

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

Wildlife and Countryside Act 1981

Lancashire County Council

**The Lancashire County Council Definitive Map and Statement of Public Rights
of Way (Definitive Map Modification) (No.6) Order 2012**

**Claimed Public Footpath from Conder Green to Nans Buck,
Thurnham, Lancaster City**

PROOF OF EVIDENCE – HELEN MORLEY-PYE

1. I, Mrs Helen Morley-Pye have lived at Nans Buck Cottage, Thurnham, Lancaster since 1994. I have used the Order route shown on the attached plan along the shore from Conder Green to Nans Buck since I was a young child. I used the Order route almost daily when I was growing up for family walks and playing, I have even ridden my horse down there. Sometime in the mid 80s until 1992 I lived up in Lancaster but used to visit usually during the holidays as relatives of my family owned the foreshore where the route runs and the property called Waterloo and they would holiday. During this time I would use the Order route with the family staying at Waterloo. In 1992 I moved back to Thurnham and rented Pennyhill, Pennyhill is shown on the Order plan near Point F, I rented this house for 2 years before moving to Nans Buck near Point J, I have since used the route daily to walk my dog(s). Throughout my time visiting Waterloo, renting Pennyhill and living at Nans Buck I have always seen members of the public regularly using the route and the route has become more popular as time went on.
2. The family holidays referred to above would be with my father Jim Pye at Waterloo and other members of the Pye family, my father was particularly close to his cousin Edgar Pye who at that time was a Director of W & J Pye Ltd. From Waterloo I was able to see many members of the public on the shore and using the footpath and I was never aware of anyone being stopped or asked to leave. W & J Pye Ltd my father's company originally owned the land along the shore and as far as I am aware it was known as a public space used by the public for walks and recreational use. I have never heard of any stories of the Pye family asking people to stop using the land nor have I ever been given any permission to use the land. It was something I as well as members of the public had access to. The only private land I was aware of was the Ashton Estate which is behind where I live.

3. In 2005 W & J Pye Ltd went into liquidation and about a year or so later the land on the foreshore was purchased by the new owners. Soon after the County Council were requested by the new owners to repair all the railings so the gaps that had been made from users accessing the route at different points were closed off the County Council took no action but the owners did. A barbed wire fence was then put up and signs stating 'private property – keep out'. The gate at point J which is opposite my house also had a sign informing people the land was 'private' but it was never locked. About 1-2 weeks later people had begun cutting the barbed wire and the signs had been torn down and people continued to access and use the route. I myself have been confronted by one of the new landowners who was with members of her family and she aggressively and loudly shouted at me asking me to get off the land, she also assaulted my dog with a stick, however this did not stop me from continuing to use the route that I have always known to be public.
4. It is quite clear to people using the route where the line goes as it has a trodden path. Even though the tides do sometimes cover the route, once the tide has gone back out the trodden line is still visible. During the Spring and Autumn high tides cover most of the route apart from the part of the route at Point E-F which is on top of the sea wall. The normal regular tides however quite often don't reach the route.
5. When walking the Order route, the part from A-C is accurately shown on the Order plan and there is quite an obvious track on the ground where people walk. I continue to walk the Order route 'hugging' the sea wall to Point D where I leave the path at the bottom of the sea wall and walk up on top of the sea wall as below the sea wall can sometimes be stoney and quite difficult to walk on. I then seem walk down onto the marsh and onto the footpath just before the boundary of Pennyhill, near where Point G is shown, I then walk along the edge of the sea wall but cut across the corner at Point H as this is usually quite boggy, and then walk straight up to Point I, I then turn back on myself and exit though the gate at Point J outside my house.
6. I have a long knowledge of public use of the Order route.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement completed in 2016 are true.

HELEN MORLEY-PYE

Signed 

Dated 23.12.24