

**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
HELENA DUNSDON**

1. My name is Helena Dunsdon and I live at 16 Crow Trees Brow, Chatburn, Clitheroe. I moved to Chatburn in October 2009 and I work in Chatburn Village Library. I did not know the Order route before moving to Chatburn in 2009.
2. I have not completed a user evidence form prior to writing this Witness Statement as I was not aware that I could have done so when the original application to record a public footpath was made.
3. Our house backs onto the field crossed by the Order route. When we moved into the property in 2009 there was a gate leading directly onto the footpath from the back garden. At that time the field was grazed by sheep and cows and was lovely to look out onto.
4. We would see a lot of people walking along the route including Duke of Edinburgh Groups carrying big rucksacks. The path behind our house was so well used that we put up a bigger fence to provide better privacy and security – but retained a gate so that we could access the path ourselves.
5. From 2009 we used the Order route. Initially we used the route by gaining access from our back garden and then joining the footpath (FP 1) on the field and then walking all the way up the field to the fence separating the field from

the large quarry (point C on the Order plan) and then along the fence to the metal kissing gate (point B) and then right down Chatburn Old Road.

Sometimes we saw people cutting across the field along a more direct route to get to and from the metal kissing gate following paths made by sheep or by the deer that often passed through the field.

6. We never used the route marked on the Order map as Footpath 13 which

came out onto Chatburn Old Road through the five barred gate but would use the Order route instead.

We thought this gate was locked. We did use part of it (missing out the corner at C) but ALWAYS came out at the metal kissing gate.

7. Sometimes we walked up the Order route from the back of our house passing through point D and continuing to point C and then into the nature reserve. At other times we walked up Crow Trees Brow to get into the nature reserve and then came back along the Order route. I used the Order route from the time that we moved to Chatburn in ²⁰⁰⁹ 2014 until it was blocked in 2021. *→ not sure when it was blocked but it was when the develop. started underway*

8. I would use the Order route or parts of it on a daily basis since we moved here because we always had dogs. On one occasion I remember being on the Order route close to point C in quite a panic because our dog – who we had only had for six weeks – had run off and I couldn't find ^{him} her. I was afraid she had gone through the fence and fallen into the quarry but fortunately she had run home. My husband also used the route often a couple of times a week as part of his runs. *(see map for his route)*

9. When the building worked started on the field in 2016 trees were cut down and earth works were carried out in a matter of days. It became more difficult to use the Order route although I continued to do so. The landowner installed a stile between point B and point C that was difficult to use and ^{he also} blocked off access to the nature reserve. I still used the route D-C-B-A quite regularly until it was completely blocked off at the metal kissing gate although the walk was no longer as attractive as it used to be. *It also became very wet between D and C so made it difficult to use.*

10. I never used the Order route secretly and walked along it both during the day and in the evening. I regularly passed other walkers using the path.

11. 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 I had always seen other local people walking it since moving into the village 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 ^{upstairs} window.

12. I do not recall seeing any signs or notices indicating that the Order route was private and access to the public was not permitted.

13. 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.

In fact there is a brown footpath sign on a post at BA Crow Trees Brow that leads to the field.

14. 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.

The re-routed path is now inaccessible, uneven + very overgrown.

15. In summary, I regularly walked the Order route for 12 years from 2009 to 2021.

STATEMENT OF TRUTH

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

Signed:

H. Dunsden

Date:

