

Appendix E

## James, Laura (Corporate)

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**From:** [REDACTED]  
**Sent:** 16 June 2023 13:21  
**To:** James, Laura (Corporate)  
**Cc:** [REDACTED]  
**Subject:** FW: Additional Information On Swynnerton Footpath 18  
**Attachments:** Welldale Sale Particulars.PNG; Welldale Sale Details - Acknowledged Bridle Path.PNG; Email To SCC From Angela Wilson.PNG; Title Plan 6 Oakwood Lane - Known As Welldale.pdf

**CAUTION:** This email originated from outside of Staffordshire County Council. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms James

### Definitive Map Modification Application LF602G

I understand you have been assigned to investigate definitive map modification application LF602G and are making enquiries about it with nearby landowners. I am the representative of the applicant, North Staffordshire Bridleways Association, which the Chair of the Association advised the Council of in 2020.

The files you have may not contain relevant and important associated information which resulted from unlawful obstruction of the D Class unclassified road at its junction with the application route. The following May 2020 email is part of a much wider exchange on the subject with the Council three years ago, with me, authorised by North Staffordshire Bridleways Association to act for them in this matter.

There is a lot of relevant material in these 2020 exchanges, including communications with other local residents that you will need to familiarise yourself with and include in any report you compile for Members to determine this application. You will also appreciate that none of the land comprising the application route is Land Registered up to Hanchurch Woods - but all the land surrounding it is.

Yours sincerely,

[REDACTED]  
For North Staffordshire Bridleways Association  
Tel: (07768) 2935043

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**From:** [REDACTED]  
**Sent:** 19 May 2020 12:00  
**To:** [REDACTED] 'Dalton, Paula (Corporate)'  
<[paula.dalton@staffordshire.gov.uk](mailto:paula.dalton@staffordshire.gov.uk)>  
**Subject:** Additional Information On Swynnerton Footpath 18

Dear Councillor Fisher

You and Paula Dalton need to be aware of the following regarding the Councils investigations into my complaints regarding the obstruction of Swynnerton Footpath 18 with horses. In the last 48

hours I have received copies of a substantial number of emails exchanged between various Councillors (Parish, Borough and County), Paul Rochfort, your Principal Rights of Way Officer and [REDACTED] (the adjoining landowners that abuts part of the path). These are very revealing and it is clear that there are many irregularities and misunderstandings you need to be aware of:

1) Firstly, it is clear that your officer, Mr Paul Rochfort, is under the impression that [REDACTED] own the land over which Swynnerton Footpath 18 passes. This is a material misunderstanding as the path has no registered owner and the land purchased by [REDACTED] around two years ago and included in the Registered Title of 6 Oakwood Lane, known as Welldale, is bounded by the path in places. However, the path itself was not included within the conveyance and is excluded from the title. A copy of the Land Registry Title Plan is attached confirming this. By contrast, your Mr Rochfort appears to have misunderstood this vital piece of information and, in an email to [REDACTED] states:

***“We discussed the possibility of restricting access for horse riders by installing a gate on the path but if you are happy for riders to continue to use the route then we don’t wish to restrict such access”.***

This statement raises two issues:

- It is highly irregular for Staffordshire County Council to ask anyone who is **not** the landowner of the subsoil of a public path whether they are “happy for riders to continue to use the route” or not. Only a landowner of the actual route over which a public path traverses is able to provide permissive use or dedication of use.
- The words ***“continue to use”*** are significant because they confirm that there has been use which could well have resulted in dedication as a bridleway by long use.

2) When [REDACTED] purchased Welldale the vendor disclosed that the path, through part of the the property for sale, was not included in the land to be conveyed and is a public bridle path. A copy of the sale particulars is attached explaining the “scrub land” adjoining what has been recorded as Swynnerton Footpath 18 as: ***“having bridle path access only”***. Note: The land concerned does not abut or connect with Whitmore Bridleway 9 so the access referred to is what has been recorded as Swynnerton Footpath 18 (see Title Plan attached).

So, it would have been extremely clear to [REDACTED] that they were buying a property that included a parcel of “scrub land”, abutting a public path that was not included within the sale, which the vendor acknowledged to be a public bridleway. It is clearly “economical with the facts” for [REDACTED] not to have revealed this important and material piece of information to Staffordshire County Council officers.

3) In her email of 12<sup>th</sup> March 2019, a copy of which is attached, [REDACTED] explained to Staffordshire County Council that the public path is, quote:

***“Regularly used by cyclists, walkers with dogs and horse riders”***

Again, this clear admission of use with hoses and cycles would indicate to a Principal Rights of Way Officer that further research would be required, to verify and confirm whether any applications had been made to modify the recorded status of the path. In this case we know that a modification application was submitted 24 years previously for which the Secretary of State for Environment, Food and Rural Affairs directed your Council to determine by no later than October 30<sup>th</sup> last year (many months before its obstruction with horses by installing kissing gates was implemented).

4) The input of various Councillors who have been in communication regarding this matter, of which I have now acquired copies, confirm that they clearly do not understand public rights of way law and appear to have been providing fundamentally flawed guidance on this matter.

I am sending you this additional very recently obtained information, in addition to the other information I have provided previously regarding the unlawful obstruction of Oakwood Lane by the installation of a kissing gate on it, because it is important and highly relevant. It also complements my previous communications regarding the highly irregular obstruction of Swynnerton Footpath 18, to the north of Hobgoblin Gate, by way of a second kissing gate installed. Both of these obstructions now require removal by Staffordshire County Council and I trust this extra input is helpful and informing regarding the reckless way in which the installation of the obstructions have been decided and implemented.

Yours sincerely,

A black rectangular redaction box covering the signature area.

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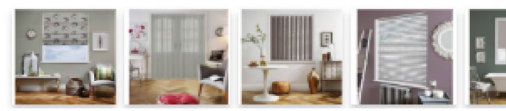
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**Follwells**

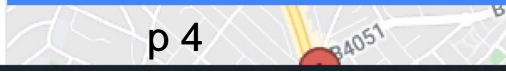
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**From:** Angela @ Acton Hill Alpacas <angela@actonhillalpacas.co.uk>  
**Sent:** 12 March 2019 13:44  
**To:** Rights of Way Enquiries <[rightsofway@staffordshire.gov.uk](mailto:rightsofway@staffordshire.gov.uk)>  
**Subject:** Public Right of Way Path Swynnerton 18

Hello

We've recently purchased a parcel of land with a public right of way path going through it, the path is the main access point into Swynnerton woods from the Acton village side from Oakwood Lane, it is regularly used by cyclists, walkers with dogs and horse riders. The path is in an extremely poor state prone to flooding and not suitable for purpose. I am emailing to enquire if there is any help available to repair the path either by providing workmen or materials or via a grant to improve it?

<https://apps2.staffordshire.gov.uk/WEB/OnTheMap/RuralAccess>

**Public Rights of Way: Swynnerton 18**

Name	Swynnerton 18
Status	Footpath
Maintenance category	A
Start point	End of County road, about 150 yds S.W. of Actonhill Farm
End point	Dog Lane, Hanchurch Hills, opposite F.P.19
Number	18
Parish	Swynnerton CP
District	Stafford Borough



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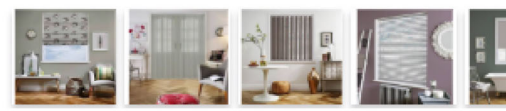
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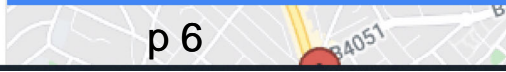
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Comprising of three separate paddocks two of which adjoin the property.

#### Paddock One

Of approximately 1.75 acres or thereabouts, also having separate vehicular access from Oakwood Lane and having stock fencing to boundaries. Situated within the paddock is a further kitchen garden and full size extended length TENNIS COURT.

#### Paddock Two

Of approximately 2.75 acres or thereabouts with stock fencing to boundaries and also having separate vehicular access from Oakwood Lane. Situated within this paddock is a timber framed metal clad barn approximately 10m x 10m (3.05m x 3.05m), housing for pumping station and diesel generator. Agents Note : The diesel generator is there to provide additional back up power should it ever be required. Within the grounds is a natural well providing additional/separate water source aided by electric pumping station should it ever be required.

#### Additional Land

Situated separate to the property within the woodland, a further parcel of land of approximately 1.25 acres or thereabouts comprising of rough scrub land with stock fencing and having bridle-path access only.

#### Services

Mains water and electricity connected. Drainage to septic tank within grounds.