

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
ADDITION OF FOOTPATH FROM HODDER STREET, ACCRINGTON
DEFINITIVE MAP MODIFICATION ORDER 2022**

No.	OBJECTIONS STILL OUTSTANDING	ADDRESS
1	Jeff Bargh	2 Old woodhouse Heaton with Oxcliffe Morecambe LA3 3EU sue.bargh@hotmail.co.uk
2	Clerk to the Council, Overton Parish Council	3 Cotton Tree Barn Second Terrace Sunderland Point Morecambe LA 3 3 HT overtonparishcouncil@gmail.com
3	Derek Bargh	Bradlow Heaton Bottom Road Heaton with Oxcliffe LA3 3EU iam@abbyblezard.co.uk
4	David Birkett	North Farm 5 Main Street Overton Morecambe LA3 3HD
No.	OBJECTIONS WITHDRAWN	
-		
No.	SUPPORTER	
-		

No.	OTHER RESPONSES	
1	Cadent Gas	Cadent Gas Limited Pilot Way Ansty Park Coventry CV7 9JU box.ppt_planningapps@cadentgas.com

From: [Susan Bargh](#)
To: [Moore, Simon](#)
Subject: Ref:LSG4/888.2310/SM18
Date: 06 July 2022 14:06:21

Mr Jeff Bargh
2 Old woodhouse
Heaton with Oxcliffe
Morecambe
LA3 3EU

06/07/22

I am contacting you with regards to the proposed Restricted Byway which is encroaching across my land.

I have severe concerns about the liability this is going to cause with the livestock in the field escaping onto the highway as the public don't respect the countryside and close gates after they have been through them.

Who is going to take that responsibility ? As it was yourselves that made the decision to open the right of way not ours, so I will not take responsibility for any incidents that occur. It is my responsibility to make the field stock proof, which it is at present, but once you allow this it will be out of my control !

I am also concerned about the condition the field will become in the winter months as horses make a field unpassable when wet, so they will just keep moving further and further out onto my land.

Also there is the issue of livestock getting mixed up with neighbouring farmers, which is not acceptable and can cause severe problems especially at breeding time.

Regards
Jeff Bargh
Land owner

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OVERTON PARISH COUNCIL

Clerk to the Council
Mr. DGS Clarke
Telephone 01524 858405
overtonparishcouncil@gmail.com

3 Cotton Tree Barn
Second Terrace
Sunderland Point
Morecambe
LA3 3HT

19 July 2022

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

Your Ref: LSG4.SM18.888.2310

Dear Mr. Moore,

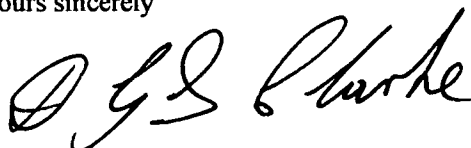
**Wildlife and Countryside Act 1981
The Lancashire County Council Restricted Byway Along Moss Lane, Overton.
Definitive Map Modification Order 2022**

Overton Parish Council opposes this Order.

The grounds for opposing the Order are:

01. The fields traversed by Footpath Overton 1 are primarily used for grazing; horse traffic will disturb grazing livestock.
02. Horses will trample the surface of Footpath Overton 1 to the detriment of other users.
03. The exit from Footpath Overton 1 onto Downeyfield Road is at a dangerous bend. Currently the gated exit from the footpath onto Downeyfield Road is blocked; pedestrians must use a stile which discourages rapid exit. Upgrading to a bridleway will involve the provision of a gated exit/entrance with the risk of horses and riders and possibly horse drawn vehicles, waiting on the carriageway.
04. Walkers and riders will both use the gate and there is a risk of livestock escaping onto the road at this dangerous location.

Yours sincerely



DGS Clarke
Clerk to Overton Parish Council

From: [Abby Bargh](#)
To: [Moore, Simon](#)
Subject: Re: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)
Date: 28 July 2022 21:38:04

Dear Mr Moore

Further to our previous correspondence, we would still like to appeal the decision to upgrade the footpath to a bridleway.

We believe that there will be an increased risk of livestock straying onto the public highway, via the gates that will be left open at the end of the bridleway. The increased access that this will permit will make it impossible for us to guarantee the safety of the general public on the neighbouring highway.

We would also like to appeal on the grounds that our family bought this land, in 1966, and now the decision for the upgrade to a bridleway is being made on plans from prior to this date. Namely the 1700's. We believe it is unreasonable to have gone back this far to stake a claim on land our family bought in good faith.

Please advise how we proceed in registering our appeal to this decision.

Regards

Derek Bargh

From: Moore, Simon
Sent: Thursday, June 23, 2022 9:15 AM
To: Abby Bargh
Subject: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)

Mr Bargh,

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
THE LANCASHIRE COUNTY COUNCIL RESTRICTED BYWAY ALONG MOSS LANE,
OVERTON DEFINITIVE MAP MODIFICATION ORDER 2022**

I am writing to inform you that the County Council made the above-mentioned Order on the 18th May 2022.

Consequently, I enclose a copy of the Notice of Making, a copy of the Order and relevant plan together with an explanatory statement.

I hope these are self-explanatory but please do not hesitate to contact me if you have any queries.

Yours sincerely

Simon Moore

Paralegal Officer
Legal and Democratic Services
Lancashire County Council
01772 531280

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Lancashire County Council reserves the right to monitor all incoming and outgoing email.

Lancashire County Council has taken reasonable steps to ensure that outgoing communications do not contain malicious software and it is your responsibility to carry out any checks on this email before accepting the email and opening attachments.

David Burdett
North Farm
5. Main St
Overton
LA3 3HD
25-7-22

Ref LSG41888.2310/SM18

Dear Simon

I am writing to formally object to the bridleway application which will cross my land in Overton.

My main concerns are

1. The damage horses will do to my land which is grass and shows no signs of ever having been a track or road.
2. The fact that the route goes straight through my sheep handling pens, where I can be working for a few hours at a time.
3. I am worried gates will be left open allowing 60 cattle free to roam on busy roads and into the village.

I find it absolutely ridiculous that a map that is, over 200 year old,

PTO

Showing a tack that as not been used for over a hundred years can be of any relevance today.

I have met your colleague and fully understand my objection will be a waste of my time, however I am so angry at the total disregard for the effect of this bridleway on my business that I feel I must put it in writing.

yours sincerely

David Birkett

DAVID BIRKETT

Your Reference
LSG4.SM18/888.2310

Our Reference
FORMALENQUIRY/PP/662

Date
24.06.2022

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

Simon Moore
Lancashire County Council
PO Box 78,
County Hall,
Fishergate,
Preston,
Lancashire,
PR1 8XJ



Dear Sir/Madam,

Your enquiry – No objection

Location Address - RESTRICTED BYWAY ALONG MOSS LANE, OVERTON

Thank you for your enquiry which was received on 23.06.2022.
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