

**INTERVIEWS UNDERTAKEN BY MRS. J.E. PIPER, CROW SUPPORT OFFICER, WITH THOSE PERSONS WHO SUPPORT THE APPLICATION**

▪ **Mrs. J. Lewis (Interviewed 26/7/11) (Document No. 6) Two copies submitted**

Mrs. Lewis is aware that the claimed footpath has been used for over 92 years by one resident who has lived in the same house for this period. The houses were built 104 years ago.

In the Second World War men came home and found work in Rogerstone Metal Works. They used the claimed route as access to Footpath 8 Rudry which linked through the fields to the Round Tree (on Newport Road). Quite a number of the men worked in the Tin Works.

Mrs. Lewis has lived in Rudry for 52 years, having lived in Waterloo when a child. As a child she used the claimed footpath when she came up through the fields from Waterloo to Rudry. She used the claimed footpath to visit her brother.

As she lived in the area all her life she was aware of the footpath and always believed it to be public. She moved from Waterloo to Rudry Village when she got married 52 years ago and lived in No. 3 Starbuck Street before moving to No. 9 Edward Thomas Close 11 years ago.

Mrs. Lewis could recall there used to be a footpath sign at the start of the footpath from the Post Office end and the footpath was partly tarmaced and gravel. The width of the footpath was wide enough for three people to walk abreast.

Over the years Mrs. Lewis used the claimed footpath to get to the bus stop, post letters and visit her brother who lived in Starbuck Street. She used the claimed footpath on a regular basis whenever convenient and used it to visit the little shop, Post Office and visiting friends. She used the claimed footpath most days of the week.

She could recall the claimed footpath was a pathway from off the road. There was never a gate at the end of the claimed footpath until Mrs. Gwyneth Dyer installed it and said it had to be closed once a year (Boxing Day). Gareth and Karen owned the property for six years before the current owners. Mrs. Lewis believed it was 15-20 years since she saw the gate there and it was just about hanging off the post when Gareth and Karen were there. The gate was never locked and the claimed footpath was still able to be used on Boxing Day. There were no notices of any kind on the gate.

Mrs. Lewis confirmed that she had never seen any notices on the path demonstrating that it was private.

Wooden panels were put in about 5-6 years ago when the new owners moved in to prevent access.

Mrs. Lewis recalled that after the war she saw workmen using the claimed footpath to access Footpath 8 Rudry down through the fields. Young people from Waterloo used to come up through the fields and use the claimed footpath to gain access to the village. The claimed footpath was regularly used by local residents and strangers.

The Monty Pub built the car park but left the claimed footpath for everyone to use. Mrs. Lewis stated that the claimed footpath was just like a country lane for the villagers to use.

▪ **Mrs. D. Roberts (Interviewed 26/7/11) (Document No. 7)**

Mrs. Roberts believed the claimed footpath to be public as it has always been there for as long as she could remember and her family before her.

When Mrs. Roberts lived in Llancelyn and she used the claimed footpath as a child when coming to Rudry for activities in the village and visit relatives and friends. She became aware of the claimed footpath at a very young age, probably when she was 7 year old when she used to come to the village with her parents. They used to go to the Monty and she would play with the local children. She knew most of the children in the village.

The surface of the claimed footpath was of tarmac which was slightly wearing and loose gravel more to the Monty side. She remembered the claimed footpath being tarmaced at some point possibly by the Bedwas & District Rural Council. She remembered the claimed footpath being wide enough for three people to walk abreast.

She used the claimed footpath for visiting and playing as a child. When the OAP bungalows were built she used the claimed footpath to visit residents in the bungalows. Mrs. Lewis' next door neighbour, Mary, who sadly is no longer with us, used the path nearly every day to get to the Post Office, shop and post letters and she was 91 years old when she died. She used it to visit Joan and then they would go down the claimed footpath to go to the Monty for a drink.

The use of the claimed footpath was not on any specific day but whenever she was in the area.

The Post Office closed around 7 years ago and then there was no shop in the village and the property was sold 2 years later.

She could not recall a gate when she used the claimed footpath as a child. Later she could recall a broken gate hanging. She never saw it locked or shut. The claimed footpath was open from the entrance and then there was a garden wall at the end on the right hand side.

She never saw any notices demonstrating that it was a private path and never asked anyone for permission to use it. She saw Mary, Joan's next door neighbour using the claimed footpath regularly and quite a number of the residents from the bungalow using it to get to the Post Office and shop. She saw strangers using the claimed footpath but these could have been new residents in the village.

▪ **Mrs. Griffiths (Interviewed 26/7/11) (Document No. 8)**

Mrs Griffiths believed the footpath to be public as it has always been there. She has lived in No. 8 Garth Place, Rudry for 60 years. She has lived in the Rudry area since 1957, previously living in barn rooms. Her husband lived in Waterloo and would walk up through the fields and then use the claimed footpath as access to Starbuck Street and the Hotel. People living in Waterloo used to walk up through the fields and then use the claimed footpath as access to the Rudry Hotel.

The land between the Rudry Hotel and the Post Office used to be open ground and the children used to play on it. When the car park was built by the Hotel owners the claimed footpath was left and was wide enough for cars to go through at that time. Mrs. Griffiths's husband used to drive his car on the claimed right of way to gain access to his garage at the back of the property via the back lane.

She recalls that the claimed footpath was not surfaced and was earth and rubble with a wall from the shop and garage by the side of the garden. Before Thomas Close was built this was open ground – allotments.

The claimed footpath was narrowed when Gareth owned the shop as he extended his garden boundary but left sufficient room for people to use the claimed footpath.

She used the claimed footpath to get down to the Round Tree on Newport Road to catch the bus, used it as access to the shop, she used the path to link to Footpath 8 Rudry which crosses the field down to Waterloo. She used it for visiting friends but now she is unable to visit friends as she can't walk very far and it is now too far to go round.

Years ago, when she walked everywhere, she would use the claimed footpath to gain access to Footpath 8 Rudry to go through the fields to visit her mother in Waterloo on Tuesdays and used it to go shopping on Fridays. Her husband used the claimed footpath to gain access to Footpath 8 Rudry and go down through the fields to catch the bus before he had a car.

She recalled that Gareth put the gate in when he extended the garden boundaries. Pensioners used the path to collect their pension from the Post Office and to buy items from the shop. There was a latch on the gate but she was always able to use the gate to gain access to the claimed footpath.

She never saw any notices demonstrating that it was private or asked permission to use the claimed footpath. Local residents used the claimed footpath together with those who came up from Waterloo to go to the pub, Post Office and shop.

▪ **Mrs. Wendy Wallen (Interviewed 26/7/11)**

Mrs. Griffiths' daughter, Mrs. Wendy Wallen, was present whilst interview took place and although she had not submitted an evidence user form she confirmed that she used to use the claimed footpath as a child and recalled playing on the open ground before it became the Hotel car park.

She used the claimed footpath when she started work to gain access to Footpath 8 Rudry to walk down through the fields to Waterloo to catch the bus in around 1963.

She remembers the car park being built and the boundary of the Post Office garden being changed. She used the path when visiting her Auntie Joan (Mrs. Lewis) in the bungalows. Mrs. Lewis moved into the bungalow around 10 years ago.

She probably used it for around 20 years when she lived at home with her parents in Starbuck Street.

She could remember the Hunt used to meet at Rudry Hotel.

▪ **Mr. Farmer (Interviewed 26/7/11) (Document No. 9) Two copies submitted**

Mr. Farmer mentioned that the lady next door to him in No. 2 Garth Place, Rudry, is 92 years old and had lived there all her life and was aware of the footpath but regrettably does not want to get involved.

Mr. Farmer informed me that originally the old Post Office was owned by Mr. and Mrs. Templeton. Before the Pub car park there was a make shift place, lane alongside Post Office no-one ever objected to people using it.

Mr. Farmer was born in Trethomas and walked around Trethomas, Bedwas and Rudry and used the claimed footpath.

When he walked into the village he used to turn left by the shop/Post Office and walk down the claimed footpath across the back lane and through the kissing gate on FP8 Rudry down to the old Tinworks where he used to play with his friends.

He left school at 15 years (Dec. 1954) so he was walking in the area 1948-1950. He could recall that there was no water in the houses but there used to be cast iron taps set at various points and there was one just down the road from the claimed path where he used to stop for a drink before carrying on with his walk.

The Rudry Hotel was taken over by Neville Johnson in 1962/63 and he bought the waste land to use for a car park for the Hotel.

At that time Mr. Templeman bought the land on which the claimed footpath crossed and he believes the right of way is identified on the deeds of the property.

Mr. and Mrs. Templeman's parents owned the shop before them. Mr. Templeman bought the land to ensure that he had access to his garage where the paraffin was delivered.

Mr. Templeman (junior) swapped properties with Garry Addis. When Gary took over the shop he turned part of the lane into his garden and built it up with breeze blocks.

Mr. Farmer could recall that there was a footpath sign on the claimed path and the path that runs at the side of his property. He recalled the sign had fallen off the post next to his property (in front of the wall of No. 2 Ab Ivor Cottages, Rudry. Someone from the Council came and removed the street nameplate sign and cut the fingerpost down to the ground approximately 3-4 years ago. A portrait of his property shows the sign on the ground

Gary and Gwyneth ran the shop and when they built up the garden they left the footpath available – it was in their interest as people used it to go the shop and Post Office.

Gary installed a little black gate at the end of the claimed footpath, it had a latch on it but no lock. Mr. Farmer used to walk up the side of his property, up the back lane and then down the claimed path to go to the pub. He rarely uses the front door entrance.

He never asked permission to use the claimed path and the gate was never locked to prevent access. He never saw any signs stating that the claimed path was private.

He cannot recall any anti-social behaviour on the claimed path.

He recalls the surface of the claimed footpath as that of rough ground, in front of the shop was surfaced and the driveway but the remainder of the path was earth where it narrowed.

He used the claimed footpath in recent years a few times a week. When he was younger he used it most weekends when walking.

The Rudry Hotel was known at the Monty (short for Monte Carlo Casino) as card games used to be played in there. Men who worked in the Tin Works used to walk up the field, across the back lane, up the claimed route and into the pub.

▪ **Mrs. Everson (Interviewed 5/8/11) (Document No. 10)**

Mrs. Everson believed the claimed footpath was public as she always known the path and used it to go to Waterloo to visit friends. She has known and used the path for a period of 53 years.

She could recall a sign stating it was a public footpath. Her husband was born in Rudry and when she moved to the area she started using the claimed footpath. Her husband had used the claimed footpath all his life.

She could recall that the land in between the Rudry Hotel and Post Office was once open rough ground.

She recalls the width of the claimed footpath being the width of a single gate at the Edward Thomas Close end but there was sufficient room next to the old Post Office to park a car and caravan. She recalled seeing Gareth's maroon estate parked there.

She used the claimed footpath to visit friends and as an access to link to the footpath which leads to Waterloo.

She used the claimed footpath when she wanted to go for a walk and this was about three times a week.

She recalled a black iron gate, single garden gate which opened inwards into the claimed footpath. She stated that she had never seen a lock on the gate.

She did not see any signs stating that the path was private but recalled a footpath sign stating it was a public footpath.

She observed local residents using the claimed footpath. Years ago the men used it to go to the Alcan Works and Paint Works. They would catch the bus down at the main road. Joan Lewis' husband worked in the Paint Works. The two women who worked in the canteen of the Paint Works used the claimed footpath to gain access to the footpath leading to Waterloo.

▪ **Mrs. Wilson (Interviewed 5/8/11) (Document No. 11)**

Mrs. Wilson always used the claimed footpath and said it was a long way round for the pensioners and had always thought the path was public. She has used the path for approximately 47 years up and until the time it was closed by the current owners.

Mrs. Wilson lived in the flats opposite the Rudry Hotel. She used to walk the children through the claimed footpath to link to the footpath which leads down through the fields to Waterloo. She became aware of the claimed footpath when she moved to the area. People used to use the claimed footpath to go the shop. When the car park was built a gully was left especially for the people living in the OAP bungalows (Thomas Edward Close).

She recalls the claimed footpath to be a dirt path, generally stony but cannot remember any difference in the surface. She recalls the path to be as wide as a garden gate.

She used the path for walking the children through to the fields (her children are now in their forties).

She used the path to go down through the fields to the Green Meadow Pub which has now closed. She used to walk down the fields and then back around the road.

She believes there was a gate at the end of the path leading to Thomas Edward Close.

She never saw any notices stating that the claimed footpath was private and never asked anyone for permission to use it and used it as a right.

Whilst she was using the claimed footpath she saw other local residents using it and occasionally strangers. The landlord of the Green Meadow Pub also used it from Waterloo up into the village.

▪ **Mrs. Patricia John (Interviewed 4/10/11) (Document No. 12)**

Mrs. John's husband used the claimed path every day as he had a plot of ground at the rear of Garth Place where he had tractors and machinery. He used the path to access the back lane down to the yard. He used it every day. The people who made the old people's lunches used it every day. She had a friend who lived in Bryngoleau who died recently, she lived in the village for 45 years and she used to use the path to call in to see her often as it was a good short cut.

Mrs. John had used the claimed footpath since 1963 when she moved to Rudry and has lived in her current flat for the last 25 years.

She recalled that Mike Templeman owned the shop and the claimed footpath was always available and he never complained about anyone using it.

She believed that the claimed footpath had a tarmac surface but wasn't sure but she never had any problems using the surface.

She could recall the width of the claimed footpath was wide enough for her to push her grandson up and down in the push chair/pram, possibly about 2 metres wide.

She used the claimed footpath as a good short cut, leisure and visiting friends/relatives.

Her husband would use the claimed footpath four times a day as he would come home for dinner. She also used it regularly and if her husband was late coming home she would use the claimed footpath to go down to the plot to check on him.

She couldn't recall any structures on the claimed footpath and believed it was always open. She recalled it being owned by Gwyneth Addis and then Gareth Thomas who sold it and moved to Spain. They had a shop there so local residents used to use the claimed footpath to go to shop.

She couldn't recall any notices stating that the path was private and never asked permission to use the path.

She could recall Joan Lewis using the claimed footpath, Pat Dyer (Gwyneth's mother) and also other local residents using it.

▪ **Mrs. Sandra White (Interviewed on 5/10/11) (Document No. 13)**

Mrs. White could recall that there was a path at either end of Garth Close which gave direct access into the village.

Mrs. White originally lived in the Trethomas area for thirty years and used the claimed footpath to visit family and friends. When she was a child she used to play with the local children and used the claimed footpath as she cut up through the fields to Rudry Village.

She moved to Edward Thomas Close in May 2004 and she believes the current owners closed the claimed footpath in 2007. The last few years she used the footpath she could recall it being tarmaced but previously she believed it was an earth path.

She recalls the path to be approximately 1.5 metres wide, wide enough for a push chair as she could recall mothers pushing pushchairs and prams through the path.

When she moved into the village she used the claimed footpath as a short cut into the village and access to the bus stop. The bus stop at the top end of the village doesn't have a shelter so most people caught the bus at the bus stop near the old Post Office.

She used the claimed footpath several times a week to go to the post box, pay for the eggs (one of the local residents sold eggs) and it was quicker to use the claimed footpath than go all the way round.

She couldn't recall any notices stating that the path was private and never asked anyone for permission as she didn't feel she needed to as it was always open before the current owners closed it.

She recalled local residents using it as a short cut to visit friends and relatives.

Mrs. White's husband had not completed an evidence user form but used the claimed footpath regularly and the grandchildren used it go to the Park.

She recalled Gareth Thomas having a Window round and seeing drinkers outside.

▪ **Mrs. J.L. Penny (Interviewed 10/11/11) (Document No. 14)**

Mrs. Penny moved to Rudry Village 57 years ago. Her husband was born in Ruperra Lodge and lived in the Rudry area for 78 years. Mrs. Penny became aware of the claimed footpath when moving to the village as her husband had used it most of his life.

She recalled the claimed footpath to be a track with a gate at the bottom leading onto the back lane. She believed Gareth Thomas the previous owner of 16 Gath Close had installed the gate. The path was wide enough to walk through.

Mrs. Penny used the claimed footpath to visit her Auntie who used to live in the OAP bungalows (Thomas Edward Close) and visit her friend, Joan Lewis who lives in No. 9 Edward Thomas Close. Mrs. Penny also used it before the OAP bungalows were built as access to the footpath which leads through the fields down to Waterloo where she used to take the dog for a walk.

Mrs. Penny used the claimed footpath several times a week to visit the OAP bungalows but not on any specific day.

Mrs. Penny recalled the gate at the bottom of the path but confirmed that it was never locked and she never saw any notices displaying the path to be private. She never asked permission to use the path as she always believed it was available for the public to use.

Mrs. Penny stated that everyone used the path and she saw local residents using it.

Mrs. Penny confirmed that a lot of the pensioners living in Edward Thomas Close used the claimed footpath to go to the shop and Post Office and also to the bus stop. There is no bus shelter at the bus stop at the top of their road so they walked through the claimed footpath to catch the bus at the bus stop opposite the Post Office where there is a bus shelter.

Mrs. Penny said that a lot of the pensioners found it difficult to walk the extra distance to visit friends and catch the bus

Mrs. Penny's husband was present when the interview took place and although he had not completed an evidence user form confirmed that he had used the claimed footpath for as many years as he could remember, approximately 78 years. He said that the men who worked in the Tin Works used the claimed footpath to gain access to the footpath through the fields down to Waterloo. A lot of people used the path to access the footpath through the fields as everyone walked when he first lived in the village as there were only two cars in the village (one of the cars belonged to his father who was a Police Officer).

▪ **Mr. Penny (Interviewed 10/11/11)**

Mr. Penny could recall the owners of the "Monty" (Rudry Hotel) taking over a section of the waste ground between the Hotel and the Post Office for a car park and the then owners of 16 Garth Close purchasing a section of land adjacent to retain access to the side and back of their property. The claimed footpath was kept available for local residents to gain access to the shop/Post Office and also as a through route.

▪ **Mr. Howard Jones (Interviewed 4/10/11)**

Following a conversation with Mrs June Jones regarding the hunt using the Rudry hotel car park she suggested that her husband could provide information to support the application. Mr. Jones did not complete an evidence user form but believed the claimed footpath to be public as it has been used for so many years that the public would assume it to be public.

Mr. Jones was born in Lower Machen and used the claimed footpath when he was out with the Young Farmers visiting the Monte (the Rudry Hotel) approximately 60 years ago.

He could remember the area between the Pub and the Post Office was open ground until a wall was constructed around it but a gap was left between the wall and the Post Office.

He could remember the claimed footpath to be a rough track but it was tarmaced later on by the side of the old Post Office.

At one time the width of the path was around 2-3 metres wide. When he was out with the Hunt he would walk down the path and then on down to Tir Jenkins Farm, near Waterloo.

Ray Jones had his yard gate which would give access to go down through the field on horse back and he would use the claimed footpath by the side of the Post Office.

He used the path regularly during the hunting season. He could not recall any structures on the path but remembers that Gareth put a gate on the path later on.

He could not recall seeing any notices stating that it was private and never asked anyone for permission to use it.

He recalls that local residents used the path and also people who accompanied him on the hunt used it.

▪ **Mrs. B. Jones (Interviewed 5/10/11)**

Mrs. Jones did not complete an evidence user form but was interviewed as Mrs. Sandra White suggested that she would be able to provide information to support the application. Mrs. Jones reported that the claimed right of way had been blocked on 5<sup>th</sup> June, 2007, however no action could be taken as it did not form part of the rights of way network and was not included on the Definitive Map. The relevant forms were forwarded on 13<sup>th</sup> June, 2007, to make an application under the Wildlife and Countryside Act 1981 to add the footpath to the Definitive Map and Statement.

Mrs. Jones was born in Rudry and lived three doors down from the Post Office i.e. 16 Garth Close.

She explained that Mike and Maureen Templeman were descendants of the Harris family, five generation of great grand parents had lived in 16 Garth Close. A small pit and tuck shop was owned by the Harris family and run from this property. What the workers earned had to be spent in the tuck shop.

She recalled it being a right of way when Gareth Thomas owned the property. It was a right of way in her father's lifetime and grandmother's lifetime.

There is one bus stop across the road from the shop. The bungalows were built 30 years ago, elderly people always used the claimed footpath to go to the shop and access to the bus stop.

Mrs Jones' sister, Gwyneth Addis, lived in Starbuck Street and swapped properties with Mr. and Mrs. Templeman.

Maureen, a teacher, always left her car by the side of the Post Office.

Mrs. Jones could remember the claimed footpath as she always used it when growing up in Rudry Village. She used the path as access to the footpath leading down to Waterloo which was called locally "Jubilee Path" through the kissing gate onto John Tamplin's field.

The claimed footpath was used as access to the footpath through the fields to access to the Tin Works and Paint Works.

The claimed footpath had always been there in living memories of families.

Used the claimed footpath for 62 years off and on. She could recall the footpath was once rough ground. At the start of the path it is wide enough for a car. When the car park was constructed a wall



and fence was put in and left a pathway about a 4 foot at the end by the lane. When Gareth extended the garden he left a gap as access.

The claimed footpath was used as a short cut to the shop and access to the footpath leading to Waterloo. The Round Tree was in the middle of the road.

Everyone used the path, particularly men going to work. Every day men used it.

She couldn't recall a gate.

She couldn't recall any notices stating that the path was private and never asked permission to use the path.

## Replies to Consultation

Following completion of the report the Authority consulted with all interested parties detailed in paragraph 7 of the main report on the 5<sup>th</sup> January, 2012 seeking views on the accuracy of the report contents and requested replies by the 20<sup>th</sup> January, 2012.

Two replies were received within the stipulated time period, these were received from;

Mr. L. Williams, 16 Garth Place, Rudry, Landowner (Document No. 25)  
Ms. S. Chick, Clerk to Rudry Community Council (Document No. 26)

Two replies were received after the stipulated time period, these were received from:-

Mr. P. Gilbert, Gelligaer Ramblers (Document No. 27)  
Ms. M. Thomas Open Spaces Society (Document No. 28)

### Consultation on Draft Report

Mr. L. Williams

E-mail received from Mr. Williams dated 20<sup>th</sup> January, 2012, regarding the footpath dispute at the Old Post Office in Rudry, he would like a few additional minor points taken into consideration:

- 1) Costs - In order to open a footpath and make the garden secure, fencing would need to be erected.
- 2) Mr Templeton said that when his parents bought the piece of land it was never meant to be used as a footpath.

Rudry Community Council

E-mail received from Ms. S. Chick, Clerk to Rudry Community Council, dated 16<sup>th</sup> January, 2012 stating:-

Just to let you know that DWR Community Councillors wish to support local residents in their appeal for this path to be added to the Definitive Map. It would appear that you have strong evidence to support this move.

Gelligaer Ramblers

Letter received from Mr. Gilbert, dated 23<sup>rd</sup> January, 2012. Mr. Gilbert confirms that on behalf of the Gelligaer Ramblers he has no objection to adding the claimed right of way leading from Edward Thomas Close to Starbuck Street to the Community of Rudry.

Open Spaces Society

Letter dated 25<sup>th</sup> January, 2012, from open Spaces Society, supporting the addition of a path alongside the Rudry Hotel and linking Starbuck Street to Garth Lane to the Definitive Map and Statement.