

5. WILDLIFE AND COUNTRYSIDE ACT 1981  
CLAIMED BRIDLEWAY FROM WISWELL MOOR TO  
SHEEP COTE FARM (MOOR LANE) WISWELL  
RIBBLE VALLEY BOROUGH  
CLAIM NO. 804/124/3/47/1

ISSUE FOR CONSIDERATION

The claim for a bridleway from Wiswell Moor to Sheep Cote Farm (Moor Lane), Wiswell, Ribble Valley Borough, to be added to the Definitive Map and Statement of Public Rights of Way, in accordance with Claim No. 804/124/3/47/1.

BACKGROUND INFORMATION

Description and Location of the Claim

The claimed route extends for a total distance of approximately 1100m from a point on Moor Lane, Wiswell, near Sheep Cote Farm, in a general south-easterly direction to a point on the road from Portfield to its termination at Wiswell Moor Farm.

Consultations with Local Authorities  
Ribble Valley Borough Council

The Council's Planning and Transportation Committee support the submitted claim and ward members gave information and evidence as to recent usage.

Wiswell Parish Council

The Clerk to the Parish Council comments as follows:-

'To the best of my knowledge this footpath has never been considered a legal bridleway.

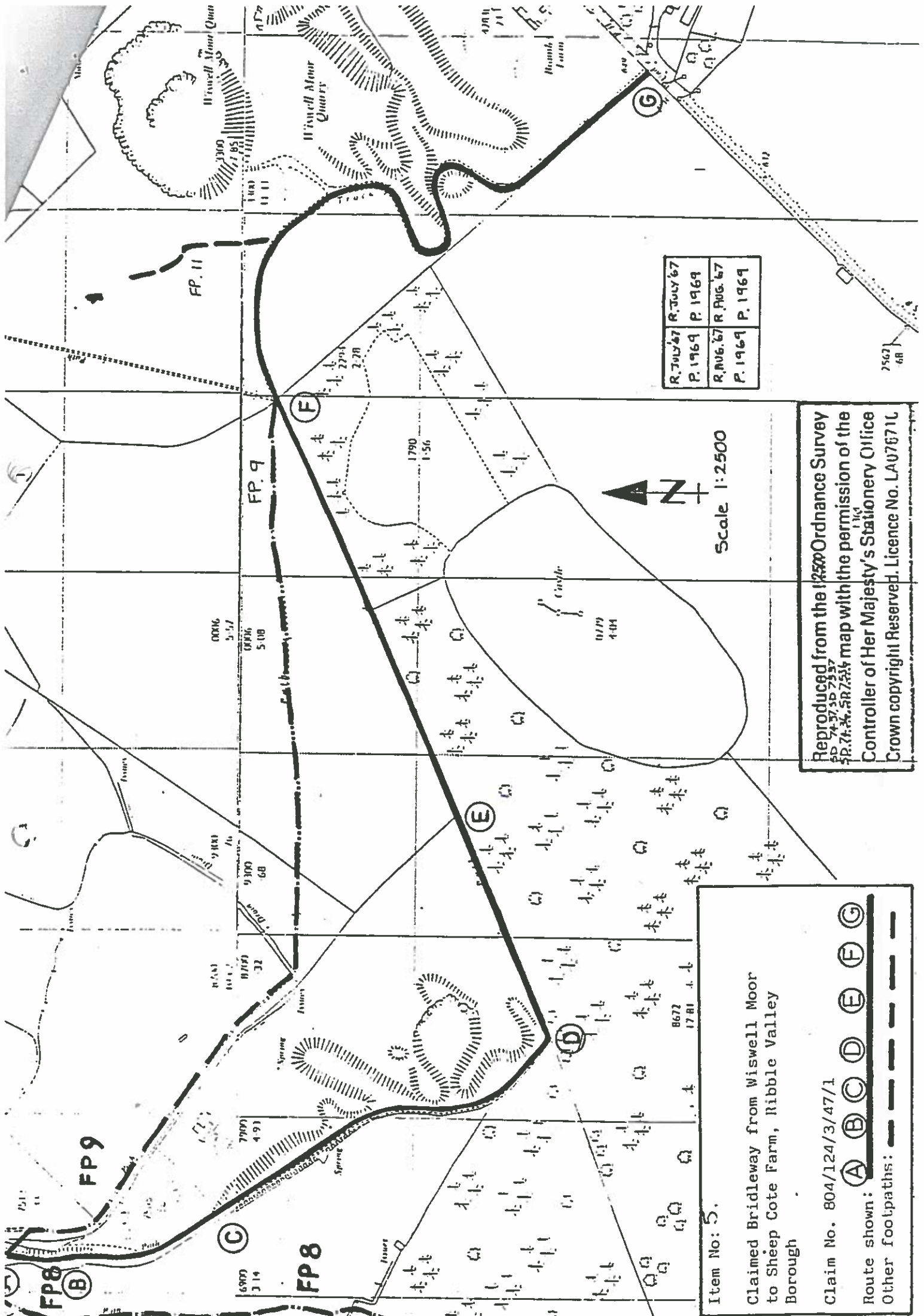
Although the claimant states that the gates along the route are now accessible, I well recall that for quite a long period in the past the then farmer maintained stiles alongside these gates and kept the gates themselves locked to deter horse riding. The stiles eventually fell into disrepair and finally disappeared altogether with the reopening of the gates for pedestrian access.

With the current horse riding vogue the problem seems to have arisen again as I noted recently that the present farmer is in process of fencing off the length of the footpath alongside the plantation with a post and two wire fence.

Horse riders, having churned up the footpath in wet weather have obviously been encroaching onto his adjacent land and presumably disturbing his stock.'

County Surveyor's Observations

Moor Lane between Wiswell village and the entrance to Sheep Cote Farm (point A) is a reasonable condition, tarmac surface lane used regularly to give access to a number of properties along the lane. Just south of point 'A' the surfacing ends, at an openable 3m wide metal field gate across the full width of the lane, and the route then continues as an unmade, earth and stone surface track, approximately 3m wide.



R. 7 JULY 67	R. 3 JULY 67
P. 1969	P. 1969
R. 1 AUG. 67	R. 1 AUG. 67
P. 1969	P. 1969

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Item No: 5.  
 Claimed Bridleway from Wiswell Moor to Sheep Cote Farm, Ribblesdale Borough  
 Claim No. 804/124/3/47/1  
 Route shown: A B C D E F G  
 Other footpaths: — — — — —

Scale 1:2500



FP. 11

FP. 9

FP 9

FP 8

FP 8

C

F

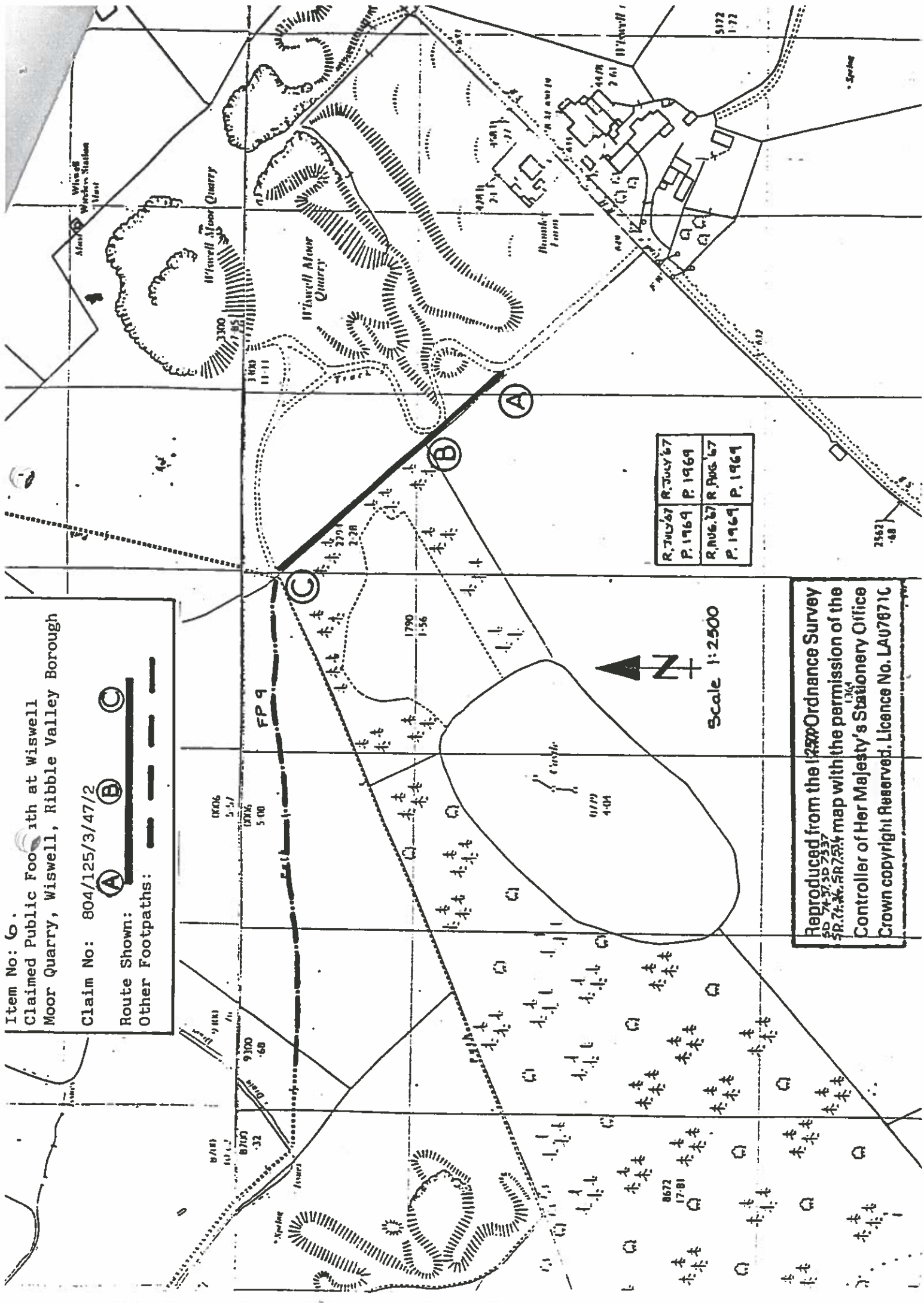
E

D

G

2567  
6B

Item No: 6  
 Claimed Public Footpath at Wiswell Moor Quarry, Wiswell, Ribble Valley Borough  
 Claim No: 804/125/3/47/2  
 Route Shown: **(A)** **(B)** **(C)**  
 Other Footpaths: **(D)**



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The full length of the route between A & G is a 3m approx wide track, stone and earth surfaced, and in varying degrees of roughness. The condition is generally the worst near points A - C, the surface being rough, muddy and churned up by animal use, with a considerable amount of surface water, and best through the disused quarry area where the route is a reasonable condition hard stone surface track. There are openable field gates across the route at points B, E, F and G, with no deterrent notices or signs. Sections of the route are well below field level and indicate a well constructed route of considerable age which has now deteriorated through natural lack of use. There is very much evidence that the route is currently well used by both pedestrians and equestrians, though no evidence of vehicular use. The condition of the route, though not ideal, appears to be adequate for the current level and type of public use.

#### Chief Executive/Clerk's Observations

Comments received from a landowner concerned state that he has had confirmation from the Highways Department that this is a highway maintainable at public expense and, also, he can see no reason for this application as it is already used regularly by horse-riders.

Initial investigations into the claim reveal that the route is already recorded, in its entirety, as unclassified county road No. 4/84 and, is therefore, legally available for all classes of traffic, including equestrians.

#### DECISION REQUIRED

That the claim for a bridleway extending from Wiswell Moor to Sheep Cote Farm (Moor Lane), Wiswell, Ribble Valley Borough, in accordance with Claim No. 804/124/3/47/1 be not accepted on the grounds that it is already recorded as a highway of higher status, ie. an unclassified county road.

6. WILDLIFE AND COUNTRYSIDE ACT 1981  
CLAIMED PUBLIC FOOTPATH AT WISWELL MOOR QUARRY,  
LINKING WITH CLAIM NO. 804/124 AT GRID REFS. SD 75333688 AND  
SD 75223698, WISWELL, RIBBLE VALLEY BOROUGH  
CLAIM NO. 804/125/3/47/2

#### ISSUE FOR CONSIDERATION

The claim for a public footpath at Wiswell Moor Quarry, linking with Claim No. 804/124 at Grid References SD 75333688 and SD. 75223698 Wiswell, Ribble Valley Borough, in accordance with Claim No. 804/125/3/47/2.

#### BACKGROUND INFORMATION

##### Description and Location of the Claim

The claimed route extends for an approx distance of 170m in a general south-easterly direction, from a point on unclassified county road No 4/84, west of Wiswell Moor Quarry (now disused) to another point on unclassified county road No 4/84, west of Wiswell Moor Farm.

##### Consultations with Local Authorities Ribble Valley Borough Council

The Council's Planning and Transportation Committee support the submitted claim and ward members gave information and evidence as to recent usage.

##### Wiswell Parish Council

The Clerk to the Parish Council comments as follows:-

'To the best of my knowledge this has never been considered as a public



footpath.

With the recent increase in leisure walking it appears to have sprung up, by bootmark evidence, as a 'lazy man's' short cut to avoid the 'hairpins' of the, definitive footpath up through the quarry.'

#### County Surveyor's Observations

The claimed route effectively provides a pedestrian short cut to avoid two 'hair pin' loops in the unclassified County road where it passes through the disused quarry. The route follows a straight line, adjacent to the western boundary wall to the quarry, and climbs steeply from point A - C. The route is clearly visible throughout as a well trodden grass track, between 0.5m and 2m wide. There are no barriers, fences, gates, stiles, signs or notices on or across the route, and the path would clearly be regularly used by walkers wishing to avoid the longer and more circuitous route of uncl road No. 4/84.

The clear site evidence and limited user evidence would tend to support the claim that a public footpath exists on this route.

#### Chief Executive/Clerk's Observations

The route is not shown on any current or old Ordnance Survey maps nor on other maps consulted eg. Yates, Teesdale-Hennets. Also, the route does not appear on any of the maps produced in connection with the preparation of the Definitive Map.

However, in support of the claim the claimant states that he has used the route since 1954 approximately 3 times a year. Four other persons claim to have used the route, one since 1934 approximately 20 times a year, one since 1936 approximately 6 times a year, one since 1960 approximately once a year and one since 1962 approximately 5 times a year. The landowner concerned, was consulted and no response was received. In view, therefore, of their being no evidence against the claim, apart from the comments of the Parish Council, and the moderate amount of user evidence submitted by the applicant, members may feel that the claim should be accepted.

#### DECISION REQUIRED

(1) That the claim for a public footpath at Wiswell Moor Quarry, from a point on unclassified road No. 4/84 at Grid Reference SD 75333688 to another point on unclassified county road No. 4/84 at Grid Reference SD 75223698, Wiswell, Ribblesdale Borough to be added to the Definitive Map and Statement of Public Rights of Way, in accordance with Claim No. 804/125/3/47/2, be accepted, and

(2) That an Order be made under Section 53(2)(b) and Section 53 (3)(c) of the Wildlife and Countryside Act 1981 to add the public footpath from a point on unclassified county road No. 4/84 at Grid Reference SD 75333688 to another point on unclassified county road No. 4/84 at Grid Reference SD 75223698 Wiswell, Ribblesdale Borough, a distance of approximately 170m, to the Definitive Map and Statement of Public Rights of Way, in accordance with Claim No. 804/125/3/47/2.