

**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
DR RICHARD MARTIN SEDDON**

1. My name is Dr Richard Martin Seddon and I live at 3 Mount Pleasant, Chatburn, Clitheroe BB7 4AF. I was born in 1957 and I moved to Chatburn in 2001.
2. I completed a User Evidence Form in 2021 confirming my usage of a route on foot that starts at SD7645 4404 (Point B on the Order Map) and runs alongside a hedge along the top of a large field passing through point C on the Order Map to meet the boundary of a nature reserve at SD7670 4392. The route I used then returns approximately 3 metres back into the field (to point C on the Order Map) and follows a direct line (passing through point D on the Order Map) to its end at SD7648 4402. I believed the path to be a footpath.
3. At the time of completing my User Evidence Form I was not aware that Chatburn Old Road shown between point A and point B on the Order Map was no longer a public road. I can confirm that to get to the metal kissing gate at point B I would walk along Chatburn Old Road A-B and that my evidence of use also relates to this part of the Order route.

4. Since moving to Chatburn in 2001 I would use the Order route (or parts of it) weekly or twice a month depending on the time of year and what else I was doing. I would use the route primarily to access the Nature Reserve and to walk our dog. Our house is situated just off Chatburn Old Road so I used the Order route A-B-C more frequently than the rest of the Order route C-D.
5. I never walked diagonally across the field but walked around the edge and I only recall seeing other people walking along the Order route (not across the field) even before the fencing was erected by the landowner.
6. I provided several photographs with my User Evidence Form and have now submitted further photographs (some of which duplicate my original submission) which are appended to this Witness Statement. Photographs taken in 2018 show the access to and from the Nature Reserve and how there was a well-trodden track leading into the Nature Reserve from the Order route (see page 3 of 21 of my appendix). This access was well used until it was blocked off by the owner of the field in June 2018 (pages 5, 7 and 8 of 21) although a modified access was then provided into the nature reserve in October 2018 (page 10 of 21) with signs indicating that access was allowed from the Order route into the Nature Reserve. I recall that this access gateway was then removed one month later although it was initially possible to go through the metal security fencing placed across the gap. Despite this access being blocked in 2018 the Order route itself was never blocked until 2021.
7. I also provided copies of three aerial photographs which are reproduced on pages 15-17 of my appendix to this Witness Statement. The first two were taken in 1968 and 1987 and show visible marks consistent with the Order route. The third aerial photograph is undated but pre dates development of the site and it also shows marks visible on the Order route. All three photographs support the fact that the Order route could have been used during this time.

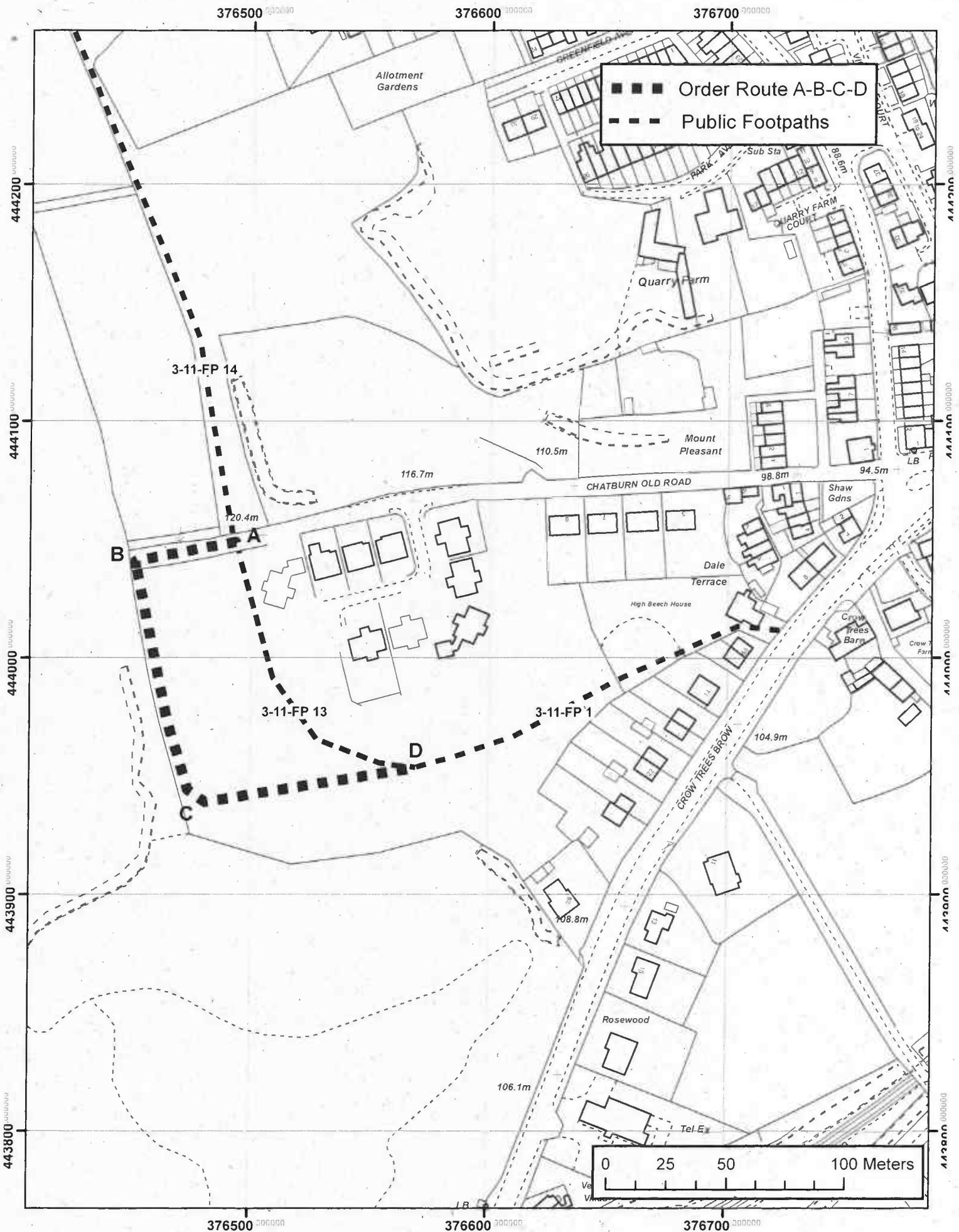
8. With regards to my own use since 2001 I can confirm that I never used the Order route secretly and mostly walked along it in daylight. I passed other walkers using the Order route. The landowner will be able to confirm this as he erected CCTV cameras along the Order route early in the development process.
9. I never asked for nor was given permission to walk along the Order route but I did get implied permission to use the route from J. J. Construction (NW) Limited (the landowner at that time) because a sign was erected in 2018 at the entrance to the nature reserve asking users to 'close the gate' (Page 10 of 21).
10. I do not recall seeing any signs or notices indicating that the Order route was private and access to the public was not permitted. The signs shown on page 10 of 21 of my appendices refers to the quarry site immediately adjacent to the Order route and I did not think that it was the landowner's sign.
11. 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 Order route. I never had any private right of my own to use the Order route other than that implied by the sign described in paragraph 9 above. I believe others have been told it is not a public route.
12. I can confirm that I have never been employed by any of the owners of the land over which the Order route passes nor been a tenant of theirs.
13. In summary, I regularly walked the full length of the Path for 21 years from 2000 to 2021.

STATEMENT OF TRUTH

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

Signed: Rafin Sajan

Date: 28th September 2024



Dr Richard Martin Seddon
3 Mount Pleasant
Chatburn
Clitheroe
Lancashire
BB7 4AF

Email: martin@rmartinseddon.co.uk

Mobile: 0775 387 1770

Photographic & Map Evidence

Re: DMMO, Land to the west of Hare Hill Croft, Old Road, Chatburn

Please note:

1. I own the copyright to these photographs
2. They may not be reproduced or forwarded to any person or organisation outside Chatburn Parish Council, Ribble Valley Borough Council or Lancashire County Council.
3. These photographs were taken by me and have not been altered in any way other than basic exposure adjustments. Specifically, nothing shown in them has been altered, removed or added.
4. I have the original digital files which I can produce if necessary.

Please view these images in conjunction with the attached annotated map of the existing and disputed footpath routes supplied by LCC. This has been added to the back for convenience.

These images, along with dates and notes, illustrate the steady process of removal of access to the path which is the subject of this DMMO.

Signed:

Dr R M Seddon

Date:



Evidence ref: RMS-01

File ref: IMG_8686

Date: 14 June 2018

Map location: B, looking south

Notes: Original entry to field and footpath clearly visible but blocked. Access still available around the right-hand side of the site fence.



Evidence ref: RMS-02

File ref: IMG_8687

Date: 14 June 2018

Map location: Near to B, looking south

Notes: General view of disputed footpath looking towards point C & G.



Evidence ref: RMS-03a, b & c

File refs: IMG_8708, 8709 & 8711

Date: 15 June 2018

Map location: Just south of B, looking south towards C & G

Notes: These show the stile installed late the previous day. The construction of the steps made it difficult to climb as they were very high.



Evidence ref: RMS-04a & b

File ref: IMG_8712 & 8713

Date: 15 June 2018

Map location: C looking south

Notes: These show the barrier that was placed at the entrance to the Nature Reserve (marked as area H on the map).



Evidence ref: RMS-05a & b

File refs: IMG_8750 & 8751

Date: 28 June 2018

Map location: F

Notes: The stile was modified to include a kissing gate. However, this was too small to be used even by average sized adults.





Evidence ref: RMS-06a, b & c

File refs: IMG_8752, 8753 & 8754

Date: 28 June 2018

Map location: G

Notes: Alterations to the Nature Reserve entry barrier plus a view from inside the Nature Reserve.



Evidence ref: RMS-07a & b

File refs: IMG_8812 & 8813

Date: 12 July 2018

Map location: G

Notes: Newly opened access to the Nature Reserve from both sides.



Evidence ref: RMS-08

File ref: IMG_8835

Date: 17 July 2018

Map location: E looking west

Notes: This shows the eastern access to RoW 3-11-FP 1. Note the official 'Footpath' sign. This stile has now disintegrated and partially collapsed but can be navigated on the lefthand side.



Evidence ref: RMS-09a & b

File refs: 20181013_172 & 173

Date: 13 October 2018

Map location: G looking south into the nature reserve.

Notes: Modified access to the Nature Reserve with sign indicating that access was allowed.





Evidence ref: RMS-10a & b

File ref: 20181117_102 & 101

Date: 17 November 2018

Map location: G looking south into the nature reserve

Notes: Further changes to the nature reserve access arranged so that the site fence panel could be swung out of the way and replaced in its base socket.



Evidence ref: RMS-11a & b

File ref: 20210425_30 & 31

Date: 25 April 2021

Map location: B looking south

Notes: The initial attempt to block access to the disputed path.



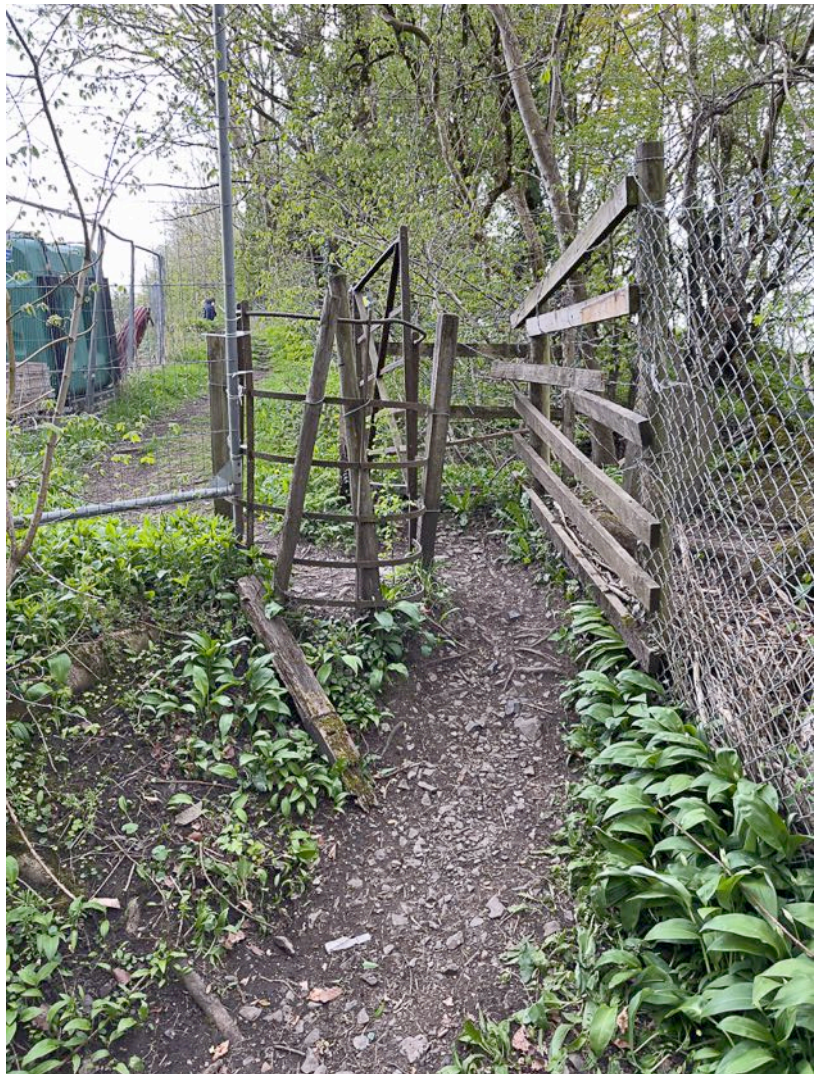
Evidence ref: RMS-12a, b & c

File ref: 20210501_73, 74 & 75

Date: 1 May 2021

Map location: B looking south.

Notes: Site fence panel removed and access allowed. Note the official 'Footpath' sign indicating the accepted line of the RoW.





Evidence ref: RMS-13a & b

File ref: 20210513_146 & 145

Date: 13 May2021

Map location: B

Notes: The second and current blocking of the disputed RoW.



Aerial Photographs & Maps



Evidence ref: RMS-14

File ref: 1968 aerial.jpg

Date: 13 June 1968

Source: National Monuments Record - © City of Wakefield Metropolitan District Council.

Notes: Marks are visible on the line of the disputed RoW as well as footpaths 3-11-FP 13 and 3-11-FP 1



Evidence ref: RMS-15

File ref: 1987 aerial.jpg

Date: 4 May 1987

Source: National Monuments Record - © Ordnance Survey

Notes: Marks are visible on the line of the disputed RoW as well as footpaths 3-11-FP 13 and 3-11-FP 1



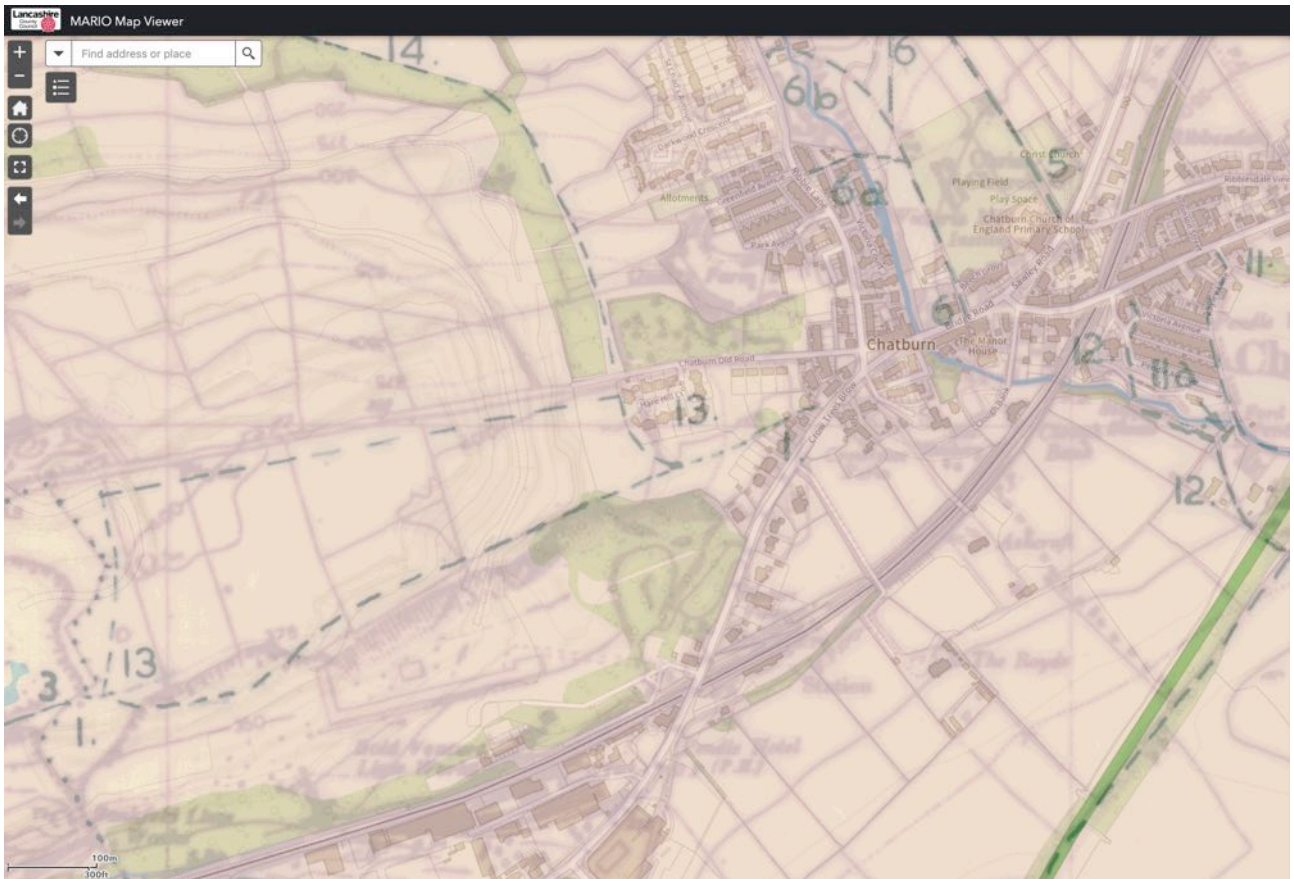
Evidence ref: RMS-16

File ref: Chatburn aerial.jpg

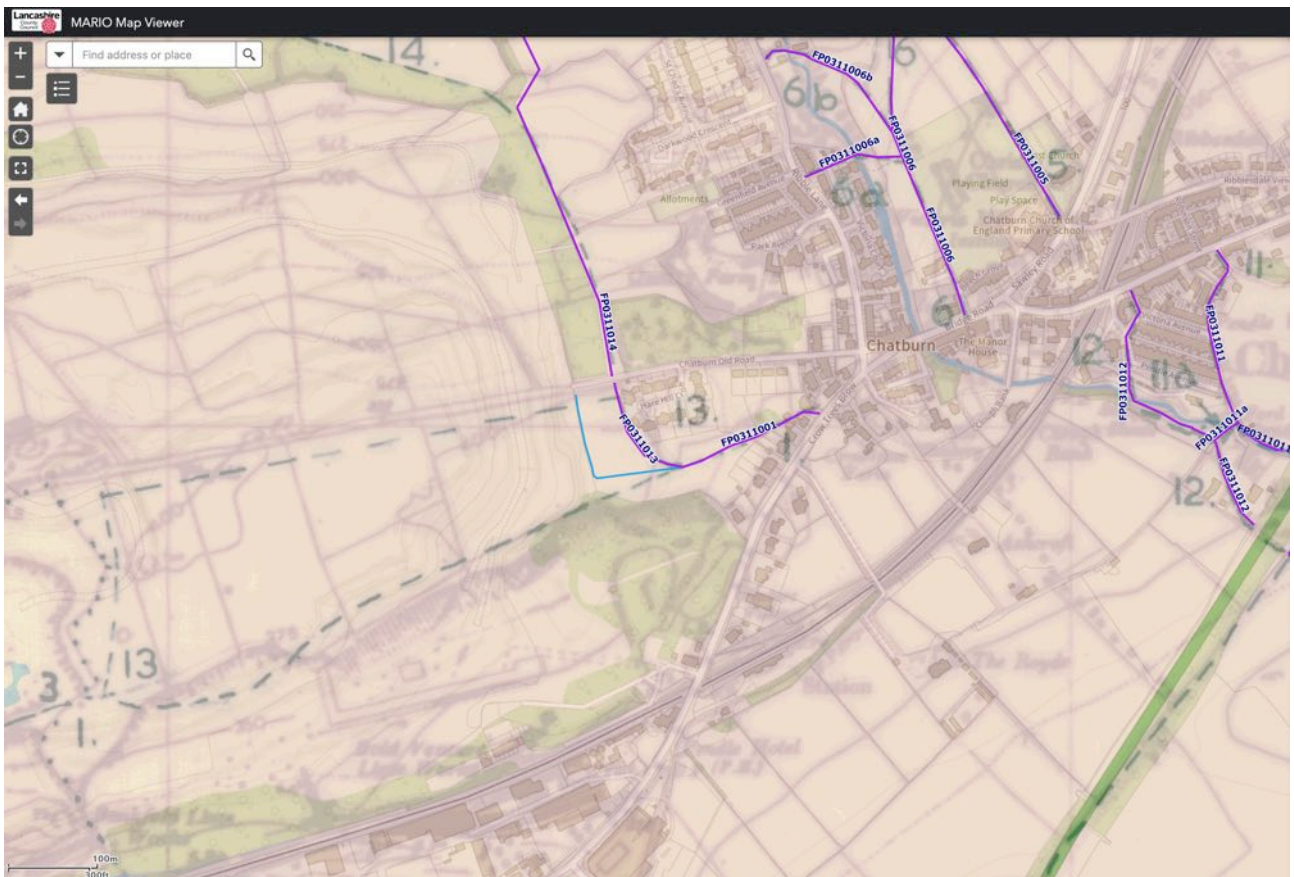
Date: Unknown

Source: Unknown, but prior to the building of Harehills Croft

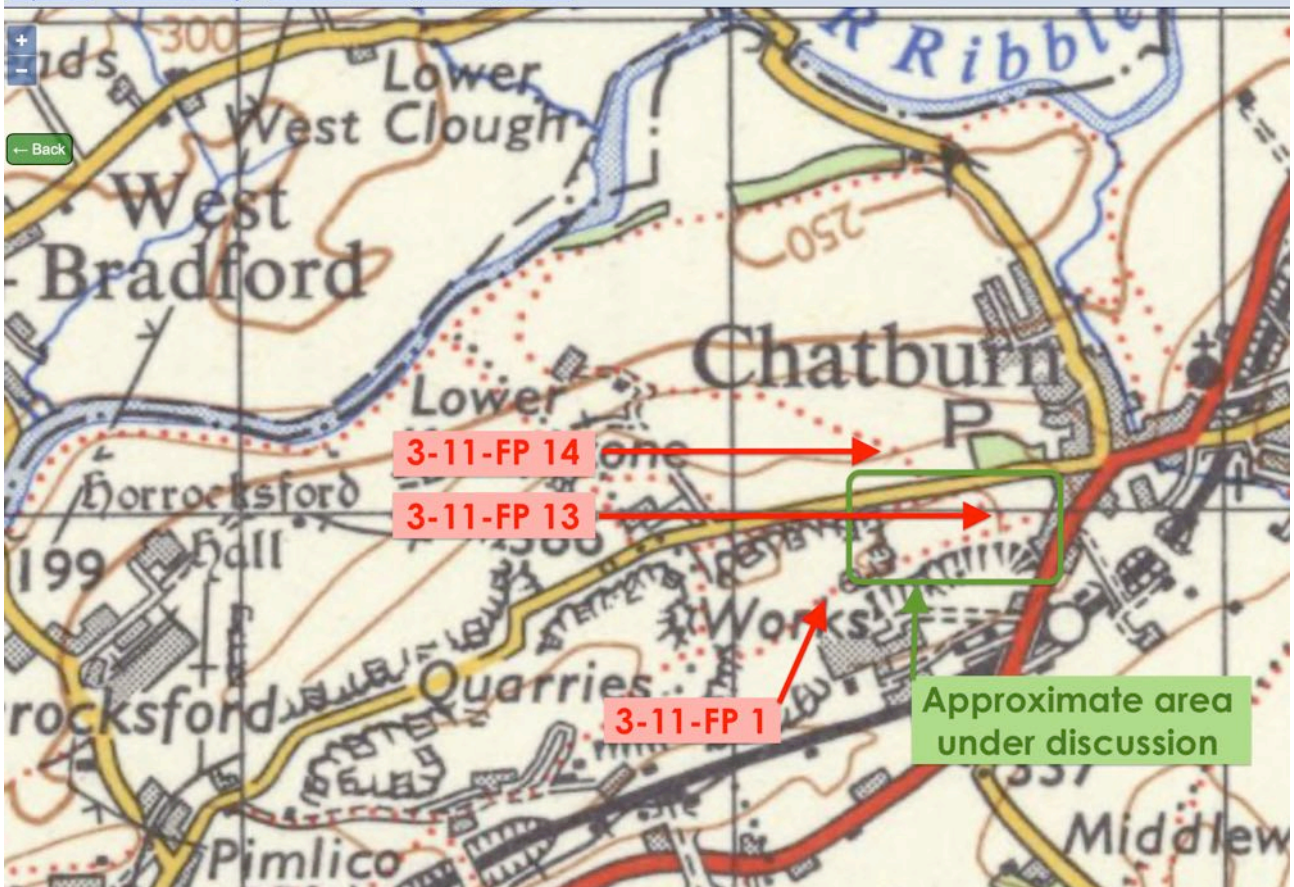
Notes: Marks are visible on the line of the disputed RoW.



RMS-17 LCC Mario screen shot showing original RoW map. © LCC



RMS-18 As above with current RoW and DMMO application paths marked. © LCC



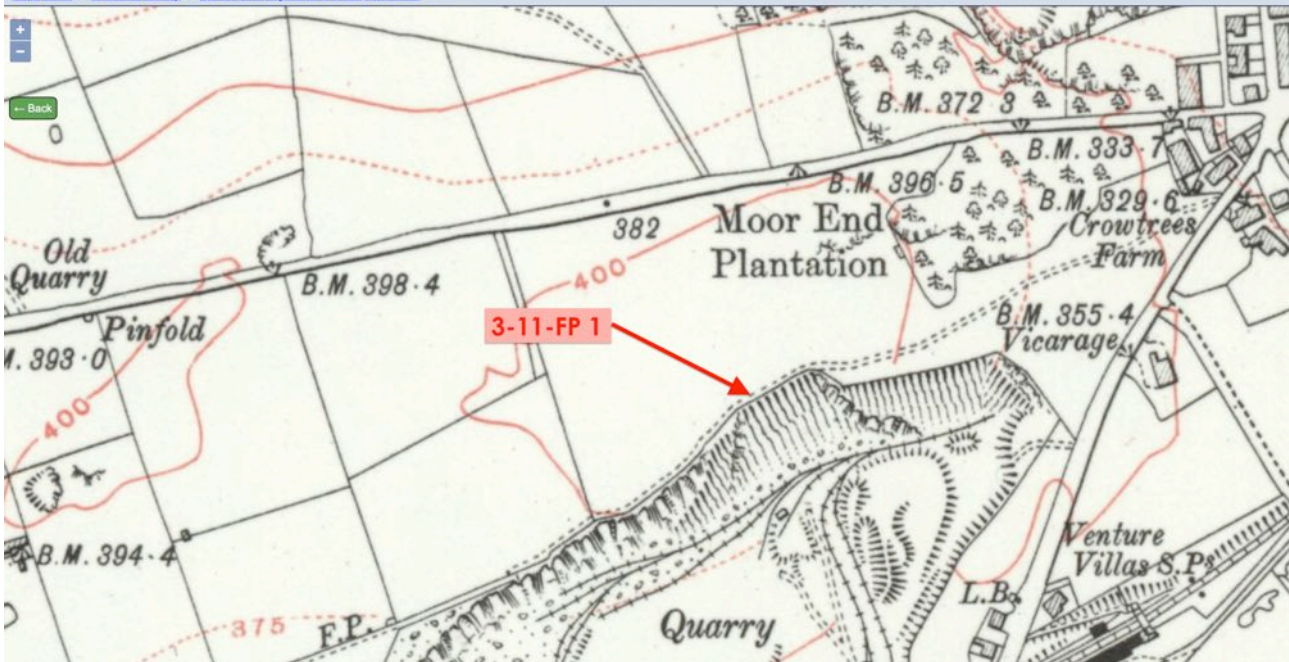
Evidence ref: RMS-19

File ref: OS Sheet 95 1961.png

Date: 1961

Source: National Library of Scotland

Notes: Shows the current RoWs as well as the original full length of 3-11-FP 1 which was truncated when quarry expansion took place. It does, however, indicate the reason for it having a different number and further establishes an older RoW up to the corner (C on the map) of the field. This is better shown on the map **RMS-20** below.



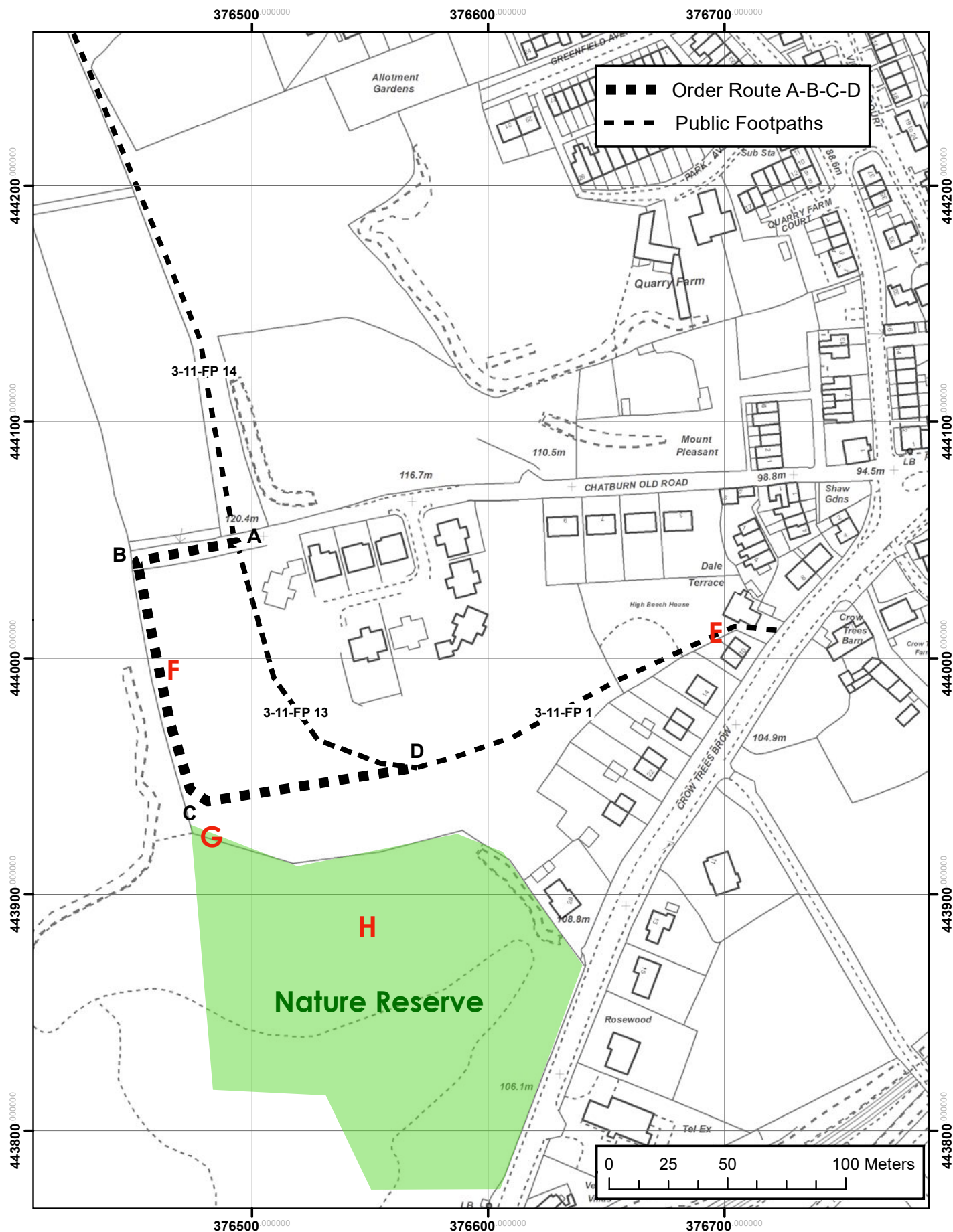
Evidence ref: RMS-20

File ref: OS 6 inch 1914.png

Date: 1914

Source: National Library of Scotland

Notes: Shows the fuller extent of footpath 3-11-FP 1



Lancashire County Council 	Public Rights of Way PROW@lancashire.gov.uk 01772 530317	Wildlife and Countryside Act 1981 Addition of Footpath from Chatburn Old Road	1:2,000	
The digitised Rights of Way information should be used for guidance only as its accuracy cannot be guaranteed. Rights of Way information must be verified on the current Definitive Map before being supplied or used for any purpose. This Map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to Prosecution or civil proceedings. Lancashire County Council Licence No. 100023320				