

16 January 2017

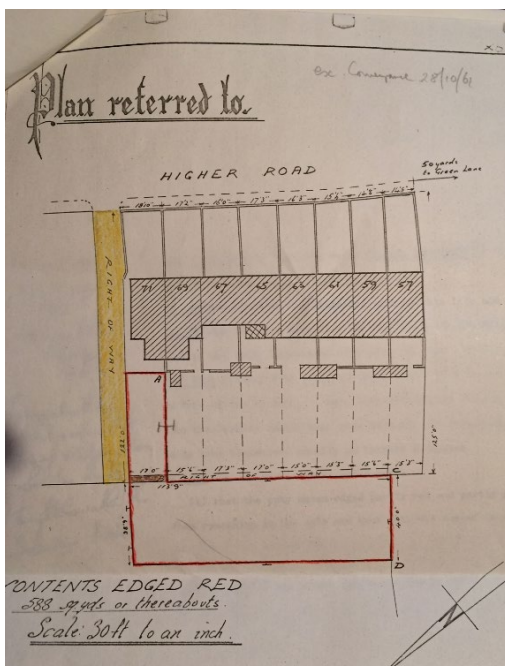
Meeting with PC Clare Wall and Mr and Mrs Seed at 71 Higher Road.

A meeting was arranged by PC Clare Wall and attended by Mrs Jayne Elliott (Lancashire County Council Public Rights of Way Officer) to speak to Mr and Mrs Seed about the application received by the County Council to record a route past their property leading from Higher Road to Wellbrow Drive as a public footpath.

Mr Seed is 84 years old and despite being consulted by the County Council in writing about the application he had not responded. Consultations by the County Council with the police had, however lead to the meeting being arranged.

During the course of the meeting Mr and Mrs Seed confirmed that they had lived at 71 Higher Road since 1968 (48 years) after buying the property from Mr and Mrs Helm. Mr and Mrs Seed also purchased 69 Higher Road in 1971. They have lived in 71 Higher Road for 48 years and rent out the adjoining property (69). Both properties form part of an old row of cottages known as 'Cut Thorn'.

Ownership of the land crossed by the claimed route is not registered with the land registry. Mr and Mrs Seed showed us the deeds to their properties and confirmed that when they purchased 71 Higher Road they did not purchase any of the land over which the route is claimed but that they purchased land to the rear of Cut Thorn cottages and that they have a right of access on foot and with vehicles along the route coloured yellow on a plan contained in their conveyance bundle and described as a 'right of way'. A private right of access on foot was also afforded to all the other properties comprising of Cut Thorn along the route coloured yellow.



Mr and Mrs Seed agreed that the owner of the land crossed by the route claimed appeared to have been Mr Sanderson – who farmed the land to the rear of Cut Thorn - prior to development and that the land, including the strip coloured yellow on the conveyance plan, was subsequently sold to Pius A Baines and Son who built the houses on Wellbrow Drive.

Pius A Baines and Son were a company that are no longer in existence and Mr Seed has effectively taken possession of the land crossed by the route whilst acknowledging that private rights of access

to the cottages and to the electricity sub-station exist. He has surfaced the route (with block paving), and erected a gate across it at the junction with Higher Road approximately 10 years ago. He has previously been advised by the police to make an application to register the land in his ownership but has not done so.

Mr and Mrs Seed explained that the claimed route had been blocked off for at least the last 10-13 years by a physical blockage at point C on the attached plan and that he had also verbally challenged anyone attempting to remove the blockage or to use the route.

With the help of PC Clare Wall he explained that disputes over use of the route with several local residents between 10 and 13 years ago had resulted in a number of incidents of anti-social behaviour and Mr Seed serving a custodial sentence.

At that time Mr Seed had been advised by the Police, and also sought permission from Ribble Valley Borough Council, to close off the route so as to avoid any further trouble. He stated that the advice to close off the route was based on the fact that the route was not recorded as a public footpath.

Prior to events leading to his custodial sentence Mr and Mrs Seed referred to possibly three local individuals using, or attempting to use the claimed route and that use had been challenged by him.

Jayne Elliott

Public Rights of Way Definitive Map Officer

Lancashire County Council