

Appendix 8

Name	Status	Comments
Maggie Francis	Former resident of Mawddach Crescent	<ul style="list-style-type: none"> • Mrs Francis' husband, Mr David Francis grew up at 3 Mawddach Crescent and Mrs Francis met him when she moved to Barmouth just before Easter 1974. • Has been related to the Crescent from that date until they sold the property in 2007. • Mrs Francis particularly remembers the private signs. • Mrs Francis cannot remember the signs not being in existence since she became associated with the Crescent around 1973. • Mrs Francis states that neither herself nor her husband can remember the metal "Private Road" sign not being there and therefore believes that the sign predates 1962, when her husband moved to Mawddach Crescent. • Taking into consideration her in-laws' habit of keeping records relevant to the property, Mrs Francis believes the metal sign and painted sign on the brick wall were in existence when they bought the house in 1962. • Mrs Francis would be willing to testify on oath to an Inquiry that there were private signs at the eastern end of the Crescent. • Mrs Francis believes that a number of claimants were acquainted with or known to residents living on the Crescent. • Mrs Francis questions the validity of statements made by people claiming to have crossed the embankment to get to work every day in Barmouth due to the tide. Mrs Francis states that the estuary is notoriously dangerous for this reason. Mrs Francis contends that failure to judge the tide correctly would result in the user having to walk a considerable distance in order to bypass the embankment. • Mrs Francis has provided a Public Notice published in "Y Dydd" dated 11.10.1957 from D.J.Roberts of Fegla Fawr, Arthog announcing the immediate closure of the path due to the dangerous condition of the footbridge on the flood embankment from Arthog to Barmouth Bridge.

David Francis	Resident from 1962 to 2007	<ul style="list-style-type: none"> • Mr Francis lived at the Crescent from 1962 to 2007. • Mr Francis categorically states that a private sign has always existed at the eastern end of the Crescent. • Mr Francis confirms that there were several signs around the Crescent stating that the road was private including the one scrawled on the brick wall at the eastern end of the Crescent, which could not be missed. • Mr Francis has a memory of a private sign at the western end, which disappeared sometime in the late sixties. • Mr Francis would be willing to attend any public hearing and testify to the above.
Richard Griffin	Friend of former resident, Mr David Francis	<ul style="list-style-type: none"> • Mr Griffin is familiar with the area surrounding Mawddach Crescent having visited many times to see his school friend, David Francis who lived at No.3 from the spring of 1963. • When visiting Mr Francis, Mr Griffin would, with his pushbike, turn left at the end of Barmouth Bridge and go down the bank onto the causeway. Mr Griffin would then get off his bike and carry it over rocks up to the level of the remains of the causeway bridge. Mr Griffin would push his bike across even when the timber sleepers were still there but by 1976, the bridge had deteriorated to nothing and was unusable. At the other end of the bridge, Mr Griffin would have to carry his bike down (about 4ft) to the level of the top of the causeway. At the other end of the causeway, Mr Griffin would have to carry his bike up broken ground from the level of the causeway to the level of the flat ground leading towards the Crescent. • Mr Griffin recalls that there was a "PRIVATE" sign in white paint on some red brick pillars that could not be missed. • Mr Griffin confirms that the "PRIVATE" sign still exists today. • Mr Griffin states that the PRIVATE sign was "most definitely there" during mid/late 1960s to early 1970s.

		<ul style="list-style-type: none"> • Mr Griffin states that this PRIVATE sign was probably there well before the mid-1960s, as it did not appear to be new or freshly painted. • With regard to the alleged private sign on the rock face, Mr Griffin only seems to have a vague memory of this but well remembers the “PRIVATE” sign in white paint as it stood out. • Mr Griffin could not find any remains of the “PRIVATE” sign in the rock cutting today. • Mr Griffin does not know when the metal sign was fitted onto the wall but states that the picture shows something written on the brick wall underneath the metal sign; probably the word “private” to accompany the word “road”; meaning that the wording underneath the sign was applied to the brick wall before the metal sign was fitted. • Mr Griffin states that he only walked the old tramway and road in front of the houses as he was visiting a resident of the Crescent.
<p>Hannah Cromarty Duncan Cromarty Jean Cromarty</p>	<p>Residents/owner (1982 – present)</p>	<ul style="list-style-type: none"> • The respondents confirm that in 2005 or 2006, notices were erected at each end of the Crescent stating: “STOP. PRIVATE PROPERTY. PLEASE USE PUBLIC FOOTPATH TO REAR OF HOUSES. THANK YOU.” • The respondents recall “Private” signage being present in the 1970s when they first started to visit Fegla Fawr. They also state there is evidence that a “Private Road” sign was already in place as early as the 1940s or 50s. • The respondents refer to a “Private Road” sign on the brick wall at the entrance to the Crescent over the wording 'PRIVATE ROAD' in paint. Next to this, there is a sign stating “PRIVATE” in large faded white lettering. • The respondents also recall the word “PRIVATE” hand-painted on the rock face near the post box in the 1980s. • The respondents state that in 1999 the landowners erected fences at either end of the Crescent with a cattle grid at one end and a gate at the other. A notice on a pole was erected at the eastern end and a notice on the gate at the western end stating “MAWDDACH CRESCENT – PRIVATE ROAD”.

		<ul style="list-style-type: none">• The respondents believe that there is no 20-year period during which a dedication can be considered because “Private” signs have been in place for so long.• The Statements indicate that those using the route knew the residents of the Crescent, were welcomed, paid social calls, had “tea and chats” and were allowed to picnic on the sea wall.• The respondents state that not all walkers were stopped, for instance some owners may have permitted their friends in Arthog to use the route.• The respondents state that the Crescent was known as the “Artists’ Houses” due to artists being resident there. It is also claimed that some of the properties held exhibitions and had paintings on display for sale and possibly served tea and cake. It is contended that any persons visiting the Crescent for these purposes were given permission for their visit.• As a family, the respondents camped on the Fegla Fawr Hill once or twice a year from the early 1970s until 1982 and recall Miss Roberts regularly challenging people crossing her land.• The respondents state that their grandfather and mother would regularly tell walkers crossing the frontage that it was a private road and that the public footpath was at the back of the Crescent. Other owners also objected e.g. Mr Cutler who lived at the Crescent from around 1980 to 2007 was a strident challenger.• Quality and relevance of the evidence is dubious. A considerable number of statements do not clearly identify the route; stating that Mr Roberts will instead provide a plan. This suggests that the witnesses are not clear about what is disputed.• Some statements claim to have used the route for decades, yet state that they have never seen any signage on the claimed route. Many statements provide little further information than a name and a signature which is consistent with a petition.• Some claimants prefer the route across the front of the Crescent to the public footpath at the back thus giving them an incentive for claiming a right.• The respondents believe that some claimants have only used the route across the front when the “coast is clear” of residents i.e. by stealth.
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<p>Mr J.Hall and Miss L.Oakley</p>	<p>Residents/owners (2007 – present)</p>	<ul style="list-style-type: none"> • Purchased the property from Mr Cutler (a resident since the 1970s) who advised them to lock both ends of the Crescent for one day a year to stop people claiming a PROW. The respondents state that they did so accordingly. Mr Cutler said that he had been doing the same although it is unknown over what period. • Mr Hall and Ms Oakley were challenged by Mr Bath when they came to view the property. • They themselves have also challenged people and directed them to the public footpath at the back. • There are many signs in place stating that the Crescent is private. These date from the middle of the last century to the last couple of years. • Implied permission was given to certain users e.g. those visiting friends living on the Crescent, those having refreshments, those viewing paintings, the milkman. • The postcards show the front of the houses devoid of visitors. • Some statements refer to a lack of signage, which is inaccurate. The signage includes a sign which was put up in the 1940/1950s, a sign painted in one foot high white letters allegedly by Mr Cutler in the 1970s (still visible), signs put up in the late 1990s when the cattle grid was put in. In the early 2000s, a further two signs were put up, one at either end, which are still there. • The walking books do not refer to a path running in front of the houses. • Regarding the route across the Cob, Miss D Roberts always rejected there was any footpath along there.

Sue Rudd	Owner / resident (2010 – present)	<ul style="list-style-type: none"> • Ms Rudd has lived on the Crescent for over 7 years and on many occasions has pointed out to members of the public walking across the frontage that there is no right of way. Has witnessed other neighbours making the exact same request. • Ms Rudd was a holidaymaker to the area for more than twenty years prior to purchasing the property and distinctly remembers being challenged by one of the residents c.1992. • Gates and a cattle grid have been in place to discourage walkers from assuming they can walk across the front of the houses. • Signage affirming the land to be private has been in place for many decades. • There is an agreement that the Crescent is locked at each end for one day a year to prevent any presumption that a right of way might exist. • Many of the claimants are/were known to residents and their use of the way can be construed as permissive. Some statements make no mention of signage. • There has been consistent challenge over many decades. • There is considerable evidence that the owners took a range of actions to prevent the public from using the path.
Maureen Raven	Owner / resident (2008 – present)	<ul style="list-style-type: none"> • Has resided at Mawddach Crescent for 9 years. • Has witnessed very few people walking in front of the terrace. Those who did were challenged. • There is no obvious need for a footpath across the front of our homes.
James Foulton Hayward	Owner / resident (2014 – present)	<ul style="list-style-type: none"> • There have been signs clearly marked “PRIVATE ROAD” and “PRIVATE RIGHT OF WAY”. • The access is also gated. • All efforts have been made to exclude the public.

		<ul style="list-style-type: none"> • A separate right of way is unnecessary. • The Council acknowledged in 1998/9 that the public had not used this land for access and had no right to use the same. • The application is based on a walkers campaign rather than factual evidence.
Helen Doig + David Streatfield	Owners / Residents (1994 – present)	<ul style="list-style-type: none"> • Purchased property in 1994 and challenged walkers from then onwards following advice from neighbours. • In 1999, a decision was made to erect a gate, fences, cattle grid and signs at both ends of the Crescent stating “Mawddach Crescent Private Road”. • In 2005/6, the resident of no.1 erected further signs stating, “Stop. Private Property. Please use public footpath to rear of houses. Thank you.” • Several notices existed in 1994 including a metal sign stating “Private Road” on a small brick wall, a “PRIVATE” sign painted in white on the same wall and another sign stating “PRIVATE” painted on a rock wall nearby. The latter has disappeared but the two former signs are still visible but looked very old in 1994. • About 30% of the claimants state that they have been challenged when walking in front of the houses. • The gate at the western end has been periodically locked since it was erected. It is now permanently locked because the gatepost is rotten. Once a year, the resident of no.8 places a chain and lock across the eastern end. • It is suggested that some of the statement forms imply permissive access.
H.Dunn	Neighbouring resident (mid-1970s to present)	<ul style="list-style-type: none"> • Has been resident at a neighbouring property for over 40 years. • The two private signs on the wall as you look from the east towards Barmouth have always been there – the painted white private sign in 1-foot high letters and the metal private sign screwed to the wall.

Tracey Towler	Visitor	<ul style="list-style-type: none"> • Has visited the Crescent for over 10 years and has often been challenged when approaching the private gardens. • Has witnessed other people being challenged. • Believes that the path would be an invasion of privacy and unnecessary as there is an existing footpath.
P.R.Thomas	Local school bus driver	<ul style="list-style-type: none"> • Between 1983 and 1988, Mr Thomas drove a school bus to/from the Crescent. • Remembers a closed gate at the end of the Crescent with a sign stating Residents Access Only.
Jean Cromarty	Owner / Current resident (1982 – present)	<p>Opposes the application on the following grounds:-</p> <ul style="list-style-type: none"> • In 1982, upon purchasing the property, adopted the residents’ practice of challenging people walking in front of the houses. • Since then has continued to explain to members of the public that they do not have the right to pass in front of the Crescent and to use the public footpath at the rear. • Over the years, signs have been erected making it clear to members of the public that the land is private. • In 1995, residents “clubbed” together to install a gate at one end of the Crescent and a cattle grid with a small gate at the other end. In addition, larger signage was erected to make it even clearer that the land in front of the Crescent is private and that there is no PROW.
Hannah Cromarty	Relative of current owner/resident	<ul style="list-style-type: none"> • Has been connected to the Crescent since the 1970s when her family started coming to the area (including the Crescent) on holiday. In 1982, her grandfather purchased a house on the Crescent which was later passed onto her mother who now resides there. Her father purchased a different house on the Crescent in the early 1980s.

		<ul style="list-style-type: none"> • Remembers her grandfather and parents stopping any members of the public who passed in front of the Crescent and directing them to the public footpath behind the houses. Other residents used to do the same. • Remembers a small brick wall by the entrance to the Crescent, which had an old plaque on it stating "Private" which had clearly been there for many years. • States that, at some point in the 1980s, one of the residents painted "Private No Access" or similar on the rocks near the entrance. • Around 1995, the residents combined funds and erected a field gate at one end of the Crescent and a cattle grid with a small gate at the other end. Residents paid for notices to be erected at both of the gates stating that the land is private property. • Continues to challenge members of the public passing in front of the Crescent.
Lamprey Trust	Owners (2013 – present)	<ul style="list-style-type: none"> • There is clear on the ground evidence that no right of way exists. • There is a gate at one end of the Crescent, which they are told, has been present for many years and a clear sign stating "private road" at the other end, which has been there even longer. • It is alleged that the residents consulted David Coleman when the gates and signs were being considered. The barriers would not have been erected if the residents had been told that a right of way existed. • The local house owners, and in some cases their families who lived here before them, are certain that only a few people insisted on walking in front of the houses. • It is possible that relationships were established with a few people who were allowed access.
Swn y Mor Company Ltd	Owners (1983 – present)	<p>Objects the application on the following grounds :-</p> <ul style="list-style-type: none"> • During the period 1983 to present, has actively deterred people from passing in front of the Crescent.

		<ul style="list-style-type: none"> Members of the public have been reminded where the footpath lies.
David and Vanita Bath	Former resident (late 2004 – 2014)	<ul style="list-style-type: none"> Mr and Mrs Bath state that they put the “no entry” signs up when they moved to the Crescent in late 2004. Mr and Mrs Bath confirm that they regularly challenged members of the public who walked in front of the houses. Mr and Mrs Bath state that the “Private” notices at either end of the Crescent were put up by existing residents many years before they moved there.
William McDonald	Friend of current owners / Retired solicitor	<ul style="list-style-type: none"> Long standing friend of a current owner on the Crescent and acted, in a professional capacity, on the purchase of the house. Mr McDonald visited the house on numerous occasions and always saw signs indicating that the footpath detoured around the back of the Crescent. Mr McDonald states that it was clear that there was no public right of way in front of the terrace.
Tim Rose	Visitor to Mawddach Crescent	<ul style="list-style-type: none"> Mr Rose states that he has been a frequent visitor to Mawddach Crescent since the summer of 1994 when Mr Streatfield and Ms Doig purchased their house. Has always been aware that the public right of way runs behind the terrace. Has witnessed incidents when walkers have attempted to cross in front of the houses and have been challenged. Confirms that from around 1995, a cattle grid and fence was put in place outside no.8 and at the other end, outside no.1, a fence and metal farm gate. A sign stating “Mawddach Crescent Private Road” was also put up at the same time, one on a pole by the cattle grid, the other fixed to the gate at the other end. Another sign was erected c.2006 stating that the public footpath runs to the back of the houses.

		<ul style="list-style-type: none"> • Mr Rose recalls a much older sign near the letterbox stating “Private Road” which has been in place for many years. • Mr Rose recalls that the metal gate in front of no.1 was sometimes secured with a bicycle padlock believed to have been put in place by another resident.
Peter Walker	Former (part) owner of 4 Mawddach Crescent	<ul style="list-style-type: none"> • Mr Walker states that during the time he has used the house (from the late 70s until the present), he is aware that all residents living on the Crescent have tried to encourage people to take the right of way around the back of the houses. • Mr Walker believes that in the mid-80s, a new gate was put in place at the west end of the Crescent and a cattle grid with connecting fence at the east end, thus anyone trying to go along the front would have to either negotiate the cattle grid, or climb over the fence.
Clare Smith	Daughter of former owner	<ul style="list-style-type: none"> • Ms Smith states that her parents, Brian and Nancy Walker, jointly owned no.4 for more than 30 years with two other couples. • Ms Smith has been a regular visitor there for holidays at Easter, Christmas and summer for over 30 years. • Ms Smith recalls regularly asking people who walked through to retrace their steps and use the public footpath at the back of the houses. • Ms Smith states that the Walker family supported the actions Mr David Bath took (the former owner of no.1) when he erected gates and signposts designed to further deter ramblers. After the gates were put up, a lock was placed on the gate nearest to no.1, which was removed a few months after to allow easier access for the residents with pushbikes.
Vanessa Maumelat-Doig	Relative of current owner/resident	<ul style="list-style-type: none"> • Ms Maumelat-Doig states that her husband’s mother (Helen Doig) jointly owns a house on the Crescent with her husband, David Streatfield.

		<ul style="list-style-type: none"> • Ms Maumelat-Doig first visited in 2000, and has been on holiday there a number of times since then. • Ms Maumelat-Doig is aware that Ms Helen Doig has stopped people walking across the front. • Ms Maumelat-Doig states that people would walk across the front, sometimes with dogs, which was always a problem if they were out at the front having a barbeque, or if the children were playing outside the front. Some people would accept the situation and would turn around and walk round the back, while other people would argue and be unpleasant.
Tom Doig	Relative of current owner/resident	<ul style="list-style-type: none"> • Mr Doig states that his mother - Helen Doig - purchased a house on Mawddach Crescent with her husband, David Streatfield, in 1994. • Mr Doig has stayed with them, and holidayed there with his family now and again, since that date. • Mr Doig states that both his mother and her husband challenged people seen walking across the front of the houses, whenever the situation arose. • Mr Doig states that the Crescent clubbed together to have a gate and cattle grid placed at either end of the Crescent c.1995-1996 to deter walkers. At the same time, notices were erected saying that the road was private although there were a couple of "private" signs in position prior to that.
Margaret Redrup	Relative of current owner/resident	<ul style="list-style-type: none"> • Ms Redrup states that her brother, David Streatfield bought a house on Mawddach Crescent in 1994. Since then she and her husband have visited on a number of occasions. • When they visited, they saw that there was a farm gate at the western end of Mawddach Crescent with a sign on it stating "Mawddach Crescent Private Road". At the Eastern end of the terrace, there was a cattle grid with a sign next to it on a pole also stating "Mawddach Crescent Private Road".

		<ul style="list-style-type: none"> Ms Redrup noticed on one of her early visits her brother, David, challenging people walking across the front of the houses.
Tess Swithenby	Relative of current owner/resident	<ul style="list-style-type: none"> Ms Swithenby states that since her sister, Helen Doig and her brother-in-law David Streatfield bought a house on Mawddach Crescent in 1994, she has stayed with them on family holidays and get-togethers. Ms Swithenby states that they would organise a barbeque at the front of the houses, if the weather was suitable. Occasionally during these family meals, people would walk across the Crescent, but Ms Swithenby states that her sister or brother-in-law would always challenge these people. This was mainly due to privacy but also to prevent the route becoming a right of way. Ms Swithenby states that gates and a cattle grid were erected c.1996, so that pedestrians could see clearly that the land was private.
Kerry Read	Former resident / visitor	<ul style="list-style-type: none"> Ms Read has resided at Mawddach Crescent on and off between 1995 and 2007. Ms Read states that she has witnessed David Streatfield and her mother Helen Doig challenging walkers attempting to walk across the front of the Crescent. Ms Read states that she would also challenge anyone who attempted to walk across the front and would direct them to the public footpath behind the houses. Ms Read states that there was a cattle grid at number 8 with a "Private Road" sign during all her time visiting and residing at Mawddach Crescent. Ms Read states that a locked gate was put up at no.1 during 1996/1997.
Louise Harries	Visitor	<ul style="list-style-type: none"> Has been holidaying with her family in Arthog for more than 20 years. They stayed on Fegla Fach Farm and often went from the campsite to Barmouth and back.

		<ul style="list-style-type: none"> • Ms Harries states that she was challenged, on one occasion, by one of the residents who pointed out that the land along the front of the houses was private and that the footpath went round the back of the houses.
Jessica Rudd	Visitor	<ul style="list-style-type: none"> • Has been going on holiday to Arthog for more than 20 years. • They stayed on Fegla Fach Farm and often went from there into Barmouth. • Ms Rudd states that one of the residents challenged them and stated that the land was private and a footpath went round the back of the houses.
Mr and Mrs Kitzing	Owner (2013 – present)	<ul style="list-style-type: none"> • Has encountered few people attempting to walk past the front of the houses. • Whilst viewing the property in September 2012, Mr and Mrs Kitzing were challenged by the owners of no.1 Mawddach Crescent for walking past the front of the properties. • Mr and Mrs Kitzing state that they have questioned others who they did not recognise and they have also witnessed other residents questioning non-residents attempting to pass through.