

WILDLIFE AND COUNTRYSIDE ACT 1981

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

**THE LANCASHIRE COUNTY COUNCIL
(RESTRICTED BYWAY FROM CLERK HILL ROAD TO MOOR LANE, WISWELL,
RIBBLE VALLEY)
DEFINITIVE MAP MODIFICATION ORDER 2017**

This Order is made by Lancashire County Council ("the Authority") under Section 53(2)(b) of the Wildlife and Countryside Act, 1981 ("the Act") because it appears to that Authority that The Definitive Map and Statement of Public Rights of Way for the County of Lancashire require modification in consequence of the occurrence of an event specified in Section 53(3)(b) and Section 53(3)(c)(i) and (ii) namely the expiration of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a restricted byway, the discovery by the Surveying Authority of evidence which (when considered with all other relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a restricted byway and also shows that a highway shown in the map and statement as a highway of a particular description, namely a public footpath ought to be there shown as a highway of a different description, namely a restricted byway.

The Authority have consulted with every local authority whose area includes the land to which the Order relates. Lancashire County Council hereby order that:

1. For the purposes of this Order, the "relevant date" is 4th October 2017.
2. The Definitive Map and Statement of Public Rights of Way for the County of Lancashire shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Lancashire County Council (Restricted Byway from Clerk Hill Road to Moor Lane, Wiswell, Ribble Valley) Definitive Map Modification Order 2017.

Dated this 4th day of October 2017.

THE COMMON SEAL of the)
Lancashire County Council)
was hereunto affixed in the presence of)



Authorised Signatory

RB

26495

SCHEDULE

PART I

MODIFICATION OF THE DEFINITIVE MAP

DESCRIPTION OF PATHS OR WAYS TO BE ADDED OR UPGRADED

Addition of restricted byway Wiswell 24 from Clerk Hill Road at point A on Order Map 1 (also recorded as Bridleway Sabden 21) running in a north westerly direction to the junction with Footpath 23 at point C along a track through Wiswell Moor Quarry (disused) then through a series of bends to cross Footpath 23 at point D and Footpath 11 at point E then at point F it is joined by Footpath 23 east of a gateway and Footpath 9 west of the gateway.

The restricted byway to be added then continues west south west through a gateway at point G on Order Map 2 to point H where it turns to continue in a generally north westerly direction to point I where it meets Footpath 8; a total distance of 1.08 km and at a width varying between 3 and 5 metres.

The route to be upgraded to restricted byway is a continuation of that added above, currently recorded as Footpath 8, from point I on Order Map 2 northwards to pass through a gateway at point J and continuing for a short distance to the unmarked junction with Moor Lane at point K; a total distance of 60 metres and at a width varying between 3 and 5 metres.

All Footpath numbers above refer to those in Wiswell Parish and all distances are given in metres and lengths are approximate.

PART II

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH OR WAY

Add to the Definitive Statement for Wiswell the following:

Wiswell 24:

No. of path: "24"

Kind of path: "Restricted Byway"

Position: "Restricted byway 24 from parish boundary at SD 7538 3677 on Clerk Hill Road (also recorded as Bridleway Sabden 21) running in a north westerly direction along a stone surfaced track to the junction with Footpath 23 at SD 7531 3685 and continuing along a winding track ascending a steep hill on an unbounded surfaced track through Wiswell Moor Quarry (disused) passing through a series of bends to cross Footpath 23 at SD 7528 3688 and Footpath 11 at SD 7528 3698 and then in a generally westerly direction along the track to the junction with Footpath 23 east of a gateway at SD 7520 3698 and the junction with Footpath 9 immediately west of the gateway.

The route passes through the gateway at SD 7520 3698 and then continues in a straight line in a generally west south west direction to the north of a stone wall and fenced off from the adjacent field passing through a further gateway at SD 7496 3687 and continuing in a straight line to SD 7484 3682 where it turns to continue downhill in a generally north westerly direction to the junction with Footpath 8 at SD 7471 3706.

It then continues in a northerly direction descending along a track to pass through a gateway at SD 7471 3710 and then along a roughly tarmacked road to the unmarked junction with Moor Lane (U22866) and the continuation of Footpath 8 (which runs along Moor Lane from this point) at SD 7471 3712. All compass directions given are approximate."

Length: "1.14 km"

Other particulars:

"Width: Varies between 3 and 5 metres.

Limitations and conditions:

SD 7520 3698 – field gate

SD 7496 3697 – field gate

SD 7471 3710 – field gate"

The statements to be amended for Wiswell 8, 11, 21 and 23 to read as follows:

Wiswell 8:

No. of path: "8"

Kind of path: "Footpath"

Position: "East side of Manor House Farm to junction with Restricted Byway 24 at SD 7471 7712 and then continuing from a further point on Restricted Byway 24 at SD 7471 3706 to Whalley Parish Boundary near Clitheroe Rural District Council Reservoir."

Length: "0.47km "

Wiswell 11:

No. of path: "11"

Kind of path: "Footpath"

Position: " Junction Unclassified County Road 4/80 and Keator Lane to junction with Restricted Byway 24 formerly known as unclassified County Road 4/84 at SD 7528 3698 north – east of Castle Wood."

Length: "0.55 miles"

Wiswell 21:

No. of path: "21"

Kind of path: "Bridleway"

Position: "Unclassified County Road No. 4/84 west of Wiswell Moor Farm passing junction with Restricted Byway 24 Wiswell at SD 7538 3677 to Sabden parish boundary."

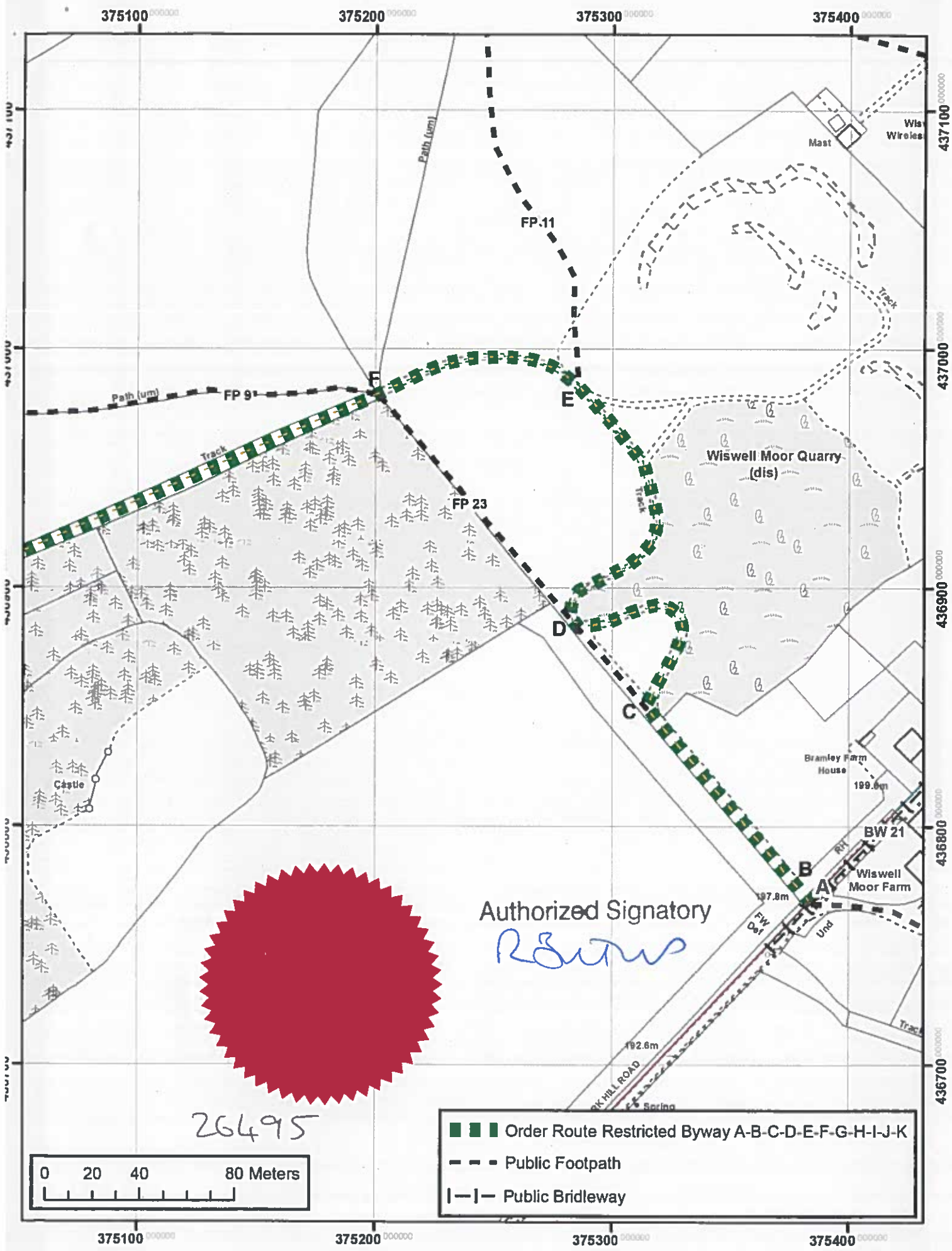
Length: "0.27 miles"

Wiswell 23:

No. of path: "23"

Kind of path: "Footpath"

Position: "Footpath extending for a total distance of 170 metres from a point on Unclassified County Road No. 4/84 (also recorded as Restricted Byway 24), west of Wiswell Moor Farm, (SD 7531 3685), in a generally north-westerly direction, across a well-trodden grass track between 0.5 metres and 2.0 metres wide, adjacent to the western boundary wall to Wiswell Moor Quarry, to join another point on Unclassified County Road No. 4/84 (Restricted Byway 24) west of the now disused quarry, (SD 7520 3698)."



Authorized Signatory
R. Burns

26495

- Order Route Restricted Byway A-B-C-D-E-F-G-H-I-J-K
- Public Footpath
- Public Bridleway



Andrew Mullaney
 Head of Planning & Environment

Wildlife and Countryside Act 1981
 Addition of restricted byway
 from Public Bridleway 21 Sabden (Clerk Hill Road) to Moor Lane, Wiswell

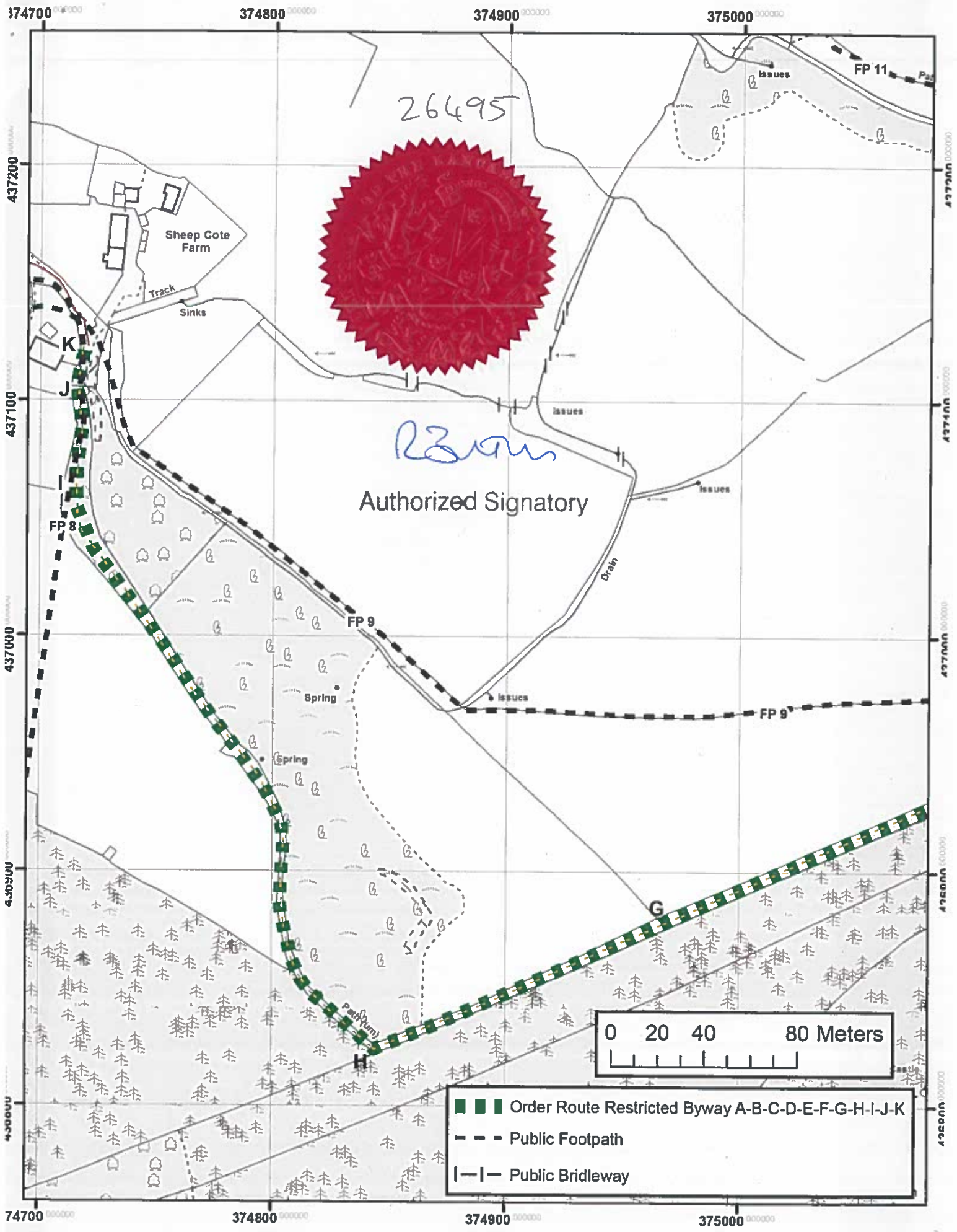
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Plan 1/2



- Order Route Restricted Byway A-B-C-D-E-F-G-H-I-J-K
- Public Footpath
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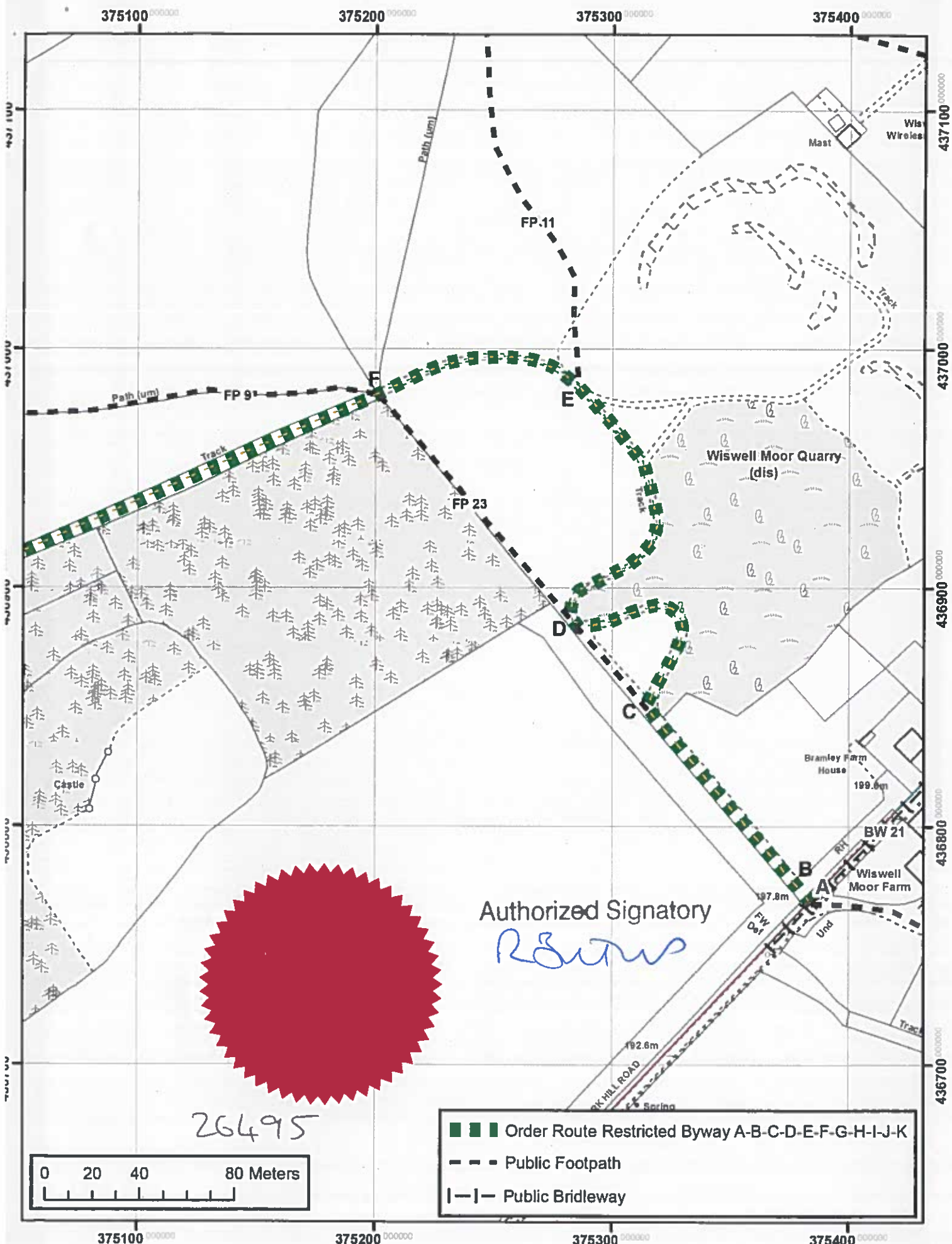
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Plan 1/2

