

From: [Stephen](#)
To: [Moore, Simon](#)
Subject: RE: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)
Date: 23 April 2021 20:29:19

I have no objection to the proposal.

Stephen Townson
Right to Ride representative Cycling UK

56 Whinfell Dr
Lancaster
LA1 4PB

From: Moore, Simon <Simon.Moore@lancashire.gov.uk>
Sent: 23 April 2021 09:25
To: sjt_cycle@yahoo.co.uk
Subject: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)

Dear Sirs,

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER
TO UPGRADE TO BRIDLEWAY FOOTPATH OVERTON 1 KNOWN AS
MOSS LANE**

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 upgrade to Bridleway Footpath Overton 1, known as Moss Lane.

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.

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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 from you at this early stage is sought, 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.

Yours faithfully

Simon Moore

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 531280

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From: [Moore, Simon](#)
To: ["Stephen"](#)
Subject: RE: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)
Date: 26 April 2021 07:56:00

Dear Mr Townson,

Thank you for responding to our consultation.

Kind regards

Simon Moore

Paralegal Officer
Legal and Democratic Services
Lancashire County Council
01772 531280

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From: Stephen <sjt_cycle@yahoo.co.uk>
Sent: 23 April 2021 20:29
To: Moore, Simon <Simon.Moore@lancashire.gov.uk>
Subject: RE: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)

I have no objection to the proposal.

Stephen Townson
Right to Ride representative Cycling UK

56 Whinfell Dr
Lancaster
LA1 4PB

From: Moore, Simon <Simon.Moore@lancashire.gov.uk>
Sent: 23 April 2021 09:25
To: sjt_cycle@yahoo.co.uk
Subject: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)

Dear Sirs,

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APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER
TO UPGRADE TO BRIDLEWAY FOOTPATH OVERTON 1 KNOWN AS**

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From: [Shivakumar, Gokila](#)
To: [Moore, Simon](#)
Subject: No Objection: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)
Date: 28 April 2021 07:55:15
Attachments: [image001.png](#)
[Ltr - Consult Stat Users.pdf](#)
[Moss Lane Overton Consultation plan 804 653.pdf](#)

Dear Sirs,

New Roads and Street Works Act 1991
Stopping Up Order / Footpath Diversion / Extinguishment / Gating Order

No Objection

We refer to the below or attached order and confirm that we have no objections

Please email Stopping Ups to osm.enquiries@atkinsglobal.com

To enable us to process your application as quickly as possible, please ensure you include Grid References.

A copy of the Cable and Wireless process 4461 'Special Requirements relating to the external plant network of Cable and Wireless UK Services Ltd' is available on request. The process provides guidance on working in the vicinity of Cable and Wireless's apparatus.

IMPORTANT - PLEASE READ - Your Next Step? -

Where apparatus is affected and requires diversion, please send all the scheme related proposals that affects the Vodafone Network to c3requests@vodafone.com with a request for a 'C3 Budget Estimate'. Please ensure you include a plan showing proposed works. (A location plan is insufficient for Vodafone to provide a costing). These estimates will be provided by Vodafone directly, normally within 20 working days from receipt of your request. Please include proof of this C2 response when requesting a C3 (using the 'forward' option). Diversionary works may be necessary if the existing line of the highway/railway or its levels are altered.

Plant Enquiries Team
T: +44 (0)1454 662881
E: osm.enquiries@atkinsglobal.com

ATKINS working on behalf of Vodafone: Fixed



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From: Moore, Simon <Simon.Moore@lancashire.gov.uk>
Sent: 23 April 2021 13:59
To: National Plant Enquiries <OSM.enquiries@atkinsglobal.com>
Subject: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)

Dear Sirs,

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER
TO UPGRADE TO BRIDLEWAY FOOTPATH OVERTON 1 KNOWN AS
MOSS LANE**

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Yours faithfully

Simon Moore
Paralegal Officer
Legal and Democratic Services

Lancashire County Council
01772 531280

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From: [Footpaths](#)
To: [Moore, Simon](#)
Subject: Re: DMMO Application Moss Lane Bridleway Upgrade 804-653 (888.2310)
Date: 05 May 2021 10:07:01

Dear Mr Moore,

I confirm that the Ramblers Association have no objections to this DMMO.

regards,

Neil Herbert

Neil Herbert

Footpath Secretary, Lancaster Group of the Ramblers' Association

On 23/04/2021 09:36, Moore, Simon wrote:

Dear Mr Herbert,

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
APPLICATION FOR DEFINITIVE MAP MODIFICATION
ORDER**

**TO UPGRADE TO BRIDLEWAY FOOTPATH OVERTON 1
KNOWN AS MOSS LANE**

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Yours faithfully

Simon Moore

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

01772 531280

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From: [Lunds](#)
To: [Moore, Simon](#)
Subject: Application to upgrade bridleway footpath Overton 1 known as Moss Lane
Date: 11 May 2021 08:20:40
Attachments: [Overton Burrow-Winn May"21.pdf](#)

Dear Simon Moore

Please find attached the map you requested we colour showing the land owned by Mrs Susan Winn and Ms Joan Burrow.

Could you please inform me of the extent of the upgrade planned for the bridleway footpath known as Moss Lane.

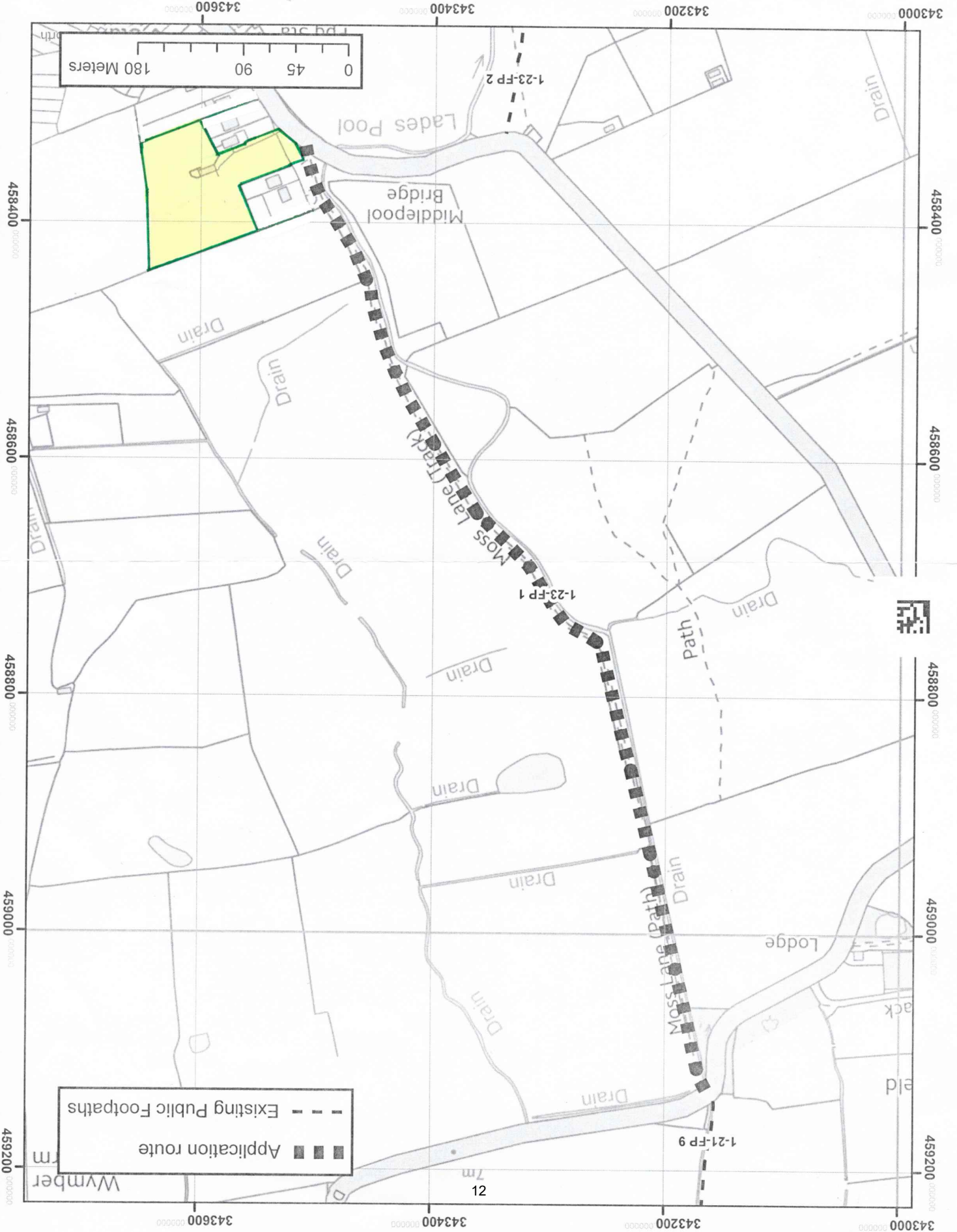
Thank you.

Susan Winn

Sent from [Mail](#) for Windows 10



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Application route
Existing Public Footpaths

0 45 90 180 Meters



From: [Moore, Simon](#)
To: ["Lunds"](#)
Subject: RE: Application to upgrade bridleway footpath Overton 1 known as Moss Lane
Date: 11 May 2021 08:28:00

Dear Susan,

Many thanks for responding to our consultation in relation to this matter. The extent of the route applied for is shown on the plan by a thick black dashed line. This application relates to recording the route as bridleway on the county council's Definitive Map and Statement of Public Rights of Way, essentially a paper exercise to record public rights which are already alleged to exist, if further investigation shows that they do exist on balance. I hope this clarifies matters.

Kind regards

Simon Moore

Paralegal Officer
Legal and Democratic Services
Lancashire County Council
01772 531280

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From: Lunds <susanwinn21@gmail.com>
Sent: 11 May 2021 08:20
To: Moore, Simon <Simon.Moore@lancashire.gov.uk>
Subject: Application to upgrade bridleway footpath Overton 1 known as Moss Lane

Dear Simon Moore

Please find attached the map you requested we colour showing the land owned by Mrs Susan Winn and Ms Joan Burrow.

Could you please inform me of the extent of the upgrade planned for the bridleway footpath known as Moss Lane.

Thank you.

Susan Winn

Sent from [Mail](#) for Windows 10

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

07 May 2021

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,

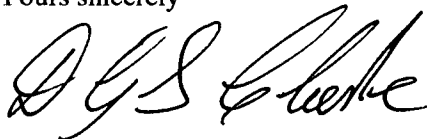
**Wildlife and Countryside Act 1981 – Part III
Application for Definitive Map Modification Order to Upgrade to Bridleway Footpath
Overton 1 Known as Moss Lane**

Overton Parish Council opposes this Application.

The grounds for opposing the Application 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 exit to Downeyfield Road is via a stile which discourages rapid exit. Upgrading to a bridleway will involve the provision of a gated exit/entrance with the risk of horses waiting on the carriageway and the risk of livestock escaping if the gate is left open.
04. Walkers and riders will 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

H Birkett & Son
North Farm
5 Main Street
Overton
Morecambe
Lancashire
LA3 3HD
Tel: 07930189365

Ref: LSG4SM18.888.2310.

20th May 2021

Dear Mr Moore

Re: Proposed Change of use of Footpath to Bridleway

I am returning the map and have shaded in red the land owned by myself containing the proposed Bridleway.

I am strongly opposed to the application to upgrade the footpath to a bridleway.

There is no sign of this ever having been a lane and it is just an open field with the footpath running down the side of it. I do not believe that there is anyone alive who remembers this being anything other than a footpath. I believe that it was historically used as an occupational road to access farmland.

At present the land is grazed by beef cattle and I have concerns that if a bridleway is created gates may be left open and cattle will gain access onto a main road and the village. On occasion I have had to lock this gate to prevent access by illegal poachers driving vehicles around my field and shooting the wild hare population.

I have my sheep handling pens on the proposed route and so the proposed bridleway would cause great inconvenience.

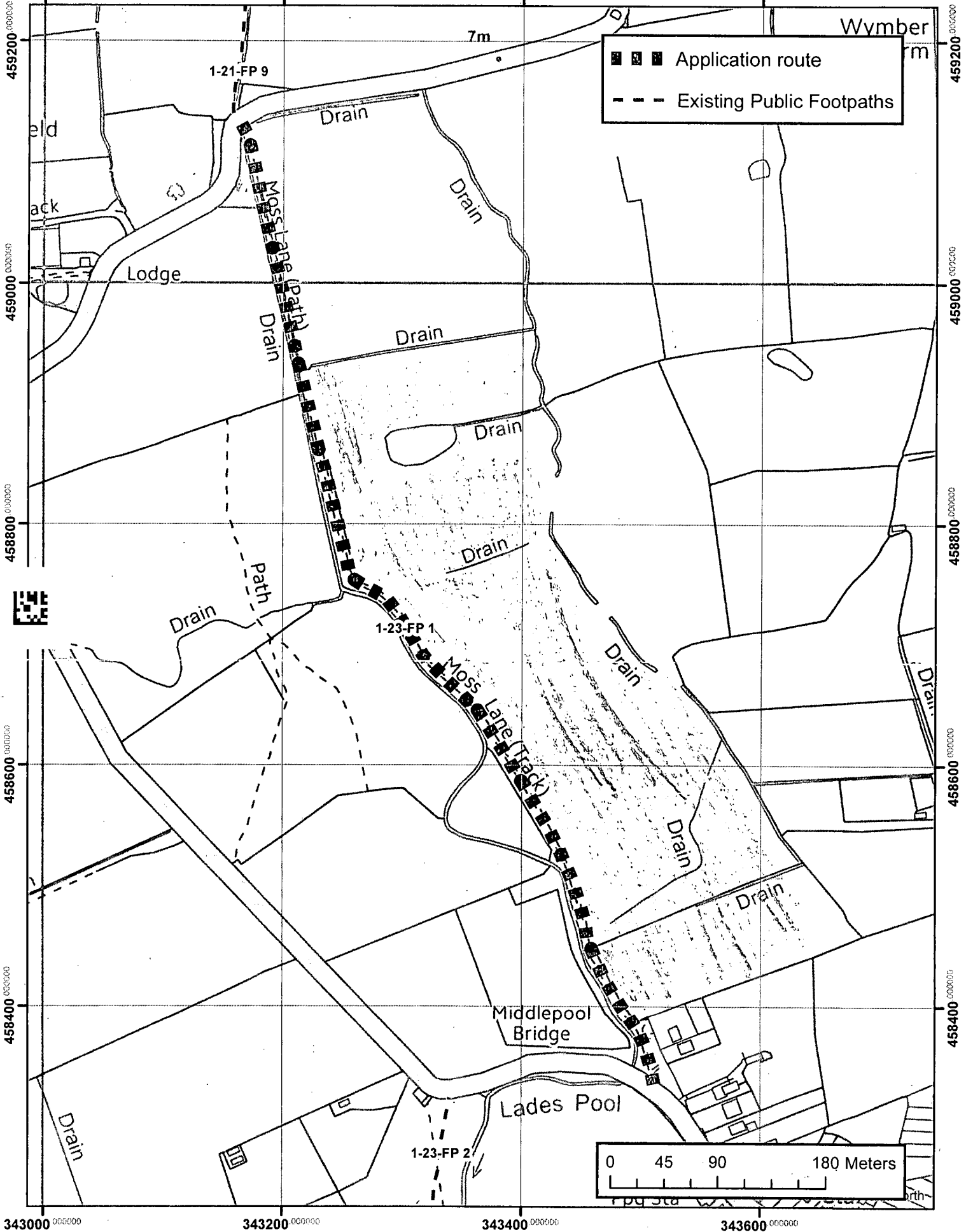
I am fully supportive of people rights to use the footpath and feel that the footpath will be damaged if horses are able to use the same path which is heavy clay soil. There is a good straight road with a wide grass verge (Middleton Road) which connects both ends of the proposed bridleway, which horses riders currently use without any problems.

I feel as the owner of the land, the current use of the land for grazing and being a footpath should take precedence over a bridleway given that the track is not visible and has probably not been used as a track in over 100 years, certainly not since we bought the land in 1921.

Yours faithfully



David Birkett



Lancashire
County Council

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

Wildlife and Countryside Act 1981
Upgrade to Bridleway of Footpath Overton 1 known as Moss Lane
DMMO File No. 804-653

1:4,000

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From: [Lauren Dixon](#)
To: [Moore, Simon](#)
Subject: RE: Application to upgrade bridleway footpath - Moss Lane
Date: 01 November 2021 10:49:17
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[RE Application to upgrade bridleway footpath - Moss Lane.msg](#)
[Letter 3rd Party Another Lancashire County Council --LD-LD-01112021 0954....pdf](#)
[BAR0632 Location map.pdf](#)

Dear Simon,

I apologise for being so late, but attach a letter which deal's with my clients' understanding of matters which relate to this application. My clients own and farm the land which is marked with a star on the attached map.

I hope that this can still be taken into consideration.

I look forward to hearing from you further.

Kind regards.

Lauren Dixon

G.CILEx

lauren.dixon@rurallawpractice.co.uk

J36 Rural Auction Centre, Crooklands, Milnthorpe, LA7 7FP | T: 015395 67571 | F: 015397 40640 | W: thwlegal.co.uk

Please be aware I work part time. I work Mon, Tuesday and Wednesday. This office closes at 4.30pm.

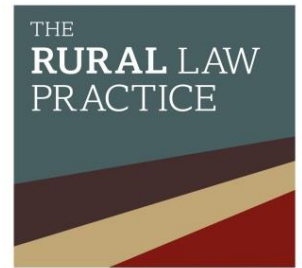


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ThomsonHaytonWinkley

Crooklands Office

J36 Rural Auction Centre
Crooklands
Milnthorpe
Cumbria
LA7 7FP

T: 015395 67571

F: 01539 740640

W: thwlegal.co.uk

FAO: Simon Moore
Lancashire County Council
Legal & Democratic Services
P O Box 78
County Hall
Preston
PR1 8XJ

By Email Only

Our ref: LD/LD/BAR0632/2

1 November 2021

Dear Sirs

**Application for Definitive Map Modification Order
Upgrade to Bridleway Footpath Overton 1 - Known as Moss Lane
Our Clients: Messrs Bargh, Cottam Farm**

I write on behalf of my above named clients who own the field which adjoins both the footpath and Downeyfield Road. I have marked the field on the attached map.

The field first came into the ownership of the Bargh family in 1966, when it was bought by Mr Samuel James Bargh (my clients' father). They do not believe that it has been used as a bridleway during the time of their ownership.

The British Horse Society in their application state that there is evidence that this route was historically used as a public road. At some stage between 1932 and 1966 the water dyke, which the footpath runs along side was widened by the Water Board. My clients' family own more land further up the waterway which was part of the same works. The landowner's received no compensation for the loss of land. I understand that the works took approximately 12 foot of land along the length of the waterway off my client's title to this field. Their understanding is that this land was effectively where the old road used to run and so that route is no longer in existence.

My clients would object to the route being upgraded to a bridleway. There are already issues with the route, where walkers use the gates rather than the stile – the gates are not closed or fastened properly and stock escapes onto the road. They believe that if the footpath were upgraded to a bridleway this would be a more frequent occurrence and would affect their use of the land.

We look forward to hearing from you with any further information about the application, or with the decision of the Committee.

Continued.....
Page 2 of 3

Continued.....
Page 3 of 3

Yours faithfully

Lauren Dixon

Thomson Hayton Winkley

Direct email: lauren.dixon@rurallawpractice.co.uk

