

From: [.Box.PPT_PlanningApps](#)
To: [Mayson, Annabel](#)
Subject: Formal Notice - Your ref: LSG4.AM15.888.3300 Our ref: FORMALENQUIRY/PP/1488 - Wildlife And Countryside Act, 1981, Section 53
Date: 27 February 2023 11:16:16
Attachments: [FORMALENQUIRY_PP_1488.docx](#)

Location Address: PUBLIC FOOTPATH FROM BLACKBURN ROAD TO NORMAN ROAD,
OSWALDTWISTLE

Thank you for your enquiry which was received on 24.02.2023.
Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited plc's. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus. For details of Network areas please see the Cadent website (<https://cadentgas.com/help-advice/digging-safely>) or the enclosed documentation.

Please refer to the attached documentation for Cadent's response.

If you need to contact the Plant Protection Team regarding your enquiry, please use the following details:

Email: plantprotection@cadentgas.com

Address:

Plant Protection
Cadent
Block 1; Floor 1;
Brick Kiln Street
Hinckley
LE10 0NA
Telephone: 0800 688 588

National Gas Emergency Number:

0800 111 999*

* Available 24 hours, 7 days/week. Calls may be recorded and monitored.

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Cadent Gas Limited is a limited liability company, registered in England and Wales (registered no. 10080864) with its registered office at Pilot Way, Ansty Park, Coventry, CV7 9JU.

Your Reference
LSG4.AM15.888.3300

Our Reference
FORMALENQUIRY/PP/1488

Date
27.02.2023

Cadent Gas Limited
Pilot Way, Ansty Park,
Coventry, CV7 9JU
cadentgas.com

Annabel Mayson
Lancashire County Council
PO Box 100,
County Hall,
Preston,
Lancashire,
PR1 0LD



Dear Sir/Madam,

Your enquiry – No objection

Location Address - PUBLIC FOOTPATH FROM BLACKBURN ROAD TO NORMAN ROAD,
OSWALDTWISTLE

Thank you for your enquiry which was received on 24.02.2023.
Based on the information you provided, we have carried out an investigation and identified that there is no record of gas apparatus in the immediate vicinity of your enquiry. Therefore, we have **no objection** to the proposed application.

What you need to do

Before carrying out any works you must submit a planned works enquiry through LinesearchbeforeUdig - LSBUD.co.uk

If you require any further support, please contact plantprotection@cadentgas.com or on **0800 688 588**.

Your responsibilities and obligations

It is your responsibility to ensure that the information you have given us is accurate.

This assessment solely relates to Cadent gas pipes. It doesn't however include:

- Cadent's legal interest (easements or other rights) in the land which restricts activity near Cadent's pipes in private land. You must get details of any such restrictions from the landowner in the first instance and if in doubt contact us on **0800 688 588** or at plantprotection@cadentgas.com
- Gas service pipes and related apparatus
- Recently installed apparatus

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions, please contact us at plantprotection@cadentgas.com or on **0800 688 588** quoting your reference at the top of this letter.

Kind Regards,

Plant Protection Team

Cadent

Pilot Way, Ansty Park, Coventry, CV7 9JU

T: 0800 688 588

plantprotection@cadentgas.com

cadentgas.com

From: [Mayson, Annabel](#)
To: [".Box.PPT_PlanningApps"](#)
Subject: RE: Formal Notice - Your ref: LSG4.AM15.888.3300 Our ref: FORMALENQUIRY/PP/1488 - Wildlife And Countryside Act, 1981, Section 53
Date: 28 February 2023 10:01:00

Good Morning,

Many thanks for your response.

Kind regards

Annabel Mayson

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 533244

From: andrew.abbotts@openreach.co.uk
To: [Mayson, Annabel](#)
Subject: RE: DMMO Norman Road To Blackburn Road, Oswaldtwistle 804-762 (00888.3300)
Date: 01 March 2023 10:18:14
Attachments: [Norman Road Oswaldtwistle Consultation plan.pdf](#)
[OPENREACH NETWORK PROXIMITY PUBLIC FOOTPATH BLACKBURN ROAD TO NORMAN ROAD ACCRINGTON.pdf](#)

Good morning Annabel,

Hope you are well,

Many thanks for the documentation regarding the proposed footpath diversion ,having taken an overview of your plans and our records it has been identified that Openreach network is affected with your proposals.

Openreach has underground cabling and a distribution pole located within the proposed area at the rear of 2-12 Norman Road Oswaldtwistle Accrington.

Please find attached confirmation and an overview taken from Openreach Piper records.

Many Thanks

Andy Abbotts

Network Rearrangement Professional
Openreach

Telephone: 0331 627 3514
Mobile: 077100 35293
Web: openreach.co.uk

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Openreach Limited

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP
Registered in England and Wales no. 10690039

From: Mayson, Annabel <Annabel.Mayson@lancashire.gov.uk>
Sent: 24 February 2023 12:21
To: networkalterationsuk <networkalterationsuk@openreach.co.uk>
Subject: DMMO Norman Road To Blackburn Road, Oswaldtwistle 804-762 (00888.3300)

You don't often get email from annabel.mayson@lancashire.gov.uk. [Learn why this is important](#)

Dear Sirs,

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER
ADDITION OF PUBLIC FOOTPATH FROM BLACKBURN ROAD TO NORMAN ROAD,
OSWALDTWISTLE**

Lancashire County Council, as Surveying Authority, have received an Application for a Definitive Map Modification Order. The details of the Application are as follows and the route referred to is shown by a thick, black, dashed line on the attached plan:-

An Application to record a public footpath from Blackburn Road to Norman Road, Oswaldtwistle.

In accordance with paragraph 3 of Schedule 14 of the Wildlife and Countryside Act, 1981, the county council are required to fully investigate the Application and, after consulting with every local authority in whose area the Application relates, to decide whether or not to make the Order applied for. The county council are required to give Notice of their decision to every owner and occupier of any land to which the application relates.

If, in the meantime, you have any observations, comments or objections on the application submitted to the County Council, and particularly if you have any evidence in support of, or contrary to the application, would you please let me know, if possible, within 28 days of the date of this letter.

Information is sought from you at this early stage, but of course it is open to you to submit any further information or evidence until the matter goes before the county council's Regulatory Committee.

Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.

Relevant evidence would include photographs, old maps, statements that the route has been used or, alternatively, the location of private signs, locked gates, or instances where persons have been turned off the route, or given permission to use the route.

Yours faithfully

Annabel Mayson
Paralegal Officer
Legal and Democratic Services
Lancashire County Council
01772 533244

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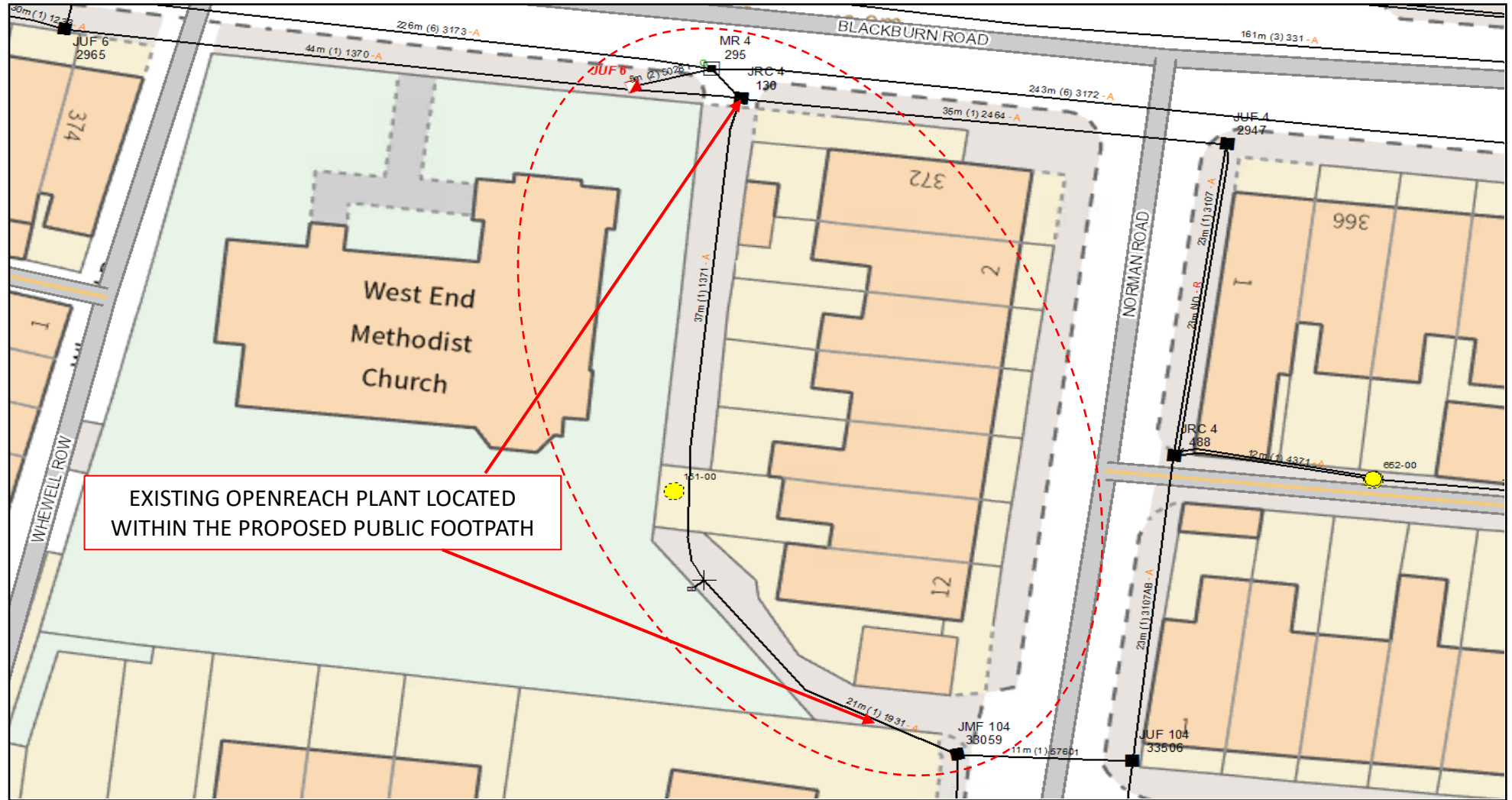
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Legend

COPPER EQUIPMENT	
DP	
Planned DP	
PCP	
Planned PCP	
Other	
FIBRE EQUIPMENT	
Fibre Equipment	
Pending add	
Other	
Plan add	
COPPER CABLE	
Copper	
Planned	
Inferred	
Power	
FIBRE CABLE	
Fibre	
Pending add	
Inferred	
Hybrid	
Other	
Plan add	
JOINT	
Joint	
Planned Joint	
ATTACHMENT	
Attachment	
STRUCTURE	
Pole	
Planned Pole	
Joint Box	
Inferred Joint Box	
Change Of State	
Split Coupling	
Duct Tee	
Planned Box	
Manhole	
Planned Manhole	
Cabinet	
Planned Cabinet	
Building	
Kiosk	
DSLAM	
DSLAM	
PCP	
PCP	
CABINET	
Cabinet	

ACTS 891962 PROPOSED Public footpath from Blackburn Road to Norman Road, Blackburn Road, Accrington, BB5 4NQ



IMPORTANT WARNING:
 Information regarding the location of Openreach apparatus is given for your assistance and is intended for general guidance only. No guarantee is given for its accuracy. It should not be relied upon in the event of excavations or other works being made near to Openreach apparatus, which may exist at various depths and may deviate from the marked route.

Existing Openreach plant may not be recorded.
CLICK BEFORE YOU DIG
 For free onsite assistance prior to commencement of excavation works including a locate and marking service. Email cbyd@openreach.co.uk
 (Office hours: Monday - Friday 08:00 to 17:00)

From: [Mayson, Annabel](#)
To: ["andrew.abbotts@openreach.co.uk"](mailto:andrew.abbotts@openreach.co.uk)
Subject: RE: DMMO Norman Road To Blackburn Road, Oswaldtwistle 804-762 (00888.3300)
Date: 01 March 2023 10:46:00

Good morning Andrew,

Many thanks for your response to our consultation letter and plan. I will pass your comments on to our Public Rights of Way Team.

Kind regards

Annabel Mayson

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 533244

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Openreach Limited

Registered Office: Kelvin House, 123 Judd Street, London WC1H 9NP

Registered in England and Wales no. 10690039

12 Norman Rd

Oswaldtwistle

Accrington

Lancs

BB5 4NF

3rd March 2023

REF No: LSG4.AM15.888.3300

Dear Ms Mayson

I have lived at 12 Norman Rd, Oswaldtwistle for the last 38 years and am the longest resident of the road.

The back alley has always had full access until my neighbour decided to block it off. We used to be able to drive through the alley to access my back gate. My children played when young in the alley. People used to be able to take a shortcut from Blackburn Rd to Norman Rd and even walk their dogs.

There have never been any locked gates to stop access until recently. Nobody has ever been told not use the alley nor has there been any signposts saying private land or no entry. Everyone was able to choose the alley if they wanted. I know there are historical maps showing the alley.

If you contact Mr Karl Fairclough, West End Methodist Church, Blackburn Rd, Oswaldtwistle, BB5 4LZ, he will be able to give you more information regarding the alley and its previous access. He has objections about the blocked pathway and has previously contacted Hyndburn council himself about this matter.

Yours faithfully



Christine Alderson



■■■■ Application Route
 - - - - Public Footpath
 | - | - | Public Bridleway

The digitised Rights of Way information should be used for guidance only as its accuracy cannot be guaranteed. Rights of Way information must be verified on the current Definitive Map before being supplied or used for any purpose.

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Lesley Regan
19 Hazel Grove
Blackburn
BB1 3NB



Phone: 01772 533244
Email: Annabel.Mayson@lancashire.gov.uk

Your ref:

Our ref: LSG4.AM15.888.3300

Date: 24 February 2023

Lancashire County Council does
not accept service by e-mail.

Dear Sirs,

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER
ADDITION OF PUBLIC FOOTPATH FROM BLACKBURN ROAD TO NORMAN
ROAD, OSWALDTWISTLE**



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An Application to record a public footpath from Blackburn Road to Norman Road, Oswaldtwistle.

In accordance with paragraph 3 of Schedule 14 of the Wildlife and Countryside Act, 1981, the county council are required to fully investigate the Application and, after consulting with every local authority in whose area the Application relates, to decide whether or not to make the Order applied for. The county council are required to give Notice of their decision to every owner and occupier of any land to which the application relates.

In this connection, also enclosed with this letter is a further map of the area. I would be most obliged if you could colour in the exact extent of the land in your ownership in the vicinity of the application route, and return the map to me at the above address.

As I am required to contact all owners and tenants who may be affected by this application, any additional help that you can give me regarding the names and addresses of neighbouring landowners or tenants would be appreciated.

If the Council decide to make a Definitive Map Modification Order, Notice will be served on owners and occupiers, who may, at that stage, make representations or objections to it. In which case, the Order will be submitted to the Secretary of State for determination.



If, in the meantime, you have any observations, comments or objections on the application submitted to the County Council, and particularly if you have any evidence in support of, or contrary to the application, would you please let me know, if possible, within 28 days of the date of this letter.

Information is sought from you at this early stage, but of course it is open to you to submit any further information or evidence until the matter goes before the county council's Regulatory Committee.

Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.

Relevant evidence would include photographs, old maps, statements that the route has been used or, alternatively, the location of private signs, locked gates, or instances where persons have been turned off the route, or given permission to use the route.

Yours faithfully



Annabel Mayson
Paralegal

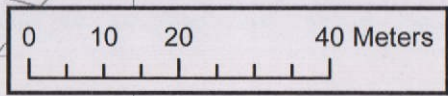
Please quote our full reference number on all correspondence

373100 000000

373200 000000

428400 000000

428400 000000

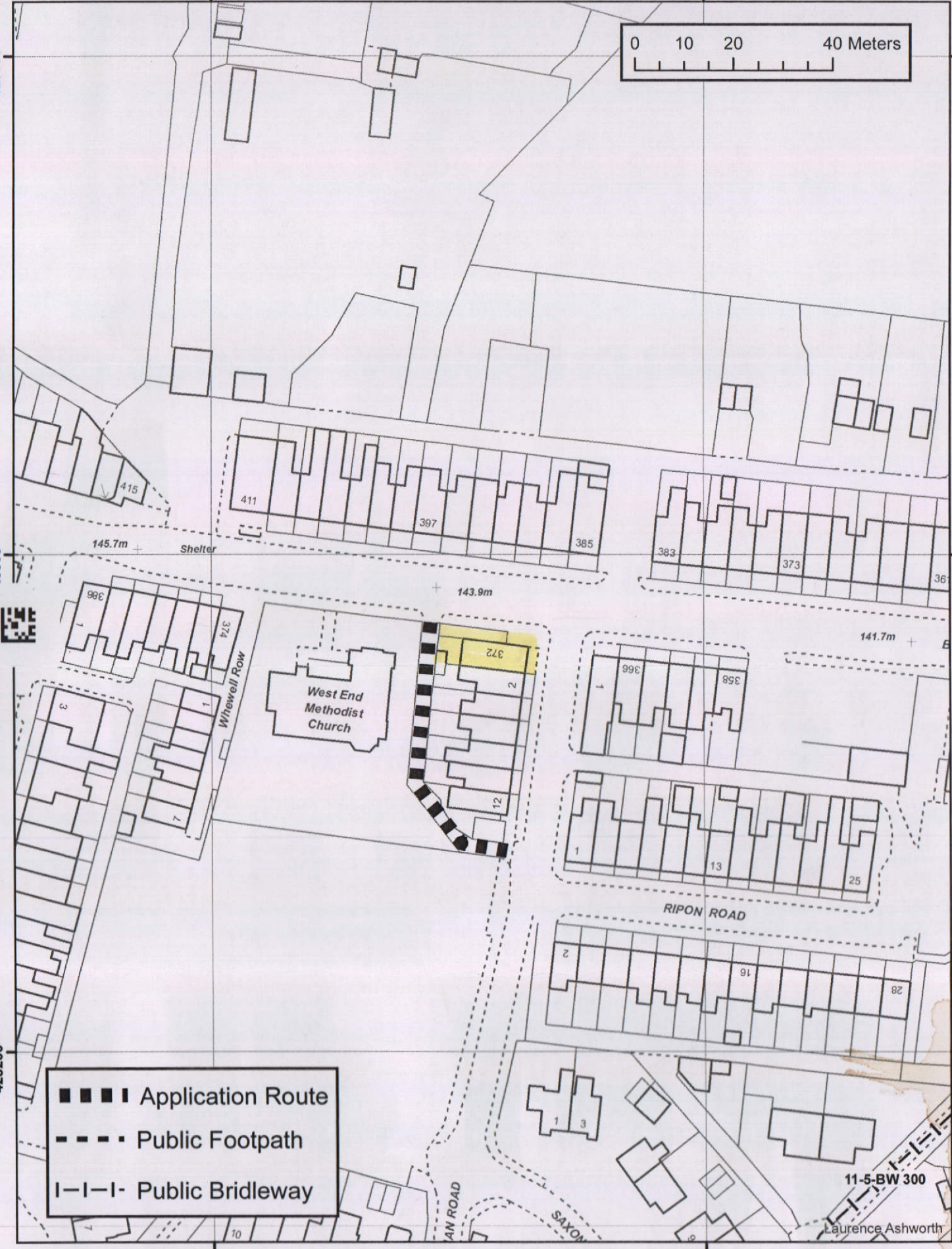


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Application Route
 Public Footpath
 Public Bridleway

373100 000000

373200 000000



Public Rights of Way
 PROW@lancashire.gov.uk
 01772 530317

Wildlife and Countryside Act 1981
 Addition of Footpath from Blackburn Road to Norman Road, Oswaldtwistle

1:1000



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12 Norman Rd

Oswaldtwistle

Accrington

Lancashire

BB5 4NF

23rd March 2023

REF No: LSG4.AM15.888.3300

Dear Ms Mayson,

I am writing with regards to the application to record a public footpath from Blackburn Road to Norman Road Oswaldtwistle.

I am a tenant at 8 Norman Road and have shaded in the area that I rent. I have lived at this address for 11 years from 2011 until present, however before this I previously lived at number 12 Norman Road from 1986 until 2005.

The back path has always been used, by the public, for as long as I can remember until it was blocked in March 2020. Before this I was able to walk from my back gate at number 8 to my mums back gate at number 12 directly. I remember using the path to ride my bike on when I was younger and using it as a shortcut with friends, as a teenager. Anybody could walk the whole length of the path, there has never been any gates or signs that it is private and nobody has ever needed permission to use it.

I am aware that when neighbours blocked the path to use as an extended garden it was reported straight away to both Lancashire and Hyndburn councils. There was then an enforcement notice issued by Hyndburn council to say it was to be made back to an alleyway as it was a loss of public domain.

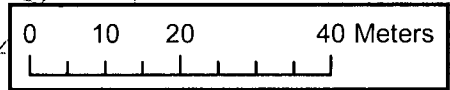
I would suggest contacting West End Methodist Church for evidence of the past use of the pathway. I know that historically they used the path for access to the back of the church.

Kind Regards,

Samantha Alderson

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428400 000000



428300 000000

428300 000000

428200 000000

428200 000000



■■■■ Application Route
 - - - - Public Footpath
 | - | - | - Public Bridleway

Lancashire
County Council

Public Rights of Way
PROW@lancashire.gov.uk
01772 630317

Wildlife and Countryside Act 1981
Addition of Footpath from Blackburn Road to Norman Road, Oswaldtwistle

1:1000



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