

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

**THE LANCASHIRE COUNTY COUNCIL
ADDITION OF FOOTPATH FROM CHATBURN OLD ROAD, CHATBURN
DEFINITIVE MAP MODIFICATION ORDER 2022**

**WITNESS STATEMENT OF
STELLA WELLS**

1. My name is Stella Wells and I live at 7 Old Road, Chatburn, Clitheroe BB7 4AB. I was born in 1956 and I moved to Chatburn in 2014 and subsequently married my husband (Peter Wells). I did not know the Order route before moving to Chatburn in 2014.
2. I completed a user evidence form in 2024 and subsequently completed this Witness Statement which gives more detailed evidence of my own personal use and knowledge of the route.
3. I used the Order route from the time that I moved to Chatburn in 2014 until it was blocked in 2021. I am interested in the local badger routes and using the Order route I noticed that there was local badger use. I would walk the length of Chatburn Old Road passed the timber gate at point A to the Clapper Gate at the top (point B on the Order map) and then continued on the well-trodden path across the top of the field passing through point C on the Order map to the nature reserve. I also used to walk my cat along the Order route A-B-C through to the nature reserve and would be on the lookout for other walkers particularly if they had dogs when I had my cat with me. Access to the nature reserve was initially via a stepping stone system over the wall and then when Castle Cement installed a timber gate, I would go through that.

4. I would also use the trodden footpath from the top of the field (point C) down to Crow Trees Brow via the Order route C-D. This path was crossed by badger paths prior to development taking place. And there is still badger activity across the field.
5. When the building work started on the field in about 2016 it became more difficult to use the Order route although I continued to do so. There was a timber gate which led from the footpath to the nature reserve which was used by everyone. A year or so after the building work started, initially the gate was nailed up. It was assumed that kids had done this and the nails were removed. Then the landowner used a digger to pile logs and soil to stop access to the nature reserve. He then installed a stile between point B and point C that made it even more difficult to use that route (even though at that point it was the official temporary diversion for the footpath.) I still used the route regularly – often every day.
6. I never used the Order route secretly and walked along it both during the day and in the evening. I passed other walkers using the path. I would use the route for pleasure and exercise on a regular basis on foot. I often used the Order route with my husband but sometimes used it alone and often used it to take my cat for a walk.
7. I never asked for nor was given permission to walk along the Order route. It never occurred to me that the Order route was not a public footpath as it was a well trodden path. I had always seen other local people walking it including dog walkers and rambling groups and I never thought that permission was required. I was never told it was not a public route and would see people using the route from our back window.
8. I do not recall seeing any signs or notices indicating that the Order route was private and access to the public was not permitted but think that there may have been a yellow arrow on the metal kissing gate at point B denoting a footpath but I don't recall any other signs.

9. I never encountered the landowner on any occasion when I was walking along the Order route and I was never challenged, stopped or turned back when using it. I saw others and none of them ever told me that I shouldn't be walking along the route. I never had any private right of my own to use the route. I do not recall anyone being told the route was not public.
10. I can confirm that I have never been employed by any of the owners of the land over which the path nor been a tenant of theirs.
11. In support of the application, my husband submitted aerial photographs and further photographic images with his user evidence form showing the land crossed by the Order route. The aerial photographs were taken in about 1990 showing a well-trodden path leading from point B along the Order route passing through point C and continuing through the wall owned by Hanson Cement. The photographs showing the cows in the field show how steep and undulating parts of the field were particularly in and around the area where the old quarry workings were. The photographs help to explain part of the reason why people walked around the field and not across it. However, during the interview I was shown the map and asked if I have ever cut across the field from point D to B. I don't remember doing that as the ground was so undulating around that area. However, just by looking at the map and the aerial photograph the rough and uneven ground is not clear so I can see why anyone would assume a walker would cut the corner.
12. In summary, I regularly walked the Order route from 2014 up until it was blocked off by the landowner in 2021.

STATEMENT OF TRUTH

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

Signed: Stella Wells.

Date: 18. 9. 2024

