

Notice of Decision

Application for a Modification Order



Wildlife and Countryside Act 1981

The Definitive Map and Statement of Public Rights of Way for the County of Lancashire

Name and Address of Claimant

Mr Stephen Martin, 15 Maplewood, Ashurst, Skelmersdale, WN8 6RJ

Particulars of Claim

Claim number: 804.591 / 888.1132

Date of determination of the claim: 15th March 2018

Modification Claimed

Claimed addition of a restricted byway from Glenburn Road to Summer Street to the rear of Lathom High School, Skelmersdale, West Lancashire

Particulars of the Decision

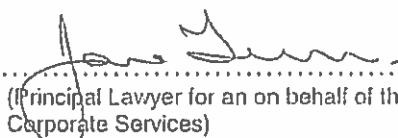
In pursuance of their powers and duties under the Wildlife and Countryside Act 1981 and in accordance with Section 53(5) and Schedule 14 of the 1981 Act, Lancashire County Council have investigated the matters referred to in the Claim set out above.

Notice is hereby given that Lancashire County Council have determined Not to Make an Order to modify The Definitive Map and Statement of Public Rights of Way for the County of Lancashire in accordance with the claim.

The reason for the County Council's decision is:

The Regulatory Committee, having taken all relevant evidence into account, determined that there was insufficient evidence of a dedication able to be deemed or inferred along the claimed route.

Date: 16th March 2018

Signed: 
(Principal Lawyer for and on behalf of the Director of Corporate Services)

NB: Important guidance notes are provided overleaf

Laura Sales
Director of Corporate Services
Lancashire County Council
County Hall
Preston
PR1 8XJ

Guidance Notes

1. Where the County Council decide to make an Order, steps will be taken to prepare the Order to bring this decision into effect. At that time, a copy of the Order and plan together with a Notice giving details of the Order will be sent to you and details will also be published in the local press and displayed on site.
2. It is important to note that this Order has no legal effect until such time as it has been confirmed by the Local Authority and until that time, the route has the same legal status as it does today.
3. Where the County Council decided **not to make an Order**, the Applicant may, in accordance with Paragraph 4 to Schedule 14 of the Wildlife and Countryside Act 1981, **AT ANY TIME WITHIN 28 DAYS AFTER THE SERVICE ON HIM OF THE NOTICE OF THE DECISION**, serve a Notice of Appeal against that decision on the Secretary of State and the County Council.
4. Your appeal should be made to:

Rights of Way Team
The Planning Inspectorate
Room 3/25, Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
5. A copy of the Notice of appeal must also be sent to the County Council:

Director of Corporate Services
(REF: LSG4/PROW/CB7/804.591/888.1132)
County Hall
Preston
PR1 8XJ
6. If, on considering the Appeal, the Secretary of State considers that an Order should be made, he will direct the County Council to make an Order accordingly.

