alternative route was, and is, just an old estate route. From 1801 to the sale of the estate in the 60's to the present day the Alleged route has always been private, with at various times signs saying PRIVATE ROAD, and for many years gated and locked. When I was in my teens my family farmed at Weston, but we had one field in Ingestre, and to access the field we had to travel down Trent Lane, and there was a gate house (it is still occupied, its called Trent where Lodge) with double gates (also still in place). A lady called Mrs Rowbottom would ask who you were, and then open the gates using a wheel in the bay window of her house.

Also up to the present day any Walkers - Cyclists - Trespassers encountered by land owners or their staff have been vigorously challenged, the relatively small number of the supporting letters in Appendix A. in the user evidence section, given the years of duration since 1801, must just be the ones that were not challenged.

8. The map (Appendix F. Ingestre Estate Diversion Plan) On the reverse front page titled Sketch of the roads about Ingestre Intended to be Diverted is very crude and not to scale



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8. therefore very difficult to decipher, and when strategically placed in this context could on brief inspection be assumed to be referring to the 1801 diversion Order, but because I have known Ingestre all my life (born 1948) I have knowledge of the historical geography of Ingestre, I can clearly see that in actual fact the road, hatched with lines is in fact a road starting from the entrance to the village from the Gt Haywood to Tixall Rd. it then heads in a westerly direction through where Lion Lodges are now, and is in fact what was the Main Drive to Ingestre Hall going between Lion Lodges across what is now the golf course to the Hall, if you pay particular attention you can clearly see that the section of road directly in front of the Hall is significantly not hatched. It clearly demonstrates on this map that many roads were intended to be diverted. Also on this map you can see that at the entrance to the village from Tixall at Hoomish, the road I've just described is the left side of a fork in the road, to the right the road forks to the right, and follows the road which is now the main entrance road into Ingestre, to use an expression you yourself use at point 28 "Upon the balance of probabilities" This very same section of road could easily have been the route offered by the Earl as the diversion/alternative route.



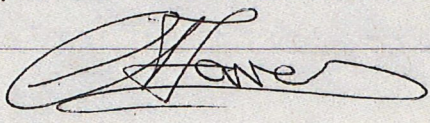


- s. It meets the following ~~criteria~~ <sup>Sighted in Evidence</sup>
  - a. It takes people away from walking in front of the Hall.
  - b. It's more commodious to the public. <sup>point 20</sup>
  - c. It commences from the end of TREN Walk. <sup>point 29.</sup>
  - d. The route is some Two Thousand and six hundred and Twenty Six Yards in length. <sup>point 5</sup>
  - e. It is through the <sup>or thereabouts</sup> lands of the Earl.
- d. At point 5. you state. "The bridleway was to be diverted onto a new line which took the bridle way from the end of Dog Kennel Gate in a north-westerly direction and then looping round to terminate on the A518."

This has to be pure speculation surely there is no mention of the direction the alternative route might take, or where it would terminate, or a map to really clarify this. To use the phrase you yourself use at point 28, once again. "Upon the balance of probabilities it's highly likely that the alternative route did in fact travel in a southerly direction and follow what is now, and has been for more than one hundred years the main route/road into Ingestre. There is no evidence that categorically disproves this. There is not a own infelic map-sketch-plan of the alleged alternative route, absolutely nothing to, without a shadow of doubt actually identify the Alleged alternative route.

Kind Regards.

G.T. TAVERNOR





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RESTRICTED

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**My Ref:** 008112

**Your Ref:**

**Date:** 31 December 2021

Dear Mr Tavernor,

**Re: s.53 application for the addition of a public bridleway from Trent Walk Bridge to public road south east corner of Home Farm**

Thank you for your letter providing comments on the report for the above application.

We can confirm that the section marked C-D does not refer to the alleged route subject to this report and the user evidence provided does not relate to the section marked C-D but only relates to Trent Walk and Home Farm Court. Apologies if this was not made clear in the report, the report has been amended, so hopefully this will clarify exactly which route is being referred to in this report and is specific to the user evidence. The route marked C-D relates to the historical evidence of the 1801 Order, not the user evidence.

In relation to your comments about Appendix B and the fact that only Trent Walk is marked, the map has been amended to make clear that the route subject to this route and which has been applied for is Trent Walk and Home Farm Court and this will be made clear to the Panel.

We note your opinion that the 1801 Order does not sufficiently clarify the intention or the exact line of any bridleway going through the Ingestre Estate. We also note your opinion that the evidence should be beyond all doubt when showing that a route exists.



Whilst we note that historical evidence is open to interpretation, we are of the opinion that the Order is clear and does accurately show the intention of the Order and the layout of bridleways through the Ingestre Estate.

When determining a Definitive Map Modification Order application, the legal tests do not require that the evidence shows beyond all doubt the existence of a route, merely that on the balance of probabilities, it is more likely than not that the route exists, or it can be reasonably alleged from the evidence that the route exists. These tests have been applied to the evidence and it is officers' opinion that the evidence meets the requirements of the legal tests.

We note your comments that the alleged route is private and that anyone found using the route has always been challenged and that to proceed along Trent Lane, access would need to be given via the gate house at Trent Lodge. Our understanding is that the gate house is no longer manned and has not been during the period that members of the public claim to have used the alleged route. Whilst we note your comments that people have been turned away from the route when the user evidence is reviewed as a whole, officers opinion remains unchanged.

As previously stated, your comments have been noted and they will be put before the Countryside and Rights of Way Panel when the matter is put before them. If there is anything else, then please do not hesitate to get in touch.

Yours sincerely

*H.J.Titchener*

Hannah Titchener  
on behalf of Ann-Marie Davidson, County Solicitor.

HT2 / 008112