

COVERING LIST OF REPRESENTATIONS, OBJECTORS AND SUPPORTERS

THE LANCASHIRE COUNTY COUNCIL
UPGRADING TO RESTRICTED BYWAY OF FOOTPATHS RAMSBOTTOM 208
(SALES'S LANE) AND RAMSBOTTOM 245, ROSSENDALE BOROUGH
DEFINITIVE MAP MODIFICATION ORDER 2016

No.	OBJECTIONS STILL OUTSTANDING	ADDRESS
1	P Wilson & Company Chartered Surveyors On behalf of John Walsh of Buckhurst Farm	P Wilson & Company Burlington House 10-11 Ribblesdale Place Preston PR1 3NA Ref: C1301.SM sophie.marshall@pwcsurveyors.co.uk
2	G. E. Roberts, C. Roberts, G. Roberts and G. J. Roberts of Sales's Farm	Messrs Roberts Sales's Farm Sales's Lane Walmersley Bury BL9 6TH geofferoberts@btconnect.com
No.	OBJECTIONS WITHDRAWN	
-		
No.	SUPPORTER	
-		
No.	OTHER RESPONSES	
3	Atkins Telecoms	NRSWA Coordinator Telecoms The Hub, 500 Park Avenue Aztec West Almondsbury Bristol BS32 4RZ Devendran.Subramanian@atkinglobal.com
No.	OTHER RESPONSES OUTSIDE OF STATUTORY OBJECTION PERIOD	
4	Electricity North West Limited	Whitebirk Depot Whitebirk Drive Blackburn Bb1 3HT Ref: PA3315 Rubina.Chell@enwl.co.uk



p wilson & company
chartered surveyors

The Director of Governance,
Finance and Public Services,
Lancashire County Council,
PO Box 78,
County Hall,
Preston,
PR1 8XJ

Our Ref: C1301/SM

26 October 2017

Dear Sirs,

RE: OBJECTION TO MODIFICATION ORDER UNDER S53 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 – UPGRADING TO RESTRICTED BYWAY OF FOOTPATHS RAMSBOTTOM 208 (SALES’S LANE) AND RAMSBOTTOM 245 REF. NO. LSG4/5.49999/CB

I refer to the above Order, made on the 30th November 2016 by Lancashire County Council ('LCC') to make an Order, under Section 53(2) of the 1981 Act, to upgrade Ramsbottom Footpaths 208 (known as Sales Lane) & 245 to the status of Restricted Byways.

I am instructed by Mr. John Walsh, of Buckhurst Farm, Buckhurst Lane, Walmersley, BL9 6SZ, who is the freehold owner of Buckhurst Farm (comprising dwellings, equestrian/agricultural buildings and agricultural land) which is crossed by Ramsbottom Footpath 208 (Sales Lane). The land in our client's family's ownership is shown edged red on the enclosed plan.

Based on the evidence presented to me by my client and further local property owners/occupiers (including those adjoining the route), the Applicants original submissions, and LCC's comprehensive analysis contained in the report to the Regulatory Committee Meeting held on 24 February 2016, my client and I are not satisfied that LCC's decision to make the Order upgrading both footpath 208 and 245 to a Restricted Byway was correct. In summary, we believe the analysis of the individual documents is partly based on conjecture and that a more plausible explanation of their contents exists. Accordingly, we duly object to this Order and request the appointed Inspector does not confirm the Order.

I am in the process of obtaining further evidence to present to the Inspector in objection to the Order. This will be submitted with commentary in due course.

The Finance Act plan excludes the Order routes from the numbered hereditaments. LCC's Investigating Officer (Report to the Regulatory Committee), wrongly implies that due to this, they are likely to have been '*public highways*'. The valuation process for Increment Value

P:\Dawn\DESKTOP ITEMS\Email Only Letter Head.dotx



Burlington House, 10-11 Ribblesdale Place,
Preston, Lancashire, PR1 3NA

Tel: 01772 882277
Fax: 01772 258309
Web: www.pwcsurveyors.co.uk
Email: preston@pwcsurveyors.co.uk

Regulated by RICS

Partners

Paul Wilson FRICS FAAV FALA, Simon R Mair BSc FRICS FAAV ACI Arb
Nicola J Vose FRICS FAAV ACI Arb, Andrew T Coney MRICS FAAV REV
Robert Harrison BSc (Hons) MRICS FAAV
Edward B Gammell BA (Hons) PGDip MRICS FAAV

Associate

Sophie I H Marshall BSc (Hons) PGDipSurv MRICS FAAV

P Wilson & Company is a Limited Liability Partnership
registered in England & Wales No OC312492

Registered Office: 10-11 Ribblesdale Place, Preston, PR1 3NA



Duty, and the other land duties imposed by the Finance (1909-1910) Act, recognised not only public but private rights of way (under the heading of 'Easements') as having an impact on value. Furthermore, in a case such as Sales Lane, where the route provided the sole vehicular access to parcels of agricultural land and property in different private ownerships and occupation, ownership of the route itself may well have been in doubt. In my experience this is often the case with agricultural Occupation Roads.

This latter explanation has been noted by Inspectors in other Rights of Way appeals, an example of which is that in respect of Order Ref: FPS/Q2371/14A/15. A copy of that Order Decision, dated 8 February 2017, is enclosed herewith (see Paragraph 21).

The Finance Act records do not, therefore, provide strong evidence that the lanes were considered at that time to be a public vehicular highway as LCC assert.

Such an explanation would not be inconsistent with the use of the tracks as 'occupation roads' as stated on the Tithe Award. A map of the Lord Derby Estate in 1824 shows Sales Lane (208) as a road, however it is quite possible it was used by various occupiers of agricultural land and residences to access their private properties rather than a public road. As most of the property in the area formed part of an Estate at this time, use of the occupation roads by adjoining owners would be necessary. The roads are shown in the Tithe Award as being in private ownership and are not subject to a Tithe. They are not grouped to roads (i.e. Turnpike Roads) that are described as public roads. Although the Tithe and Estate plan show the existence of the route as a road of some sort, they do not indicate whether there were any public rights over it.

The 1904 Bartholomew's half inch map presented at Committee contains an NB stating, '*The representation of a road or footpath is no evidence of the existence of a right of way*'

This was not brought to the Committee's attention and is crucial to its interpretation. The map was merely trying to provide a record of condition.

There have been no comments or objections to the inclusion of the footpaths to the Definitive Map since it was first prepared in the 1950s. The records card clearly state they are only footpaths. At the time of inspection, the tracks would have been used by local landowners for vehicular access purposes. The inspector would have acknowledged the width of it was capable of accommodating agricultural traffic, however they still only recorded the public right as a footpath.

Further commercial and OS maps submitted and analysed show the existence of tracks/roads, however there is no indication of the status of them. Individual analysis is to be provided.

It is noted the Councils Regulatory Committee Meeting recorded an opinion there was enough historical data to make the Restricted Byway Order without referring to the user evidence originally submitted by the applicants. However, that user evidence mainly referred to access on foot and horseback alleging a 'use as of right' of a public bridleway. It is therefore largely irrelevant to the current Order. LCC do however conclude there would be enough user evidence to support a historic bridleway use from 1993 – 2013. Our clients, neighbouring owners/occupiers and local inhabitants have evidence to rebut information supplied in the original user evidence forms. As the Inspector is capable of modifying the Order (albeit subject to further advertisement) we will be submitting Sworn Declarations from individuals to deal with these points.

Mr Walsh respectfully requests that the evidence and representations which I have, and will be submitting will be heard by an Inspector at an Appeal. Once we have compiled and analysed all the evidence, a full Statement of Case will be submitted for consideration by the Inspector. Furthermore, should that require a public inquiry or hearing, Mr Walsh would wish to participate.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'S Marshall', is positioned below the closing text.

S MARSHALL
for P Wilson & Company

Encs: As listed

email: sophie.marshall@pwcsurveyors.co.uk



P Wilson & company
Chartered surveyors



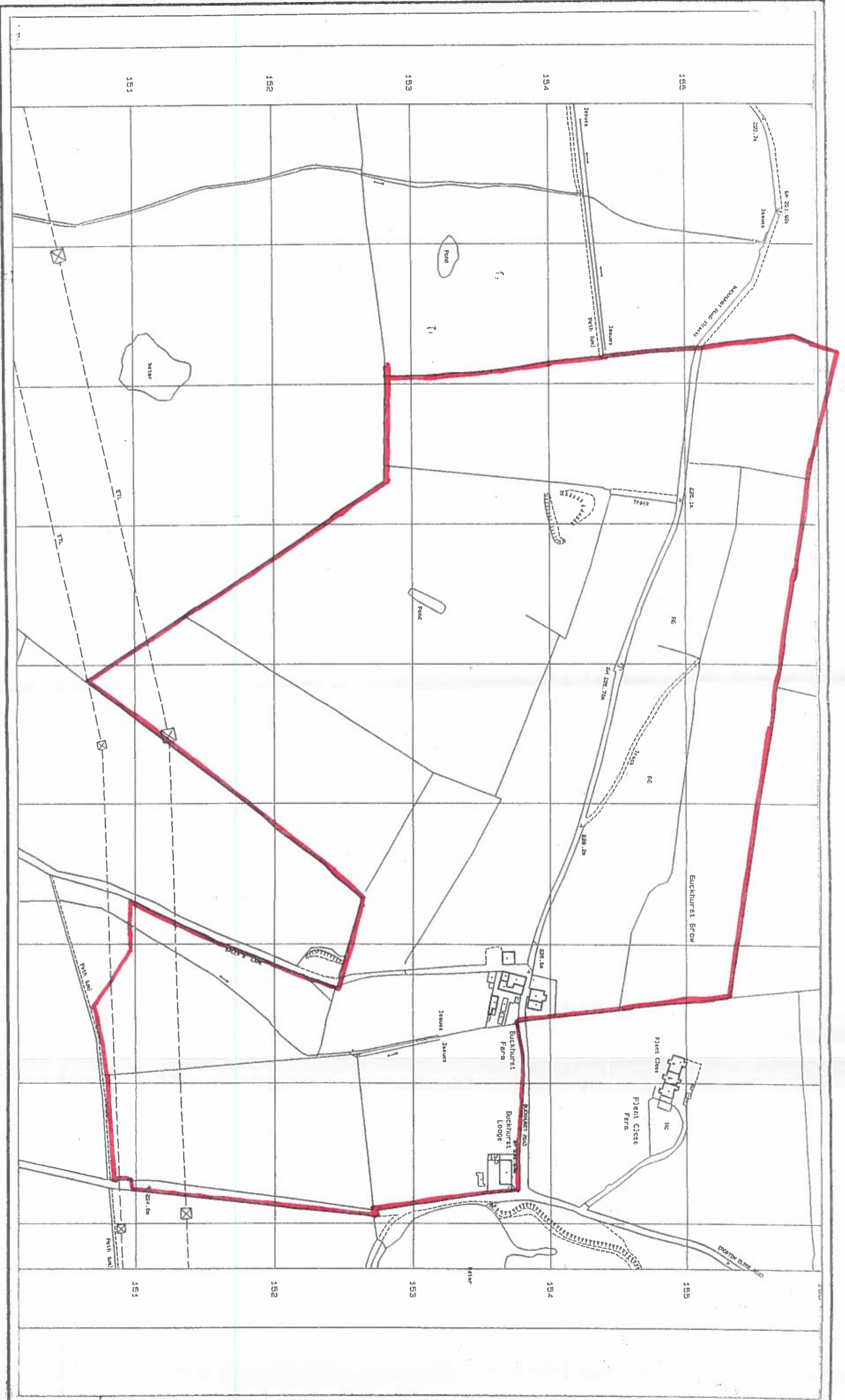
10 Bark Street East
Bolton BL1 2BQ
Tel: 01204 527972 Fax: 01204 391927



Reproduced from the Ordnance Survey
Map with the Sanction of the Controller
of HM Stationery office.
Crown Copyright Reserved
Licence No: ES 00008065

Scale 1:10000
NOT TO SCALE
FOR INFO ONLY

Ref C1301/3/SW Date 24/10/17



Appeal Decision

by **Barney Grimshaw BA DPA MRTPI (Rtd)**

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 08 February 2017

Appeal Ref: FPS/Q2371/14A/15

- This Appeal is made under Section 53(5) and Paragraph 4(1) of Schedule 14 of the Wildlife and Countryside Act 1981 against the decision of Lancashire County Council not to make an Order under section 53(2) of that Act.
- The Application dated 8 December 2015 was refused by Lancashire County Council on 28 June 2016.
- The Appellant claims that a route known as Culbeck Lane (Euxton Footpaths 37, 38 & 39) running between Dawbers Lane and Runshaw Lane, Euxton, Lancashire should be upgraded from footpath to Restricted Byway.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. I have been directed by the Secretary of State for Environment, Food and Rural Affairs to determine this appeal under Section 53(5) and Paragraph 4(1) of Schedule 14 of the Wildlife and Countryside Act 1981 (the 1981 Act).
2. I have not visited the site but I am satisfied I can make my decision without the need to do so.
3. I attach copies of two maps prepared by Lancashire County Council showing the claimed route for reference purposes.

Main issues

4. Section 53(3)(c)(ii) of the 1981 Act provides that an Order should be made to modify the Definitive Map and Statement if evidence is discovered which, when considered with all other relevant evidence available shows that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.
5. Some of the evidence in this case relates to usage of the claimed route. In respect of this, the requirements of Section 31 of the Highways Act 1980 (the 1980 Act) are relevant. This states that where a way over any land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it. The period of 20 years is to be calculated retrospectively from the date when the right of the public to use the way was brought into question.

6. Common law also requires me to consider whether the use of the route and the actions of the landowner have been of such a nature that the dedication of the route by the landowners as a Restricted Byway can be inferred.
7. As this Appeal is concerned with a possible unrecorded vehicular route, it is also necessary to have regard to the provisions of Section 67 of the Natural Environment and Rural Communities Act 2006 (the 2006 Act) which extinguished rights of way for mechanically propelled vehicles (MPVs) subject to certain exceptions.

Reasons

Documentary Evidence

Commercial Maps

8. The earliest commercial maps available do not show the claimed route. Cary's map (1789) does not show it at all but Yates (1786) and Greenwood (1818) show short sections close to Points A and F but not the remainder of the route.
9. Baines' Map (1824) does not match modern mapping but shows a route which might correspond to the claimed route. Hennet's Map (1830) and most subsequent maps consistently show the whole route as a significant feature. On one map (Cassini, 1840-43) the claimed route appears to be more important than Dawbers Lane and the Culbeck Brook is shown running under the claimed route but straight across Dawbers Lane.
10. These maps would appear to show that the claimed route existed from at least 1830 and was regarded as a route of some significance, otherwise it would probably not have been shown on such small scale maps. However, the maps do not provide a reliable indication of the status of the routes shown.

Tithe Records

11. Under the Tithe Commutation Act 1836, tithes were converted to a fixed money rent. In most areas this required detailed surveys to be carried out in order to apportion the amount of tithe payable among the landowners of a parish. Tithe documents that were prepared had the sole purpose of identifying titheable or productive land. They are statutory documents which were in the public domain but were not produced to record public rights of way, although they can sometimes be helpful in determining the existence and status of routes.
12. The Tithe Map of Euxton (1847) shows the claimed route coloured in sienna in the same manner as public roads and most other roads. On the base map used, the route is crossed by solid lines close to Points A, E and F presumably indicating the presence of gates and the Culbeck Brook is shown running across the route and then under Dawbers Lane (unlike the depiction on the Cassini map referred to above).
13. In the Award itself the route is referred to as a 'road' and not subject to payment of tithe. However, it is also described as being in private ownership and is not grouped with other roads which are specifically described as public without reference to any private owners.
14. In my view, although the tithe records confirm the existence of the route as a road of some sort in 1847, they do not indicate whether there were any public rights over it.

Ordnance Survey (OS) Maps

15. The earliest OS map available, a 1" to the mile map published in 1842 and used as a base for showing Estates in Lancashire, shows the whole of the claimed route in the same manner as the Cassini Map previously referred to which appears to have been based on the OS map.
16. A 6" to the mile map of 1849 shows the claimed route named as Culbeck Lane. The 25" map of 1894 also shows it named and with a separate parcel number. Lines, probably indicating gates are shown at Points A, E and F. Later large scale maps show similar information although a 1910 map does not appear to show a gate at E.
17. An OS Object Names Book of 1907 lists Culbeck Lane and in one column underneath the name is written the word 'private' but this is then crossed out. The route is described as a 'lane' whereas Runshaw Lane is described as a 'road' which is maintainable by the Rural District Council. The purpose of the Names Book was not to define the status of routes shown on maps but to record the correct names and spelling of features.
18. OS maps provide an accurate record of features which existed on the ground at the time they were surveyed but they do not purport to indicate the status of routes shown and from 1888 onwards the maps included a specific note to the effect that routes shown were not necessarily public rights of way.

The 1910 Finance Act Records

19. The 1910 Finance Act imposed a tax on the incremental value of land which was payable each time it changed hands. In order to levy the tax a comprehensive survey of all land in the UK was undertaken between 1910 and 1920. This survey was carried out by the Board of Inland Revenue under statutory powers and it was a criminal offence for any false statement to be made for the purpose of reducing liability. The existence of public rights of way over land had the effect of reducing the value of the land and hence liability for the tax; they were therefore recorded in the survey.
20. In this case the Finance Act base map shows the claimed route between Points A and E as being excluded from adjacent hereditaments and not liable for tax. However, the section from E to F is included within plot 608 for which a deduction of £5 is recorded in the Field Book in respect of a public footpath across the land. A further £5 deduction is recorded in respect of a right of road to the adjoining farm. The Field Book for plot 608 appears to have been completed by a different surveyor than those for other plots adjacent to the claimed route between Points A and E and includes a comment in respect of the route reading "*public & private? right of way*". The applicant suggests that this might indicate some doubt about the true status of the route.
21. The exclusion of the claimed route between Points A and E could be indicative of it having been regarded as a public road. However, it could also indicate that it was a shared access road that none of the adjoining landowners claimed to own and which may or may not have also carried public rights of some sort. It seems unlikely that a public vehicular road would have terminated as a cul de sac at Point E and then only continued to Runshaw Lane as a private road and public footpath.
22. On balance, it is my view that the Finance Act records are consistent with the whole of Culbeck Lane having been regarded as a private access road and a

public footpath. However, they do not preclude the possibility that some or all of the route might have been considered to carry public vehicular rights.

The Definitive Map

23. In the parish survey carried out in 1951 in connection with the preparation of the first Definitive Map, the claimed route was marked 'CRF' on the survey map. This term was an abbreviation for 'Carriage Road Footpath', meaning a route which the public were entitled to use with vehicles but which was mainly used as a footpath. Although this term had originally been proposed in connection with the 1949 National Parks and Access to the Countryside Act it was subsequently withdrawn and it was suggested that such routes should be described as RUPPs (Roads used as Public Paths). On the accompanying survey card the route is described as 'Accommodation Road', a term normally taken to mean a private access road which may or may not also carry public rights of some sort.
24. When the Draft Definitive Map was placed on deposit in 1955 the claimed route was included as a public footpath and not as a RUPP. The Draft Map was placed on public deposit to allow objections and representations to be made and any consequent amendments were put on the Provisional Map which was published in 1960. This also included the claimed route as a public footpath and was itself subject to objections from landowners and occupiers. No representations were made regarding the claimed route and it was shown on the first Definitive Map as a public footpath.
25. When the Definitive Map was reviewed in 1975 no change was made in respect of the claimed route.
26. There is no evidence of any express dedication of the claimed route as a public right of way of any sort.
27. In 1991, an application was made to upgrade the route now claimed as a Restricted Byway to the status of Byway Open to all Traffic (BOAT) but this was rejected in 1995.

Other documents

28. In 1929 responsibility for district highways passed to county councils, however, the claimed route was not shown as a publicly maintainable highway of any sort on the handover map prepared for the area. Later highway records include reference to the fact that the route is a public footpath.
29. An article in the London Gazette in 1883 relating to the designation of areas infected by foot and mouth disease refers to part of Culbeck Lane as the boundary of one of the areas. This further confirms the existence of the route at the time but not the existence of public vehicular rights over it.
30. A copy of a hand drawn plan dated 1899 relating to a mortgage from Major Anderton to the Queen Anne's Bounty submitted by the applicant shows an area shaded red on either side of part of the claimed route but the route itself is uncoloured. There is no key to the plan but, if ownership of the land shaded red was to be transferred and the route was excluded from the transfer, this might suggest that it was thought to be a public route of some sort or simply that it was not in the same ownership as the adjoining land.

31. Various legal title documents referred to on behalf of objectors indicate that people acquiring properties adjacent to the claimed route had private rights to use it and were required to share the cost of maintaining it. This could suggest that the route was private or simply that it had not been adopted for maintenance purposes and that public rights, other than footpath, had not been recorded.
32. An aerial photograph taken in the 1960s shows that most of the route existed at that time and was probably wide enough to carry vehicular traffic.

Conclusions regarding Documentary Evidence

33. It would appear from early commercial and OS maps that the claimed route has existed since 1830 and possibly earlier. It also appears from the manner in which the route was shown, particularly on small scale maps, that it was a route of some significance and formed part of the local network linking at both ends to other routes. The early maps do not however indicate what, if any, public rights existed over the route.
34. Tithe records and 1910 Finance Act records are in my view generally consistent with the route having been regarded as either a public vehicular route or a private vehicular route with lesser public rights over it. However, the manner in which the northernmost section of the route is dealt with in the Finance Act records clearly suggests that this section was not regarded as a public vehicular route. It seems unlikely that the status of the route would in fact not have been the same throughout its length.
35. Although there appears to have been some doubt at the time of the 1951 parish survey regarding the status of the route, it was made clear in subsequent versions of the definitive map that the route was a public footpath and no objection seems to have been raised to this. Highway records would also seem to confirm that the route was regarded as being a public footpath.
36. Other documentary evidence does not assist in determining the status of the route.
37. Overall, it is my view that on the balance of probability the documentary evidence that is available does not indicate the existence of public rights other than as a footpath over the claimed route.

Statutory Dedication

Evidence of public use

38. A limited amount of evidence has been submitted relating to use of the claimed route by the public. This consists of evidence forms and statements made by people familiar with the route from the 1940s to the present. Much of the evidence in support of the claim is provided by people who have owned or occupied properties along the route and may have had private rights to use some or all of it. Generally people stated that they had used the route and had seen others using it but first hand evidence of regular use as of right by members of the public other than as a footpath is very limited.
39. On the other hand a number of statutory declarations submitted by other people who also claim to have been familiar with the route over a long period state that it never carried public rights other than as a footpath.

40. There is also some evidence that the route has been blocked or obstructed at different times in so far as vehicular use was concerned by gates, fencing, concrete slabs, ditches and a trailer. It appears that such obstructions may have been present intermittently at least since around 1970.

Conclusions regarding statutory dedication

41. Overall, it is my view that the available evidence of public use of the claimed route other than on foot is insufficient to raise a presumption, in accordance with the provisions of the 1980 Act, that it has been dedicated as a public right of way of any higher status than footpath. In addition, there is evidence that landowners have taken action over a considerable period of time that indicates their lack of intention to dedicate the route as a public right of way of a higher status than footpath.

Common Law

42. An inference that a way has been dedicated for public use may be drawn at common law where the actions of landowners (or lack of action) indicate that they intended a way to be dedicated as a highway and where the public have accepted it.
43. In this case, although there is some evidence of public use of the claimed route there is no substantive evidence of action by landowners to indicate an intention to dedicate it as a public right of way other than a footpath and indeed some evidence to suggest that they had no such intention. It would therefore not be reasonable to infer that the route has been dedicated as a higher status public right of way.

The 2006 Act

44. As mentioned before, this act extinguished rights of way for MPVs subject to certain exceptions. In this case none of the exceptions apply so, if any rights for MPVs had been established along the claimed route they would have been extinguished as a result of the 2006 Act.

Conclusion

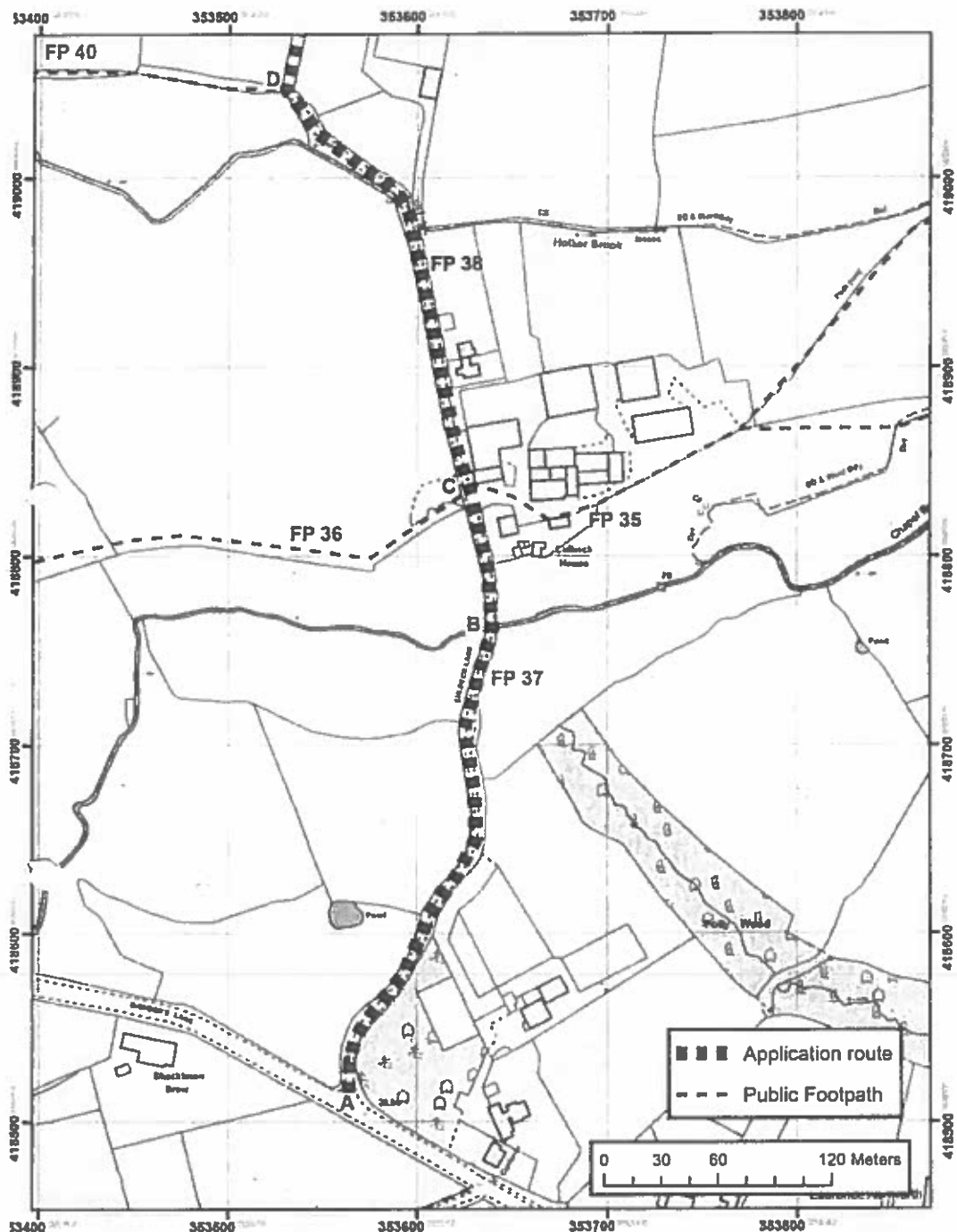
45. Having regard to these and all other matters raised in the written representations I conclude that the evidence that is available does not show that on the balance of probability the claimed route is a public right of way of a status higher than footpath. The appeal should therefore be dismissed.

Formal Decision

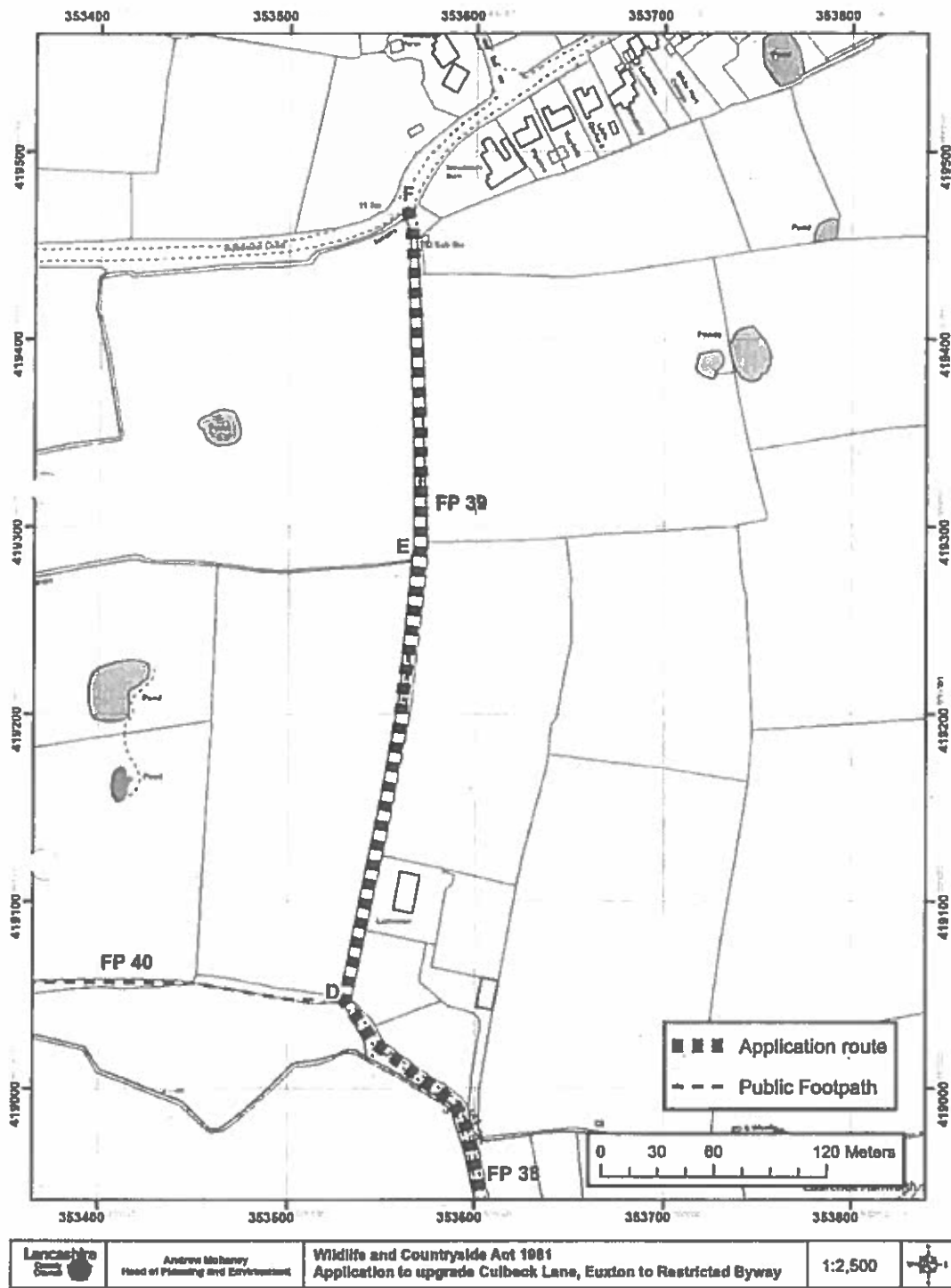
46. I dismiss the appeal.

Barney Grimshaw

Inspector



<p>Lancashire County Council</p>	<p>Andrew Mulvaney Head of Planning and Environment</p>	<p>Wildlife and Countryside Act 1981 Application to upgrade Culback Lane, Exton to Restricted Byway</p>	<p>1:2,500</p>	
----------------------------------	---	---	----------------	--



Sales's Farm, Sales's Lane, Walmersley Bury BL9 6TH

The Director of Governance
Finance and Public Services
Lancashire County Council
P.O.Box 78
County Hall
PRESTON
PR1 8XJ

26th October 2017

Dear Sirs,

Re: **OBJECTION TO MODIFICATION ORDER UNDER S53 OF THE WILDLIFE
AND COUNTRYSIDE ACT 1981 – UPGRADING TO RESTRICTED BYWAY OF
FOOTPATHS RAMSBOTTOM 208 (SALE'S LANE) AND RAMSBOTTOM 245
REF No. LSG4/5.49999/CB**

We refer to the above Order dated 30th November by Lancashire County Council to make an Order under Section 53 (2) of the 1981 Act, to upgrade Ramsbottom Footpaths 208 (Sales's Lane) and 245 to the status of Restricted Byways.

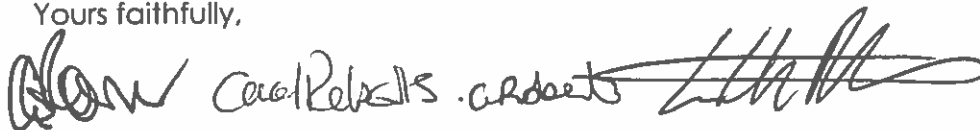
We are the freehold owners of Sales's Farm, Sales's Lane, which is also crossed by Ramsbottom Footpath 208 . Our land is shown on the enclosed plan edged in blue, and has been in our ownership since 1992.

We are not satisfied the LCC's decision to upgrade footpath's 208 and 245 to Restricted Byways as we believe the routes existence was not for the purpose assumed. We strongly object to their upgrade and request that the appointed Inspector does not confirm this Order.

At present we are gathering information and evidence to be presented to endorse our objections. We already have evidence that Sales's Lane was not a public highway, and was simply used to service the land owned by Sales's Farm.

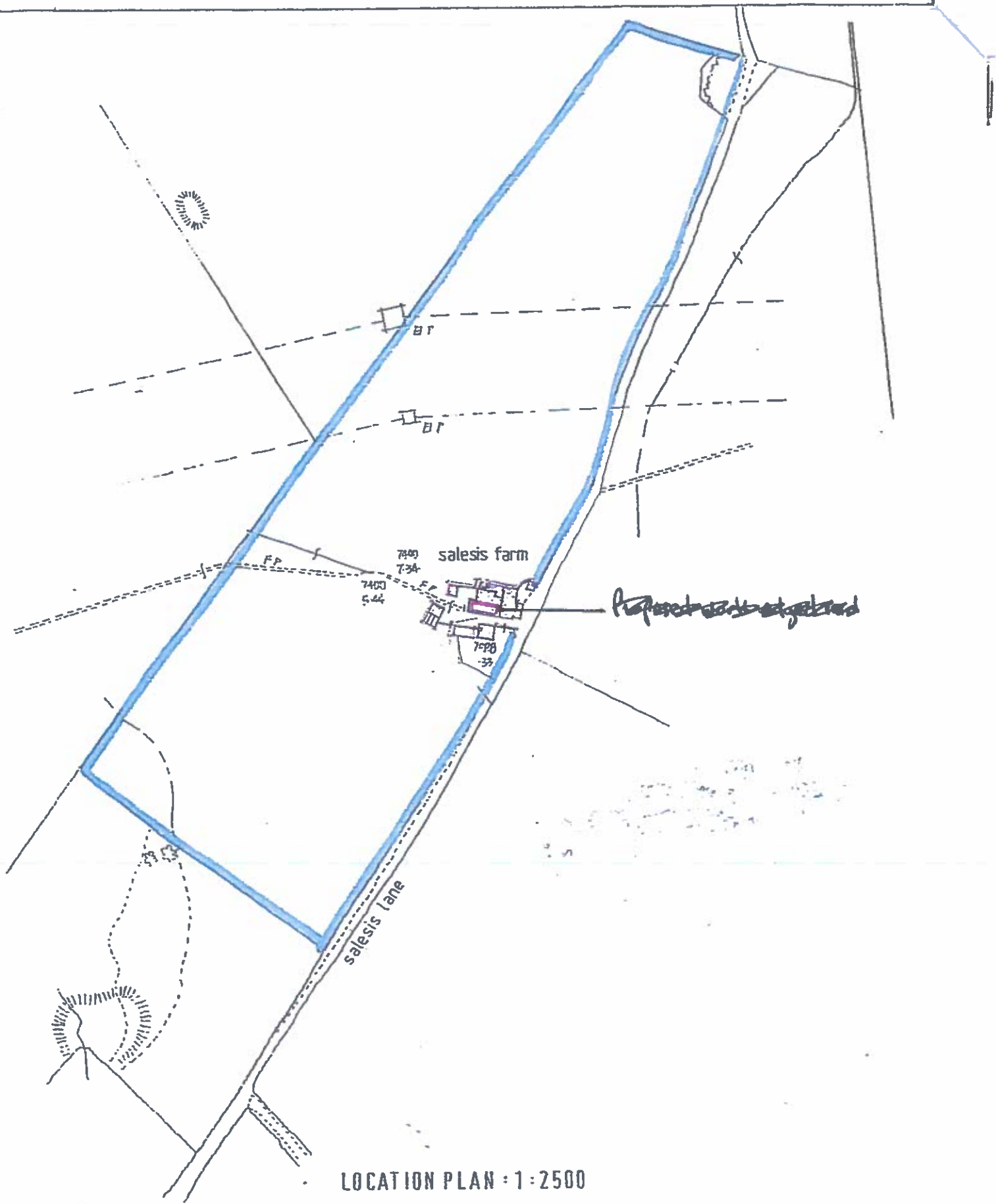
Once we have completed our research we assume that it can be submitted to an Appeal to be considered by an Inspector. we would certainly wish to attend same.

Yours faithfully,



G E Roberts, C. Roberts, G. Roberts, G.J. Roberts

Encl



LOCATION PLAN : 1 : 2500

From: [Subramanian, Devendran](#)
To: [Blundell, Claire](#)
Subject: No Objection : Modification order: Public footpaths Ramsbottom 208 (Sales's Lane) and Ramsbottom 245, Rossendale Borough
Date: 20 September 2017 09:34:37
Attachments: [image001.jpg](#)
[Scan-to-Me from 10.30.13.203 2017-09-18 105926.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.

Kind regards

Plant Enquiries Team

T: 01454 662881

E: osm.enquiries@atkinsglobal.com

ATKINS working on behalf of Vodafone: Fixed



This response is made only in respect to electronic communications apparatus forming part of the Vodafone: Fixed electronic communications network formerly being part of the electronic communications networks of Cable & Wireless UK, Energis Communications Limited, Thus Group Holdings Plc and Your Communications Limited.

PLEASE NOTE: The information given is indicative only. No warranty is made as to its accuracy. This information must not be solely relied upon in the event of excavation or other works carried out in the vicinity of Vodafone plant. No liability of any kind whatsoever is accepted by Vodafone, its servants, or agents, for any error or omission in respect of information contained on this information. The actual position of underground services must be verified and established on site before any mechanical plant is used. Authorities and contractors will be held liable for the full cost of repairs to Vodafone's apparatus and all claims made against them by Third parties as a result of any interference or damage.



Please consider the environment before printing this e-mail

From: Nimo.Hussein@atkinsglobal.com [<mailto:Nimo.Hussein@atkinsglobal.com>]

Sent: 18 September 2017 16:30

To: Hussein, Nimo <Nimo.Hussein@atkinsglobal.com>

Subject: Modification order: Public footpaths Ramsbottom 208 (Sales's Lane) and Ramsbottom 245, Rossendale Borough

Name of Requester:	Claire Blundell
Name of Company:	Lancashire County Council
Requester Reference:	LSG4/CB/5.49775(804.547)/CB
Email Address:	Claire.blundell@lancashire.gov
Site Location Address:	Public footpaths Ramsbottom 208 (Sales's Lane) and Ramsbottom 245, Rossendale Borough
Telephone Number:	01772533196

Nimo Hussein

Utility coordinations Utility Solutions - Infrastructure

ATKINS

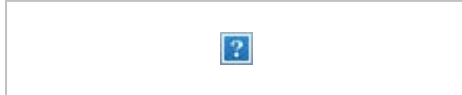
Find out more about what we do and how we do it – www.atkinsglobal.com

The Hub, 500 Park Avenue, Aztec West, Bristol, BS32 4RZ | Tel: +44 1454 662881 |

Email: nimo.hussein@atkinsglobal.com | Web: www.utilitymanagementsolutions.co.uk

This response is made only in respect to electronic communications apparatus forming part of the Vodafone Limited electronic communications network formerly being part of the electronic communications networks of Cable & Wireless UK, Energis Communications Limited, Thus Group Holdings Plc and Your Communications Limited.

ATKINS working on behalf of Vodafone: Fixed



This email and any attached files are confidential and copyright protected. If you are not the addressee, any dissemination of this communication is strictly prohibited. Unless otherwise expressly agreed in writing, nothing stated in this communication shall be legally binding. The ultimate parent company of the Atkins Group is SNC-Lavalin Group Inc. Registered in Québec, Canada No. 059041-0. Registered Office 455 boul. René-Lévesque oust, Montréal, Québec, Canada, H2Z 1Z3. A list of Atkins Group companies registered in the United Kingdom and locations around the world can be found at <http://www.atkinsglobal.com/site-services/group-company-registration-details>

Consider the environment. Please don't print this e-mail unless you really need to.

From: [Chell, Rubina](mailto:Chell.Rubina)
To: [Blundell, Claire](mailto:Blundell.Claire)
Subject: RE: Your ref: 804.547 (C Blundell) Our ref: PA3315
Date: 29 November 2017 11:06:21

Hi Claire,

This is not an objection to the order, simply a statement of our assets in the vicinity.

Regards.

Rubina.

From: Blundell, Claire [mailto: Claire.Blundell@lancashire.gov.uk]
Sent: 29 November 2017 11:01
To: Chell, Rubina
Subject: RE: Your ref: 804.547 (C Blundell) Our ref: PA3315
Importance: High

Dear Sirs,

Please note that this was not a planning application but an Order made by the County Council to record public rights over the route.

No physical works are proposed to be carried out.

In the light of the above explanation please can you let us know whether you wish to sustain or withdraw your objection.

Kind Regards,

Claire Blundell

Paralegal Officer

Legal and Democratic Services

Lancashire County Council

Telephone 01772 533196

Email claire.blundell@lancashire.gov.uk

From: Chell, Rubina [mailto: Rubina.Chell@enwl.co.uk]
Sent: 28 November 2017 15:54
To: Blundell, Claire < Claire.Blundell@lancashire.gov.uk >
Subject: Your ref: 804.547 (C Blundell) Our ref: PA3315

Dear Sir /Madam,

Ramsbottom 208 (Sales Lane).

We have considered the above planning application submitted on 15/09/2017 and find it could have an impact on our infrastructure.

The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

Other points, specific to this particular application are:-

- There are electrical 6.6kV cables and o/h line and 132kV o/h line in proximity therefore necessary precautions should be taken,

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements

for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

Electricity North West offers a fully supported mapping service, at a modest cost, for our electricity assets. This is a service which is constantly updated by our Data Management Team who can be contacted by telephone on 0800 195 4141 or access the website <http://www.enwl.co.uk/our-services/know-before-you-dig!>

It is recommended that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Yours sincerely,

Electricity North West
Whitebirk Depot
Whitebirk Drive
Blackburn
BB1 3HT
Tel +44(0)7810184499
Email sent by Rubina.chell@enwl.co.uk
On behalf of Eric Roberts

Please consider the environment before you print this e-mail.

THINK BEFORE YOU

PRINT=====

The information contained in this email is intended only for the individual to whom it is addressed. It may contain legally privileged or confidential information or otherwise be exempt from disclosure. If you have received this message in error or there are any problems, please notify the sender immediately and delete the message from your computer. YOU MUST NOT use, disclose, copy or alter this message for any unauthorized purpose. Neither Electricity North West Limited nor any of its subsidiaries will be liable for any direct, special, indirect or consequential damages as a result of any virus being passed on, or arising from the alteration of the contents of this message by a third party.

Electricity North West Limited
304 Bridgewater Place, Birchwood Park
Warrington WA3 6XG, Registered in England and Wales
Registration No 02366949

THINK BEFORE YOU

PRINT=====

The information contained in this email is intended only for the individual to whom it is addressed. It may contain legally privileged or confidential information or otherwise be exempt from disclosure. If you have received this message in error or there are any problems, please notify the sender immediately and delete the message from your computer. YOU MUST NOT use, disclose, copy or alter this message for any unauthorized purpose. Neither Electricity North West Limited nor any of its subsidiaries will be liable for any direct, special, indirect or consequential damages as a result of any virus being passed on, or arising from the alteration of the contents of this message by a third party.

Electricity North West Limited
304 Bridgewater Place, Birchwood Park
Warrington WA3 6XG, Registered in England and Wales
Registration No 02366949

This e-mail contains information intended for the addressee only.

It may be confidential and may be the subject of legal and/or professional privilege.

If you are not the addressee you are not authorised to disseminate, distribute, copy or use this e-mail or any attachment to it.

The content may be personal or contain personal opinions and unless specifically stated or followed up in writing, the content cannot be taken to form a contract or to be an expression of the County Council's position.

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.

THINK BEFORE YOU

PRINT=====

The information contained in this email is intended only for the individual to whom it is addressed. It may contain legally privileged or confidential information or otherwise be exempt from disclosure. If you have received this message in error or there are any problems, please notify the sender immediately and delete the message from your computer. YOU MUST NOT use, disclose, copy or alter this message for any unauthorized purpose. Neither Electricity North West Limited nor any of its subsidiaries will be liable for any direct, special, indirect or consequential damages as a result of any virus being passed on, or arising from the alteration of the contents of this message by a third party.

Electricity North West Limited
304 Bridgewater Place, Birchwood Park
Warrington WA3 6XG, Registered in England and Wales
Registration No 02366949