

STATEMENT UNDER Section 31(6) of the Highways Act 1980

I, MONICA DIANNE OLDS of Mulfra Farm Newmill Penzance Cornwall TR20 8XP make the following statement in connection with the County Council proposal to upgrade the Footpath which runs through my land to a Bridleway.

I oppose this application for the following reasons:

1. I have lived at my property shown edged red on the attached plan ("the Plan") with my late husband since 1981 and my late husband's family have owned the land since 1964. I am therefore very familiar with the footpath coloured yellow on the Plan and its use and I can therefore categorically confirm that the footpath has not been used by horses to any great extent throughout this time, save for a period between 1997/8 and 2001.
2. Specifically I can confirm that prior to 1984, when my late husband's uncle died, he made a point of telling us that the path was simply a footpath and not a bridleway and this was something that he was prompted to tell us if a horse and rider happened to pass our property to use the path.
3. The footpath is very narrow and rocky and is quite unsuitable for horses and I can foresee problems in the event that horses meet walkers, particularly with dogs and children and nowadays cyclists.
4. In 1997/8 a neighbour opened a trekking centre and for a period of 3-4 years until the Foot & Mouth crisis of 2001 the footpath was used on a regular basis by the

trekking centre. We did speak to them about this, but they carried on using the footpath and we didn't realise at the time that we could take it further, but it was a nuisance. The horses drop dung, which can be right outside my back door which leads onto the footpath, and the back door leads into my kitchen. When it rains the dung turns to a slimey mess, which can then be walked into my property and which can cascade like a small filthy river and is most unpleasant as well as being unhygienic. I am also concerned about my car, which I park outside my back door, as there would be little room for riders to get through and their stirrups could easily knock the car.

5. With the Foot & Mouth crisis of 2001 I telephoned Cornwall Council Footpaths Department to ask if the horses should be using the footpath, given that they were then in such close proximity to our bullocks and cattle. The answer from the Footpaths Officer that I spoke to at the time was a definite "no" and that we should close off the path to horses immediately. I therefore turned back the next set of riders from the trekking centre and spoke to the then-owner and told him that he was not permitted to use the footpath any more. He tried to tell me that he had special dispensation, but he did not, and I was absolutely firm and resolute and refused to let him through and accordingly he turned back and did not try again. On two or three subsequent occasions I turned back other riders. We also erected a gate near our yard, primarily to stop bullocks getting out of our land, but it possibly also acted as a deterrent to riders. The Foot & Mouth crisis is long passed, but no

horses have used that footpath, to the best of my knowledge, since 2001. This amounts to an uninterrupted period of twelve years without any horses using the footpath.

6. I am aware that the trekking centre can use an alternative route to take riders up to Mulfra Hill through land which they own themselves.
7. I have to say that I very much appreciate the peace and tranquillity of my home and surroundings without the horses using the footpath, which had very definitely become a nuisance by 2001 with the 3-4 years of use by horses and all the attendant mess which I had to clear up myself. I would also mention that further up the path there are scheduled historic monuments which could be damaged by over exposure to horses.
8. I therefore oppose the application to upgrade the footpath on the basis that it causes a personal nuisance and annoyance to me and, in addition, I consider that the horse dung is unhealthy and unhygienic for me and anyone else using my property. I am concerned about the damage that can be caused to my property, particularly my parked car. I fear for the safety of walkers, dogs children and cyclists who use that path. It is, in my view, wholly unsuitable for horses, given that for a significant part of its length the path is no wider than a horse and rider, there are few passing places and it is rutted and damaged with loose stones and rocks. I, therefore, object for the environment generally, given the state of the path and the existence of the

ancient monuments.

This statement is made by **MONICA DIANNE OLDS** this 22nd day of August 2013

and witnessed by :



Cornish Venning Chellews
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(Secretary.)