

**COVERING LIST OF REPRESENTATIONS, OBJECTORS AND SUPPORTERS**

**THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY  
FOR THE COUNTY OF LANCASHIRE**

**DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY (DEFINITIVE  
MAP MODIFICATION) (NO. 6) ORDER 2012**

<b>No.</b>	<b>OBJECTIONS STILL OUTSTANDING</b>	<b>ADDRESS</b>
1	Alan Kind	45 The Fairway Gosforth Newcastle upon Tyne NE3 5AQ
2	Stodday Land Ltd	The Long Barn Ashton Hall Estate Ashton with Stodday Lancaster LA2 0AJ  stoddayland@gmail.com
<b>No.</b>	<b>OBJECTIONS WITHDRAWN</b>	
-		
<b>No.</b>	<b>SUPPORTER</b>	
-		
<b>No.</b>	<b>OTHER RESPONSES</b>	
-		

from Alan Kind  
45 The Fairway  
Gosforth  
Newcastle upon Tyne  
NE3 5AQ

e-mail mondard@mac.com

County Secretary  
Lancashire County Council  
PO Box 78  
County Hall  
Preston  
PR1 8XJ

ref: LSG4/JM9/5.37467

2 December 2012

Dear Sir,

**Proposed addition of a footpath at Conder Green. Order #6 2012.**

With reference to your order of 21 November 2012, I object on the ground that:

- The 'limitation' of "gate" at two points needs better specification. What sort of gate?

Yours faithfully,

Alan Kind

A handwritten signature in black ink, appearing to be 'Alan Kind', written over a faint circular stamp or watermark.

**smoore018****From:** stoddayland@gmail.com**Sent:** 04/12/2012 10:19:54**To:** Mort, Jennifer**Subject:** public rights of way definitve map modification

Ref LSG4/LM9/5.37467/JM9

Hello Jennifer, Thank you for taking the time to talk this morning. Further to our conversation I am writing to request a site visit to land mentioned in the above file for the purpose of verifying the correct positioning of the proposed right of way on land owned by my company Stodday Land Ltd. As I stated if there has already been a site meeting I am concerned that I was not included as the property is private. If there has not been a site meeting I feel it is imperative that one is convened as the proposed route is at variance to the path trodden by fishermen, farmers, people that have my permission to walk the path and agents representing my company.

I am aware that a detailed set of proposals for the Order is available for viewing and I will be visiting the offices as soon as possible to cheque that all the evidence is in fact correct.

I don't want to give detailed objections at this time but if a site visit could be organised as soon as possible I would be very grateful.

I enclose my mobile phone number Roger Clark 07799 537 860

I look forward to hearing from you. Best Wishes Roger Clark Director Stodday Land Ltd

**Stodday Land Ltd  
The Long Barn  
Ashton Hall Estate  
Ashton with Stodday  
Lancaster  
LA2 0AJ**

**Ian Fisher**  
County Secretary & Solicitor  
Christ Church Precinct  
County Hall  
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PR1 8XJ

Phone 01524 751325  
Email [stoddayland@gmail.com](mailto:stoddayland@gmail.com)

Ref :LSG4/JM9/5.37467/JM9

Date 14<sup>th</sup> December 2012

**RE: Wildlife and Countryside Act 1981-Part 111 Public Rights Of Way (Definitive Map Modification) (No 6) Order 2012.**

Dear Mr Fisher,

As Director of Stodday Land Ltd, I received correspondence on 28<sup>th</sup> November 2012 relating to the above reference. As I have an interest in land referred to in the Modification Order I am concerned about the positioning of the route of the Right of Way.

I have been in contact with Jennifer Mort to explain my concern, who advised me to speak to Jane Elliot from the Regulatory Committee.

A site meeting was convened on Wednesday 12<sup>th</sup> December 2012. We walked the riverside in question and it was confirmed that the above mentioned route on the Order plan is indeed at variance with the physical trodden areas.

On advice given by Jane Elliot, I am contacting you to request a Hold on proceeding further with the Order until the route is verified.

I will also be submitting a full objection to the Order, which will bring into question the validity of many of the claims, in due course.

Thanking you in anticipation,

Yours sincerely



Roger Clark     Director Stodday Land Ltd.

09 April 2013

STODDAY LAND LTD  
The Long Barn  
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Our Ref: LCC270412  
Your Ref: LSG4/JM9/5.37467/JM9

Jennifer Mort  
Trainee Solicitor  
County Secretary and Solicitor's Group  
PO Box 78  
County Hall  
Preston  
PR1 8XJ

DX 710928 Preston County Hall

Dear Ms Mort

**Re: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III  
PUBLIC RIGHTS OF WAY (DEFINITIVE MAP MODIFICATION) (NO. 6) ORDER 2012**

Thank you for your letter and amended plan dated 28 March 2013 and for the discussions earlier today to which I refer.

I confirm that this Company will not be withdrawing its objection to the above mentioned Order.

It is noted that the route now claimed by the Applicant is in part up to approximately 40 metres west of the route on the Order plan and that the route now claimed by the Applicant shown in red on the plan is for much of the time under water.

In view of the significant difference between the position and nature of the route now claimed by the Applicant and that on the 'Order route' please provide me with full detailed historic documentary and photographic evidence relating to the amended route now claimed by the Applicant.


Please explain the reason why the route now claimed by the Applicant does not accord with either the Order plan or the description of the Order route noted on page 62 of the Claim ref 804/509.

In view of the Applicant's confirmation that the user evidence submitted is for use of the route now shown in red on the attached plan please confirm that the section of the 'Order route' in the proximity of Penny Hill has therefore now been withdrawn by the Applicant.

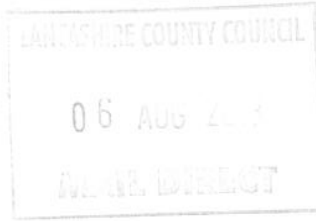
I look forward to receiving the requested information and confirmation of the above as soon as possible to enable me to provide you with full details of the grounds of objection to the Order for your consideration.

Thank you in anticipation

Yours sincerely

  
Roger Clark Director Stodday Land Ltd

05 August 2013



**STODDAY LAND LTD**

The Long Barn  
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Ashton with Stodday  
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E-mail: [stoddayland@gmail.com](mailto:stoddayland@gmail.com)

Our Ref: LCC270412  
Your Ref: LSG4/MB3/5.37467/MB3

Megan Brindle  
County Secretary and Solicitor's Group  
PO Box 78  
County Hall  
Preston  
PR1 8XJ

DX 710928 Preston County Hall

Dear Ms Brindle

**Re: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III  
PUBLIC RIGHTS OF WAY (DEFINITIVE MAP MODIFICATION) (NO. 6) ORDER 2012**

I refer to your letter dated 31 July 2013 and to our telephone conversation of 02 August 2013. I am concerned that you have not yet provided me with a full response to my letter of 09 April 2013.

The DMMO dated 21 November 2012 relates specifically to a modification as described in Part I and Part II of the Schedule and shown on the map attached to that Order.

You have stated in recent correspondence that the map attached to the Order is in fact incorrect which would therefore mean that Part I and Part II of the Schedule referred to within the DMMO dated 21 November 2012 are also incorrect which in my opinion makes the Order dated 21 November 2012 both null and void.

You have however provided me recently with a revised map to be attached to the Order referred to above, shown by way of a red line an amended route which runs up to approximately 40 metres west of the route shown on the map attached to the Order. For clarity, please identify the precise position of the amended points D, E, F, G on the amended plan, for it could be that the land to which the new amended plan relates does not necessarily fall within this Company's registered Title.

In the meantime, in support of the grounds of my objection to the Order, I will refer and present copies of historic correspondence between John Pye, Director of the previous owner of the land in question W&J Pye Ltd and their Solicitors which confirms W&J Pye's position and attitude at the time of its ownership in relation to rights over its land which contradicts the claim made by the Applicant.

I will also refer and present copies of licenses granted to various residents of the Ashton Hall Estate and others to enjoy the land in question issued previously by W&J Pye Ltd and more recently (since 2006) this Company which again contradicts the claim made by the Applicant.

I will also refer to and present copies of correspondence and supporting title documentation, between this Company, various residents (residing on the Ashton Hall Estate) and their respective Solicitors in relation to the land in question and other land since this Company's acquisition of the land in 2006 which again contradicts the claim made by the Applicant.

I will also refer to and present copies of a plan identifying the position of the existing Lancashire Coastal Path which in part presently abuts the Order route which puts the necessity of claim into question.

Supported by photographic evidence, I will refer to the fact that the Order route runs across land which is subject to fast rising tides, hidden channels and quick sands. In the vicinity towards Pennyhill the route runs in an area which is generally under water of depths of up to approx 10 to 12 feet. As you are well aware, I have raised the issue of public safety repeatedly and at length both in correspondence and conversation. Please confirm that the Public Rights of Way Officer dealing with the claim is fully aware of the treacherous nature of the site in general and that he or she is aware that the Order route is putting the safety of the general public at serious risk.

A large sign warning the general public of the dangers of entering the land previously affixed to the gate outside the Café de Lune prior to this Company's acquisition of the land has been removed and has not yet been returned. The buoyancy aids previously affixed to the estate fencing prior to this Company's acquisition of the land have also been removed and not yet returned.

In order that I am able to prepare and present a full and detailed objection to the Order, especially given the complexity now raised by the position of the recent amendments to the map and the latest suggestion of a third amendment to the route subject to a modification to be agreed with the claimant, please can you provide me with a copy of the complete file to date either by hard copy or email?

I look forward to receiving the requested documentation and clarification of the above as soon as possible. Please use our reference when responding.

Thank you

Yours sincerely

  
Stodday Land Ltd