

**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

GARY SCOTT

My name is Gary Scott and I live at 19 Ribblesdale View, Chatburn. I have lived at this address for 40 years (2024) and prior to that I lived on Darkwood Crescent in Chatburn for 25 years. I have lived in the village all my life.

I was born in 1957 and have known and used the route which is the subject of this Order from the 1960s through to it being blocked off in 2021.

I am an elected Ribble Valley Borough Councillor for the ward of Chatburn within which the Order route is located. As a Borough Councillor I represent the views of local people, strive to assist people in need, help people to access public services and am committed to work in the best interests of the borough and my local neighbourhood.

I am also a Parish Councillor for the parish of Chatburn and have been for 32 years.

As a member of the public living in Chatburn, and a Parish and District Councillor I was aware of proposals to develop part of the land over which the Order route runs although the original development (Hare Hill Court) did not directly affect the route itself.

Prior to the development taking place I remember the field crossed by the Order route being grazed by cows, sheep and horses. The field was undulating with areas of trees, shrubs and I remember an old quarry area where we played as children and would go sledging in the winter.

I think that building commenced in approximately 2016 with existing public footpaths across the site temporarily closed off although the Order route remained accessible.

During this time the Parish Council received enquiries relating to the work being carried out and by 2021 were receiving a lot of complaints about the fact that access to the Order route was now blocked.

I contacted Lancashire County Council about the blockage and was told that the Order route was not recorded as a public right of way and was provided with details of how to make an application to record it.

The Parish Council collected user evidence to support an application made by the in 2021 and I assisted in the collection of that evidence.

Because I had personally used the route, I completed a Public Rights of Way User Evidence Statement in May 2021 when access along the Order route was blocked at the old metal clapper gate at the top of Chatburn Old Road (point B on the Order Map). This Witness Statement gives more detailed evidence of my own personal use and knowledge of the route.

When the application was originally made we were not aware that part of Chatburn Old Road was no longer recorded as a public right of way and that when the public road was closed to the public as a through route to Pimlico in the late 1960s that part of Chatburn Old Road marked between point A and point B had included in the legal order to extinguish public rights.

My User Evidence Statement did not specifically refer to use of Chatburn Old Road (A-B) but I can confirm that I used it on foot from the 1960s through to 2021 to access the rest of the Order route and that the information provided in the user evidence form – and this Witness Statement refers equally to that part of the Order route as to the rest.

Before 2021, I had never known the Order route to be blocked off. I had used the route since the 1960s and when I found out that it was not recorded as a public footpath I thought it should be properly recorded and opened up again.

In the 1970s and 1980s when I lived on Darkwood Crescent – which is north of the Order route I would walk along the footpath numbered as Footpath 3-11-FP 14 (Footpath 14) on the Order Plan to get to Chatburn Old Road (point A on the Order Map).

Directly opposite the end of Footpath 14 providing access into the field there was a wooden five barred gate. I did not use this gate to access the field and I think it was padlocked with a chain. I did not realise that this was the access onto a footpath recorded as Footpath 13 (shown as 3-11-FP 13 on the Order Map). I always walked up Chatburn Old Road towards the quarry to the corner of the field where there was a metal clapper gate (point B on the Order Map). I always remember the clapper gate being there and there was a well-trodden route through it.

I would go through the clapper gate and walk along the fence line. I assumed it was a footpath because there was a well-trodden path. The path gave you a good view into the quarry and across to Chatburn village.

I followed this route along the edge of the field because to walk across the field in a more direct route towards Crow Trees Brow was rough and undulating. There were old quarry workings and areas of brambles and shrubs which you had to walk around.

As you walked along the Order route from the clapper gate you approached a wall on an angle and then naturally turned left towards Crow Trees Brow. In more recent years you could leave the Order route at this point to go through the wall into a Nature Reserve, but this entry point was later blocked off.

I would continue from the Order route to come out on Crow Trees Brow and then carry on to the village centre.

I used the Order route in both directions until it was blocked.

I recall using the route on average weekly on foot – possibly more in the summer months and more frequently in the 1990s when we had a dog and would sometimes use it when I went running. I remember that it was used by many people (also on foot) and I often stopped to talk to people or to say hello.

I marked the route that I used on an aerial photograph that I attached to my user evidence form. Although the route from the metal gate at point B to where it connected to the footpath linking to Crow Trees Brow at point D crossed an open field my recollection was that I walked the route marked and that other people did to.

Until the route was blocked in 2021 there was nothing along the Order route that prevented access for people on foot. I do not recall any signs saying that I wasn't allowed to walk along the route. I don't remember any signs marking it as a footpath but there were no signs that I remember marking Footpath 13 (through the five barred gate) as a footpath either.

There was nothing along the Order route that prevented access until the metal clapper gate was blocked off in 2021.

Nobody ever challenged me when I was walking along the Order route and in summary, I was never challenged when using the route and am not aware of others being challenged until the land was developed and the route blocked off in 2021.

STATEMENT OF TRUTH

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

Signed: 

Date: 20TH AUGUST 2024