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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 EVELYN WEST

My name is Evelyn West and I live at 242 Grane Road, Haslingden. I have lived at this address since 1969.

I have lived near to the Order route all my life. I was born in 1952 and lived at 4 Warburton Street which is close to the Order route until I was 12 years old. I then moved to 8 Warburton Buildings, which is located adjacent to the start of the Order Route, in 1964 before moving to my current address in 1969.

When the Order Route was blocked in 2019 I completed a joint user evidence statement with my husband. 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.

Both myself and my husband subsequently completed separate user evidence forms in 2023 and I have now had the opportunity to provide a separate Witness Statement. My Witness Statement gives more detailed evidence of my own personal use and knowledge of the route.

I have known the route which is the subject of this Order all my life. The route runs from Grane Road to Warburton Street. I have been shown the Order Map which shows the route marked by a thick dashed line between points A-B-C (the "Order Route") and I can confirm that this is the route that has existed for at least 20 years prior to 2019. In this Statement I will explain my memories of how the route from point B to point C differed to this prior to the 1990s because at the time that I completed the user evidence forms I did not know that it was relevant that the route used between point B and point C altered.

As far back as I can remember the Order Route has remained unaltered between point A and point B where it passes along the front of Warburton Buildings and from my recollections it has always been open and available for anyone to use. It was not just access to the houses known as Warburton Buildings but at point B on the Order Map I recall stone steps ~~in a gap in the wall~~ providing access into an open area where there used to be some garages. You could walk along the Order Route A-B to get to this open area and then cross the area either in front or behind the garages to exit onto Grane Road. Additionally you could go over a stile next to a five barred gate

(POINT C)

in a kink in the wall to get onto the old railway sidings where the houses on Holden Place are now built.

As part of the original application made by Graham and Kirsten Holland we submitted some family photographs taken on the land adjacent to 240 Grane Road (the former Cantonese Restaurant) showing how this area used to look.

The first photograph showed the garages on the right-hand side and illustrates how the area was completely open allowing access onto Grane Road. The photograph was taken in 1976:



The second photograph was taken in 1980 and you can see the old gap and stile in the wall which originally provided access onto the old railway siding:



I cannot remember exactly when the garages were removed from this area of land but think it was probably in the early 1980's. 240 Grane Road was an off licence before being converted into a Cantonese Restaurant and when the restaurant opened the garages were no longer there and the area was used for parking instead. /CAFE.

By the time the houses on Holden Place were built the kink in the wall and stile no longer existed and by the late 1990s the Order Route A-B-C was in use along the line shown on the Order Map. My user evidence form refers to the fact that I have known of the route and used the route all my life and I wrote this in good faith not understanding the significance of the fact that the changes in the alignment of the route B-C prior to the 1990's was relevant. I think the fact that for as long as I can remember people were walking across the area to access Grane Road from the Order Route A-B is however relevant to explaining why the route exists and remained in existence following a direct route A-B-C following clearance of the area through to it being blocked in 2019.

Because of where we live, I also need to clarify that I did not necessarily use the full length of the Order Route as a through route because we had a rear gateway from our property which provided access to and from the former carpark.

From our kitchen window I can see part of the route close to point B and over many years I have seen lots of people walking the route – some of which I knew to live along it but many of which did not. I often saw people walking dogs, running, taking children to school or going to and from the shops. I also saw postmen/women and other delivery people using the route.

Between 1999 and 2019 there was nothing along the Order Route that prevented me or others from walking it and I was never stopped or challenged until 2019 when the owner of the land crossed by the Order Rout between point B and point C said it was private and erected fencing to stop us using it.

Since the area between point B and point C became part of the car park I don't ever recall car parking spaces being specifically marked out but when people were collecting take away meals or going to the restaurant, they generally parked closer to the restaurant and didn't block the route. There were some bins against the fence on part of the route but I never thought anything about it and could just walk past them. I don't recall ever seeing any signs that said that I could not walk along the route.

Because of where we live, we also used to park our car or unload shopping where the sheds were located and still did so when 240 Grane Road became a Cantonese Restaurant. The owner of the Cantonese restaurant never minded us doing this and when they built a wall along the boundary of Grane Road and erected a barrier across the vehicular access into the carpark, they gave us a key so that we could continue to leave our car there or drop shopping off. We never asked for or were given permission to walk the Order Route though.

Between the mid-late 1990s and 2019 I do not recall there being anything along the full length of the Order Route that prevented access for people on foot. I do not recall any signs saying that we weren'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 understood that it referred to parking vehicles on the car park.

In summary, I have lived in the area since 1952 having never moved away. I have known the route along the front of Warburton Buildings (A-B) for all that time and have never been challenged when using the route and am not aware of others being challenged. I have also known the route from B-C for at least the 20 year period under consideration (1999-2019) and used and saw others using the route during that time. I was never challenged or aware of others being challenged when using the route and as neighbours of the landowner during that time know that they were aware of the use made of the route by the public and never heard of them questioning such use or preventing use.

STATEMENT OF TRUTH

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

Signed: E West Date: 10 08 2023