

Application to register land known as Benacre Wood at Whitstable as a new Village Green

A report by the Director of Environment and Waste to Kent County Council's Regulation Committee Member Panel on Tuesday 22nd February 2011.

Recommendation: I recommend that the County Council informs the applicant that the application to register the land known as Benacre Wood at Whitstable as a new Village Green has been accepted, and that the land subject to the application be formally registered as a Village Green.

Local Members: Mr. M. Harrison and Mr. M. Dance

Unrestricted item

Introduction

1. The County Council has received an application to register land known as Benacre Wood at Whitstable as a new Village Green from the Friends of Duncan Down ("the Applicant"). The application, made on 19th October 2009, was allocated the application number VGA619. A plan of the site is shown at **Appendix A** to this report and a copy of the application form is attached at **Appendix B**.

Procedure

2. The application has been made under section 15 of the Commons Act 2006 and the Commons Registration (England) Regulations 2008.
3. Section 15 of the Commons Act 2006 enables any person to apply to a Commons Registration Authority to register land as a Village Green where it can be shown that:
'a significant number of the inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years;
4. In addition to the above, the application must meet one of the following tests:
 - **Use of the land has continued** 'as of right' until at least the date of application (section 15(2) of the Act); or
 - **Use of the land 'as of right' ended no more than two years prior to the date of application**, e.g. by way of the erection of fencing or a notice (section 15(3) of the Act); or
 - **Use of the land 'as of right' ended before 6th April 2007** and the application has been made within five years of the date the use 'as of right' ended (section 15(4) of the Act).
5. As a standard procedure set out in the regulations, the Applicant must notify the landowner of the application and the County Council must notify every local authority. The County Council must also publicise the application in a newspaper circulating in the local area and place a copy of the notice on the County Council's website. In addition, as a matter of best practice rather than legal requirement, the

County Council also places copies of the notice on site to provide local people with the opportunity to comment on the application. The publicity must state a period of at least six weeks during which objections and representations can be made.

The application site

6. The area of land subject to this application (“the application site”) consists of an area of woodland of approximately 2.3 hectares (5.8 acres) in size situated to the north of the old Thanet Way (A2990) at Whitstable. The site itself is an irregular shape which is best described by reference to the plan at **Appendix A**.
7. The northernmost part of the application site is crossed by Public Footpath CW20 which provides access to the remainder of the site. Access is also available via the footway of Thanet Way (A2990) along the southern boundary of the site.
8. It should be noted that the County Council is also dealing with a separate application to determine whether or not public rights of way on foot have been acquired across the site. This is being dealt with under different legislative provisions and, although Members should be aware of its existence, it is not a matter for consideration at this time.

The case

9. The application has been made on the grounds that the application site has become a Town or Village Green by virtue of the actual use of the land by the local inhabitants for a range of recreational activities ‘as of right’ for more than 20 years.
10. In support of the application, 50 user evidence questionnaires from local residents were provided, demonstrating use of the application site for a range of recreational activities for a period in excess of twenty years. A summary of the evidence in support of the application is attached at **Appendix C**.
11. Also included in the application were photographs of the application site, relevant newspaper cuttings and a leaflet about Duncan Down.

Consultations

12. Consultations have been carried out as required. No responses have been received.

Landowner

13. The application site is jointly owned by Mr. N. Strand, Mrs. T. Lucchesi and Mrs. C. Buchan. It is registered with the HM Land Registry under title number K760160. Notices have been served on the landowners as required.
14. Mrs. T. Lucchesi has objected on the grounds that the woodland is not a public right of way and never has been. Over the last 20 years, the landowners have tried very hard to keep the public out by continually erecting fencing, but this has been cut down. No permission has ever been granted by the landowner for the

use of the woodland and therefore any recreational use has therefore been with force and not 'as of right'.

15. Mrs. C. Buchan has also objected to the application on the basis that the fences that have been constructed around the application site have been repeatedly damaged and people have ventured onto the land illegally.

16. No response has been received from Mr. N. Strand.

Legal tests

17. In dealing with an application to register a new Town or Village Green the County Council must consider the following criteria:

- (a) *Whether use of the land has been 'as of right'?*
- (b) *Whether use of the land has been for the purposes of lawful sports and pastimes?*
- (c) *Whether use has been by a significant number of inhabitants of a particular locality, or a neighbourhood within a locality?*
- (d) *Whether use of the land 'as of right' by the inhabitants has continued up until the date of application or meets one of the criteria set out in sections 15(3) or (4)?*
- (e) *Whether use has taken place over period of twenty years or more?*

I shall now take each of these points and elaborate on them individually:

(a) *Whether use of the land has been 'as of right'?*

18. The definition of the phrase 'as of right' has been considered by the House of Lords. Following the judgement in the Sunningwell¹ case, it is considered that if a person uses the land for a required period of time without force, secrecy or permission ("*nec vi, nec clam, nec precario*"), and the landowner does not stop him or advertise the fact that he has no right to be there, then rights are acquired.

19. In this case, there is no evidence that the use of the application site has been secretive. One of the landowners has also confirmed that no permission has ever been granted for the use of the application site.

20. However, the objectors refer to the existence of fencing and allege that any use of the application site has been with force. The applicant states this account conflicts with the evidence of 50 users of the land and adds that, despite spending hundreds of hours in the woodland, he has never seen any of the landowners there. He says that there is no physical evidence on the application site of any attempt to 'continually' put up fencing: the southern side of the woodland does have an intermittent fence line but all of the posts are well rotted and the wire is extremely corroded. In any event, the applicant asserts that there is no evidence of any fencing on the northern side of the application site which faces the more populated residential area within which the users of the application site reside.

21. In the absence of any physical evidence of fencing (or the remains of it) on the site, and given the wealth of evidence claiming unhindered use of the application

¹ *R v. Oxfordshire County Council and another, Sunningwell Parish Council [1999] 3 All ER 385*

site for at least twenty years, it is difficult to conclude that the use of the application site has been with force. Some of the user evidence questionnaires do refer to the erection of fencing and notices in other parts of Duncan Down in 2009, but none recall any challenges to their use of the application site. Therefore, on a balance of probabilities, it can be concluded that use of the application site has been 'as of right'.

(b) Whether use of the land has been for the purposes of lawful sports and pastimes?

22. Lawful sports and pastimes can be commonplace activities including dog walking, children playing, picnicking and kite-flying. It is not necessary to demonstrate that both sporting activities *and* pastimes have taken place since the phrase 'lawful sports and pastimes' has been interpreted by the Courts as being a single composite group rather than two separate classes of activities².
23. Legal principle does not require that rights of this nature be limited to certain ancient pastimes (such as maypole dancing) or for organised sports or communal activities to have taken place. The Courts have held that '*dog walking and playing with children [are], in modern life, the kind of informal recreation which may be the main function of a village green*'³.
24. In this case, the evidence demonstrates that the land has been used for a number of recreational activities. The summary of evidence of use by local residents at **Appendix C** shows the full range of activities claimed to have taken place. The majority of use has been for walking (with or without dogs), but reference is also made in the user evidence to fruit picking, jogging, photography and bird watching.

(c) Whether use has been by a significant number of inhabitants of a particular locality, or a neighbourhood within a locality?

25. The definition of locality for the purposes of a Town or Village Green application has been the subject of much debate in the Courts. In the *Cheltenham Builders*⁴ case, it was considered that '*...at the very least, Parliament required the users of the land to be the inhabitants of somewhere that could sensibly be described as a locality... there has to be, in my judgement, a sufficiently cohesive entity which is capable of definition*'. The judge later went on to suggest that this might mean that locality should normally constitute '*some legally recognised administrative division of the county*'.
26. The word "significant" in this context does not mean considerable or substantial: '*a neighbourhood may have a very limited population and a significant number of the inhabitants of such a neighbourhood might not be so great as to properly be described as a considerable or a substantial number... what matters is that the number of people using the land in question has to be sufficient to indicate that the land is in general use by the community for informal recreation rather than*

² *R v. Oxfordshire County Council and another, Sunningwell Parish Council* [1999] 3 All ER 385

³ *R v Suffolk County Council, ex parte Steed* [1995] 70 P&CR 487 at 508 and approved by Lord Hoffman in *R v. Oxfordshire County Council, ex parte Sunningwell Parish Council* [1999] 3 All ER 385

⁴ *R (Cheltenham Builders Ltd.) v South Gloucestershire District Council* [2004] 1 EGLR 85 at 90

*occasional use by individuals as trespassers*⁵. Thus, what constitutes a 'significant number' will depend upon the local environment and will vary in each case depending upon the location of the application site.

The 'locality'

27. The Applicant specifies the locality at Part 6 of the application form as the Canterbury City Council electoral wards of Gorrell and Seasalter.
28. Whilst the law has recently been clarified to extend the definition of 'locality' to include electoral wards, it is not clear whether two electoral wards are capable of constituting a single locality. The difficulty in this case is that there does not appear to be an identifiable 'neighbourhood' within a locality and, as such, if the 'locality' is too large (both in terms of population and geographical extent), the application will fail on the basis that the land has not been used by a significant number of the residents of the specified locality.
29. The plan at **Appendix D** shows where the users of the application site live in relation to the site itself. It can be seen that the majority of the users live within the Gorrell ward and therefore it seems appropriate that this should be the relevant 'locality' in this case. This would also correlate with the 'locality' defined in the recent registration of another piece of land as a new Village Green at Duncan Down (VG240).

'significant number'

30. In this case, the application is supported by evidence from 50 users, of which 36 live in the Gorrell ward. Many refer to the use of the land on a daily or weekly basis. As such, it is considered that the volume of use would have been sufficient to indicate that the land in question was in general use by the local community.
31. The fact that not all of the users live within the Gorrell ward is not detrimental to the application and it is irrelevant that some of the users of the application site live outside the locality. The Courts have accepted that the legal test does not require the applicant to demonstrate use merely by the residents of the locality: *"provided that a significant number of the inhabitants of the locality or neighbourhood are among the users, it matters not that many or even most come from elsewhere"*⁶.
32. Therefore, it can be concluded that the application site has been used by a significant number of the residents of a defined locality.

(d) Whether use of the land by the inhabitants is continuing up until the date of application or meets one of the criteria set out in sections 15(3) or (4)?

33. The Commons Act 2006 requires use of the land to have taken place 'as of right' up until the date of application or, if such use has ceased prior to the making of the application, to fulfil one of the alternative criterion set out in sections 15(3) and 15(4) of the 2006 Act (as set out at paragraph 4 above).

⁵ *R (Alfred McAlpine Homes Ltd.) v Staffordshire County Council* [2002] EWHC 76 at paragraph 71

⁶ *R (Oxfordshire and Buckinghamshire Mental Health NHS Foundation Trust) v Oxfordshire County Council* [2010] EWHC 530 (Admin)

34. In this case, the application was made in 2009. There is no evidence of any attempt by the landowners to impede or prevent access to the site prior to (or indeed after) the application being made. Therefore, use has continued until and beyond the date of the application.

(e) Whether use has taken place over a period of twenty years or more?

35. In order to qualify for registration, it must be shown that the land in question has been used for a full period of twenty years. In this case, use of the application site 'as of right' is continuing and, as such, the relevant twenty-year period ("the material period") is calculated retrospectively from the date of the application, i.e. 1989 to 2009.

36. The user evidence summarised at **Appendix C** demonstrates that there has been use of the application site in excess of the last twenty years. Therefore, it can be concluded that there has been use of the application site for a full period of twenty years.

Conclusion

37. From close consideration of the evidence submitted, I have concluded that the legal tests concerning the registration of the land as a Village Green (as set out above) have been met.

Recommendation

38. I recommend that the County Council informs the applicant that the application to register the land known as Benacre Wood at Whitstable as a new Village Green has been accepted, and that the land subject to the application be formally registered as a Village Green.

Accountable Officer: Dr. Linda Davies – Tel: 01622 221500 or Email: linda.davies@kent.gov.uk Case Officer: Miss. Melanie McNeir – Tel: 01622 221511 or Email: melanie.mcneir@kent.gov.uk

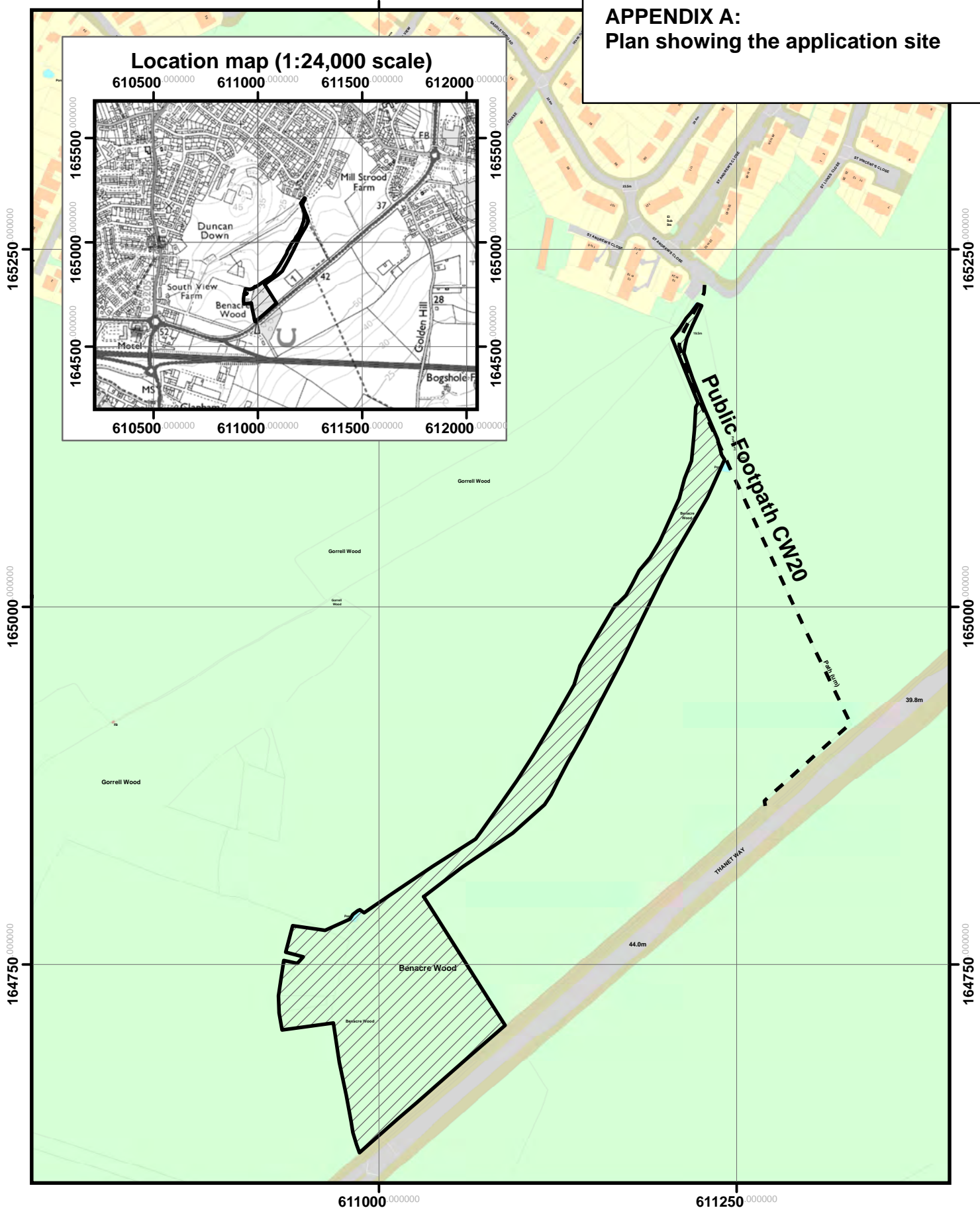
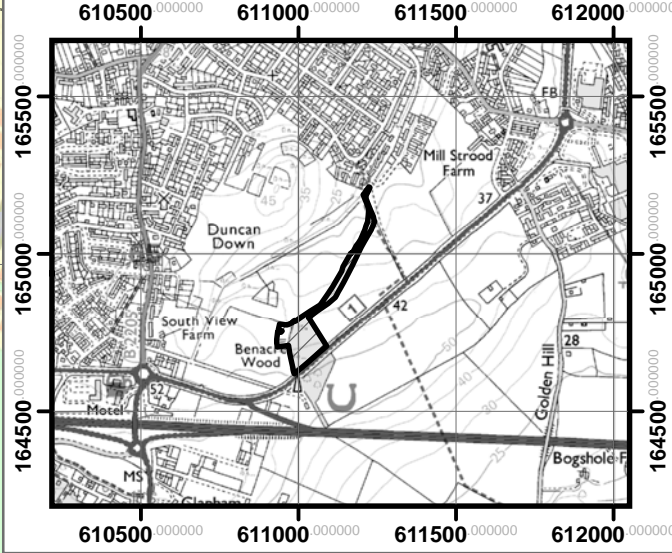
The main file is available for viewing on request at the Environment and Waste Division, Environment and Regeneration Directorate, Invicta House, County Hall, Maidstone. Please contact the case officer for further details.
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Background documents

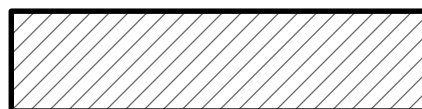
- APPENDIX A – Plan showing application site
- APPENDIX B – Copy of application form
- APPENDIX C – Table summarising user evidence
- APPENDIX D – Plan showing the locality

**APPENDIX A:
Plan showing the application site**

Location map (1:24,000 scale)



**Land subject to Village Green application
at Benacre Wood (on the north side of
the A2990 Thanet Way) at Whitstable**



Scale 1:3500



FORM CA9

Commons Act 2006: section 15

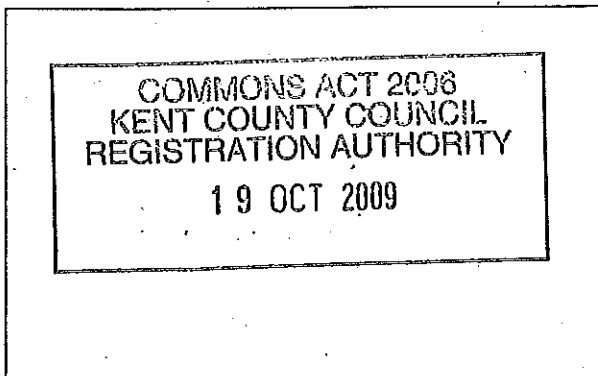
**Application for the registration of land
as a new Town or Village Green**

APPENDIX B:
Copy of the application form



This section is for office use only

Official stamp of the Registration Authority
indicating date of receipt:



Application number:

VGAB19

VG number allocated at registration
(if application is successful):

[Empty box for VG number]

Note to applicants

Applicants are advised to read the 'Part 1 of the Commons Act 2006 (changes to the commons registers): Guidance to applicants in the pilot implementation areas' and to note the following:

- All applicants should complete parts 1–6 and 10–12.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete parts 7 and 8. Any person can apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete part 9. Only the owner of the land can apply under section 15(8).
- There is no fee for applications under section 15.

Note 1
Insert name of Commons
Registration Authority

1. Commons Registration Authority

To the: Kent County Council
Public Rights of Way Officer – Definition Team,
Invicta House
County Hall
MAIDSTONE
ME14 1XX

Note 2

If there is more than one applicant, list all names. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or unincorporate. If you supply an email address in the box provided, you may receive communications from the Registration Authority or other persons (e.g. objectors) via email. If part 3 is not completed all correspondence and notices will be sent to the first named applicant.

2. Name and address of the applicant

Name: Ashley John CLARK - Secretary to the Friends of Duncan Down

Full postal address: (incl. Postcode) c/o 2, Hilltop, Stanley Road, Whitstable, Kent CT5 4QE

Telephone number: (incl. national dialling code) 01227 264063

Fax number: (incl. national dialling code)

E-mail address: CLARKSATSEASIDE@aol.com

Note 3

This part should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, you may receive communications from the Registration Authority or other persons (e.g. objectors) via email.

3. Name and address of representative, if any

Name:

Firm:

Full postal address: (incl. Postcode)

Telephone number: (incl. national dialling code)

Fax number: (incl. national dialling code)

E-mail address:

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 9 to the Commons Registration (England) Regulations 2008.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5. Application made under section 15(8):

If the application is made under section 15(1) of the Act, please tick one of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

Section 15(3) applies:

Section 15(4) applies:

**Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.*

If section 15(3) or (4) applies, please indicate the date on which you consider that use 'as of right' ended and why:

If section 15(6)* is being relied upon in determining the period of 20 years, indicate the period of statutory closure (if any) which needs to be disregarded:

Note 5

This part is to identify the new green. The accompanying map must be at a scale of at least 1:2,500 and shows the land by means of distinctive colouring within an accurately identified boundary. State the Land Registry title number where known.

5. Description and particulars of the area of land in respect of which application for registration is made

Name by which usually known: *Benacre Wood, Whitstable*

Location: *land on the north side of Thanet Way, Whitstable*
Title No K760610 (Part of the land some is unregistered)

Common Land register unit number (only if the land is already registered Common Land):

Please tick the box to confirm that you have attached a map of the land (at a scale of at least 1:2,500):

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly at a scale of 1:10,000.

6. Locality or neighbourhood within a locality in respect of which the application is made

Indicate the locality (or neighbourhood within the locality) to which the claimed green relates by writing the administrative area or geographical area by name below and/or by attaching a map on which the area is clearly marked:

*Gorrell and Seasalter Wards
Whitstable*

Please tick here if a map is attached (at a scale of 1:10,000):

Note 7

Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

7. Justification for application to register the land as a Town or Village Green

Evidence from some 50 witnesses that collectively they and others representing a significant number of inhabitants of the locality have indulged in lawful sports and pastimes on the land for a period in excess of 20 years as of right.

See attached statement, witness forms and exhibits as listed.

Note 8

Use a separate sheet if necessary. This information is not needed if a landowner is applying to register the land as a green under section 15(8).

8. Name and address of every person whom the applicant believes to be an owner, lessee, proprietor of any "relevant charge", tenant or occupier of any part of the land claimed to be a town or village green

1. Neil William STRAND
Court Lees Farm, Blean Hill, Whitstable, Kent.
2. Theresa Julie LUCCHESI
Lincey, Bogshole Lane, Whitstable, Kent
3. Christine Mary BUCHAN
Clowes Farm, Honey Hill, Whitstable, Kent

Note 9

List or enter in the form all such declarations that accompany the application. This can include any written declarations sent to the applicant (i.e. a letter), and also any such declarations made on the form itself.

9. Voluntary registration – declarations of consent from any relevant leaseholder of, and of the proprietor of any relevant charge over, the land

N/A

Note 10

List all supporting consents, documents and maps accompanying the application. Evidence of ownership of the land must be included for voluntarily registration applications. There is no need to submit copies of documents issued by the Registration Authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

10. Supporting documentation

See attached lists of witnesses and exhibits.

Note 11

List any other matters which should be brought to the attention of the Registration Authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

11. Any other information relating to the application

This matter is linked to a footpath application in 2008

PROW/CC/C 313 for which some 20 witness forms were obtained.

The witnesses for this application will also be witnesses in relation to the footpath issue.

Note 12

The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.

12. Signature

Signature(s) of applicant(s):



Date:

15th October 2009**REMINDER TO APPLICANT**

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted. You are advised to keep a copy of the application and all associated documentation.

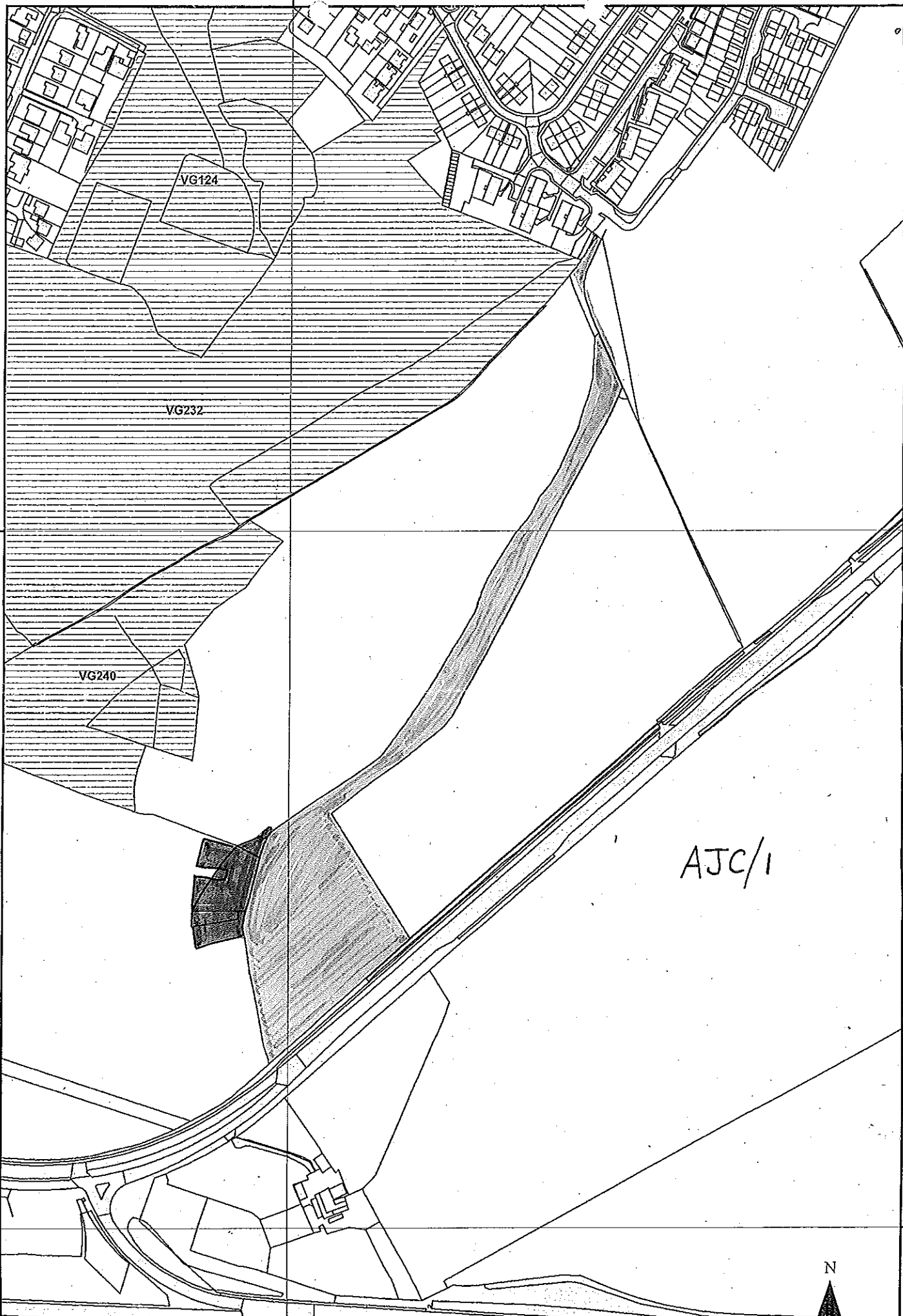
Please send your completed application form to:

**The Commons Registration Team
Kent County Council
Countryside Access Service
Invicta House
County Hall
Maidstone
Kent ME14 1XX**

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the Commons Registration Authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 and the Freedom of Information Act 2000.



Village Greens shown on this map for illustrative purposes only and may not provide an accurate representation -
 Please refer to Register plans for details of the recorded boundaries.

Scale 1:2,500

Benacre Wood Village Green Application

List of Exhibits

- AJC/1 Plan of the land 1:2,500
- AJC/2 Educational leaflet relating to the area
- AJC/3 Analysis of witness forms
- AJC/4 Map of the locality showing residences of witnesses and ward boundaries
- AJC/5 Aerial photo of the locality
- AJC/6 Map of locality – Medical Centre leaflet
- AJC/7 Collage of photographs of the land
- AJC/8 Kent Wildlife Trust designation document and map
- AJC/9 Route of footpath PROW application
- AJC/10 Press reports relating to footpath application
- AJC/11 Copy of official map of PROW CW20
- AJC/12 Press reports relating to abuse of land in 2009
- AJC/13 Letter to landowners explaining footpath application - August 2008
- AJC/14 Letter to landowners notifying them of application for village green together with
proof of posting receipts

**APPENDIX C:
Summary of user evidence submitted
in support of the application**

Name	Period of use	Frequency	Activities	Other comments
Mr. D. BARRATT	1999 – present	Monthly	Dog walking, blackberrying, nature walks with children	
Mrs. S. BARRATT	1999 – present	Monthly	Dog walking, walking with children	
Mr. A. BAYS	1987 – 2004	Fortnightly	Dog walking, nature observation	
Ms. L. BURTENSHAW	2007 – present	Daily	Dog walking	
Miss. M. CARTER	1975 – present	Occasionally	Dog walking	
Mr. A. CLARK	1955 – present	Regularly, most days in recent years	Blackberrying, nature observation, photography, walking	'I often meet people walking dogs, jogging and children with parents'
Mr. B. CLARK	1975 – present	Monthly	Playing with children, dog walking, exercise	Observed use by others for walking and children playing (building camps)
Ms. C. CLARK	1998 – present	2-3 times per week	Dog walking	
Mr. D. CLARK	1975 – present	Weekly from 1975 to 85, now occasionally	Playing as a child and now playing with own children	Observed use by others for dog walking, fruit picking, children playing
Mrs. M. CLARK	1989 – present	Monthly	Walking, dog walking, playing with children	
Mrs. F. CORNISH	1998 – present	Daily	Dog walking, nature observation, litter picking	
Mr. R. CORNISH	1998 – present	Weekly	Dog walking, nature observation	
Mrs. J. CUMING	1970 – 2003	Daily	Walking, fruit picking, mushroom picking	
Mrs. P. CUMMING	1981 – present	Fortnightly	Nature watching, dog walking	
Mrs. S. DAVIES	2003 – present	4-5 times per week	Dog walking	
Mr. C. EDWARDS	1967 – present	Weekly	Dog walking	Observed use by others for dog walking and camping
Mrs. D. ELLIS	1998 – present	3-4 times per week	Dog walking, fruit picking, mushroom picking	Observed use by others for dog walking and camping
Mr. J. ELLIS	1998 – present	3-4 times per week	Dog walking, fruit picking	Observed use by others for dog walking and camping
Ms. E. GALE	2003 – present	Weekly	Playing, dog walking, ball games	
Mr. R. HILLS	1948 – 2006	Daily	Playing as a child, dog walking as an adult	Saw others 'most times I was up there'
Mr. J. HOUGHTON	1981 – present	6 times per year	Walking for pleasure and exercise	
Mrs. J. ISOM	2008 – present	1-2 times per week	Dog walking, relaxation	
Mr. N. ISOM	2008 – present	1-2 times per week	Dog walking, relaxation	See others 'on most visits'
Mr. J. JENKINS	1999 – present	Daily	Dog walking	
Mr. A. KEAM	1949 – present	Previously monthly, less now	Dog walking	
Ms. M. LERIGO	1964 – present	Weekly	Blackberrying, dog walking, photography, birdwatching	

Ms. V. LERIGO	1964 – 2006	Occasionally	Blackberrying, dog walking, photography, birdwatching	
Mr. B. MACHIN	1958 – present	Previously 2/3 times per week, now daily	Dog walking, relaxation	
Mrs. I. MACHIN	1975 – present	Weekly	Dog walking, relaxation	
Mr. D. MARTIN	1994 – present	Daily	Dog walking, playing as a child	
Mrs. C. MASTERS	1980 – present	Weekly	Dog walking	Observed use by dog walkers, children playing and camping
Mr. P. MASTERS	1980 – present	Twice weekly	Dog walking	
Mrs. K. McLEAN – CARVELL	2004 – present	Twice weekly	Dog walking, relaxation	Observe use by others at every visit, including camping.
Mr. C. OLSEN	2002 – present	Weekly	Dog walking	
Mrs. V. PEARCE	1999 – present	Weekly	Dog walking	
Mr. S. PHILLIPS	1989 – present	Daily	Dog walking, nature observation	
Mrs. S. PHILLIPS	1989 – present	Weekly	Dog walking, nature observation	
Mrs. V. PONSONBY	2008 – present	4 times per week	Dog walking	
Mrs. J. SEWELL	1988 – present	Daily	Dog walking, fruit picking, bird watching	See other dog walkers on a daily basis
Mr. A. STEWARD	2005 – present	Daily	Dog walking, mountain biking, walking with children	See others 'virtually every day'
Mrs. S. STEWARD	2005 – present	Daily	Dog walking, playing with children, nature watching	
Mrs. M. TAYLOR	1970 – present	Weekly	Dog walking, blackberrying	
Mr. C. WALLACE	1971 – present	Weekly, now almost daily	Dog walking, playing with children	
Mr. D. WATTS	1989 – present	Daily	Dog walking, nature observation	
Mr. B. WEBB	1984 – present	4-5 times per week	Dog walking, nature observation	
Mrs. G. WEBB	1984 – present	Monthly	Dog walking, nature observation, exercise, socialising	
Mr. M. WESTRUP	2009 – present	Daily	Dog walking	
Mr. M. WOOD	2007 – present	Daily	Dog walking	
Mr. A. YOUNG	2003 – present	Weekly	Dog walking, walking	
Mrs. J. YOUNG	1999 – present	Twice weekly	Jogging, dog walking, walking with children	Seen others 'on every occasion I have used the woods'

**APPENDIX D:
Plan showing the locality**

