

FORM OF APPLICATION FOR A MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

The Wildlife and Countryside (Definitive Maps and Statements) Regulations, 1983 (Schedule 7)

DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF Part Barnoldswick and part Salterforth

DISTRICT OF PENDLE

PUBLIC RIGHT OF WAY NO:

TO:- County Secretary and Solicitor (LSG4/prow/jb), Lancashire County Council

OF:- Christ Church Precinct, County Hall, Preston, PR1 8XJ.

I/We (name of applicant) TOM PARTRIDGE

Of (address of applicant) BOROUGH COUNCIL OF PENDLE, ENGINEERING AND SPECIAL PROJECTS,  
2ND FLOOR, PHOENIX CHAMBERS, HOLME STREET, NELSON, BB9 9SS

hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statements for the area by

1. Deleting the \*(footpath) (bridleway) (byway open to traffic)  
from  
to
2. Adding the ~~\*(footpath)~~ (bridleway) (~~byway open to all traffic~~)  
from RAINHALL CRESCENT, BARNOLDSWICK  
to SALTERFORTH LANE, SALTERFORTH
3. \*(Upgrading) (downgrading) to a \*(footpath) (bridleway) (byway open to all traffic) the  
\*(footpath) (bridleway) (byway open to all traffic)  
from  
to
4. \*(Varying) (adding to) the particulars relating to the \*(footpath) (bridleway) (byway open to all traffic)  
from  
to  
by providing that  
and shown on the map annexed hereto.

Continued overleaf .....

\* Please delete as appropriate

**FORM OF CERTIFICATE OF SERVICE OF NOTICE OF APPLICATION FOR A  
MODIFICATION ORDER**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**The Wildlife and Countryside (Definitive Maps and Statements) Regulations, 1983  
(Schedule 9)**

**DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF** part Barnoldswick and part  
**DISTRICT OF** Pendle Satterforth

TO: County Secretary and Solicitor (LSG4/prow/jb), Lancashire County Council

OF: Christ Church Precinct, County Hall, Preston, PR1 8XJ

I/We (name of applicant) Tom Portridge

Of (address of applicant) Borough Council of Pendle, Engineering and Special Projects,  
2nd Floor, Phoenix Chambers, Holme Street, Nelson, Lancs BB9 9SS  
Hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and  
Countryside Act 1981 have been complied with.

**Details of Modification**

Adding The Bridleway from Rainhall Crescent, Barnoldswick to  
Satterforth Lane, Satterforth

**List of Landowners Notified**

Mr John R. Dinsdale of Rainhall Farm, Satterforth Lane,  
Satterforth, Barnoldswick, BB18 6JE

**Method of Service of Notice**

By sending in a prepaid registered letter

25th April 2007  
Tom Portridge  
Dated: Tom Portridge 2007

Signed: Tom Portridge

County Secretary and Solicitor (LSG4/prow/jb)  
Lancashire County Council  
Christ Church Precinct  
County Hall  
Preston PR1 8XJ

**FORM OF NOTICE OF APPLICATION FOR A MODIFICATION ORDER**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**The Wildlife and Countryside (Definitive Maps and Statements) Regulations, 1983 (Schedule 8)**

**DEFINITIVE MAP AND STATEMENT FOR THE PARISH OF** *Part Barnoldswick and part Satterforth*

**DISTRICT OF** *PENDLE*

To: Mr John R. Dinsdale

Of: Rainhall Farm, Satterforth Lane, Satterforth, Barnoldswick, BB18 6JE

Notice is hereby given that on the *25<sup>th</sup>* day of *April* 200*7*

I/We *Tom Partridge*

of *Pendle Borough Council, Engineering and Special Projects, Phoenix Chambers, Nelson,*

made application to the LANCASHIRE COUNTY COUNCIL, CHRIST CHURCH PRECINCT, COUNTY HALL, PRESTON, that the Definitive Map and Statement for the above-mentioned Parish and District be modified by

~~1. Deleting the \*(footpath) (bridleway) (byway open to all traffic)~~

from

to

2. Adding the ~~\*(footpath) (bridleway) (byway open to all traffic)~~

from *Rainhall Crescent, Barnoldswick*

to *Satterforth Lane, Satterforth*

~~3. \*(Upgrading) (downgrading) to a \*(footpath) (bridleway) (byway open to all traffic) the \*(footpath) (bridleway) (byway open to all traffic)~~

from

to

4. ~~\*(Varying) (adding to) the particulars relating to the \*(footpath) (bridleway) (byway open to all traffic)~~

from

to

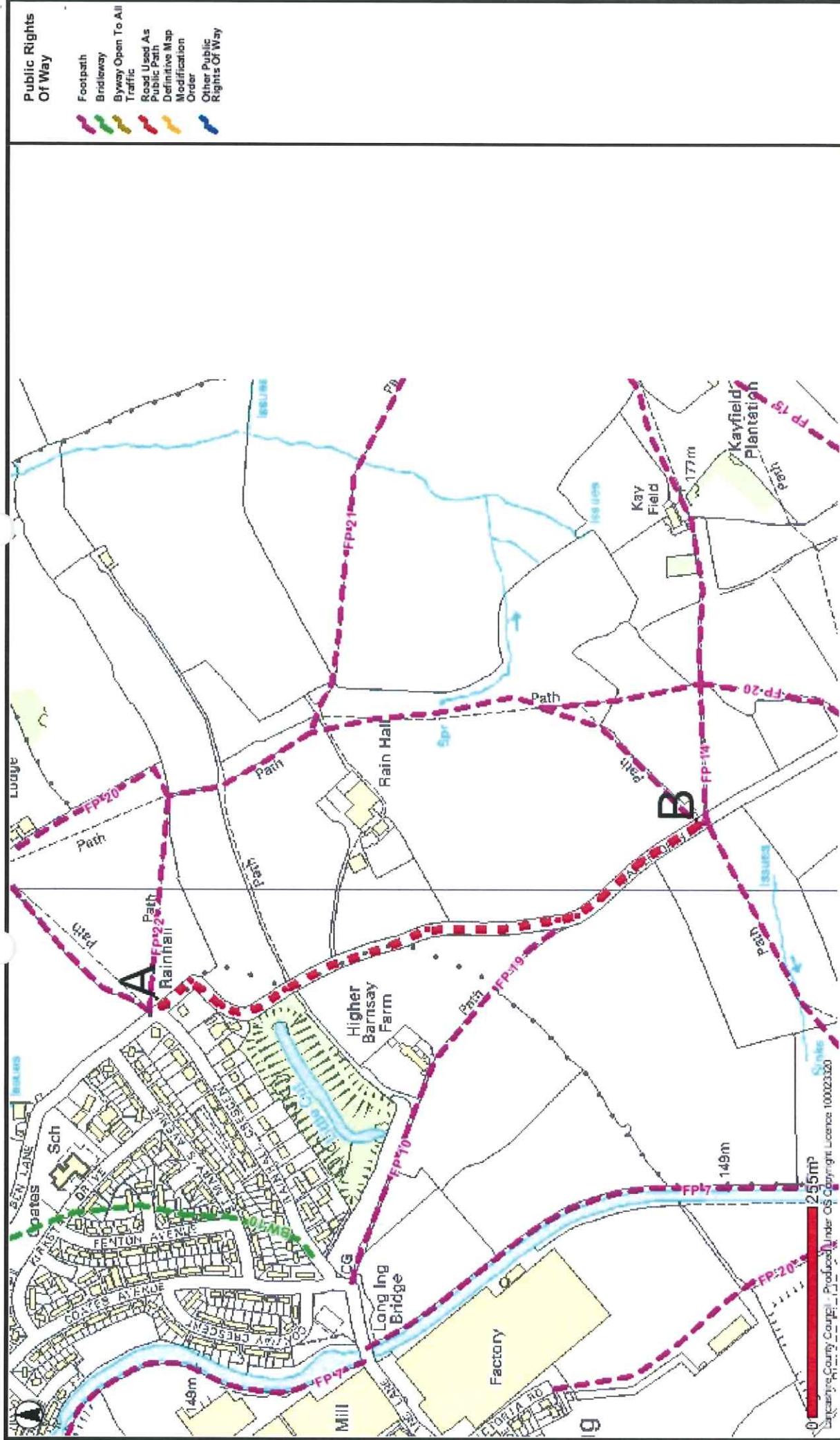
providing that

Dated *25<sup>th</sup> April* 200*7* Signed *Tom Partridge*

**\*Please delete as appropriate**

County Secretary and Solicitor (LSG4/prow/jb)  
Lancashire County Council  
Christ Church Precinct  
County Hall  
Preston PR1 8XJ

**SEE NOTES OVERLEAF**



## Salterforth Lane A - B

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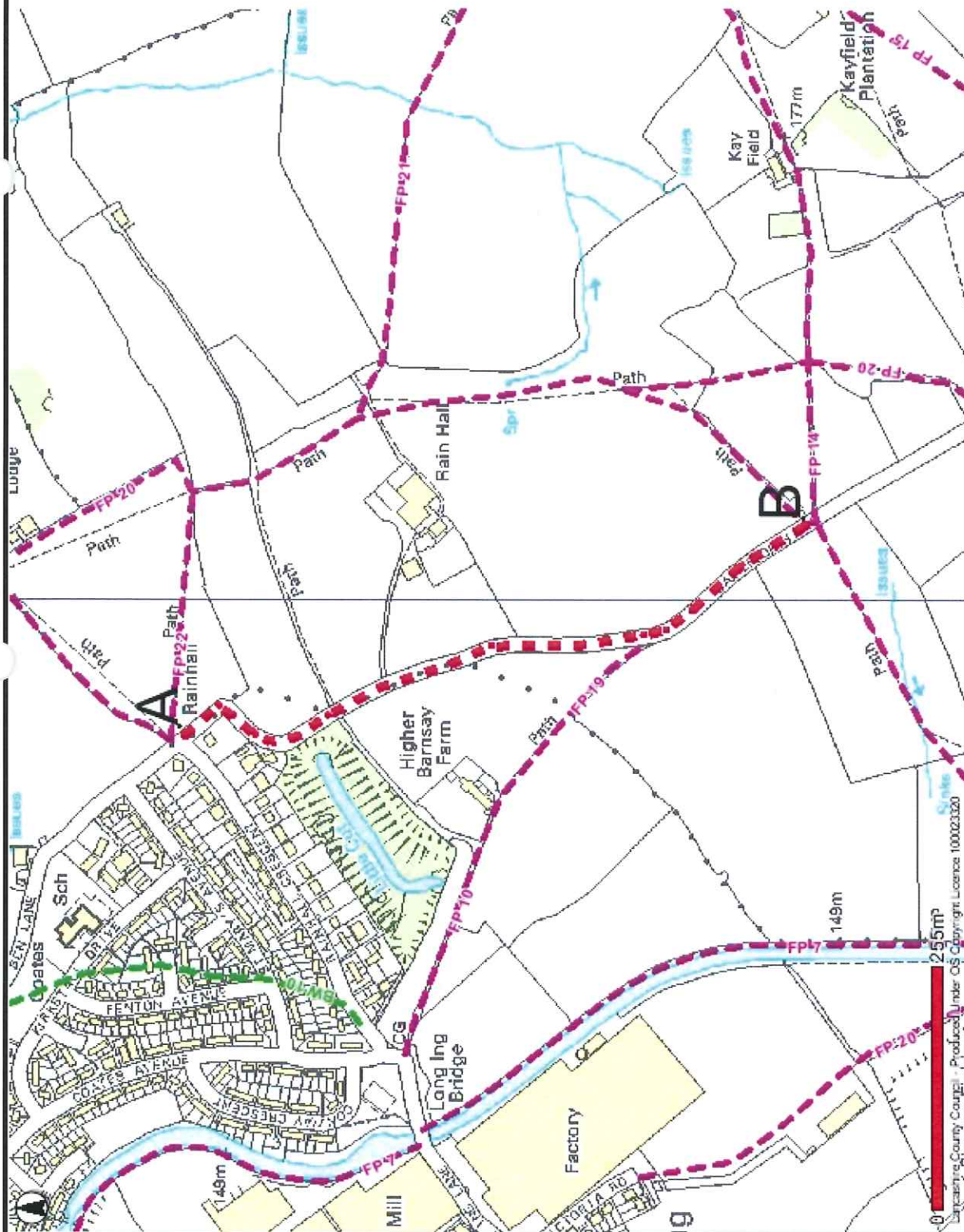
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Date:  
25/4/2007



# Public Rights Of Way

- Footpath
- Bridleway
- Byway Open To All Traffic
- Road Used As Public Path
- Definitive Map Modification
- Order
- Other Public Rights Of Way



## Salterforth Lane A - B

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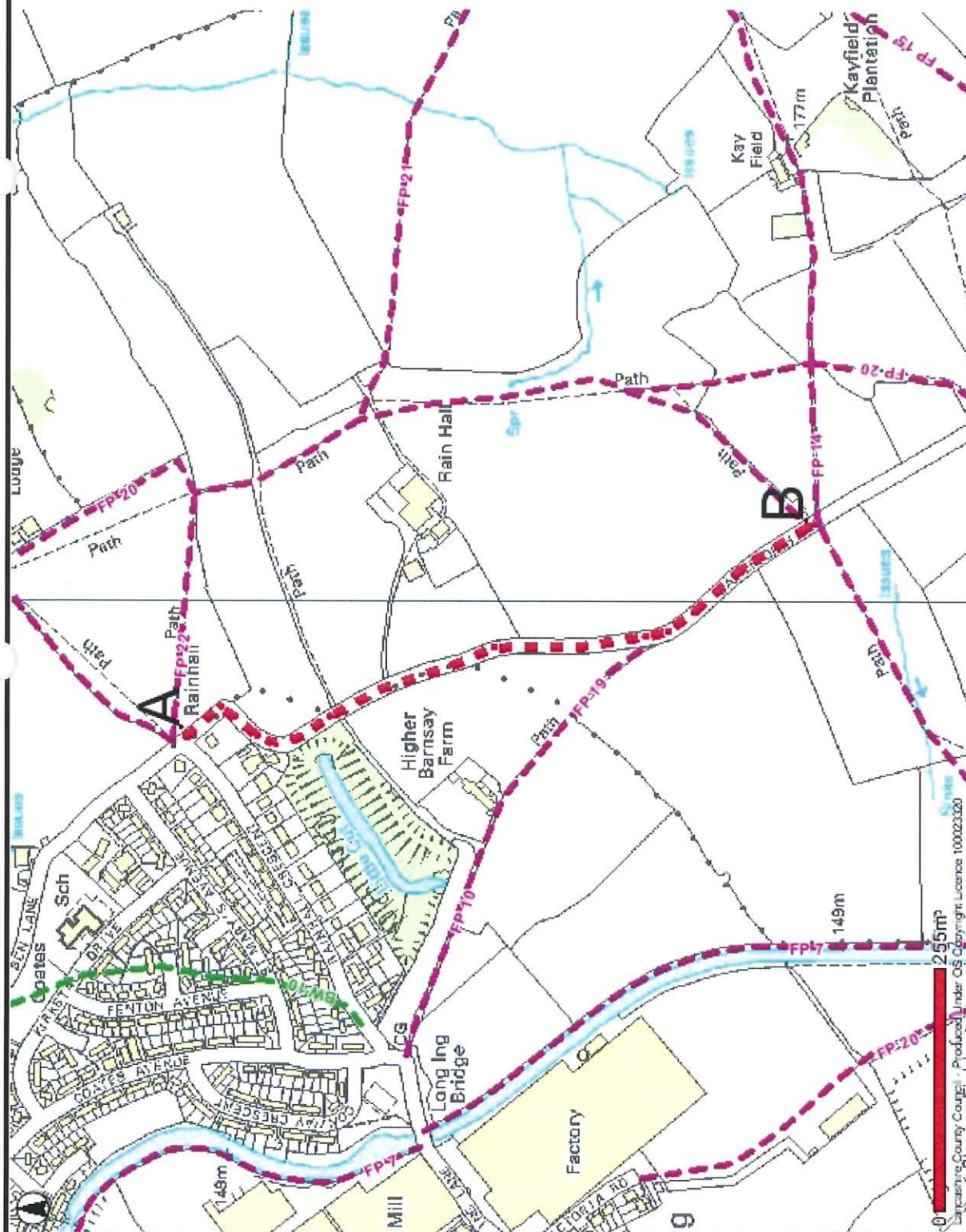
Date:  
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# Public Rights Of Way

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## Salterforth Lane A - B

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## HISTORY OF THE ANCIENT MUSGHYLL GATE TO DUMPHILL GATE ROAD

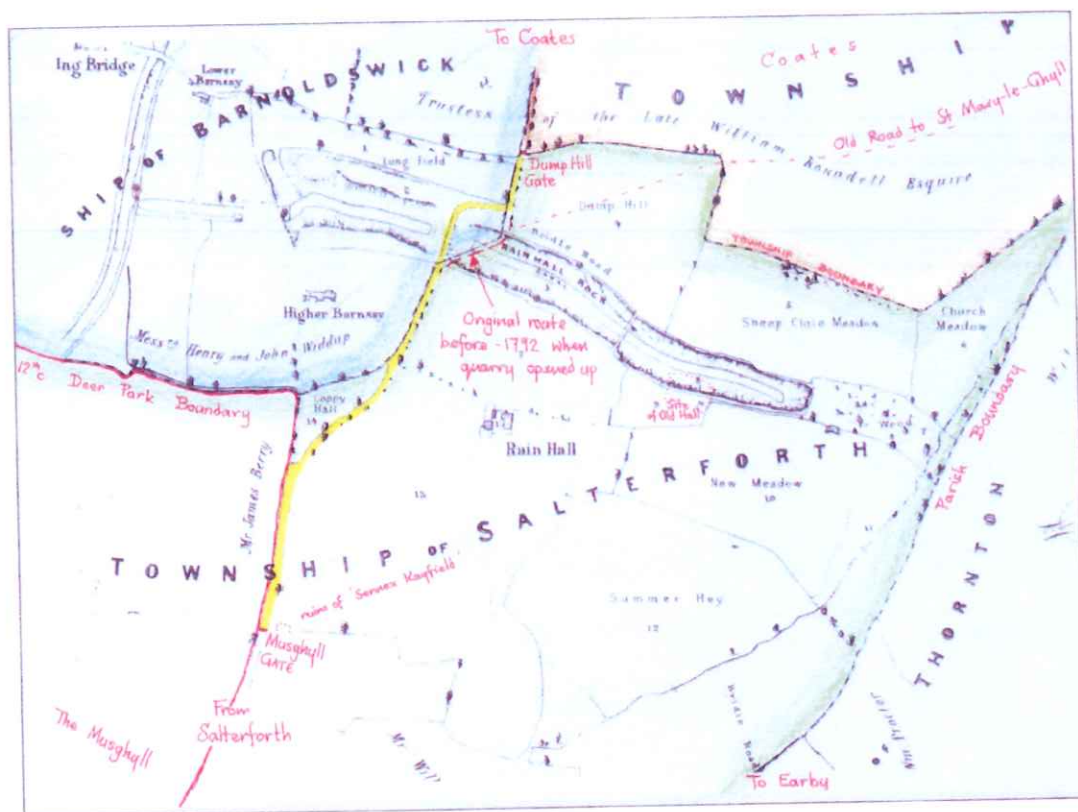
The origins of this former sunken lane running between the ancient settlements of Barnoldswick-Cotes and Salterforth go back at least a thousand years as it was a vital local trade route between the two villages and was probably part of the system of routes taken by the salt dealer's packhorse trains which date back to the Romano British period. It also acted as the main highway to and from St Mary-le-Ghyll the parish church for Salterforth residents and before the building of Thornton Church circa- 1250A.D Kelbrook residents would have used this route via Mucky Lane as well.



*Looking along 'Musghyll Road' or 'Rocky Tops' 23<sup>rd</sup> Feb 1969*

This road was also used as a monastic way by the Cistercian monks and lay brothers who farmed the two grange farms at Coates and Greenhyll at Salterforth for Kirkstall Abbey, although the grange at Salterforth had by the mid 13<sup>th</sup> century transferred into the hands of Roche Abbey in South Yorkshire. This road has probably altered very little over time apart from being widened due to traversing boggy patches and slowly being enclosed landowner hedges in the late medieval period. Indeed the names of 'Dumphill Gate' and Musghyll Gate hint that it was once gated at the extremity of the old townfields of Coates and Salterforth where it tracked through the open common grazing lands that once lay between the settlements.

During my ongoing fieldwork into the extent and history of the early medieval deer park based at Barnoldswick Old Park (Lower Park) The Musghyll Gate Road formed part the eastern most boundary of this old deer park during the 12<sup>th</sup> and 13<sup>th</sup> centuries, which is likely to have been part of the monastic estate, this deer park or hunting lodge was acquired by the Boltons of Bolton-by-Bowland during the 13<sup>th</sup> century and ended up with the Pudsey's of Bolton Hall who claimed the title of master forester of the Barnoldswick Forest.



Map of part of the estate of Ellen Smith of Fence End, dating from the 1880's with added notes and colouring by author

The Musghyll Gate Road would have been difficult to traverse in the winter months due to poor maintenance and was used by mainly hoofed traffic with the odd small cart. It wasn't until the 16<sup>th</sup> and 17<sup>th</sup> centuries that wheeled traffic increased which was mainly local in nature, but by the late 17<sup>th</sup> and early 18<sup>th</sup> centuries there was an increase in population, wealth and commerce this put greater pressure on the route which was by now hemmed in by hedge banks and heavier carts caused deeper ruts and winter mud. Up to the late 18<sup>th</sup> century the road was known as a bridle road and responsibility of its maintenance lay with the landowners and villagers who each had to provide a number of days labour on the roads each year.

The earliest documentation relating to the road is contained within the 'Bagshaw Papers' which contain the Barnoldswick Manorial Court Records. A copy of which is at Barnoldswick Library.

17<sup>th</sup> April 1733, We also amerce every person who useth the way from Salterforth Town Stoops (Mucky Lane Stoops) to Barnoldswick-Coates within the jurisdiction of this court with cart and carriage and any other loads, not having a right there in mercy of the Lords, 4 shillings for each offence.





*The 'Musghyll Guide Stoop' restored to its former site at the junction with Mucky Lane/ Cross Lane & Musghyll Road*

The road network in and around Salterforth was first tarred in late spring of 1924 by Skipton Rural District Council. We believe that the road over to Coates was left as a dust/ stone road, the reason being that the construction of the New Road between Barnoldswick and Salterforth offered a better route. This section of the New Road was unofficially opened for use in 1929. The Musghyll to Dumphill Road would have seen a huge decrease in its use other than by local farms, therefore the District Councils of Barnoldswick and Skipton did not press for its maintenance as a main highway, which over the last 70 odd years has led to its slow deterioration and it becoming a place to dump rubble and in recent decades a place to fly-tip. This road is more commonly known by its local nick-name of 'Rocky Tops'.

Local residents firmly believe this road to be an unclassified county road or white road, who's ownership and maintenance has been deliberately neglected. It is in and always has been in full legal use as a vehicular right of way for wheeled traffic since 1769 and also long before that date as a main highway between these two ancient of Salterforth and Barnoldswick-Coates.

## THE MUSGHYLL GUIDE STONE

This guide stone was discovered in April 2000, by a gardener working in the garden of an old farm house near Newchurch-in-Pendle, it was face down and used as a garden step, myself as a local historian heard of the discovery and asked the owner if it could be given back to the village from whence it came. The owner agreed to give it on condition that he was not named nor its previous whereabouts disclosed to the general public or any publicity regarding its restoration.



*The 'Musghyll Guide Stone' restored to its original location in June 2002*

For just over two years it stood in my allotment garden where I restored the stone as some of the lettering had become very worn, so I re-chiselled some of the letters, painted the stone white and painted the lettering and fingers in black. In June 2002 I restored it to its former position at the junction with Cross Lane/ Mucky Lane and Salterforth Lane (formerly called- Musghyll Gate)



*Musghyll Guide Stone restored to the junction of Cross Lane/ Mucky Lane and Musghyll Gate, 2002*

While in the process of digging it into the ground an old gentleman (who's a member of the Barnoldswick History Society) walked by and stopped, he almost had a tear in his eye, he thanked me for putting back this lost guide stone and he related a tale to me that when he was a boy, he used to walk this way with his grandfather and he told him that a stone guide post once stood at this spot when he was a young lad and that during the 1870's the stone had been stolen during the cover of dark and it was never recovered nor was it ever known who had taken it or the reason why. I asked him not to have any publicity regarding the restoration of this guide stone on condition that I would supply what information I could to the Barnoldswick History Society. Two other villagers walking past- May Smith and Alice Wood also heard this old gentleman relate this tale to me. It felt like I was meant to replace this stone guide stoop and guided by fate to do so! Rather spooky don't you think?

It is thought that this guide stone with its strange reversal of the letters 'S' and 'N' was probably carved by the same mason who carved dated door lintels of the mid to late 17<sup>th</sup> century in the locality, if it dates from before 1697 then it may have been paid for by one of the lords of the manor and erected by the unpaid Surveyor of the Highways for the parish, this is because in 1555 parishes were made liable for the maintenance of the roads passing through them and parishioners were obliged to spend four days a year working on the roads, in 1563 this was increased to six days a year.

In 1697 an Act of Parliament authorised local Justices of the Peace to direct highway surveyors to put up a stone or post 'for the better convenience of travellers in places remote from towns and villages where roads meet', these stones erected from this time onwards are generally dated and are on square cut pillars of stone, our example has not got a carved date and is formed from a rectangular slab of stone, I think its a fair guess to put its date to the period 1660-1690, if I'm correct then it is perhaps as old if not older than the Earby Guide Stoope (moved from Sough Park to the Earby Mines Museum) the lettering on the Earby Stoope is in relief, not incised like the Musghyll Guide Stone, both stones are of similar shape and size. I doubt we will ever find out who carved them or when exactly.



*Lifting the Earby Guide Stoop into its new home at the Earby Lead Mines Museum @ 6-20pm on Thursday 3<sup>rd</sup> June 1999 (Iroin Whiteoak, Trevor Tatersall & Maurice Horsfield, photo by Nick Livsey)*