

Definitive Map Modification Order application

15, Maplewood,
Ashurst,
Skelmersdale
WN8 6RJ

11th September 2017

Dear Sir, Madam,

Please find enclosed all the paperwork requested as part of an application for a Definitive Map Modification Order.

The path in question has always been a road/path ever since Glenburn Colliery was in existence. The road/path was then 'pushed' south to allow for the school's sports hall to be built.

When the temp classroom were erected a few years ago the road/path was damaged by the vehicles and was never re-instated. Since then large gates with 'No Entry' signs have been installed along with barriers. The school have advised in writing this was necessary for Safeguarding pupils and staff, however, these gates have remained locked through each school holiday since they were installed. Misleading signage stating 'Private Property and Alternative Footpath' have also been erected.

I have never seen an application to close the road/path nor to divert it, nor is there any such application found on Lancashire CC web site. The road/path was used by walkers, runners, cyclists, horse riders and the odd motor cyclists (I like many other people oppose any such vehicle using this road/path). Although I have been informed the gates where to stop motor cyclists, the whole of the school field would have to be fenced off to ensure this would not happen. The path/road is also on many town maps and West Lancs council disabled access to the Tawd Park map.

I feel this path has been closed illegally and to ensure future use by all that it is considered to be placed as a restricted byway on the definitive map.

I have enclosed many maps, photos and user evidence statements to accompany this application.

Yours faithfully



Mr Stephen Martin

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

To: The County Secretary and Solicitor, Lancashire County Council.
Of: PO Box 78, County Hall, Fishergate, Preston, Lancashire, PR1 8XJ

I / We: (Name of applicant)

Of: (address of applicant)

Hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981
modifying the Definitive Map and statements for the area by:

1. Deleting the [footpath] [bridleway] [restricted byway] [byway open to all traffic]
FROM:

TO:

2. Adding the [footpath] [bridleway] [restricted byway] [~~byway open to all traffic~~]
FROM: GLENBURN ROAD AROUND THE BAR OF LATHAM HIGH SCHOOL
AKA SUMNER ST.

TO: SUMNER ST

3. [Upgrading] [downgrading] to a [footpath] [bridleway] [restricted byway] [byway
open to all traffic] the [footpath] [bridleway] [restricted byway] [byway open to all
traffic]

FROM:

TO:

4. [Varying] [adding to] the particulars relating to the [footpath] [bridleway] [restricted
byway] [byway open to all traffic]

FROM:

TO:

BY PROVIDING THAT:

AND SHOWN ON THE MAP ACCOMPANYING THE APPLICATION

I / We attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

LIST OF DOCUMENTS PROVIDED:

Appendix:

1. Email to school
2. Reply from school
3. Ordnance survey map of Skelmersdale
4. Ordnance survey map of Stanley / Ashurst.
5. Mario map overlay of school and pre-school construction
6. Mario map of old Glenburn Colliery.
7. Mario ariel view pre-school construction
8. Mario map of school & paths
9. Mario ariel photo
10. Google ariel photo
11. Newly installed barriers
12. Newly installed gate - west side
13. Newly installed gate - East side
14. Signage for 'Alternative Routes' and barriers - East side
15. West Lancs Council map drawing disabled access to Tawd Park.
16. Planning application for Kemp classroom provision
17. Skelmersdale Newtown basic plan 1975

Evidence Statements.
Stephen Martin
Susan Hudson
Myra Fowler
Graham McKay
Peter Meadows.

DATED: 11th September 2017.

SIGNED: 

THE FOLLOWING DOES NOT MAKE UP PART OF THE ABOVE FORM

Please return the completed application form to:

The County Secretary and Solicitors Group, Lancashire County Council, PO BOX 78
County Hall, Fishergate, Preston, PR1 8XJ (REF: LSG4/PROW/JM)

NOTE: Please be advised that evidence supplied will be used in accordance with the processes under the Wildlife and Countryside Act, it will not be confidential and may be disclosed to third parties. Those supplying any evidence should be informed of this.

NOTE: Lancashire County Council is obliged to put a copy of the application on a register available to the public. If you consider that the inclusion of the applicants name and address would, or would be likely to, cause substantial damage distress to the applicant or to another person and such damage would be or would be unwarranted, please contact Lancashire County Council who can remove these details from the register and from any documents contained on the register.

Under the Freedom of Information Act I am enquiring about the closure of the footpath between Lathom High School and the school fields, leading to the public underpass.

Please answer the following questions:

- Who owns the land that the footpath is on? If it is the school then please supply a copy of documentation from Land Registry.
- Was an application made to the local authority or county council to close this footpath?
- Was there any consultation prior to the closure of the footpath?
- Has the closure been discussed at meetings and noted in minutes? If so please supply a copy.
- Why have lockable barriers gates been installed?
- Who authorised these works?
- What was the cost?
- Where alternatives to lockable barrier gates considered? Such as a style, kissing gate to permit access by pedestrians, wheelchair users, prams and buggies?
- Have you received any other enquires regarding this matter?

Steve Martin

From: Jan Marshall <J.Marshall@lathom.lancs.sch.uk>
Sent: Wednesday, March 15, 2017 11:08
To: steve2mart@lineone.net
Subject: RE: New submission from Contact Us

Hello Mr Martin,

Please find the below response to your Freedom of Information Request.

The land between the back of the school gates and the start of the school fields does not appear on the ordnance survey.

The land between the back of the school gates and the start of the school fields is obstructed by gates to prevent vehicle and motorbike access, this is to safeguard our students and staff.

Access to the land between the back of the school gates and the start of the school fields is always accessible by pedestrians.

Access to the Subway and Summer Street can be achieved by all users when following the clearly signed alternative route around the front of the school.

Consultation on installing the gates has been done with colleagues from the local authority and staff, parents and students of our school.

The work was authorised by our Headteacher and Chair of Govenors.

The costs was £4,500

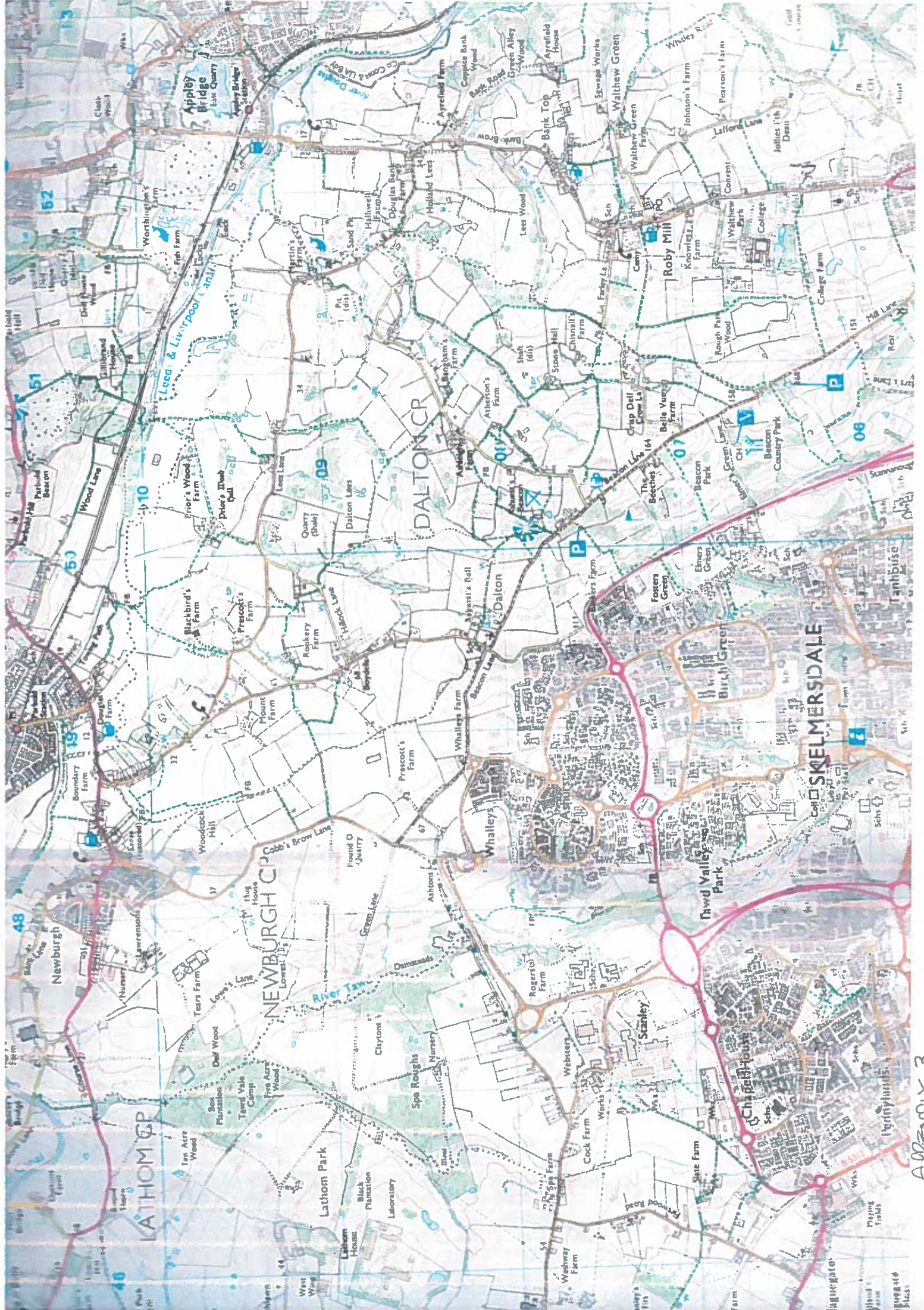
Alternatives were considered.

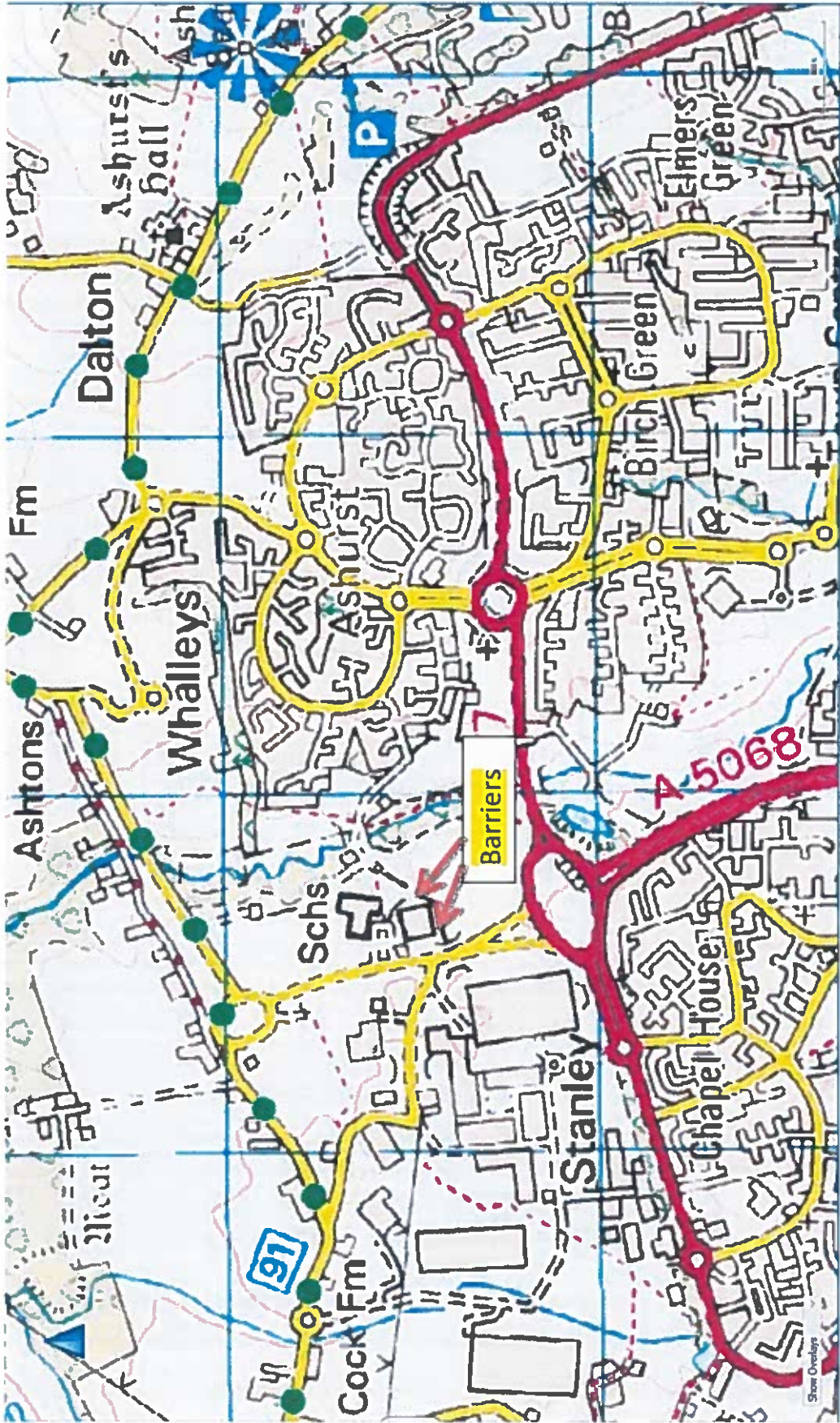
We have received one other enquiry from a local rambling group.

I would like to offer to you again, the opportunity to come into school and discuss this matter further.

Regards

Jan Marshall





APPENDIX 4





0002010x 11



2017.05.17 12



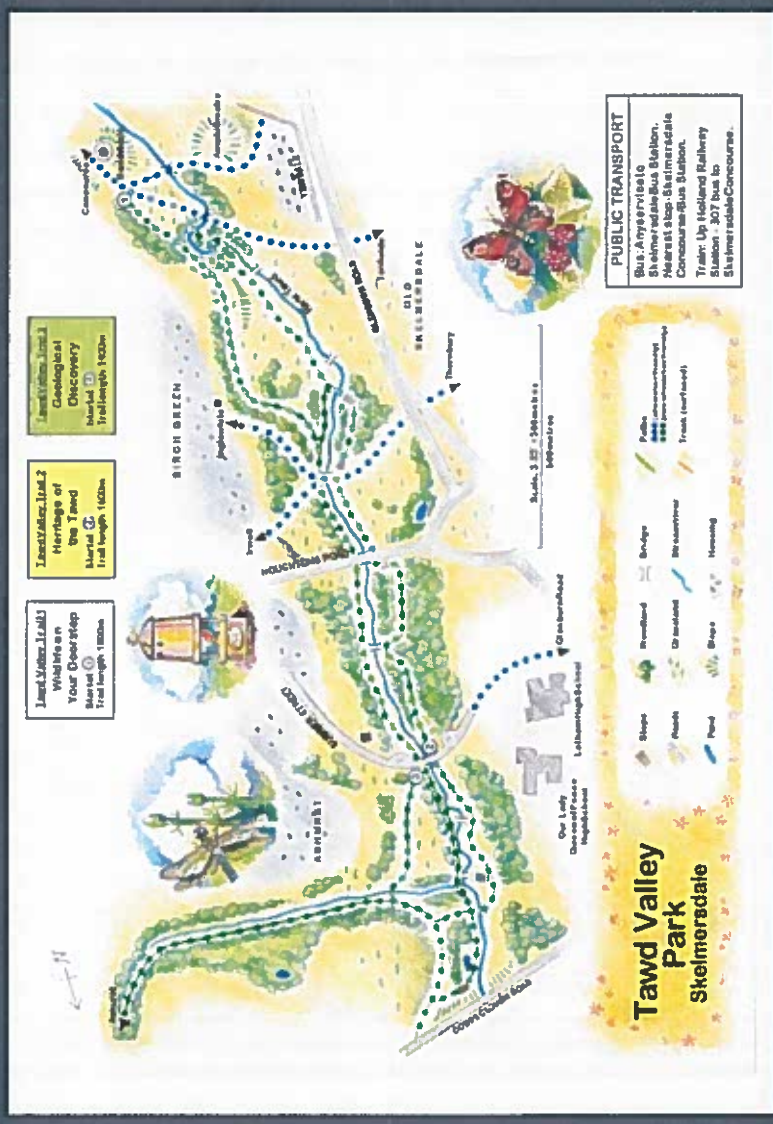
Appendix 13



Alternative footpath
around the front of
school, follow arrow

PRIVATE
School Grounds

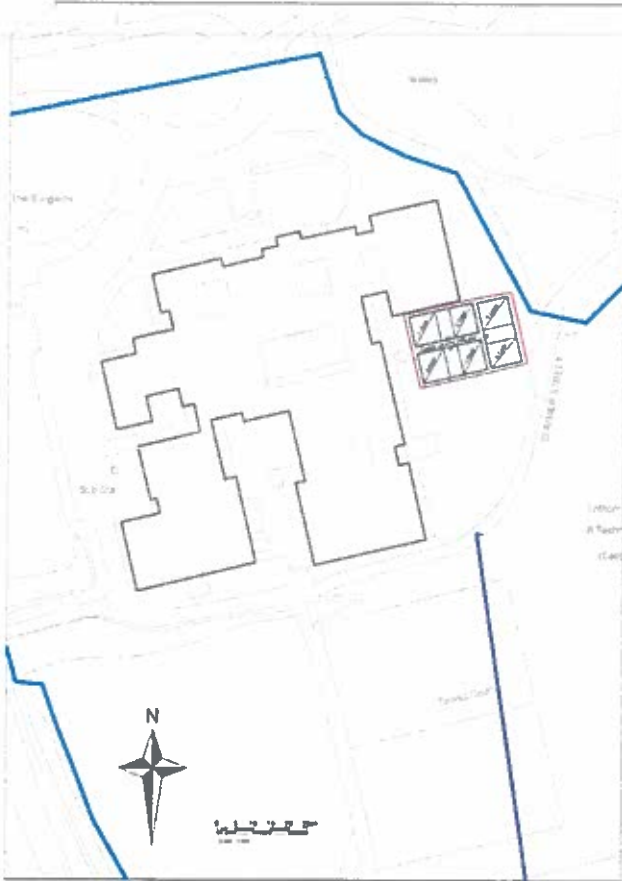
Appendix 4



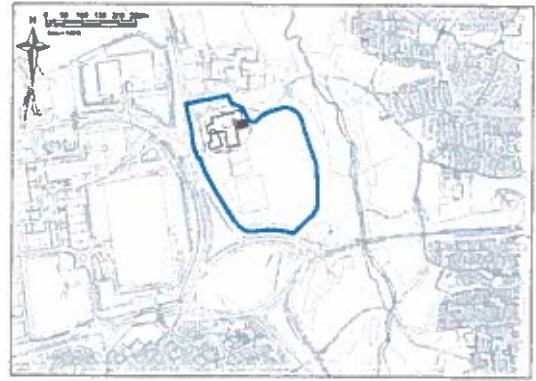
Proposed Location for Temporary Classroom Provision

Health & Safety Considerations

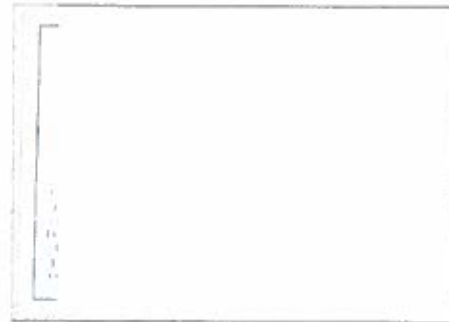
TOTAL AREA
GROSS EXTERNAL AREA (GEA) = 11,111 sqm
GROSS INTERNAL AREA (GIA) = 8,135 sqm



Lathom High School Site Plan
1:500 when full drawing printed at A1



Lathom High School Site Plan
1:5000 when full drawing printed at A1



Temporary Class Room Detail
Proposed potential appearance of Temporary Classroom Units
Not to Scale when full drawing printed at A1

<p>DATE 24/6/2015</p> <p>BY [Signature]</p> <p>FOR [Signature]</p> <p>PROJECT LATHAM HIGH SCHOOL A TECHNOLOGY COLLEGE GLENLITHAM ROAD, WINDYBUSH L20 9JG</p> <p>DATE 24/6/2015</p> <p>PROJECT SUMMER 2015 TEMPORARY CLASSROOM PROVISION</p> <p>DESCRIPTION TEMPORARY CLASS PROVISION DETAIL</p> <p>SCALE 1:500</p> <p>DATE JUN 2015</p> <p>Lancashire County Council</p> <p>Project No. 24/6/2015</p> <p>Sheet No. 01 of 01</p> <p>Scale 1:500</p> <p>Author [Signature]</p> <p>Check [Signature]</p> <p>Drawn [Signature]</p> <p>Project No. 24/6/2015</p> <p>Sheet No. 01 of 01</p> <p>Scale 1:500</p> <p>Author [Signature]</p> <p>Check [Signature]</p> <p>Drawn [Signature]</p>	
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24/6/2015 SUMMER 2015 CLEARLY IDENTIFIED ON PLANNING APPLICATION

JOHN WHITHAM DECLARED UNDER SECTION 6 OF APPLICATION

'IS A NEW OR ALTERED PEDESTRIAN ACCESS PROPOSED TO OR FROM THE PUBLIC HIGHWAY' NO.

Application for Planning Permission.
 Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
 If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title: First name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Country Code: National Number: Extension Number:

Telephone number:

Mobile number:

Fax number:

Email address:

Are you an agent acting on behalf of the applicant? Yes No

2. Agent Name, Address and Contact Details

Title: First Name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Country Code: National Number: Extension Number:

Telephone number:

Mobile number:

Fax number:

Email address:

3. Description of the Proposal

Please describe the proposed development including any change of use:

Has the building, work or change of use already started? Yes No

4. Site Address Details

Full postal address of the site (including full postcode where available)

Description:

House:	<input type="text"/>	Suffix:	<input type="text"/>
House name:	Lathom High School		
Street address:	Glenburn Road		
Town/City:	Skelmersdale		
County:	Lancashire		
Postcode:	WN8 6JN		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	347646
Northing:	407469

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes No

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

Yes No

Is a new or altered pedestrian access proposed to or from the public highway?

Yes No

Are there any new public roads to be provided within the site?

Yes No

Are there any new public rights of way to be provided within or adjacent to the site?

Yes No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

Yes No

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

Yes No

Have arrangements been made for the separate storage and collection of recyclable waste?

Yes No

8. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

Yes No

If Yes, please provide details of the name, relationship and role:

(a) a member of staff - building Surveyor withing Design and Construction

9. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Walls - description:

Description of existing materials and finishes:

The Existing school building in the vicinity are that of preformed concrete panels which are off white / light grey in colour and window units which are white with blue panels.

Description of proposed materials and finishes:

It is proposed to use porta-cabin type construction which will be steel or similar metallic alloy construction with a painted or powder coat finish off white in colour to complement the existing buildings around. With potentially metallic window frames again white in colour finish.

Roof - description:

Description of existing materials and finishes:

-
Description of proposed materials and finishes:
Composite Profile Metallic roofing panel with a dark grey finish

9. (Materials continued)

Windows - description:

Description of existing materials and finishes:

The Existing school has aluminium and white PVC window units which are white with blue panels.

Description of proposed materials and finishes:

It is proposed to use potentially metallic window frames again white in colour finish.

Doors - description:

Description of existing materials and finishes:

Description of proposed materials and finishes:

It is proposed to locate a door to the units similar to that shown on the attached drawing

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? Yes No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

10. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	0	0
Light goods vehicles/public carrier vehicles	0	0	0
Motorcycles	0	0	0
Disability spaces	0	0	0
Cycle spaces	0	0	0
Other (e.g. Bus)	0	0	0
Short description of Other			

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer Package treatment plant Unknown
Septic tank Cess pit

Other

Are you proposing to connect to the existing drainage system? Yes No Unknown

12. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.) Yes No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? Yes No

Will the proposal increase the flood risk elsewhere? Yes No

How will surface water be disposed of?

Sustainable drainage system Main sewer Pond/lake
 Soakaway Existing watercourse

13. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species

Yes, on the development site Yes, on land adjacent to or near the proposed development No

b) Designated sites, important habitats or other biodiversity features

Yes, on the development site Yes, on land adjacent to or near the proposed development No

c) Features of geological conservation importance

Yes, on the development site Yes, on land adjacent to or near the proposed development No

14. Existing Use

Please describe the current use of the site:

Disused tarmac area at the rear of the school as indicated on the attached drawing.

Is the site currently vacant? Yes No

If Yes, please describe the last use of the site:

Part of the area is of an old tarmac finish which is unused however another section of this area looks as though it was last used as a hard standing area for temporary classroom units.

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated? Yes No

Land where contamination is suspected for all or part of the site? Yes No

A proposed use that would be particularly vulnerable to the presence of contamination? Yes No

15. Trees and Hedges

Are there trees or hedges on the proposed development site? Yes No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? Yes No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

16. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? Yes No

17. Residential Units

Does your proposal include the gain or loss of residential units? Yes No

18. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace? Yes No

19. Employment

If known, please complete the following information regarding employees:

	Full-time	Part-time	Equivalent number of full-time
Existing employees	0	0	0
Proposed employees	0	0	0

20. Hours of Opening

If known, please state the hours of opening (e.g. 15:30) for each non-residential use proposed:

Use	Monday to Friday		Saturday		Sunday and Bank Holidays		Not Known
	Start Time	End Time	Start Time	End Time	Start Time	End Time	

21. Site Area

What is the site area?

300

sq metres

22. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

Education of High School aged Children

Is the proposal for a waste management development?

Yes No

23. Hazardous Substances

Is any hazardous waste involved in the proposal?

Yes No

24. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

The agent The applicant Other person

If Other has been selected, please provide:

Contact name:

Title: First name: Surname:

Telephone number:

Country code: National number: Extension number:

Email Address:

25. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding ("agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act).

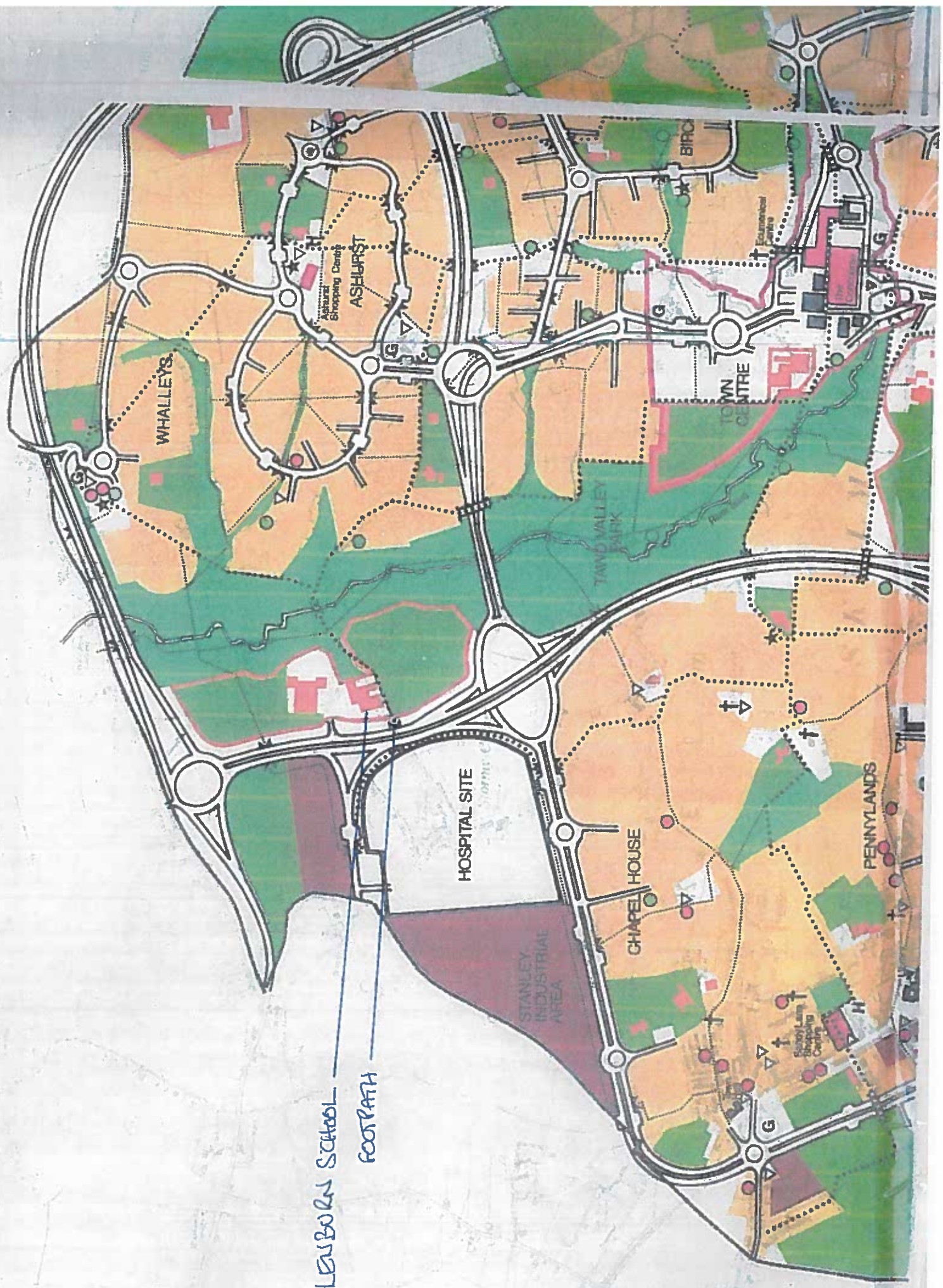
Title: First name: Surname:

Person role: Declaration date: Declaration made

26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date



GLENBORN SCHOOL
FOOTPATH

Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here STEPHEN MARTIN

Your: Home Telephone Number 01695 720636

Mobile Telephone Number 07741410042

Email Address steve2madr@lineone.net

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: 

Date: 6/8/17.

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name STEPHEN MARTIN

Address 15 MAPLEWOOD

ASHURST

SKELMERDALE

Postcode WN8 6RJ

Year of Birth 21-12-60

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

25 LEDBURN ASHURST SKELMERDALE WN8 6TU

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

START SD 476074 REAR OF LATHAM HIGH SCHOOL BETWEEN
 THE SCHOOL AND TENNIS COURTS FINISH SD 477074 PART OF
 SUMMERST FROM MARLAND TO GLENSBURN ROAD

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1983 To PRESENT

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

No.

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						
By pedal cycle			✓			
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

PLEASURE WORK DOCTORS
 DOG WALKING STOPS
 CYCLING VETS

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
 - (b) on horseback
 - (c) on bicycle/horse-drawn vehicle
 - (d) with motorised vehicle
 - (e) other, please specify
-

✓
✓
✓
✓

6. Were they using exactly the same route as you?

YES

NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- Yes
- Don't know
- No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

3-4 m wide
.....
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

TARMAc
.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

..... NO

How long were they in place?

.....
.....
.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

..... NO

c. Other barriers [state what they were and location, how long they were in place and show on your map]

..... NOT BEFORE DEC 2016

10. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

.....
.....
.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", "No Right of Way", "Trespassers will be Prosecuted")

- No
- Yes
- Don't know

If yes – state when and give details, including when they were present and mark their location on your map

..... NOT BEFORE INSTALLATION OF BARRIERS

.....

.....

12. Have you seen other people using the application route whilst you have been using it?

- No
- Yes

If yes, please provide any additional information about this

..... PEOPLE USE THIS PATH DAILY AND STILL DO BY

..... SQUEEZING THROUGH BARRIERS AND OR LIFTING CYCLES OVER

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

- No
- Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No

Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No

Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

No

Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

No

Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

- No
- Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

- No
- Yes

If yes – please provide details

OLD MARIO MAP SHOWS PATH BEFORE & AFTER SCHOOL WAS BUILT.
MARIO MAP SHOWS SUMMER ST WHEN GLENBURN COLLEGE WAS IN EXISTANCE
WLBC MAP SHOWS SUMMER ST FROM GLENBURN RD AS A DISABLED ACCESS
ROUTE TO THE ~~TAKED~~ TAWD CLUSE

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

SEE SEPARATE SHEET IN CONJUNCTION WITH OTHER RELATED

MATERIAL DETAILED IN MY APPLICATION FOR A MODIFICATION ORDER

.....

.....

.....

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

Yes

No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

Yes

No

Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

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This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

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- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here SUSAN HUDSON

Your: Home Telephone Number 0695 326728

Mobile Telephone Number X

Email Address MRS - SUSAN HUDSON @ icloud.com

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: S Hudson

Date: 22 July 2017

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name SUSAN HUDSON

Address 2 HAWKER DRIVE
SCUMMERDALE

Postcode WN8 6BW

Year of Birth 1965

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

.....

.....

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?
- As a footpath (public rights on foot only)
 - As a bridleway (public rights on foot and on horseback or bicycle)
 - As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
 - As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

SD 476074
SD 477074

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

Path runs through ~~water~~ in back
 of school field
 SD476074 SD477974

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1995 To 2016
 6

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

2016 -> current.
 There is a new barrier of
 no entry signs

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot			✓			
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

..... LEISURE WALKING TO FAMILY & FRIENDS

.....

.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
 - (b) on horseback
 - (c) on bicycle/horse-drawn vehicle
 - (d) with motorised vehicle
 - (e) other, please specify
-

✓

6. Were they using exactly the same route as you? YES NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- Yes
- Don't know
- No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... 3 mtrs approx
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

..... tarmac
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

..... No

How long were they in place?

.....
.....
.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

..... Barriers at end of Dec 2016

..... Nothing before Dec 2016

c. Other barriers [state what they were and location, how long they were in place and show on your map]

..... Nil

10. Did any of the above prevent you from using the application route?

No

Yes → Dec 2016 & not before.

If yes, please give details



.....
.....
.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", "No Right of Way", "Trespassers will be Prosecuted")

No

Yes

Don't know

If yes – state when and give details, including when they were present and mark their location on your map

→ From Dec 2016 only

12. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

Normal pedestrian traffic. This is near school so volume changes as school starts/ends.

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No

Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No

Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No

Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

No

Yes

If yes, please give details including when this happened

..... NOW HAS BARRIER

17. Has anyone else ever told you that they were prevented from using the application route?

No

Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

No

Yes

If yes – please provide details

.....
w/c document thus as right of
.....
way
.....
.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....

.....

.....

.....

.....

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

Yes

No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

Yes

No

Public Right of Way User Evidence Statement

Revised April 2016

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- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name MYRA FOWLER

Address 3 PINE CLOSE
..... SKELMERSDALE

..... Postcode WN 8 8PN

Year of Birth 1949

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required] YES

1949 SANDY LANE SKELMERSDALE

1985 LANCASTER CRESCENT SKELMERSDALE

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

476074 - 477074

.....

.....

.....

.....

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1949 To 2005

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

..... 1970'S BUILDING THE TWO SCHOOLS

.....

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓		✗		
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

FROM 1949 TO 1960'S WEEKLY VISITING
 FAMILY LIVING ON SUMMER STREET
 LATER PLEASURE WALKING.....

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

✓
✓
✓

.....

6. Were they using exactly the same route as you? YES NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

..... ABOUT 10 FEET - NOW A BIT LESS

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map] *NO*

.....
.....
.....

How long were they in place?

.....
.....
.....

b. Gates [state locations, indicate whether locked – and when - and show on your map] *NO*

.....
.....
.....

c. Other barriers [state what they were and location, how long they were in place and show on your map] *NO*

.....
.....
.....

10. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

.....
.....
.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

- No
- Yes
- Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....

.....

.....

12. Have you seen other people using the application route whilst you have been using it?

- No
- Yes

If yes, please provide any additional information about this

.....

.....

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

- No
- Yes

If yes, provide details and dates

.....

.....

.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No

Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No

Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

No

Yes

If yes, please give details including when this happened

DURING THE CONSTRUCTION OF
THE SCHOOLS
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

No

Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

No

Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

No

Yes

If yes – please provide details

.....
.....
.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....

.....

.....

.....

.....

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

Yes

No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

Yes

No

Public Right of Way User Evidence Statement

Revised April 2016

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You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

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- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
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This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here GRAHAM MCKAY

Your: Home Telephone Number 01695 721709

Mobile Telephone Number 07446 037010

Email Address charlman@btopenworld.com

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: G. McKay

Date: 14/8/17

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name GRAHAM MCKAY

Address 139 MANFIELD

ASHurst

SICELMERSDALE

LANCS Postcode WN8 6SU

Year of Birth 1967

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

NO

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

- As a footpath (public rights on foot only)
- As a bridleway (public rights on foot and on horseback or bicycle)
- As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)
- As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

This is a 3m wide tarmac path which starts
 as you enter the school & finishes 50 yds before
 the subway.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1996 To 2017

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

NO

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot		✓				
On horseback						NEVER
By pedal cycle		✓				
By car						NEVER
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

Walking, cycling with my family

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

6. Were they using exactly the same route as you? YES NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

- Yes
- Don't know
- No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

3 metres wide

.....
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

TARMAC

.....
.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

..... NO
.....
.....

How long were they in place?

..... N/A
.....
.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

..... NO
.....
.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

..... N/A
.....
.....

10. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

.....
.....
.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", No Right of Way "Trespassers will be Prosecuted")

No

Yes

Don't know

If yes – state when and give details, including when they were present and mark their location on your map

.....
.....
.....

12. Have you seen other people using the application route whilst you have been using it?

No

Yes

If yes, please provide any additional information about this

..... lots of walkers, cyclists for family days out
..... people on horses

.....

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

No

Yes

If yes, provide details and dates

.....
.....
.....

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No

Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No

Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

No

Yes

If yes, please give details including when this happened

.....
.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

No

Yes

If yes, please give details including when this happened

.....
.....
.....

18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

- No
 Yes

If yes, please give full details, including who gave the permission, why and when

.....
.....
.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

- No
 Yes

If yes – please provide details

.....
.....
.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....

lots of families use this public route to walk & cycle
to old stelmers Dale and to enjoy the sunshine.
I see no reason why this should not be a public
route

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

Yes

No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

Yes

No

Public Right of Way User Evidence Statement

Revised April 2016

This statement should be completed and returned to the person making the application so that it can be submitted with or form part of an application seeking a change to the Definitive Map and Statement of Public Rights of Way.

This statement is intended to provide preliminary evidence about the application. When the Order-Making Authority (OMA) commences detailed research, an officer from that authority may contact you to seek further information or ask you to be interviewed about your evidence.

This statement is designed to help establish whether or not the route being claimed in the application is a public right of way. It also provides evidence of how it is used (for example on foot, on horseback, by vehicles etc).

You should answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the application route. The information given may be examined at a public inquiry.

This statement should be completed by one person only and should relate to only one route. If you need more space please continue on a separate sheet which will need to be attached to this statement.

If completing the statement by hand, please ensure it is written legibly and in black ink.

Confidentiality – Please Read Carefully

The information you give in this statement cannot be treated as confidential.

- It may be necessary for the OMA to disclose information received from you to others, which may include other local authorities, the Planning Inspectorate and other government departments, public bodies, other organisations, landowners and members of the public. If the application proceeds to a public inquiry your evidence will be made available to the inquiry.
- If the OMA proceeds with the application but it is contested (for example by a landowner), there may be a public inquiry. This will be held locally and if you are unable to attend your evidence will be given in writing, but user evidence is of much greater value if you attend in person and are prepared to answer questions about it. Inquiries are kept as informal as possible and the OMA will help you with the procedure.
- The information you give in this statement will be processed in accordance with the Data Protection Act 1998. It is held by the OMA's Rights of Way Service for the sole purpose of processing the application for the route referred to.

DECLARATION

Data Protection Act 1998

Under the Data Protection Act the OMA has a duty to inform you about how your personal data will be handled. In order to decide if a public right of way exists it may be necessary to disclose information received from you. The information provided on this statement cannot be treated as confidential (other than your personal contact details and signature contained on this page). You should only provide us with the information requested if you are happy for it to be placed in the public domain. Do not include information about another person.

This statement and the details contained therein will be considered by the OMA to establish whether a public right of way exists and, in signing it, you are acknowledging that it may be made publically available and published on the OMA's website.

Please print your name here PETER MEADOWS

Your: Home Telephone Number 01695 733968

Mobile Telephone Number 07503073214

Email Address Meadowspe@aol.co.uk

Statement of Truth

I BELIEVE THAT THE FACTS AND MATTERS CONTAINED IN THIS STATEMENT ARE TRUE AND I HAVE READ THE DECLARATION ABOVE

Your Signature: 

Date: 7-08-2017

You should keep a copy of the completed statement

Warning: If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Information on this page of the Statement will be redacted and not made publically available

PUBLIC RIGHT OF WAY USER EVIDENCE STATEMENT

ABOUT YOU

Name PETER MEADOWS

Address 86 MARLAND

SKELMASDALE

LANCASHIRE

Postcode WN8 6ST

Year of Birth 17-03-1954

Have you lived at any other addresses during the time you have used the path or way?
If so, please provide details and years [full addresses are not required]

84 WILLOW HEY

NEW CHURCH FARM SKELMASDALE

ABOUT THE APPLICATION ROUTE

1. How do you think the application route should be recorded?

As a footpath (public rights on foot only)

As a bridleway (public rights on foot and on horseback or bicycle)

As a restricted byway (public rights on foot, on horseback or any non-motorised vehicle)

As a byway open to all traffic (public rights for all classes of use, including motor vehicles)

2. Describe the application route.

(Include start and finish points and provide OS grid references if you can. Also include details of the route itself and the points it runs between. This should be as precise as possible.

- e.g. "passing about 2 yards to the left of the large oak tree" rather than "past the tree".

- e.g. "through the metal field gate when it was open but sometimes it was closed and tied with twine so I climbed over the stile (about 4ft high with single cross-step) on the left hand side".
- e.g. "along the right hand side of the field about 1 metre from the hedge except about 100m in there was a metal water trough in the hedge and it was muddy so I walked further into the field to skirt round it; perhaps 10m from the hedge for about 25m along.)

..... BARRIERS AT THE REAR OF CATHAM HIGH SCHOOL

..... WHERE THE SPORTS HALL, CONTAINERS AND TENNIS COURTS ARE

SD- 476 074 - 077 074.

MAP OF THE APPLICATION ROUTE

Please attach an extract from a map of your own choice to identify the route you are providing evidence about, and annotate it with anything you provide details about in this statement. Please mark clearly on it the precise line of the route from start to finish, and mark and label any features – e.g. notices / signs, stiles, gates, fences / hedges, bridges etc. or any other information you think is relevant. Please also sign and date your map.

YOUR USE OF THE APPLICATION ROUTE

1. In which years did you use the application route?

From 1970 To PRESENT

2. Were there any extended periods during which you did not use the route at all? If so, please state when and why?

..... NO

.....

.....

3. How did you use the application route and how often? [Please tick any that apply]

	Daily	Weekly	Monthly	Every few months	Once a year	Other (please describe)
On foot	✓					
On horseback						
By pedal cycle						
By car						
Other [please specify]						

4. For what purpose do/did you use the route? E.g. for pleasure, going to work etc.

PLEASURE WALKS

5. In what way/s have you noticed other people using the route? (Please tick)

- (a) on foot
- (b) on horseback
- (c) on bicycle/horse-drawn vehicle
- (d) with motorised vehicle
- (e) other, please specify

MOTOR CYCLES (OFF ROAD)

6. Were they using exactly the same route as you? YES NO

If not please give provide details below: (please attach a separate sheet is necessary)

.....
.....
.....
.....

6. Has the application route always followed the same course?

Yes

Don't know

No

If no – how and when was the route altered?

.....
.....
.....

7. Approximately how wide is the application route?

[Please give your estimate of the width across which you used the route including the width used when passing others or walking with others. Take care to consider the overall width of the route. If this varies, please describe how] [Or please state 'Don't know']

AROUND 3 YARDS WIDE AND 100 YARDS LONG.

.....
.....
.....

8. What type of surface does the application route have? (for example grass, gravel, earth)

[For varying surfaces, please describe with reference to your map]

PREVIOUSLY ALL TARMAC BUT THIS HAS BEEN DAMAGED

IN PARTS LEAVING SUBBASE IN VIEW

.....
.....

9. Have there ever been any of the following on the application route?

a. Stiles [state locations and show on your map]

NO
.....
.....
.....

How long were they in place?

.....
.....
.....

b. Gates [state locations, indicate whether locked – and when - and show on your map]

BARRIERS SINCE DEC 2016
.....
.....
.....

c. Other barriers [state what they were and location, how long they were in place and show on your map]

.....
.....
.....

10. Did any of the above prevent you from using the application route?

No

Yes

If yes, please give details

SINCE DEC 2016 WHEN THE BARRIERS WERE ERRECTED
IT IS NECESSARY TO SQUEEZE THROUGH THE BARRIERS OR TO A MUDDY
CREED OR GO AROUND THE FRONT OF THE SCHOOL
.....

11. Have you ever seen any signs or notices suggesting whether or not the application route is a public right of way? (for example "Private", "Keep Out", "No Right of Way", "Trespassers will be Prosecuted")

- No
- Yes
- Don't know

If yes – state when and give details, including when they were present and mark their location on your map

NO ENTRY + PRIVATE SIGNS ERRECTED AT TIME OF DANKLER 2016
NO SIGNS PREVIOUSLY

12. Have you seen other people using the application route whilst you have been using it?

- No
- Yes

If yes, please provide any additional information about this

PEDESTRIANS, HORSE RIDERS, CYCLISTS ON A DAILY BASIS

Land Ownership

13. Were you working for any owner or occupier of land crossed by the application route at the time when you used it, or were you then a tenant / licensee of any such owner?

- No
- Yes

If yes, provide details and dates

14. Did the owner or occupier ever give you permission (or did you seek permission) to use the application route?

No

Yes

If yes,

a. From whom?

.....

b. When?

.....

15. Has anyone ever told you the application route was not public (including by an owner, tenant of the land or by anyone in their employment)?

No

Yes

If yes, by whom and when?

.....
.....
.....

16. Have you ever been stopped or turned back when using the application route?

No

Yes

If yes, please give details including when this happened

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.....
.....

17. Has anyone else ever told you that they were prevented from using the application route?

No

Yes

If yes, please give details including when this happened

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18. Have you ever had a private right to use the application route? (for example, an easement, private right of access, licence, etc)

- No
- Yes

If yes, please give full details, including who gave the permission, why and when

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.....

Other Information

19. Do you have, or do you have knowledge of, any documentary evidence which is relevant to the application route or which indicates public use? (for example photographs, guidebooks, letters, sale documents, old maps, etc)

- No
- Yes

If yes – please provide details

.....
THERE ARE PLENTY OF MAPS ONLINE WHICH THE
PATHWAY WAS USED BY THE COLLEGE.
.....
.....

20. Please give any further information which you consider would be helpful in reaching a decision as to whether the application route should be recorded as a public right of way?

[Continue on a separate sheet if necessary]

[If you wish to provide a separate sketch map, please do so and attach to this statement]

.....
I CAN SEE NO REASON WHY THIS RIGHT OF WAY HAS BEEN BARRIRED
OFF

.....

.....

.....

.....

.....

21. During the investigation the OMA may want to interview some or all of the claimants in order to gather additional information. Would you be willing to talk to an officer from the OMA about your knowledge of the application route?

- Yes
- No

22. Would you be willing to attend a hearing, or public inquiry to give evidence if necessary?

- Yes
- No

100