

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

We: British Horse Society

Care Of: Unit 33893, PO Box 4336, Manchester, M61 0BW
horseroutes@gmail.com

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:

Upgrading to a bridleway the footpath known as Sod Hall Lane, New Longton (7-7-FP 51
& 7-1-FP50) and unadopted road known as Jane Lane, Leyland

FROM: Long Moss Lane, New Longton SD51112481

TO: Jane Lane, Leyland SD51412338

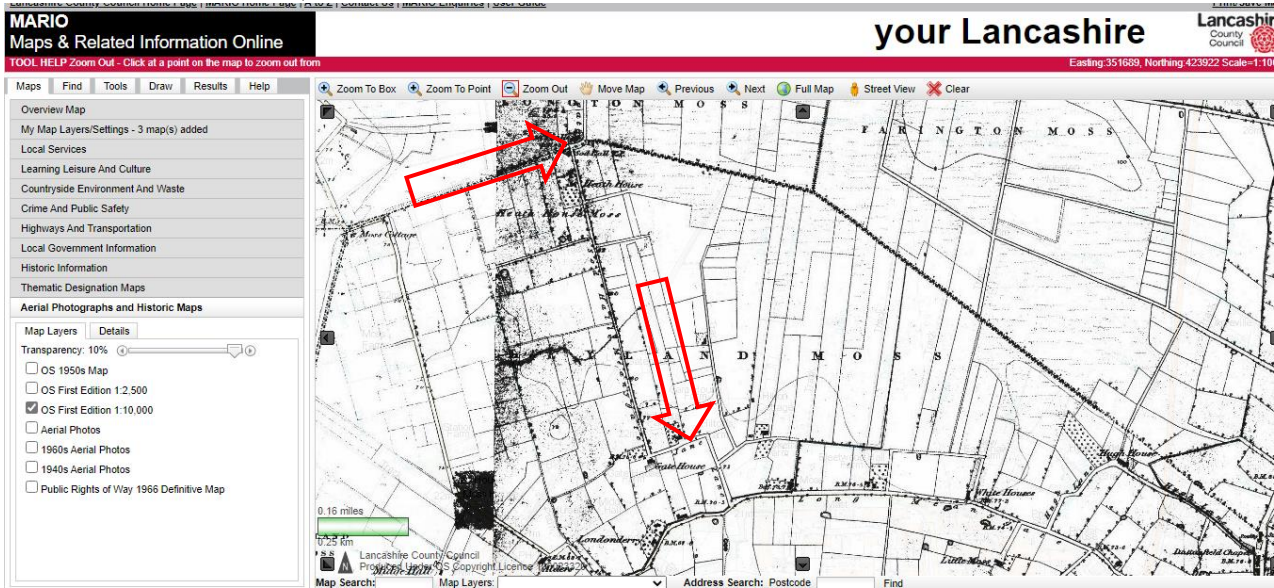
AND SHOWN ON THE MAP ACCOMPANYING THE APPLICATION

We attach copies of the following documentary evidence in support of this application:

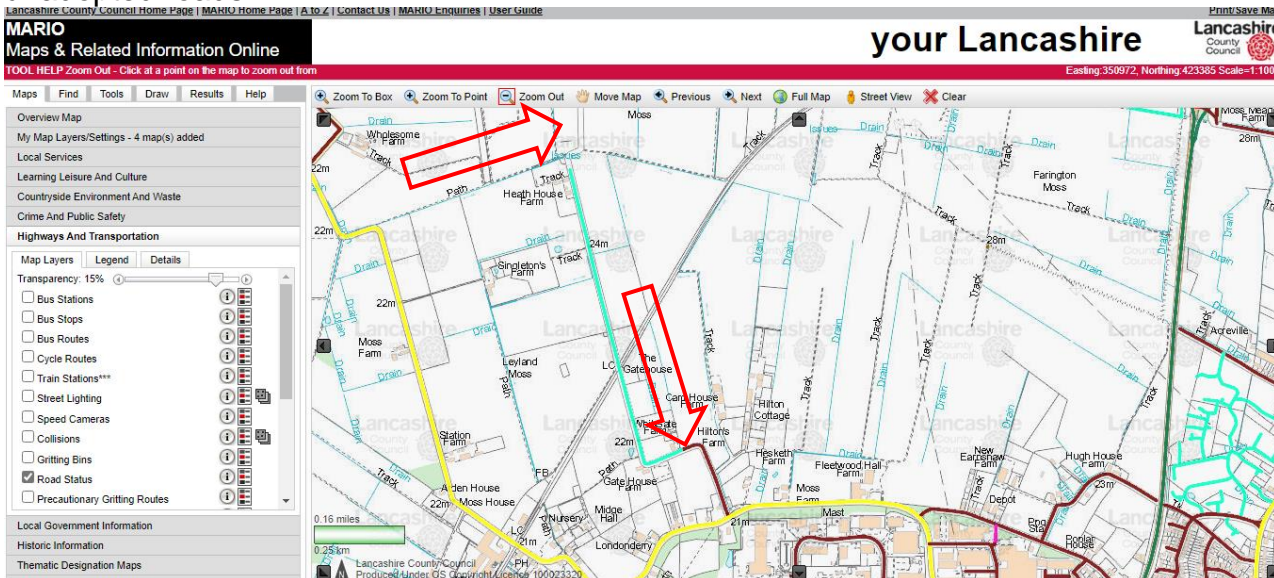
LIST OF DOCUMENTS PROVIDED:

Map	Scale	Date	Reason for Inclusion
OS	1:10,000	First Edition	Route shown in full
Highways			Route shown as an unadopted road
Hennets		1829	Route shown in full
OS	6 inch	1848	Route shown in full
OS	1 inch	1896	Route shown in full
Bartholomew	½ inch	1904	Route shown in full
OS	25 inch	1911	Route shown in full
OS	1:25,000	1947	Route shown in full
Finance		1910	Route shown in full over 2 maps
Tithe map		1838	Route shown in full over 2 maps
Tithe map transcript		1838	Route shown as a road with no taxes paid

OS First Edition 1:10,000 from LCC MARIO



OS Road Status from LCC MARIO showing that Sod Hall Lane and Jane Lane are unadopted roads

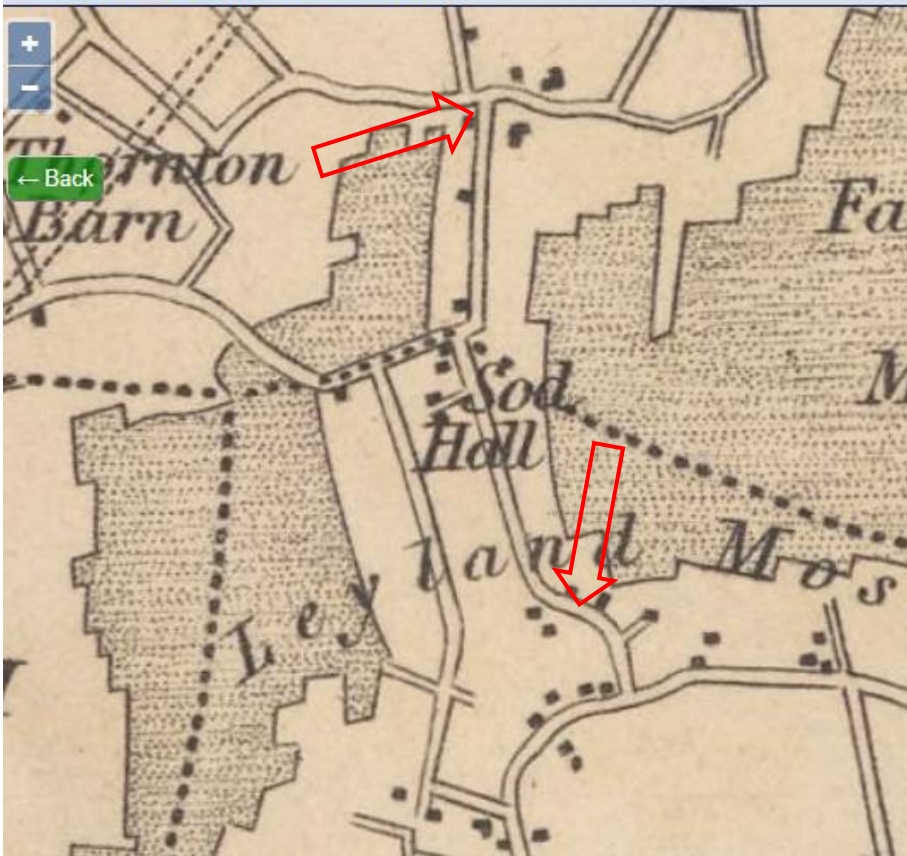


Hennets Map (D4) 1829



A map of the County Palatine of Lancaster ... from an [\[more info\]](#)

[Maps home](#) > [County maps, 1580s-1950s](#)

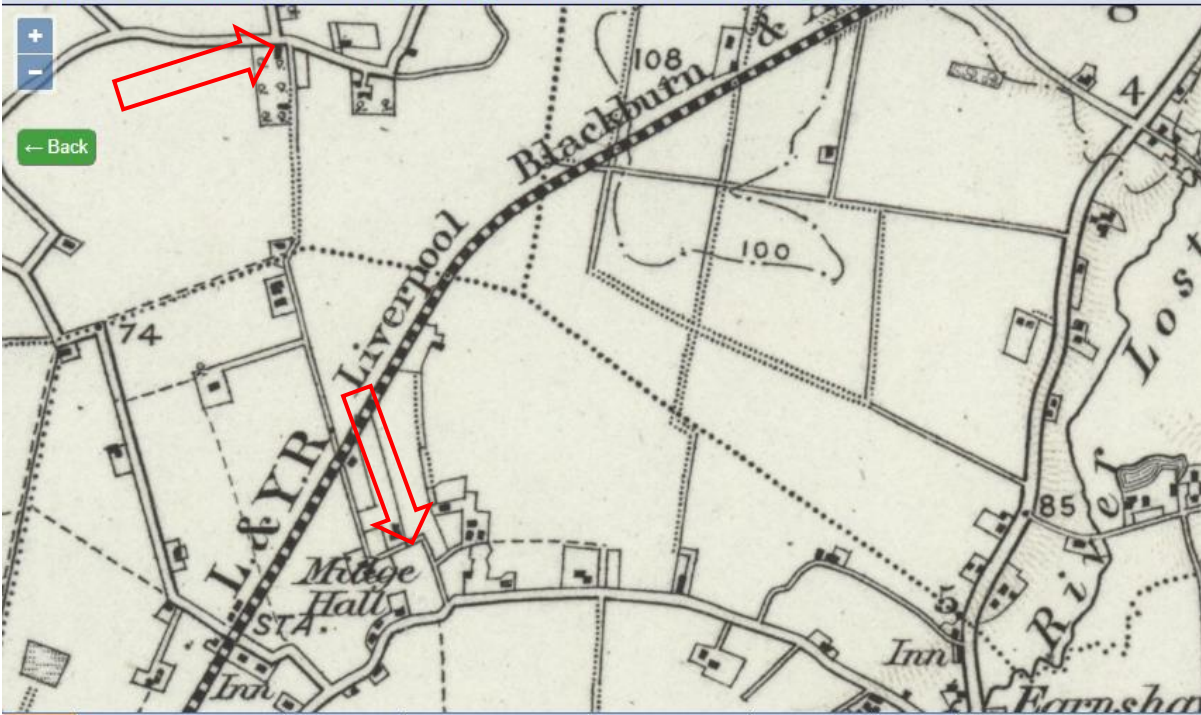


Lancashire LXIX (includes: Clayton Le Woods; Cuerdon; Farington; ...
Surveyed: 1844 to 1846, Published: 1848
Size: map 61 x 92 cm (ca. 24 x 36 inches), on sheet ca. 70 x 100 cm (28 x 40 inches)

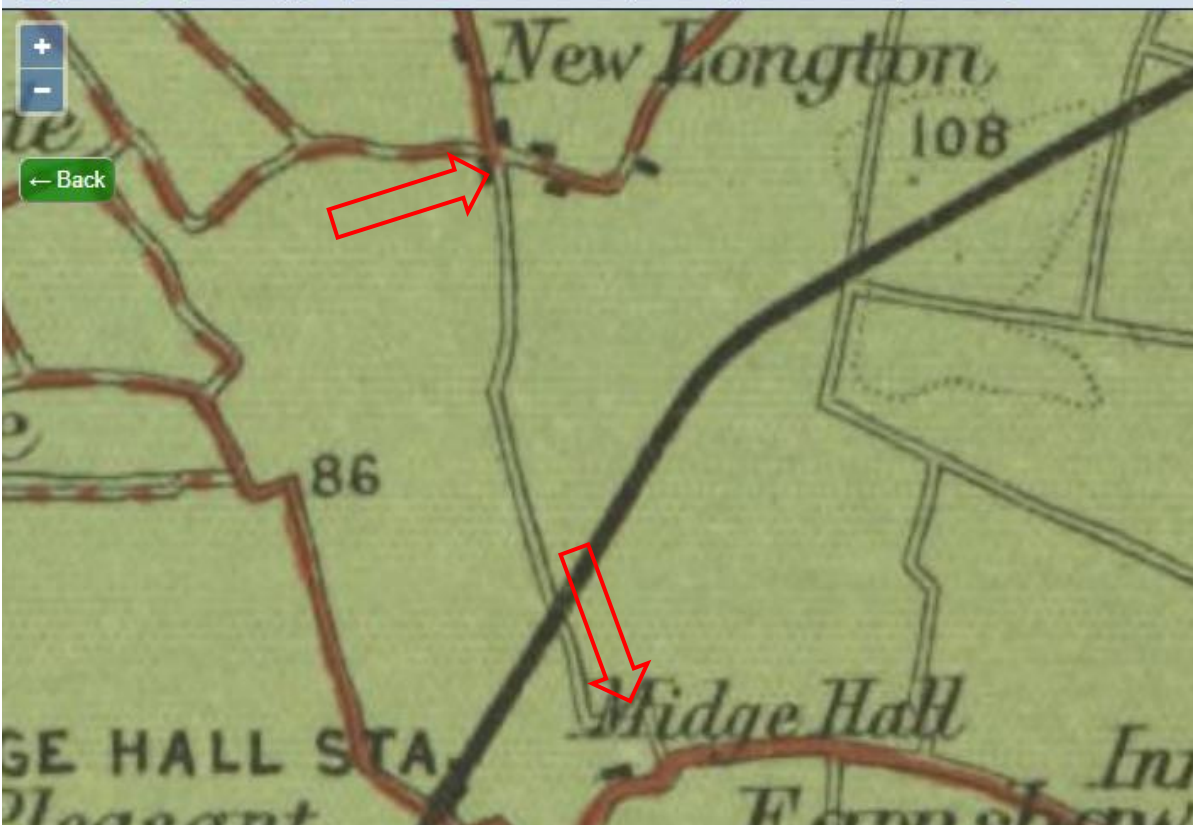
[Maps home](#) > [Ordnance Survey](#) > [OS Six-inch England and Wales, 1842-1952](#)



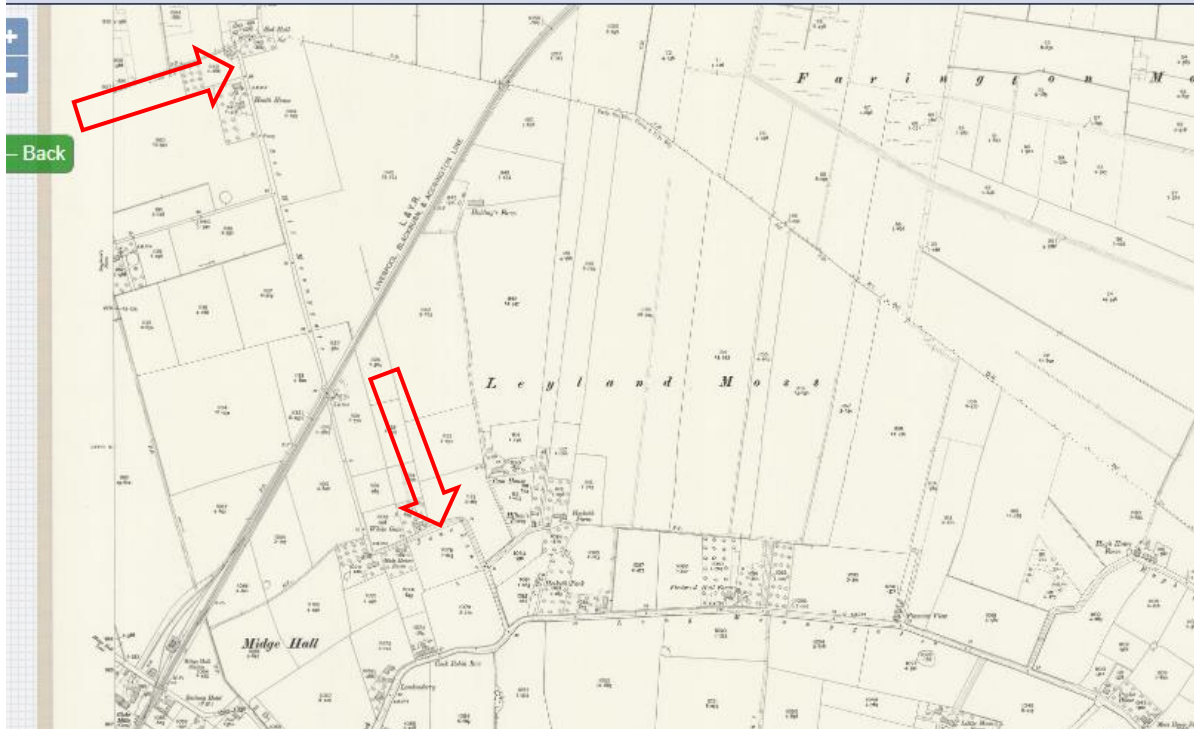
[Maps home](#) > [Ordnance Survey](#) > [One-Inch, England and Wales, Revised New Series, 1892-1908](#)



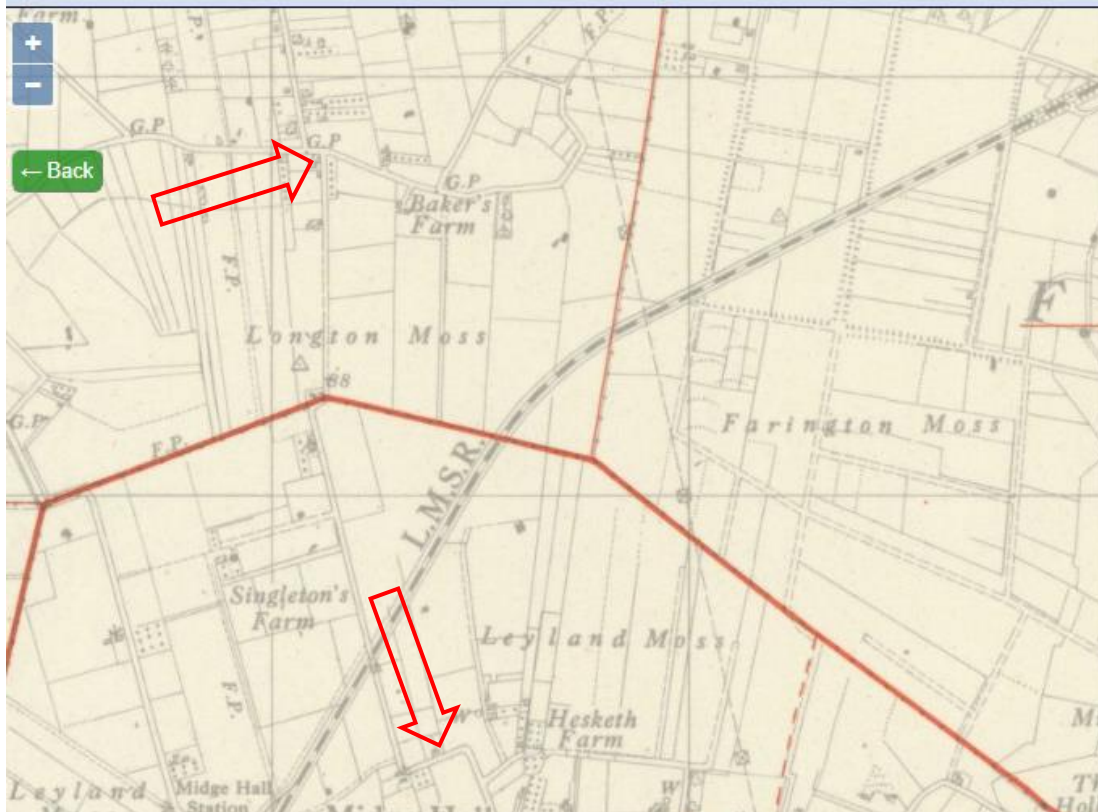
[Maps home](#) > [Series maps](#) > [Bartholomew "Half Inch Maps" of England and Wales, 1902-1906](#)



[Maps home](#) > [Ordnance Survey](#) > [OS 25 inch England and Wales, 1841-1952](#)

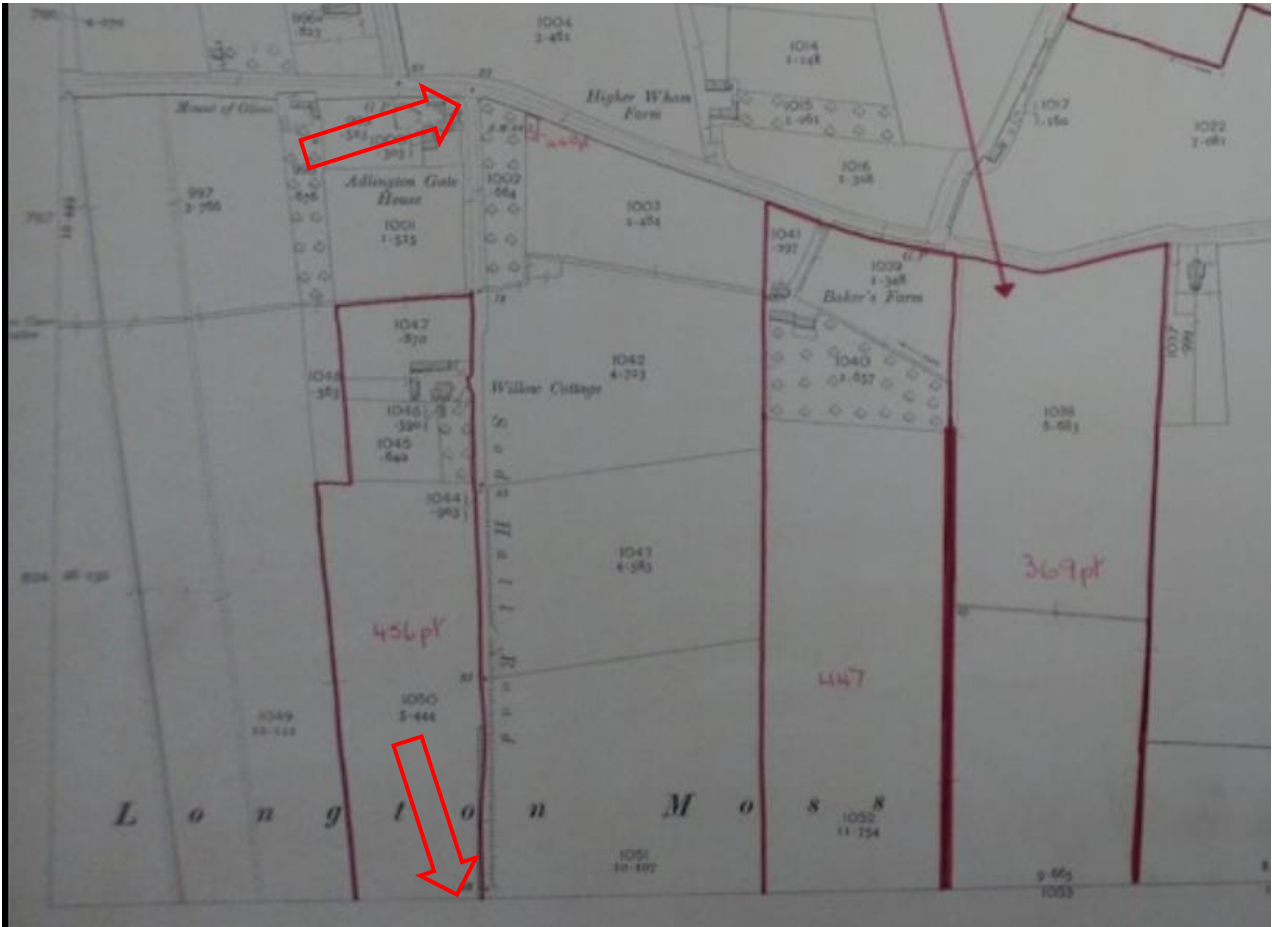


[Maps home](#) > [Ordnance Survey](#) > [1:25,000 Administrative Area Series of Great Britain, 1945-1968](#)



1910 Finance Records IR 133/5/86 & IR 133/5/90

IR 133/5/86 is incomplete but the land immediately to the west is valued as part of Hereditament 456 and given the treatment of the southern part of the route as shown on IR 133/5/90 it seems reasonable to conclude that the whole route was probably excluded from valuation

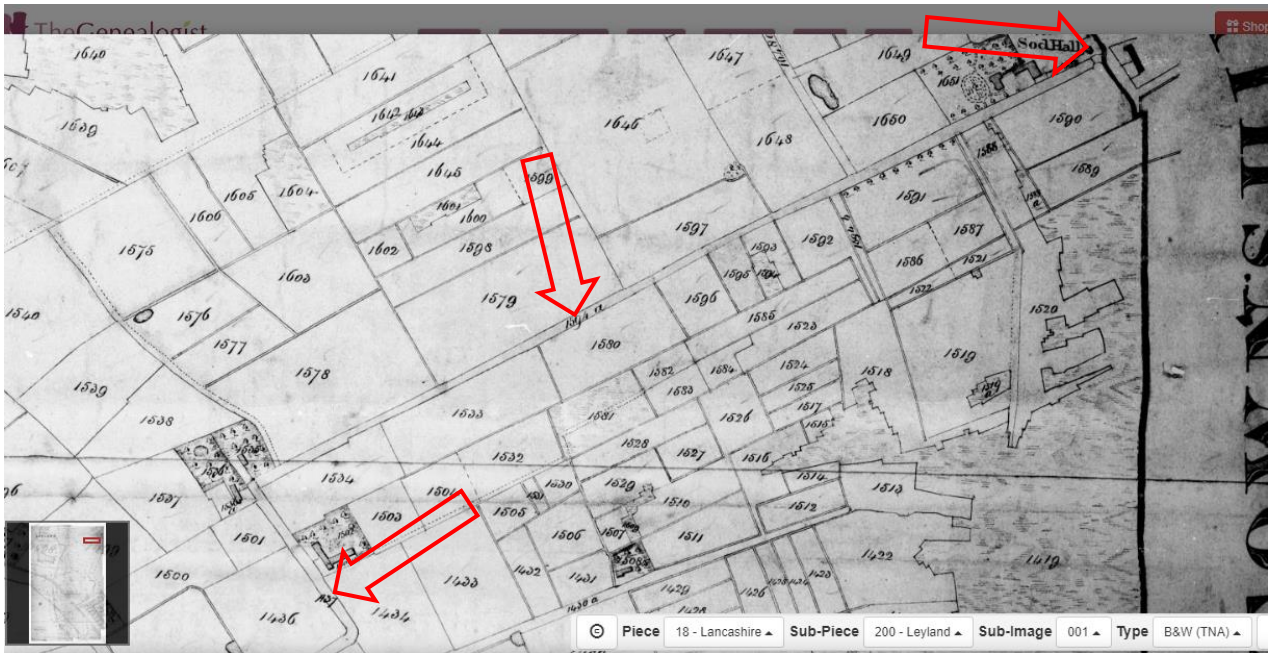




Tithe Map 1838



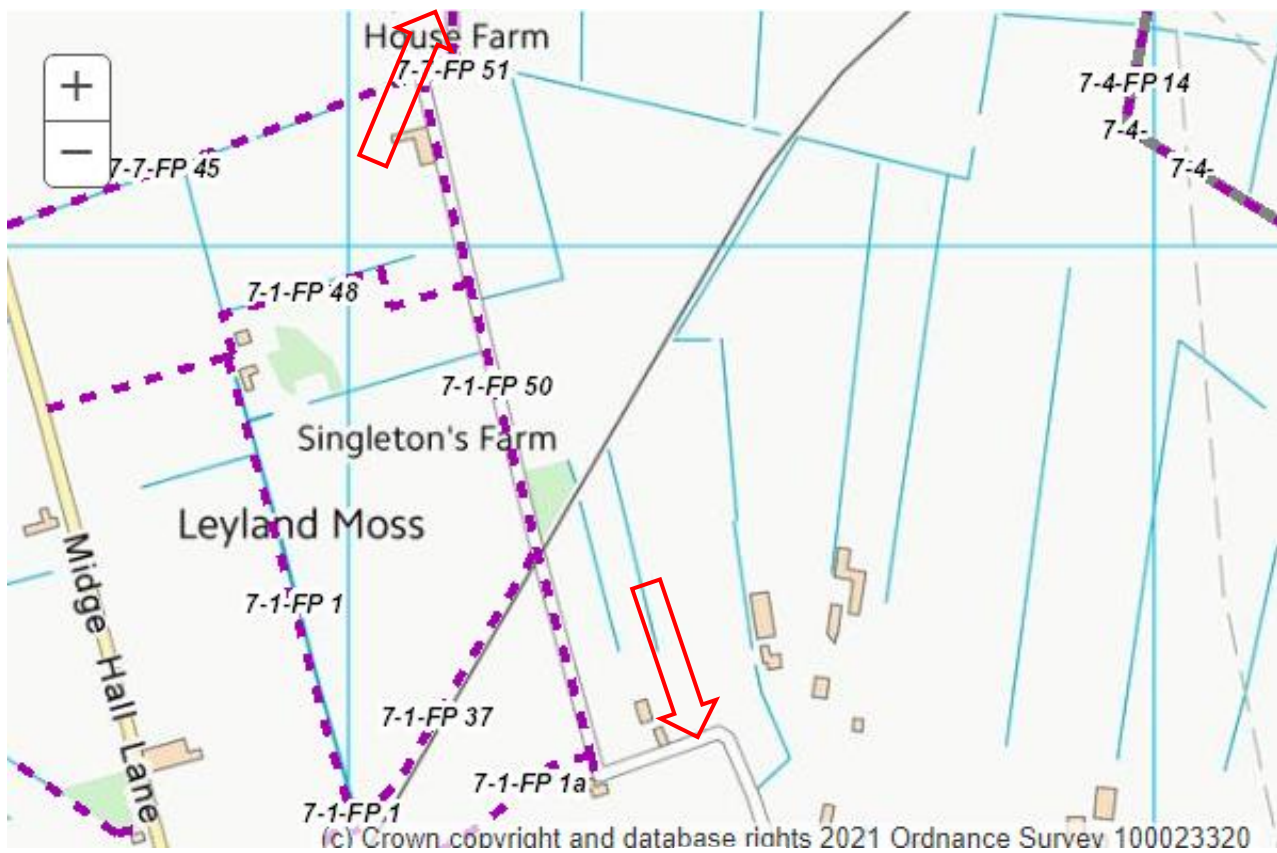
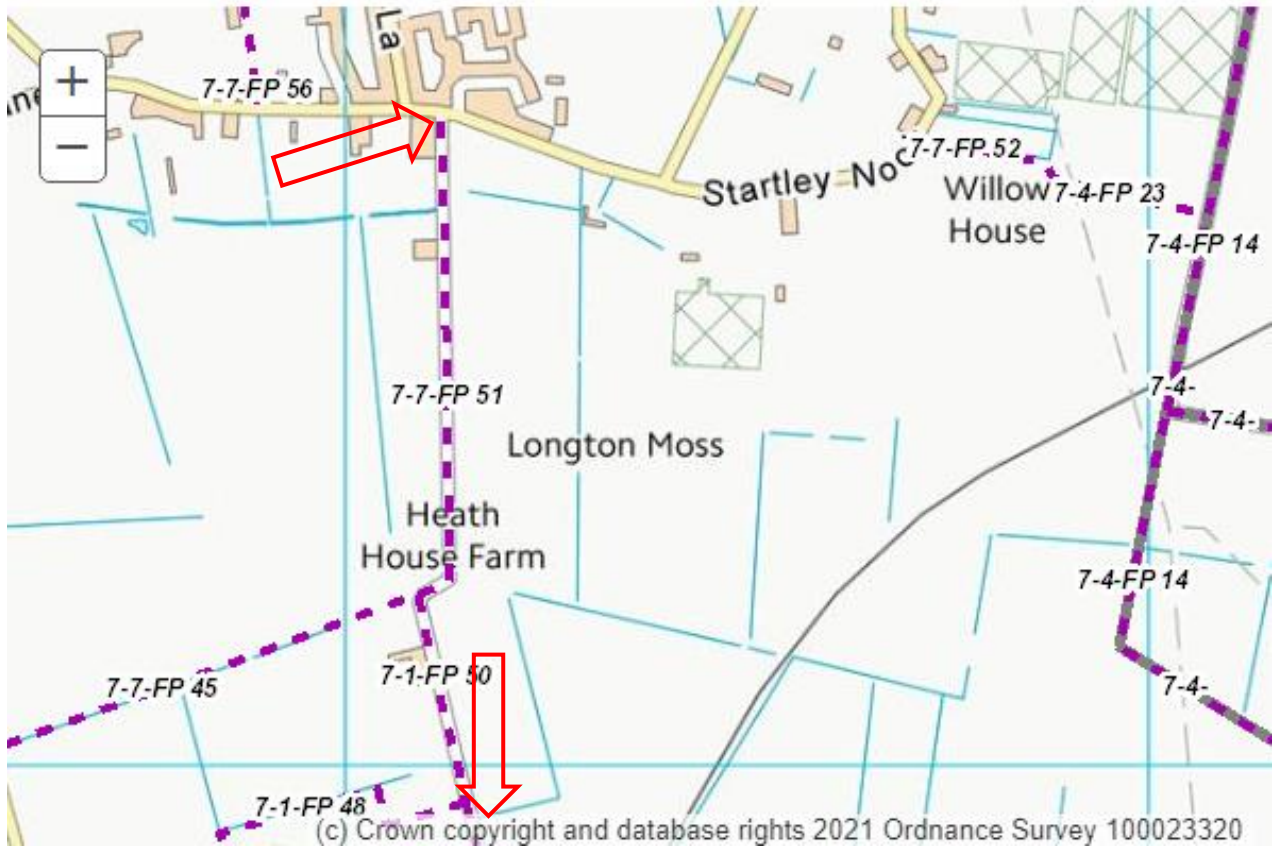
Plot 1594a

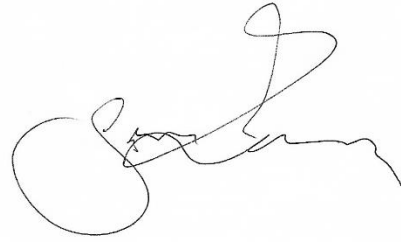


Transcript from plot 1594a

	1545 Under Broom	Messuages	1	1	17	2 1/2 A	2 6 A	
	1546 Mfg. piece	Drain	26	33	2	1 1/2 A	1 7 A	
John Bennett	1555 Cottage and Garden				1	17	1 A	5 A
	1558 House Cottage and Garden							
	1579 Mfg. piece	Drain	3	3	2 1/2	3 8 A	7 7 A	R. 531R5.
	1580 Mfg. piece	Drain	1	3	1 1/2	3 6 A	3 10 A	
	1591b Mfg. piece	Drain	3	11	1	5 A	1 11 A	
	1593 Underbroom	Drain	1	1	2 1/2	2 8 A	2 8 A	
	1580 Craft	Drain	1	33	2	6 1/2 A	2 8 A	R. 531R5.
	1581 Another Craft	Drain	2	10	1	1 A	1 A	
			9	1	13	1	1 A	15 7 A
John Middel	1592 Messy piece	Drain	3	25	1	7 A	1 7 A	
George Dobson	1595 Mfg. piece	Drain	2	1	10 A	9 A	1 A	
Thomas Cook	1594a Yard	Messuages			2 1/2			
	1594a East Gate Road				1 1/2			
	1594a Road				2	1	7 7	
Robert Richard Lewis	1594a Cottage and Garden				1	7	N	
John Betty	1594a Cottage				2 1/2	7	N	

Definitive map at July 2021





DATED: 28th September 2021 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 unwarranted, please contact Lancashire County Council who can remove these details from the register and from any documents contained on the register.

According to historic map evidence we believe that the route applied for was always a through route. This route was a toll road and an article from Leyland historical group where an interesting article is included, pages 8 to 14 relating to the toll road. The toll house ruins can still be seen on the route when the vegetation is low. Jane Lane is an unclassified road that becomes an unadopted road, further evidence that this should be a through route. From the 1910 Finance map it indicates that some time prior to 1910 the toll road ceased and the route became a public highway, either a bridleway or a highway. Horse rider evidence can be provided, if required, as this has always been a local route used to avoid the busy roads across Leyland Moss, recently signs have been erected stating that the road is private and that no horses are allowed. The route crosses a railway line where there is a telephone to request to cross, on many occasions this has been used to get the horses to cross the line safely. It is believed that the route recorded as public footpath should be a bridleway as it was always a highway made for horse and foot traffic, therefore it should be recorded as a public bridleway on the definitive map. It is arguable that the evidence suggests that carriageway rights exist over the route, however due to the current construction of the law and the proposed extinguishment of unrecorded rights in 2026, the application will be made for bridleway status with an acknowledgement that the surveying authority should make an order for Restricted Byway status if they consider that merited. BHS Reference number LAN-0053

Application Map

Shown on the current 1:25,000 OS map

Map produced from extract of Ordnance Survey 1:25,000 scale mapping. When printed on A4 paper, the scale will be not less than 1:25,000 and thus meets the requirement of regulation 2 and regulation 8(2) of The Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993

