

1. This formal witness statement needs to be considered alongside the formal “Reasons for Application for Modification Order Wildlife and Countryside Act 1981” submitted with the Modification Order DATE?.
2. My wife and I moved to the former farm known as Caeagleision in May 1982 and opened our holiday business as Barlings Barn, Caeagleision in January 1984.
3. Around 2005/2006, Mr. Rab Jones, at that time employed by Powys County Council, visited my property and stated we were obstructing a bridleway. At a later visit to the property in July 2011, Mr. Martin Davies, Enforcement Officer for Powys Rights of Way team described as “de minimus” the few yards to the west that the Right of Way had been diverted by the construction of our swimming pool building.
4. Since 2005/2006 I have been researching the facts behind the amendment of what was designated as a footpath in the 1932 Rights of Way Act, to a bridleway on the Definitive Map 1969.
5. Since opening for business in January 1984, I estimate that over 20,000 visitors to Barlings Barn have walked all over our 22 acres of land – including parts of the bridleway. We have brought direct employment to local people and revenue to local businesses. This request for a Modification Order is not about protecting our privacy but about correcting what I believe to be a mistake in the drafting of the Definitive Map.
6. In the past 35 years I have never witnessed anyone using the bridleway by horseback or bicycle. I have witnessed or been aware on three separate occasions of one or two horses coming up the private track to Barlings Barn.
7. I would like to clarify that at no point during my meeting with Sian Barnes on 30th August 2017, did I suggest that the stile between Cwm y Fynnon farm and Caeagleision had to be removed when hay was brought down to Caeagleision farmyard barn. What I did say was that the hay field, now belonging to Cwm y Fynnon was prior to the mid 60s rented out to Caeagleision.

8. I have found no evidence that there was ever a stile in Caeagleision field. This hay field is shown on historic maps (parcel 965 extract 1901 map attached), whereas the stile on the bridleway was in parcel 960, closer to Cwm y Fynnon farm.
9. Prior to the mid 60s, Caeagleision field was in the tenancy of Caeagleision farm and the hay in Caeagleision field was stored in the Barn at Caeagleision. After the mid 60s, Caeagleision field was in the tenancy of Cwm y Fynnon and the hay in Caeagleision field continued to be stored in the Barn at Caeagleision up until we purchased the property in 1982.
10. The copies of 1948 and 1960 aerial photographs provided to Powys County Council are I believe further strong corroborative evidence that the information in the Modification Order application is accurate.
11. All the evidence from extensive public records I have researched, and witness statements, point to the fact that bridleway 6 has always been a footpath. It is only the 1960s survey that says differently with no credible evidence to back this up.
12. I would respectfully ask that the Officers of the Council and elected Members view the evidence objectively in reaching their decision.

Terry Margolis

19 December 2017