

Digest of forms/statements (where available) mentioned in Committee Report (paragraphs 10.2 to 10.13) November 2001

Name of User	Dates of Use	Details of use
Mrs. J. Aldus	1964-1995	<p>Started walking path with children in 1964 for recreation; sometimes walked up the side of the railway and across, or up Hookpit Farm Lane across the field; about 40 times per year; there were, and still are, paths everywhere; very small fence with hedges around the field, but did not see any signs; saw locals and strangers on foot, and passed through gates (framework only) – gates never locked; path runs alongside cultivated field, around the edge; never asked for permission, not stopped, no one else stopped; no connection with the landowner, and not told not public; not in the exercise of a private right; Mr. Bright, the farmer, said nothing about people using the field; just chatted about ordinary things; field always appeared to be waste ground; gates went up recently – presumes to keep people out; hasn't walked field a great deal in last 10 years – believes it is now shut (file includes two photographs with horses grazing on a field)</p>
Mr. Chris Bishop	1968-1986 (f) (18 – 25xPA) 1980-1991 (h) (11 – 1460xPA) 1996-1996 (b) 91 – 8xPA)	<p>First lived with parents in Abbotsworthy from 1968-1978; from 1971 working in Kings Worthy and used to visit friends at Worthy Down walking alongside live railway track, crossing track through gap in hedge and walking over field up east side to join Hookpit Farm Lane; top section of railway line was a cutting going round to the junction, filled with rubbish from building the houses on the other side of Hookpit Farm Lane; the field had long grass; in 1978 route across field up east side enclosed by two rotten and falling fences; started to walk dismantled railway immediately; got a dog in 1980; walked dog round field every day; in 1979 Andover Turf Company started to mow field, apparently with permission of landowner; continued to use field for walking; saw locals and strangers on foot, horseback and with bicycles; has passed through gates, though only recently locked (2001); sign saying 'Beware of the Bull' in 1987 for 12 months, but no animals in the field, and torn down within days; obstructions for approximately 6 months when 2 shire horses were kept on lower edge of field; not stopped, not with permission, no connection with landowner, not told not public; Turf Company had problems with scrambling bikes so dug ditches across the dismantled railway line to stop access; bikers had torn gouges out of the turf; explained to man digging ditch across the railway line that a lot of people used the field to walk their dogs – he did not seem to care and said walkers would have to climb round it; filled these in after being told company would not waste money doing it, so used a shovel and pickaxe and filled part of trench in; mother complained to visiting policeman – told that she had no right to complain as was trespassing just as much as bikers, because there was no right of way; main routes always been along the dismantled railway, to bottom east corner and up to Hookpit Farm Lane, and also</p>

		along to Winchester Junction corner to join up with BOAT 1; never seen signs explaining that there is no public right of way; in 1990 fences placed along the southern and western edges and across the top corner and straight down but gaps were deliberately left in the fences at the corners for the public to get through – fences can still be seen in the field; not sure when fences and gates on Hookpit Farm Lane were erected, possibly after travellers were evicted
Mrs. Hilda Boxall	1926-1994	Apart from a period in Surrey, has lived in her house since 1923; garden then extended to edge of field off Hookpit Farm Lane – could access field this way almost daily; had school-friend living at signal cottage at Winchester Junction, used to walk up side of railway embankment from Springvale Road, across line and round eastern edge of field to see her; saw locals and strangers on foot; passed through unlocked gates; saw no signs or obstructions, did not seek permission, not stopped and no connection with the owner, Mr. Bright the farmer; used route to visit friend at Winchester Junction in exercise of a private right; husband used to cut the hedges around field of Hookpit Farm Lane, for the fuel; was good friends with the farmer, who did not tell the public they should not walk on the field; half an acre of garden sold, and a bungalow built blocking the entrance to the field; used path going up the side of railway embankment from Springvale Road or entered off Hookpit Farm Lane; before current gates went up off Hookpit Farm Lane, very easy to get into the field – used to be like entering a garden; now overgrown and has not visited for several years
Prof. R. Hedley	1986-1996	Walked path from 1980 and more regularly from 1986 when moved to Kings Worthy; either walks a circuit of the field or down the east side to dismantled railway line and to school and village, or down cut to Springvale Road to go up Legion Lane; first knew field in 1980, when it was uncultivated and horses were grazed there; used to go there with grandchildren; long-standing residents say there were railway cottages by paths, where they join the path round the field; used to be a path straight across from Hookpit Farm Lane to these cottages; path had raised banks and allowed wagon access to the cottages; recalls the farmer used to regularly cut overgrowing vegetation from the path and left gaps for pedestrian access; now derelict fences were never erected properly or completely, although posts were put in (not completely round all sides of the field) the wire was only strung up at some points; even where this was done, intentional gaps were left for pedestrian passage; wire was never put in along the north and east sides of the field, nor completely along the south side; whatever the purpose of the makeshift fencing, it was not the subject of any notices; shortly before housing development at Ilex Close in 1995 the field invaded by travellers; gate erected on Hookpit Farm Lane at entrance to field, and trenches dug to prevent vehicle access by travellers; assumed that this was done to obviate problems for tenant farmer and make the proposed housing development more presentable; no notices of any sort ever put up warning against ordinary use of path by pedestrians, and wiring on gate rapidly fell into disuse; never replaced; emphasises that at no time has he or any of his acquaintances been told there is no right to use the path; path enclosed only along old railway line to south of field, some 6-10 feet; the tenant farmer has always left a pathway several feet wide and not

		ploughed up to edge of field (as on adjoining fields); has used machines to cut back brambles to give unrestricted access to pedestrians
Mrs. J. Helyar	1970-1995	Moved to Kings Worthy in 1962, and started using path about 1970 – walked around field with dogs and regularly met a lot of people; also used dismantled railway line to extend walk on many occasions; current fence and gate at Hookpit Farm Lane erected by developers to stop travellers entering field; never saw any signs that people were not welcome to walk in the field, and no-one said anything to that effect
Mr. J. Kirby	No specific dates given (no form completed)	Lived in Kings Worthy since 1961 and has mainly used the claimed route for dog walking; used to be cottages at the junction with the railway 40 years before; either walked from Springvale Road along and up side of dismantled railway and onto field, or completed a circular route round field; used to keep path up to railway clear himself; doesn't recall any fences, or anything obstructing the path; the farmer Mr. Bright always let people use the path and has always felt it to be an unofficial footpath; nobody ever said to keep out and never any signs to say people not supposed to walk there
Mr. F. Malphus	1975-1996	Has lived in Kings Worthy for 25 years and regularly walked from the village along the dismantled railway line and across field to Hookpit Farm Lane and shops; also regularly walked further along the line to the Winchester Junction corner of the field, up, around and down for a circular walk, usually with dog; never been any signs to say not a public right of way; know the farmer leasing the field from owners until two years ago, who never mentioned anything about not wanting people to walk on the field; whenever the field had a crop growing, a strip left by the hedge for people to walk on; 8-9 years ago the top two corners of the field were fenced off by developers for building, and again strips of land left by the fences for walking on; the developers went bankrupt and fences fell into disrepair, though still present at time of statement [2001]; current fence and gates at Hookpit Farm Lane went up 5 to 6 years ago after travellers were evicted and the gate wire was cut very quickly, allowing easy access for walkers; still walk path regularly with wife and dog
Mr. Alan Marlow	1977-1997	Lived in Kings Worthy since 1977, when used to walk the path with children; access points at various spots around the field, usually taking route from village along the dismantled railway line, over the bridge and up east side of field to Hookpit Farm Lane; no fences when first lived in the area, and when fences erected always seem more to keep children on bikes out rather than walkers, as there was always a way round the gate or fence; not sure who put up the current fence or gates at Hookpit Farm Lane – they have been there for years; no attempt has ever been made to patch up holes in the wire of the gate; has never seen any signs saying the route was not a public right of way, and has never been told that the route is not a public right of way
Mrs. Christine Player	1977-1997	Moved to Kings Worthy in 1979; had two dogs and walked them in and around field off Hookpit Farm Lane; field then pasture and shire horses grazed there; field fenced round perimeter, to prevent horses getting out but cannot recall exact location of fence; moved to present house in 1984; still use the field for walks

		and has immediate access from back garden; about 1995 travellers took over field and not evicted for some time; gate and fence at entrance to field erected after their eviction; believes sole reason for putting up gate and fence to stop travellers returning to comply with the one day a year rule; wire only lasted a few days before it was cut; believes the dog bin beside this gate is for the use of walkers along Hookpit Farm Lane to keep it clean; ditches that appeared at the entrance to the field dug to deter travellers and people with bikes; used field for short walks such as a circuit of the field or long walks to the dismantled railway and into Kings Worthy; when children young used to walk them that way to school every day; can't remember when the now-derelict fences in field were erected – these also did not last long, and shrubs were planted along the line of one of them; knew of the farmer, Mr. Nigel Bright, who farmed field until recently; he originally left a headland down the left side of the field – later he ploughed right to the hedge line; not sure whether this was meant to imply that people should not walk there, or whether he was trying to improve the yield from the agriculturally low-quality field; neither the farmer, nor the farm-worker, ever said anything about people not walking on the field; Mr. Bright's father, Mr. Jim Bright, who farmed the field before him, often checked that there was nothing that could be of danger to dogs put on the field and said as much, as he was well aware the dog walkers used the field; no-one ever challenged use, or indicated the owner was unhappy about how the land was being used; never seen signs to say no public right of way across land or that walkers were trespassing
Mrs. Prosser	1972-1996	First moved to Kings Worthy in 1973, and started using path around field at least 25 years ago [date of statement 2001]; garden back on to the field and always a gate from garden into it; most days walks a circuit of the field, and sometimes walk out onto Hookpit Farm Lane to the shops and back and, less frequently, along disused railway line; field was more of a meadow when first arrived, often with cows and horses on it; about 20 years ago the turf must have been sold off as field stripped of its grass; believes there were once cottages or houses in far south-west corner of field as, though buildings gone, there were still garden remains; fences that are now derelict run north-south and east-west through the field, and erected about 8 years ago when builders were working in there, but have since fallen down; fences and gates on Hookpit Farm Lane were erected after travellers were evicted a few years ago; wire across the gate quickly cut; husband rang owners to tell them of this, as concerned that travellers might return, but owners did nothing about it; Mr. Bright, the farmer, farmed the field until two years ago; knew him to speak to and he never mentioned that people should not be walking there; he always left a strip of land around the field uncultivated so that people could walk there; no-one has ever said that people should not walk around the field – did not see any signs to that effect; still walks the field twice daily
Mrs. Elsie Singleton	No form supplied	Moved into house with Mrs. Boxall and her husband 52 years ago, when garden used to extend right up to the boundary with the field off Hookpit Farm Lane – had a gate into the field this way; would walk around the field and often go onto other paths in the area; owner of the land, Mr. Bright, the farmer, did not say

		anything about people walking on the land, always very friendly; fewer people around then; during the 1950s Mr. Bright kept horses in the field, and let other people graze their horses there too; cannot remember exactly when field first ploughed for crops, but thinks it was around time when Mr. Bright's son sold the field; had to sell end part of the garden and bungalow was built there in 1962; no longer had access to the field via garden, and used Hookpit Farm Lane or path up the side of railway embankment instead; cannot think of any other changes after the land was sold; no gates or fences were put up and continued to walk the field unchallenged; once farmer started to grow crops, could still easily walk around edge of field
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**Statement of Tenant Farmer, Mr. Nigel Bright**

Has farmed Top Field for more than 20 years, and it was in set-aside in 2001, when the statement was taken.

Confirms that the field has been fenced by the landlord several times, though these fences have usually been torn down or cut through. The landlord also put up a large fence and gate after the problem with the travellers. Mr. Bright has never been instructed by his landlord to stop people from walking in the field, though he considers the fence to be proof of the landlord's intentions.

Has been quite happy with an '*unofficial*' path running around the field, and has never tried to stop people walking in the field because he wishes to '*maintain good relations with the local people*'.

A few years prior to 2001, a person from the Ramblers Association rang to ask about the path around the field. Mr. Bright told them that, as far as he was concerned, it was an '*unofficial path*', but that he did not want it to become a public right of way.

Interviewed by Sally Plummer, and signed on 15<sup>th</sup> May 2001