

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

**Wildlife and Countryside Act 1981 – Part III**

**Lancashire County Council**

**Footpath from Warburton Street to Grane Road, Haslingden**

**(Definitive Map Modification) Order 2021**

**WITNESS STATEMENT OF AMANDA HOLDEN**

My name is Amanda Holden and I live at 16 Warburton Buildings, Haslingden. I have lived at this address since 2009.

I was born in 1974 and have known the route which is the subject of this Order all my life. From birth I lived at 11 Warburton Street and remained at that address for thirty years until 2004 when I moved to Narcissus Avenue, Haslingden then later returned to Warburton Buildings in 2009.

16 Warburton Buildings is located directly fronting onto the Order Route. I have vehicular access to the rear of my house along the back street, but it is very narrow and not really possible to park my car there. Instead I usually park on Warburton Street or Gas Street; but in the past, before 240 Haslingden Road was sold, the previous owner – Mrs Tang – would let us park on her car park.

From my front door I have direct access on foot to the Order Route through a garden gate. I do not own any part of the Order Route and I was never aware of any private rights granted to use the Order Route.

I completed a Public Rights of Way User Evidence Statement in December 2019 when access along the Order Route was blocked at point B and point C on the Order plan. Before that time, I had never known the route to be blocked off. I had always used the route – as had many other members of my family before me – and could not understand how it could ever not have been a right of way – particularly as it led to and from my property.

At that time I completed a joint User Evidence Statement with Mr Ian Collinge with whom I lived. I completed the form on behalf of us both as I did not at that time understand that it would have been better for us to fill out the form separately. The evidence provided was done so in good faith. My partner, Ian sadly died in 2022 and I now live in the property with my daughter.

This Witness Statement gives more detailed evidence of my own personal use and knowledge of the route.

In our original User Evidence Statement I described the route we used as starting on Holcombe Road and crossing Warburton Street to continue past Warburton Buildings

and continuing to Grane Road. Whilst preparing this Witness Statement I was shown the Order Map which shows the route marked as A-B-C (the "Order Route") but which does not include the route from Warburton Street to Holcombe Road.

I can confirm that whilst my original evidence was applicable to both the Order Route and the pathway from Holcombe Road to Warburton Street the Order Route is the only route that I am specifically referring to in this Witness Statement.

For as long as I can remember before living in Warburton Buildings I used the Order Route.

The Order Route along the front of Warburton Buildings and shown between point A and point B on the Order Plan has never altered but the section across the carpark has altered from what I remember as I was growing up. I do not remember the car park existing until the 1980's after my Uncle Harry Holden, who owned the property previously as a corner shop, sold the premises which became a café and later the Cantonese.

My early memories were of there being some rental garages on this land which we walked round the front of (now the middle of the carpark) to come out onto Grane Road or alternatively there was an open route through the land onto the railway sidings, you could walk across a grassy area where the houses on Holden Place are now built to come out onto Grane Road.

By the time the houses on Holden Place were built in the late 1990s the garages had been removed and the Order Route across the carpark was already in use. I remember 240 Grane Road being a shop up until the late 1970's/80's when it was turned into a café (Raydar's) and later became the Cantonese restaurant in the 90's.

When I moved to live on Warburton Buildings in 2009 I started to use the Order Route on foot turning right out of our gate to get to Warburton Street or left to go to Grane Road. By this time you could walk the full length of the Order Route exactly as it is shown on the Order plan.

I used the route in both directions until it was blocked in 2019 and still use the route along the front of Warburton Buildings to get to Warburton Street.

Since living on Warburton Buildings I had used the full length of the Order Route on a regular basis so much so that I indicated on the user evidence form that I used it daily. I used it to get to and from my property in the same way that anyone would walk along a road to get to their property. I used it when I was going to work, for pleasure and when I went shopping. The route has always been the safest way to access Grane Road on foot from Warburton Street and Warburton Buildings if heading east towards Haslingden.

I used it with my daughter – and she continued to use it on her own – to get to and from Grane Road as this was the safest route for her to use and avoided walking along a very busy section of the main road.

Because I lived looking out onto the Order Route I would regularly see people walking along it. I would recognise our neighbours and the people I saw using the route were

not all people who lived at Warburton Buildings but must have been people using it as part of a longer journey. I regularly saw people using the Order Route and always thought it was a public footpath because there were no fences, barriers or other indication that it was anything other than a public route. I was never stopped or challenged when using the route and I was never given permission to walk along it. Since living in the area -1974 - I used the route daily with others and alone. As a child my parents would walk along the route with me and my siblings.

I knew that the former owners of 240 Grane Road had sold the property and it was no longer being used as a restaurant and takeaway, but it was only in November 2019 when it was sold to a new owner that the route was blocked off and we were sent a letter from the solicitors acting on behalf of the new landowner telling us that the route across his land was private.

Until the route was blocked in 2019 there was nothing along the Order Route that prevented access for people on foot. I do not recall any signs saying that I wasn't allowed to walk along the route and the only signs I ever remember were those on the Car Park stating that it was for use of Valley Cantonese Customers only. I never gave this a thought with respect to walking along the Order Route as I thought that it referred to parking vehicles on the car park.

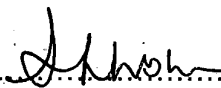
There was nothing along the Order Route that prevented access. It was sometimes necessary to walk round parked cars when the Cantonese restaurant was open or to walk around refuse bins located close up to the fence but I took a direct route from the gap at point B along the edge of the car park to exit onto Grane Road through the gap in the wall at point C – particularly as the barrier across the vehicular access into the carpark was sometimes closed whereas the pedestrian gap was always available. I do not remember any parking bays being marked out.

I regularly saw other people walking along the route walking their dogs or walking into town. I also saw children using it to walk to and from school. Nobody ever challenged me when I was walking along the Order Route and being a resident on Warburton Buildings I never challenged anyone or thought that people should not be walking past my house along the route.

In summary, I was never challenged when using the route and am not aware of others being challenged. I was a frequent user of the full length of the Order Route between points A-B-C for approximately 25 years from 1994 to 2019 and used the Order Route from point A to point B for much longer than that.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed:  .....

Date: ...10/09/24.....