

COVERING LIST OF REPRESENTATIONS, OBJECTORS AND SUPPORTERS

**THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
FOR THE COUNTY OF LANCASHIRE**

**THE LANCASHIRE COUNTY COUNCIL
WATERY LANE FROM HAUNDERS LANE TO LIVERPOOL ROAD, MUCH
HOOLE DEFINITIVE MAP MODIFICATION ORDER 2023**

No.	OBJECTIONS STILL OUTSTANDING	ADDRESS
1	Roger Bracewell For and on behalf of Bracewell Farms Limited	The Albert Suite Unit 2 Revolution Park Buckshaw Avenue Buckshaw Village Chorley PR7 7DW
2	James G Bramley For the Company Acland Bracewell	The Barrens Church Road Tarleton Preston PR4 6UP Ref: JGB/HR/VD07
No.	OBJECTIONS WITHDRAWN	
No.	SUPPORTER	
No.	OTHER RESPONSES	

BRACEWELL FARMS LIMITED

The Albert Suite
Unit 2 Revolution Park
Buckshaw Avenue
Buckshaw Village
Chorley
PR7 7DW

Your Reference:

Telephone:

01257 633200

Our Reference:

For the Attention of Mr Simon Moore
Lancashire County Council
Legal & Democratic Services
PO Box 100
County Hall
Preston
PR1 0LD

Ref: LSG5.SM18/888.2184

(copy emailed 31st May 2023 to simon.moore@lancashire.gov.uk
and sent by 1st Class Post)

31st May 2023

Dear Sirs

WATERY LANE FROM HAUNDERS LANE TO LIVERPOOL ROAD, MUCH HOOLE
(Ref: LSG4.SM18/888.2184)

We acknowledge receipt of your letter dated 25th April 2023.

We are the adjacent occupier of the Land referred to as "Watery Lane", by way of an Agricultural Holdings Act Tenancy, and write to object to the proposal.

Our grounds for objection are as follows:-

1. The proposed route is now the route of a substantial brook and is completely unsuitable and unusable in its current condition as a bridleway.
2. To enable the Highway Authority to maintain and enable the use of this bridleway, the Highway Authority will need to culvert or undertake extensive works to the existing ditch, which will affect the field drainage, which currently discharges into the brook.
3. The maps of 100 years may refer to "Watery Lane" but the use of the land has changed and is now a drainage ditch providing a vital function of drainage to the village of Much Hoole and the neighbouring fields, with the footpath relocated adjacent to the brook.

4. The closure of Footpath 34 (also referred to as 7-8-FP2) from Point D on Liverpool Road to Point B as shown on the order map will prevent the use of the current field boundary route, and result in all users having to walk along the bottom of the ditch, as opposed to the boundary of the field.
5. The status of this route as a bridleway has changed over the last 100 years. The route is no longer a bridleway, but a substantial ditch.
6. The use of this "Watery Lane" is no longer a bridleway, and has reverted to a registered footpath running along the ditch boundary. This is an established footpath route, and the order should not close footpath 34 between point D and B shown on the order map, and relocate this into the bottom of the brook.

Please accept these objections to the proposed order.

Yours sincerely



 **Roger Bracewell**
For and On Behalf of Bracewell Farms Limited

Your ref: **LSG4.SM18.888.2184 / LSG4.SM18.888.2183**
Our ref: **JGB/HR/YD07**

9th June 2023

FAO Mr Simon Moore
Lancashire County Council
Legal & Democratic Services
PO Box 78
County Hall
Preston
PR1 8XJ

Dear Sirs,

Footpath 7-8-FP2, Much Hoole from Haunders Lane to Liverpool Road
Objections to Applications for Modification Orders

I write on behalf of Acland Bracewell Surveyors Limited, the appointed Agent for Lilford 2005 Limited, the freehold owner of the land on which the subject orders are being considered.

Following a discussion with Mr. Simon Moore, of Lancashire Country Council (LCC) and a comprehensive review of the report provided by LCC, for the regulatory Committee meeting held on the 25th January 2023, we write to provide a further objection to the modifications of both Footpaths FP2, Much Hoole, and FP3, Much Hoole, from Hannings Farm, to Mill Hill Farm.

A Notice of Application for a Modification Order under s53(5) of, and Schedule 14 to, the Wildlife and Countryside Act 1981 has been made by the British Horse Society over land belonging to Lilford 2005 Limited, an objection to the above was provided to LCC from this office dated, 10th August 2020. A copy is enclosed in Appendix 1.

Footpath 7-8FP2, Much Hoole

As stated within the committee report, 7-8-FP2 follows the historic route of 'Watery Lane' Much Hoole, with the first recorded evidence of the route being the Hennet's Map of Lancashire dated 1830. Whilst we do not dispute the historic existence of Watery Lane, we do however, dispute the stated historic uses, being 'open to all forms of traffic'

To provide evidence to support the objection, we have considered the original intended use of Watery Lane, we are aware through deeds, that a foot ferry operated from Becconsall Lane, Becconsall to Hannings Lane, Much Hoole. Evidence for this is provided by the recording of 'Jetty' on the OS Map 1840 on the north side of the River Douglas. The use of a foot ferry at this point of the river is further supported by Ferry House, Becconsall Lane, a Grade II listed property, west of Becconsall Church. Note, this should not be confused with Johnsons Ferry, which crossed the River Douglas at Marsh Road, Hesketh Bank to Tongues Lane (Now Station Road), Much Hoole some 1.25 miles north of Watery Lane which contained a Wharf, as stated within the deeds of Much Hoole township.

The use of Watery Lane and subsequent ferry, would likely pre-date the construction of the existing Bank Bridge at Tarleton along Liverpool Road (1821) as it would have been a much quicker and easier route for residents of both sides of the River Douglas, to cross, being a narrow point in the river, with good access in all

tidal conditions. Notwithstanding, the use would most likely be that of access via foot due to the time period, horses were an extremely valuable asset and the common man would not have access to a horse. For a horse to cross a river via ferry, a substantial boat would have been required, along with sufficient infrastructure to ensure that the horse is able to access the boat safely, the word 'Jetty' and not 'wharf' indicates that the ferry would be that of foot only. The use of this lane as an access to the foot ferry is further supported by the lack of properties on which the lane serves. As indicated on the Hennets Map 1830, the road seemingly goes to nowhere. Any horse and cart for farmers, would have used Hannings lane, which was historically a paved road.

The residents of Beconsall and Hesketh Bank, would most likely use the ferry to attend Church, as St. Michaels (1628), was established before Beconsall Old Church (1764), all of which would have been on foot.

The OS map First Edition published 1890 Scale 1:2500 defines the route of Watery Lane as a foot path, whilst maps following the OS first Edition 1890 Scale 1:2500 indicate the route of Watery Lane, no evidence is provided of it being of substantial construction to allow the passage of horses, this is further supported by the additional maps provided within the LCC report.

Bartholomew half inch map (1902) defines the route as inferior and not to be recommended by cyclists, therefore it would not be expected that a horse would have a right of passage.

LCC have not provided any evidence to support the claim that Water Lane was used and intended to be used by 'all traffic' the above evidence supports that the road was intended to be used primarily by foot. No evidence has been provided for a highway and we would state that 'once a footpath, always a footpath'.

I would respectfully ask that the above information be reviewed and considered when making the decision to modify the definitive map. Watery Lane has not been used for the passage and access for all traffic, with no evidence to support this. Historic evidence, however, does support the footpath as being a footpath, and as of such, the path should be determined to remain as a footpath.

Yours sincerely,



James G. Bramley
For the Company.

Encs.