

Maggie Thomas
15, Carlton Terrace
Crosskeys
Newport
NP11 7BU
Tel: 01495273057
Email: maggie.sian@btinternet.com



TEL 01491 573535
EMAIL hq@oss.org.uk
WEB www.oss.org.uk

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Dear Mrs. Piper,

Re: Application to Delete Footpath 147 in the community of Mynyddislwyn.

The Open Space Society opposes the extinguishment of the Footpath 147 in the Community of Mynyddislwyn. Although the evidence may suggest that the footpath was included on the Definitive Map in error, I am unhappy with some of the witness statements. It is not possible for a statement “.... she states that she has never seem anyone using this footpath “ to be taken seriously. I have used the footpath as has Elizabeth Holland. If the person who gave this witness statement missed us, who knows how many other walkers have been missed. Statements such as “During that time on-one used the alleged footpath nor did anyone claim that a footpath existed through the ground.” should be ignored. It is impossible for anyone to say that no-one used a footpath during a long period of time and whilst no-one claimed that a footpath existed to the witness, that is not to say that the footpath did not exist. Many walkers may well have claimed that a footpath existed, just not to the person making that statement. I am concerned about the witness statement made by Councillor Janet Jones. I contacted her in the past regarding rights of way in her area and she maintained that she knows little about such matters and directed me to Don Cullen, because he was the person in the area who had a great deal of knowledge about rights of way. I duly contacted Mr. Cullen and he was most helpful. I am surprised that Councillor Janet Jones has not suggested that Mr. Cullen might be helpful in this instance. Unless he is unavailable I am surprised that Mr.

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Cullen's local knowledge has not been sought on this issue. He may well no longer be a councilor but his local knowledge and expertise on this particular subject is outstanding.

Although the evidence from at least one map might suggest that the right of way or track stops at the farmhouse which is now Tylè Gwyn, I would like more time to visit the archives to view other maps to see if there are clearer or older maps which show the route, to see if the "Once a highway, always a highway" line of reasoning can be used with this matter, especially as it was claimed before local government reorganization in 1995, that the footpath "must run down the front drive." There is mapping evidence that this could well be the true line of the right of way. Indeed there is hearsay evidence that I would like to follow up that, amongst others the Islwyn Running Club have used this footpath and exited down the driveway. It is peculiar that such a large number of people using the footpath could be missed by so many of the witnesses and it must bring their evidence into question.

That this footpath links in with other rights of way at both ends is usually one of the tests that it exists. If this footpath were to be deleted there would be a missing link in an obvious chain. That is another reason why I believe that this footpath should stay on the Definitive Map.

If my research does not bring any clarification to this issue, I will withdraw the opposition. However, I believe that a number of witness statements should be withdrawn as the assertions in many of them are quite ludicrous.

Yours sincerely.

Maggie Thomas ~ correspondent for the Open Spaces Society for Caerphilly County Borough



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